

**IN THE WATER COURT OF THE STATE OF MONTANA
UPPER MISSOURI RIVER DIVISION
TETON RIVER - BASIN 410**

**AMENDED 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 1623 water right claims diverted or used in the Teton River drainage. All but two of these claims were included in the Basin 410 Temporary Preliminary Decree issued in 2005.

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 general nature of the issues which the Water Court will review. Any of the claims on the list may 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 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 need to file a **Notice of Intent to Appear**.

FOR YOUR PROTECTION, WE SUGGEST THAT YOU THOROUGHLY REVIEW THE OBJECTION LIST AND THEN DECIDE WHETHER YOU WANT 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 MUST 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 must 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, P. O. Box 1389, Bozeman, MT 59771-1389 by **JANUARY 17, 2008**.

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 Resources Regional Office, 210 Sixth Ave., Havre, Montana. Telephone (406) 265-5516.
2. Clerk of District Court, Teton County Courthouse, Choteau, Montana.
3. Clerk of District Court, Chouteau County Courthouse, Fort Benton, Montana.
4. Montana Water Court, 601 Haggerty Lane, Bozeman, Montana. Telephone (406) 586-4364.

The Objection List and forms are also posted on the Internet at www.dnrc.mt.gov/wrd Click on Water Rights, then Adjudication Activity, then Water Court Activity, then scroll down to Basin 410 and click on Teton River, and finally click on Objection List. You may also obtain a paper copy of the Objection List from the Montana Water Court for \$20.00.

The **Objection List** does not contain all of the information included on the objection form. To obtain a copy of an objection in its entirety, contact the Montana Water Court, P. O. Box 1389, Bozeman, MT 59771-1389, (406) 586-4364 or toll free (in Montana only) 1-800-624-3270.

**ALL NOTICES OF INTENT TO APPEAR MUST BE RECEIVED BY THE MONTANA WATER COURT
BEFORE 5:00 PM ON JANUARY 17, 2008.**

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.

TWO CLAIMS WERE NOT INCLUDED IN DECREE

Two claims were not included in the decree, but received objections. First, the United States Department of Interior Bureau of Land Management wildlife claim 41O 78802-00 was not included in the Basin 41O decree due to a clerical error. This BLM claim is added to the Basin 41O decree and a copy of the claim abstract will be mailed to you upon request. This claim will be reviewed by the Water Court. Second, Aldrich Springs claim 41P 178131-00 was not included in the Basin 41O decree, but it received an objection asserting that it "should be adjudicated in the Marias River drainage as it flows west." This objection raises an issue as to which drainage Aldrich Springs should be identified as being a tributary of. This issue will be reviewed by the Water Court during the Teton River or the Marias River water rights adjudication. If you wish to participate in the review of either of these two claims, you must file a Notice of Intent to Appear form and identify the claim number of the claim or claims of which you will participate.

BASIN MEETING WITH THE WATER COURT

An informal public meeting will be held by Douglas Ritter, Senior Water Master of the Montana Water Court, on **TUESDAY, December 11, 2007** at **1:00 P.M.** at the Montana Agricultural Center, 1205 20th Street in **Fort Benton**, Montana, and at **7:00 P.M.** at the Stage Stop Inn, 1005 Main Ave. N., in **Choteau**, Montana. Bring your water right abstracts and your questions to one of these meetings.

ARE WE USING YOUR CORRECT MAILING ADDRESS?

If the mailing label on the envelope in which this Notice was enclosed is incorrect, please mail the enclosed address correction form to the DNRC.

Any Questions? Call the DNRC Havre office at (406) 265-5516 or call the Water Court's toll free number 1-800-624-3270 (In Montana). Our regular office number is (406) 586-4364; it is not toll free.

DATED this 15th day of November, 2007.

**C. BRUCE LOBLE
Chief Water Judge
Montana Water Court
P. O. Box 1389
Bozeman, MT 59771-1389**

REMINDER: Notice of Intent to Appear must be filed by JANUARY 17, 2008.