

**MONTANA WATER COURT
YELLOWSTONE DIVISION
YELLOWSTONE RIVER, BETWEEN TONGUE & POWDER RIVERS
BASIN 42K
SECOND PRELIMINARY DECREE**

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

This is your personal notice that the Montana Water Court will hear objections, receive evidence, and review the historical beneficial use of water right claims diverted or used in Basin 42K Yellowstone River, between the Tongue and Powder Rivers. The Water Court included these claims in the Basin 42K Preliminary Decree issued on May 8, 2025.

WHAT IS HAPPENING?

An **Objection List** has been prepared that identifies the claim number, the ownership, the water source involved, the names of any objectors, and the DNRC examination report issues, all of which the Water Court will review. Any water right claim on the list could change as a result of this review. Changes to a neighbor's water right may affect your water rights. After the Water Court completes its review of these claims, a water commissioner could be appointed to enforce the provisions of these claims on any of the sources involved. The purpose of this proceeding is to determine the historical beneficial use of the claims involved in this drainage. 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 to become involved as a third party in the claim proceedings, you must file a **Notice of Intent to Appear**.

For your protection, we suggest that you thoroughly review the Objection List and then decide whether to file a notice of intent to appear. You can see the objection list for this basin and obtain the proper forms 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 intervene and to participate in the proceeding regarding a specific water right claim, you may file a **Notice of Intent to Appear**. Those who timely file a **Notice of Intent to Appear** on a claim will receive notice of all further proceedings relevant to the Court's review of that specific claim.

FILING DEADLINE

A **Notice of Intent to Appear** must be filed on the forms provided by the Water Court and must be returned to the Water Court by **October 20, 2026**.

WHERE TO SEE THE OBJECTION LIST AND OBTAIN FORMS

The Objection List is available at <https://courts.mt.gov/Courts/Water/Notices-Info/PublicNotices> and the Notice of Intent to Appear form is available under Forms at <https://courts.mt.gov/Courts/Water/LegalResources>. Paper copies of the Objection List and Notice of Intent to Appear form may be reviewed and obtained at:

1. Montana Dept. of Natural Resources & Conservation,
 - a. Water Rights Adjudication Office, 1424 9th Avenue, Helena, MT 59620 (406) 444-0560
 - b. Billings Regional Office, 1371 Rimtop Drive, Billings, MT 59105 (406) 247-4415
2. Montana Water Court, 149 Willow Peak Drive, Unit #2, Bozeman, MT 59718 (406) 586-4364

The Objection List does not contain all the information included on the objection form. Filed objections are available at <http://wrqs.dnrc.mt.gov/> or you may contact the DNRC or Montana Water Court.

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

The claimant, objectors and those who filed a Notice of Intent to Appear form 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 actively in the 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

An informal public meeting will be held by telephone conference call on **Tuesday, September 8, 2026, at 12:00 pm.** Dial (646) 558-8656, enter the Meeting ID 895 6089 7858#, then press # to skip participant ID, then enter the meeting password 460602# or join online at <https://mt-gov.zoom.us/j/89560897858?pwd=fJSjqtKxrNODOvt03Z3fhBSj4fH1aF.1>.

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 21st day of August, 2026.

/s/ Stephen R. Brown
Chief Water Judge
Montana Water Court

REMINDER: Notice of Intent to Appear forms must be filed by October 20, 2026.