

Montana Water Court
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FILED
APR 06 2017

Montana Water Court

**MONTANA WATER COURT, YELLOWSTONE DIVISION
CLARKS FORK, YELLOWSTONE RIVER
BASIN 43D**

**ORDER DESIGNATING THE DNRC AND THE WATER COURT TO MAIL
NOTICE OF AVAILABILITY OF CLARKS FORK, YELLOWSTONE RIVER,
BASIN 43D**

Pursuant to the requirements of § 85-2-232, MCA, the Montana Water Court sent the Notice of Availability to: (1) all federal land management agencies in the Yellowstone Division; (2) all Indian tribes of the Yellowstone Division; (3) the County Clerks of Court for Carbon, Park, and Yellowstone Counties, Montana; and (4) any other persons who have requested service of notice from the Water Judge.

The Montana Water Court will publish the Notice of Availability (slightly modified for publication purposes) once a week for three consecutive weeks in the Billings Gazette, Carbon County News, and Laurel Outlook.

Pursuant to the requirements of § 85-2-232, MCA it is.

ORDERED that on April 7, 2017, the Department of Natural Resources and Conservation (Department) send by mail to each person and their successor in interest (including any “purchaser under contract for deed” as that term is defined in § 70-20-115, MCA), if known, who has filed a claim for an existing water right in the Clarks Fork, Yellowstone River (Basin 43D) a copy of the Notice of Availability of the Preliminary Decree for that Basin and an abstract of the disposition of such person’s claim of existing right.

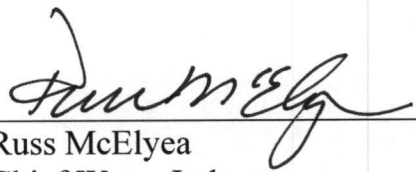
ORDERED that, on the same date, the Department mail the Notice of Availability to: (1) all parties in the Clarks Fork, Yellowstone River (Basin 43D) issued permits for water use in that basin pursuant to § 85-2-301, MCA or their successor in interest, if

known; (2) all parties who have applied for and have not been denied permits for use of water in the Clarks Fork, Yellowstone River (Basin 43D) pursuant to § 85-2-301, MCA; (3) all parties who have been granted a reservation in the Clarks Fork, Yellowstone River (Basin 43D) pursuant to § 85-2-316, MCA; and (4) all parties in the Clarks Fork, Yellowstone River (Basin 43D) who have received certificates of water rights pursuant to § 85-2-306, MCA for wells under 100 gallons per minute.

ORDERED that the Department shall make a general certificate of mailing certifying that a copy of the notice was placed in the United States Mail, postage pre-paid and addressed to each party required by this Order to be served notice of the Preliminary Decree.

ORDERED that the Department file the original certificate of mailing with the Montana Water Court.

DATED this 6th day of April, 2017.


Russ McElyea
Chief Water Judge

John Peterson, Bureau Chief
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