

**IN THE WATER COURT OF THE STATE OF MONTANA
BIG SANDY CREEK - BASIN 40H**

**NOTICE THAT OBJECTIONS HAVE BEEN FILED
AND HEARINGS REQUESTED**

This is your notice that the Montana Water Court will hear objections, receive evidence, and review the historical beneficial use of water right claims in Big Sandy Creek and its tributaries in Basin 40H. These claims were included in the Basin 40H Interlocutory Decree issued June 17, 2020.

WHAT IS HAPPENING?

An **Objection List** identifies the water right claims the court will review. Changes to the claims on the objection list may affect your water rights. If you are not the claimant or objector, and you want to be kept informed of the progress of a water right claim through the Water Court or become involved as a third party in the claim proceedings, you must file a **Notice of Intent to Appear**.

A counterobjection period was not held because the only objections filed were by parties who objected to their own rights or parties who did not have claims in the decree. Accordingly the objection list only includes rights that received issue remarks or objections.

YOU CAN SEE THE OBJECTION LIST FOR THIS BASIN AND OBTAIN FORMS FOR FILING A NOTICE OF INTENT TO APPEAR AT THE LOCATIONS LISTED BELOW.

WHO MAY FILE A NOTICE OF INTENT TO APPEAR?

If you are *not already involved* in a specific water right claim as the claimant or objector, but you wish to participate in the proceeding regarding a specific water right claim, you may file a **Notice of Intent to Appear**. If you file a **Notice of Intent to Appear** on a claim you will receive notice of all further proceedings regarding that claim. You may only file a **Notice of Intent to Appear** regarding claims on the objection list.

FILING DEADLINE

A **Notice of Intent to Appear** must be filed on the forms provided by the Water Court and must be filed with the Water Court, P.O. Box 1389, Bozeman, MT 59771-1389 by **February 5, 2021**.

WHERE TO SEE THE OBJECTION LIST AND OBTAIN FORMS

The Objection List may be reviewed and Notice of Intent to Appear forms may be obtained at the:

1. Montana Dept. of Natural Resources & Conservation,
Water Rights Adjudication, 910 Helena Ave, Helena, MT (406) 444-0560
Havre Regional Office, 210 Sixth Ave., Havre, MT (406) 265-5516
2. Montana Water Court, 1123 Research Drive, Bozeman, MT (406) 586-4364

The Objection List and Notice of Intent to Appear form are posted online at www.dnrc.mt.gov/divisions/water/adjudication. After arriving at the site, scroll down to Basin 40H and click on Big Sandy Creek, Interlocutory Decree. Click on Notice of Intent to Appear Form or on Objection List. A free CD of the Objection List and Notice of Intent to Appear forms are also available from the Water Court upon request. A paper copy of the Objection List is available from the Water Court for \$25.00.

The **Objection List** does not contain all of the information included on an objection to a water right claim. To obtain a copy of a complete objection, contact the Montana Water Court at P.O. Box 1389, Bozeman, MT 59771-1389, watercourt@mt.gov, (406) 586-4364, or (800) 624-3270.

WHAT HAPPENS AFTER A NOTICE OF INTENT TO APPEAR IS FILED?

The claimant, objectors and those who filed a Notice of Intent to Appear will be notified by the Court of the time and date set for the first status conference and all other Court proceedings. If you file a Notice of Intent to Appear, you will be expected to participate in Court proceedings.

If you do not participate in Water Court proceedings, your right to appeal adverse Water Court decisions is limited by the provisions of Section 85-2-235, MCA.

BASIN MEETING WITH THE WATER COURT

An informal public meeting will be held by telephone conference call on **Wednesday, January 20, 2021 at 12:00 p.m.** To take part in the telephone conference, dial **406-318-5487**, at the prompt enter code: **212 810 195#**

Any Questions? Call the DNRC Adjudication Office at (406) 444-0560 or call the Water Court at (406) 586-4364 or (800) 624-3270.

DATED this 4th day of January, 2021.

**Russ McElyea
Chief Water Judge
Montana Water Court
P. O. Box 1389
Bozeman, MT 59771-1389**

REMINDER: Notice of Intent to Appear forms must be filed by February 5, 2021.