

Burt N. Hurwitz
Roberta A. Berkhof
Church Harris Johnson & Williams P.C.
114 Third Street South
Great Falls, MT 59403-1645
Telephone: (406) 761-3000
Facsimile: (406) 453-2313
rberkhof@chjw.com
bhurwitz@chjw.com

Attorneys for Appellant

IN THE SUPREME COURT OF THE STATE OF MONTANA

WILLIAM H. PEARSON AND TERRIE J. PEARSON,

Plaintiffs/Appellants,

vs.

GREENFIELDS IRRIGATION DISTRICT,
BOARD OF COMMISSIONERS OF
GREENFIELDS IRRIGATION DISTRICT,
SECRETARY OF GREENFIELDS
IRRIGATION DISTRICT,

Defendants/Appellees.

NOTICE OF APPEAL

Notice is respectfully given that William H. Pearson and Terrie J. Pearson, Appellants, above named and who are Plaintiffs in that cause of action filed in the Ninth Judicial District, in and for the County of Teton, as Cause No. DV 16-022, hereby appeals to the Supreme Court of the State of

Montana from the final order of summary judgment filed in such action on the 9th day of October, 2018.

THE APPELLANTS FURTHER CERTIFY:

1. That this appeal is not subject to the mediation process required by Montana Rules of Appellate Procedure;
2. That this appeal is not an appeal from an order certified as final under Montana Rule of Civil Procedure 54(b);
3. That the notice required by Montana Rule of Appellate Procedure 27 has been or will be given, within 11 days to the Supreme Court and to the Montana Attorney General, in the event that a challenge to the constitutionality of any act of the Montana Legislature arises;
4. That all available transcripts of the proceedings in this cause have been ordered from the court reporter prior to the filing of this Notice of Appeal; and
5. That included herewith is the filing fee prescribed by statute.

DATED this 8th day of November, 2018.

CHURCH, HARRIS, JOHNSON & WILLIAMS, P.C.

By: 

ROBERTA A. BERKHOF
Attorneys for the Plaintiffs/Appellants

CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF APPEAL with the Clerk of the Montana Supreme Court; and that I have served true and accurate copies of the foregoing NOTICE OF APPEAL upon the Clerk of the District Court, each attorney of record, each court reporter from whom a transcript will be ordered, and each party not represented by an attorney in the above referenced District Court action, as follows:

DATED this 8th day of November, 2018.

Jon Metropoulos METROPOULOS LAW FIRM, PLLC 1 South Montana Ave. – Suite L-3 Helena, MT 59601	Joe Seifert Keller Law Firm 50 South Last Chance Gulch Helena, MT 59624
Lisa Sinton Teton County Clerk of Court 1 Main Avenue South P. O. Box 487 Choteau, MT 59422-0487	Court Reporter: Kelsey McAlpine Ninth Judicial District 512 E. Main Street Cut Bank, MT 59427



CHURCH, HARRIS, JOHNSON & WILLIAMS, P.C.

CERTIFICATE OF SERVICE

I, Roberta A. Berkhof, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 11-08-2018:

Charles J. Seifert (Attorney)

P.O. Box 598

Helena MT 59624

Representing: Greenfields Irrigation District, Board of Commissioners of Greenfields Irrigation D,
Secretary of Greenfields Irrigation District

Service Method: eService

Jon Metropoulos (Attorney)

Metropoulos Law Firm, PLLC

1 S. Montana Ave, Suite L-3

Helena MT 59601

Representing: Greenfields Irrigation District, Board of Commissioners of Greenfields Irrigation D,
Secretary of Greenfields Irrigation District

Service Method: Conventional

Lisa J. Sinton (Clerk of District Court)

P.O. Box 487

Choteau MT 59422

Service Method: eService

E-mail Address: LSinton@mt.gov

Kelsey McAlpine (Court Reporter)

512 East Main Street

Cut Bank MT 59427

Service Method: eService

E-mail Address: Kelsey.McAlpine@mt.gov

Electronically signed by Betty DeMers on behalf of Roberta A. Berkhof

Dated: 11-08-2018