WC-0001-C-2021

February 9, 2023

Montana Water Court

## IN THE WATER COURT OF THE STATE OF MONTANA CONFEDERATED SALISH AND KOOTENAI TRIBES MONTANA – UNITED STATES COMPACT

## CASE NO. WC-0001-C-2021

BIGFORK COUNTY WATER & SEWER DISTRICT				jector's Atto IMER, QUINN &		ress, and phone number:
LAST NAME FIRST NAM PO BOX 1108			LAST PO B	NAME OX 7310	FIRST NAME	MID. INITIAL
STREET ADDRESS OR PO BOX			STREE	T ADDRESS OR	PO BOX	
BIGFORK	MT	59911-1108	KALIS	SPELL	MT	59904-0310
CITY	STATE	ZIP CODE	CITY		STATE	ZIP CODE
(406 ) 837-4566	bfws@montan	asky.com	(406	755-2225		
PHONE NUMBER	E-MAIL		PHONE	E NUMBER	E-MAIL	•
on which the objections Part 4 b. Allows The Tribes to is Groundwater connected to per minute. Bigfork Cour	o make a call agai	nst any water right loss identified in [Part]	ocated in B III.G.a [of t	asins 76LJ whoshe Decree], and	se purpose is irrigation whose flow rate is gr	
from the sale of water is an e						
and the water source. If water right number.	you are obje	cting to more th	ian one v	water right n	umber, use a sep	parate form for each
Water Right #: 76LJ41	43200		]	Page numbe	r in Decree: 26	<b>)</b>
(One Number Per For	m)			Source: BASI		
	/ТИВМ ЕС		SIGNATO	. '	PUNCU D OR OR OBJECTOR'S	, 202 <u>3</u> . IST <i>RICT MANAG G</i> C ATTORNEY
	(IUKIN PC	ORM OVER AN	ND CON	IPLEIE O.	I HER SIDE)	

#### **CERTIFICATE OF MAILING**

I,	JULIE SPENCER DISTRICT MANAGER, declare under penalty of perjury, that on the 9TH day of
FEBRUARY	, 2023, I mailed a copy of this Objection postage prepaid, addressed to
the followin	g attorneys for the Federal, State, and Tribal Agencies:

Daniel J. Decker Confederated Salish & Kootenai Tribes Tribal Legal Department PO Box 278 Pablo, MT 59855 objections@cskt.org David W. Harder
U.S. Department of Justice
Indian Resources Section
Environment & Natural
Resources Div.
999 18th St.
South Terrace, Suite 370
Denver, Colorado 80202
efile denver.enrd@usdoj.gov

Molly M. Kelly Montana Department of Natural Resources and Conservation 1539 Eleventh Avenue PO Box 201601 Helena, MT 59601 Jean.Saye@mt.gov

Please send this completed original to:

**Montana Water Court** 

PO Box 1389

Bozeman, MT 59771-1389

or

E-mail: watercourt@mt.gov

Questions? Call the Montana Water Court at 1-800-624-3270 or (406) 586-4364.

## CASE NO. WC-0001-C-2021

A. State the specific part(s) of the Preliminary Decree objected to. Identify the specific ground(s) and evidence on which the objection(s) are based. (Use additional paper if necessary)  Part 4 b. Allows The Tribes to make a call against any water right located in Basins 76LJ whose purpose is irrigation. whose source of supply is Groundwater connected to one of the sources identified in [Part] III. G.a [of the Decree], and whose flow rate is greater than 100 gallons per minute. Bigfork County Water & Sewer District has wells that are used to irrigate properties within the district. Revenue generated from the sale of water is an essential revenue source for operation and debt repayment. Hardship will be imposed if irrigation is restricted.  4. If you are objecting to a specific water right number, identify the water right number, use a separate form for each water right number.	1. Objector's Name, Address, and Phone Number:			2. Objector's Attorney name, address, and phone number: HAMMER, QUINN & SHAW PLLC			
BIGFORK  MT 59911-1108 CITY STATE ZIP CODE CIT	LAST NAME FIRST NAME		<del> </del>	LAST N	AME		MID. INITIAL
(406 ) 837-4566 bfws@montanasky.com (406 ) 755-2225 PHONE NUMBER E-MAIL  3. State the specific part(s) of the Preliminary Decree objected to. Identify the specific ground(s) and evidence on which the objection(s) are based. (Use additional paper if necessary) Part 4 b. Allows The Tribes to make a call against any water right located in Basins 76LJ whose purpose is irrigation, whose source of supply is Groundwater connected to one of the sources identified in [Part] III.G.a [of the Decree], and whose flow rate is greater than 100 gallons per minute. Bigfork County Water & Sewer District has wells that are used to irrigate properties within the district. Revenue generated from the sale of water is an essential revenue source for operation and debt repayment. Hardship will be imposed if irrigation is restricted.  4. If you are objecting to a specific water right number, identify the water right number, decree page number, and the water source. If you are objecting to more than one water right number, use a separate form for each water right number.  Water Right #: 76LJ8020600 Page number in Decree: 26 Source: BASIN 76LJ  DATED this 9TH day of FEBRUARY , 2023.  SIGNATURE OF OBJECTOR'S ATTORNEY	STREET ADDRESS OR PO BOX BIGFORK	MT	59911-1108				59904-0310
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DATED this9TH_day ofFEBRUARY, 2023  DATED this9TH_day ofFEBRUARY, 2023			•			•	
(One Number Per Form)  DATED this 9TH day of FEBRUARY, 2023.  SIGNATURE OF OBJECTOR'S ATTORNEY	, ,	-	_	•	•	-	1 0
SIGNATURE OF OBJECTOR'S ATTORNEY	<u></u>	0600				ii Decree.	6
SIGNATURE OF OBJECTOR'S ATTORNEY							
SIGNATURE OF OBJECTOR'S ATTORNEY				DATED	this 9TH day o	-	,,
(TURN FORM OVER AND COMPLETE OTHER SIDE)			Ì	SIGNATUR	E OF OBJECTOR	OR OBJECTOR'S	SATTORNEY
		(TURN FO	RM OVER AN	ND COM	PLETE OTH	IER SIDE)	

#### **CERTIFICATE OF MAILING**

I, JULIE	SPENCER DISTRICT MANAGER	, declare under penalty of perjury, that on the	9THday of
FEBRUARY	, 202 <sup>3</sup> _, I EMAILEI	Pa copy of this Objection postage prepaid, addr	ressed to
the following at	torneys for the Federal State	and Tribal Agencies:	

Daniel J. Decker Confederated Salish & Kootenai Tribes Tribal Legal Department PO Box 278 Pablo, MT 59855 objections@cskt.org David W. Harder
U.S. Department of Justice
Indian Resources Section
Environment & Natural
Resources Div.
999 18th St.
South Terrace, Suite 370
Denver, Colorado 80202
efile\_denver.enrd@usdoj.gov

Molly M. Kelly Montana Department of Natural Resources and Conservation 1539 Eleventh Avenue PO Box 201601 Helena, MT 59601 Jean.Saye@mt.gov

Please send this completed original to:

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or

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1. Objector's Name, Ad- BIGFORK COUNTY WATER &	ŕ		<ol><li>Objector's At HAMMER, QUINN</li></ol>		addre	ess, and phone number:
LAST NAME FIRST NAME PO BOX 1108			LAST NAME PO BOX 7310	FIRST NAM	E	MID, INITIAL
STREET ADDRESS OR PO BOX BIGFORK	MT	59911-1108.	STREET ADDRESS OF KALISPELL	R PO BOX MT		59904-0310
CITY (406 ) 837-4566	STATE bfws@montan	ZIP CODE asky.com	CITY (406 ) 755-2225		ГАТЕ	ZIP CODE
PHONE NUMBER	E-MAIL		PHONE NUMBER	E-	MAIL	
per minute. Bigfork Count irrigation and thus crop product.  4. If you are objecting to and the water source. If you are right number.	y Water and Section required for a specific w	wer District has well nutrient uptake on t vater right num	s that are used to irrigate this property may cause and ber, identify the war	property that is us EPA violation. Fer right num	sed for ber, d	biosolids handling. Limiting ecree page number,
Water Right #: 76LJ301 (One Number Per Form			Page numb Source: BA	er in Decree: SIN 76LJ	26	
•		(	DATED this 9TH description of the SIGNATURE OF OBJECT	new 1	)  ST	, 202 <u>3</u> . RICT_MANAGER ATTORNEY
	(TURN FO	ORM OVER A	ND COMPLETE C	THER SIDE	E)	

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LAST NAME FIRST N PO BOX 1108			LAST NAME PO BOX 7310	FIRST NAME	MID. INITIAL
STREET ADDRESS OR PO B	ox MT	59911-1108	STREET ADDRESS OR		59904-0310
BIGFORK CITY	STATE	ZIP CODE	KALISPELL CITY	MT STATE	
(406 ) 837-4566	bfws@montai		(406 ) 755-2225	SIAIE	ZIF CODE
PHONE NUMBER	E-MAIL	idaky.com	PHONE NUMBER	E-MAII	
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J	110545800 Torm)		Page numbe Source: BAS	r in Decree: 26 IN 76LJ	6
			DATED this 9TH day	Dencu Dis	, 202 <u>3</u> . TRICTMANA GER SATTORNEY

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STREET ADDRESS OR PO BOX BIGFORK	MT	59911-1108		Γ ADDRESS OR SPELL	PO BOX MT	•	59904-0310
CITY	STATE	ZIP CODE	CITY		S	TATE	ZIP CODE
	bfws@montan	asky.com	_	755-2225			
PHONE NUMBER	E-MAIL		PHON	ENUMBER	E	-MAIL	
Part 4 b. Allows The Tribes to mois Groundwater connected to on per minute. Bigfork County from the sale of water is an essel	e of the source Water & Sewer	s identified in [Part] District has wells the	III.G.a [of t hat are use	he Decree], and d to irrigate prop	whose flow rat perties within th	te is gre e distric	ater than 100 gallons t. Revenue generated
and the water source. If yow water right number.	ou are objec	cting to more th	nan one v	water right n	umber, use	a sep	arate form for each
Water Right #: 76LJ3001	1517		]	Page numbe	r in Decree	: 26	
(One Number Per Form)	1017			Source: BASI			
			DATED	this <u>9TH</u> day	y of FEBRU	JARY	, 202 <u>3</u>
			SIGNATUI	LIE DE OBJECT	MCev DROBOBIEC	DE	STRICT MANAGE

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PO BOX 1108	NAME MID. INI	TIAL	LAST NAME PO BOX 7310	FIRST NAME	MID. INITIAL
STREET ADDRESS OR PO	BOX MT	59911-1108	STREET ADDRESS OR		59904-0310
BIGFORK CITY	STATE	ZIP CODE	KALISPELL CITY	MT STATE	ZIP CODE
(406 ) 837-4566	bfws@montan		(406 ) 755-2225	Sixie	Zii CODE
PHONE NUMBER	E-MAIL		PHONE NUMBER	E-MAII	,
			III.G.a [of the Decree], and s that are used to irrigate p	· · · · · · · · · · · · · · · · · · ·	reater than 100 gallons r biosolids handling. Limiting
			ocated in Basins 76LJ who		
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irrigation and thus crop p	roduction required for	nutrient uptake on t	his property may cause an	EPA violation.	
and the water source water right number.			nan one water right r		
Water Right #: /bl	(One Number Per Form)			<del></del>	
" ator reight "	rumy		Source: BAS	IN /6LJ	
" ator reight "	<b></b>	(	DATED this 9TH day	y of FEBRUARY	, 202 <u>3</u> .
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