

**IN THE WATER COURT OF THE STATE OF MONTANA  
WHITEWATER CREEK - BASIN 40K**

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**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 Whitewater Creek and its tributaries in Basin 40K. These claims were included in the Basin 40K Preliminary Decree issued March 7, 2019.

**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**.

**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 **March 3, 2020**.

## **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  
Glasgow Regional Office, 222 Sixth Street South, Glasgow, MT (406) 228-2561
2. Montana Water Court, 1123 Research Drive, Bozeman, MT (406) 586-4364

*The Objection List and Notice of Intent to Appear form are posted on the internet at [www.dnrc.mt.gov/divisions/water/adjudication](http://www.dnrc.mt.gov/divisions/water/adjudication) [www.dnrc.mt.gov/divisions/water/adjudication](http://www.dnrc.mt.gov/divisions/water/adjudication). After arriving at the site, scroll down to Basin 40K and click on Whitewater Creek, Preliminary 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 \$30.00 .*

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](mailto: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 MEETINGS WITH THE WATER COURT**

The Water Court will host two **telephone conference calls**: one on Wednesday, February 5, 2020 at 6:30 p.m. and one on Thursday, February 6, 2020 at 12:00 p.m.. At the date and time of the meetings, dial the toll-free telephone number: **1-877-526-1243**. At the prompt, enter the participant pin code of: **46309676#**.

**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 3rd day of January, 2020.**

**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 March 3, 2020.**