

**DEPARTMENT OF NATURAL RESOURCES & CONSERVATION**

<b>NAME</b>	<b>COURT</b>	<b>FILED</b>	<b>NATURE/IMPACT</b>	<b>STATUS</b>
KELLOG v. DNRC	1 <sup>ST</sup> JUDICIAL DIST LEWIS & CLARK COUNTY CAUSE NO. BDV-2001-487	08/02/01	PETITION FOR JUDICIAL REVIEW	REMANDED TO DNRC FOR PRESENTATION OF ADDITIONAL EVIDENCE. WATER RIGHTS CERTIFIED TO WATER COURT
DIAMOND CROSS PROPERTIES (I) v. DNRC ET AL	22 <sup>ND</sup> JUDICIAL DIST BIG HORN COUNTY CAUSE NO DV-05-27	04/28/05	CHALLENGE CONST. OF 82-11-175 & SEEKS INJUNCTION AGAINST METHANE PRODUCERS, DEQ, BOGC & DNRC	REMANDED BACK TO DIST CT BY MT SUPREME COURT (Now combined w/ Diamond Cross II)
DIAMOND CROSS PROPERTIES (II) v. DNRC ET AL	22 <sup>ND</sup> JUDICIAL DIST BIG HORN COUNTY CAUSE NO. DV-05-70	09/21/05	CHALLENGE CONSTIT. OF 82-11-175 & 85-2-505; ISSUE OF PUBLIC TRUST DOCTRINE; DIAMOND I & II ARE NOW CONSOLIDATED & WAITING RULING BY JUDGE B. JONES	ACTIVE IN DIST. COURT/CROSS MOTIONS FOR SUMMARY JUDGMENT FILED - AWAITING JUDGMENT

FAUST v. DNRC, ZOOT	1 <sup>ST</sup> JUDICIAL DIST LEWIS & CLARK COUNTY CAUSE NO. DV-05-443	07/01/05	APPEAL TO DIST CT. BY PETITION FOR JUDICIAL REVIEW OF DNRC GRANTING WATER USE PERMIT	DIST CT UPHELD DNRC; WITTICH ASKED FOR ATTY FEES AGAINST DNRC -- PENDING
SERENA VISTA v. DNRC	SUPREME COURT APPEAL FROM 21 <sup>ST</sup> JUDICIAL DIST RAVALLI COUNTY CAUSE NO. DV-2006-327	11/2006	APPEAL DISMISSAL OF DECLARATORY JUDGMENT COMPLAINT	BRIEFS FILED
GOLLAHER v. DNRC	8 <sup>TH</sup> JUDICIAL DIST CASCADE COUNTY CAUSE NO. CDV-05-770	07/28/05	ON PETITION FOR JUDICIAL REVIEW OF DNRC WATER PERMITTING DECISION AND DECLARATORY JUDGMENT	PETITION FOR JUDICIAL REVIEW SUBMITTED TO COURT FOR DECISION
LOHMEIER v. DNRC	1 <sup>ST</sup> JUDICIAL DIST LEWIS & CLARK COUNTY CAUSE NO. ADV-2006-454		DECLARATORY JUDGMENT ACTION CHALLENGING REPEAL OF "MUNICIPAL" DEFIN.	DECISION ISSUED 3/26/07 FINDING REPEAL INVALID; APPEAL LIKELY
DRAKE et al v. DNRC	1 <sup>ST</sup> JUDICIAL DIST LEWIS & CLARK COUNTY CAUSE NO. CDV-2006-795	11/2006	PETITION FOR JUDICIAL REVIEW/ NORTH HILLS CGWA	AGREED TO REMAND HEARING BEFORE DNRC (JAN. 2008)

FAUST v. DNRC (#1)	1 <sup>ST</sup> JUDICIAL DIST LEWIS & CLARK COUNTY CAUSE NO. CDV-2006-886	12/2006	PETITION FOR JUDICIAL REVIEW (Utility Solutions <i>Permit</i> Municipal use & Augmentation Gallatin)	ANSWER FILED; MOTION FOR STAY PENDING
FAUST v. DNRC (#2) (See MT River Action Network v. DNRC)	1 <sup>ST</sup> JUDICIAL DIST LEWIS & CLARK COUNTY CAUSE NO. CDV-2007-47	1/2007	PETITION FOR JUDICIAL REVIEW (Utility Solutions <i>Change</i> Municipal use & Augmentation Gallatin)	PENDING
THOMPSON v. DNRC	1 <sup>ST</sup> JUDICIAL DIST LEWIS & CLARK COUNTY CAUSE NO. BDV-2006-831	2006	PETITION FOR JUDICIAL REVIEW (Permit Issue: does 80 yrs of water for objector constitute adverse effect?)	BRIEFS FILED
NORTHERN PLAINS v. DNRC, FIDELITY	1 <sup>ST</sup> JUDICIAL DISTRICT LEWIS & CLARK COUNTY CAUSE NO. CDV-2007-37	1/2007	DECLARATORY JUDG. (Issue: CBM as surface Water w/no permit to produce and split permits into MT and WY)	FINAL ADMIN. ORDER ISSUED ON 5/31/07

TREELINE SPRINGS LLC v. DNRC	5 <sup>TH</sup> JUDICIAL DIST MADISON COUNTY CAUSE NO. DV-29-2007-18	02/2007	DENIAL OF GOLF COURSE APPLICATION AS MUNICIPAL. FILED COMPLAINT	PLAINTIFF REQUESTED A STAY
DEATERLY v. DNRC	1 <sup>ST</sup> JUDICIAL DIST LEWIS & CLARK COUNTY CAUSE NO. BDV-2007-186	03/2007	APPEAL OF DENIAL OF WATER USE PERMIT (ATTY FEES ASKED AGAINST DNRC – PVT A.G. AGRMT)	RESPONSE FILED. PARTIES AGREE TO REMAND HEARING BEFORE DNRC ON TWO CRITERIA ONLY
MT RIVER ACTION NETWORK v. DNRC (see FAUST #2– Permit)	1 <sup>ST</sup> JUDICIAL DIST LEWIS & CLARK COUNTY CAUSE NO. CDV-2007-47	1/2007	PETITION FOR JUDICIAL REVIEW- CHANGE	ANSWER FILED
NO. PLAINS v. DNRC	1 <sup>ST</sup> JUDICIAL DIST LEWIS & CLARK COUNTY CAUSE NO. CDV-2007-37	1/2007	DECLARATORY JUDGMENT	MOTION TO DISMISS FILED (AMENDED COMPLAINT)