

IN THE SUPREME COURT OF THE STATE OF MONTANA

Supreme Court Cause No. \_\_\_\_\_

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MONTANA TROUT UNLIMITED, MONTANA ENVIRONMENTAL  
INFORMATION CENTER, TROUT UNLIMITED, EARTHWORKS, AND  
AMERICAN RIVERS,

*Plaintiffs and Appellees,*

VS.

MONTANA DEPARTMENT OF ENVIRONMENTAL QUALITY,

*Defendant,*

AND

TINTINA MONTANA INC.,

*Defendant and Appellant,*

AND

STATE OF MONTANA, BY AND THROUGH THE OFFICE OF THE ATTORNEY  
GENERAL,

*Defendant-Intervenor,*

AND

MEAGHER COUNTY AND BROADWATER COUNTY,

*Defendants-Intervenors.*

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ON APPEAL FROM THE FOURTEENTH JUDICIAL DISTRICT COURT,  
MEAGHER COUNTY, HON. KATHERINE M. BIDEGARAY, PRESIDING  
CASE No. DV-20-10

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**NOTICE OF APPEAL**

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*Attorneys for Appellant Tintina Montana, Inc.*

**NOTICE** is given that Tintina Montana, Inc. (“Tintina Montana”), which is a defendant in the cause of action filed in the Fourteenth Judicial District Court, in and for the County of Meagher, as Cause No. DV-20-10, hereby appeals to the Supreme Court of the State of Montana, pursuant to Mont. R. App. P. 4(2)(a), from the District Court’s Final Judgment entered in such action on July 1, 2022, and all previous orders, rulings, and decisions excepted or objected to which led up to and resulted in the Final Judgment, including the District Court’s Order Granting Plaintiffs’ Motion for Summary Judgment that DEQ Violated MMRA and MEPA, Denying Defendants’ Cross-Motions for Summary Judgment, Denying Tintina’s Motion for Evidentiary Proceedings as Moot, and Requiring Briefs by Deadline, which was issued in such action on April 8, 2022, and the District Court’s Remedy Order issued in such action on July 1, 2022. Notice of Entry of Judgment was served on July 14, 2022.

**THE APPELLANT FURTHER CERTIFIES:**

1. That this appeal is not subject to the mediation process required by Mont. R. App. P. 7.
2. That this appeal is not an appeal from an order certified as final under Mont. R. Civ. P. 54(b).

3. That all available transcripts of the proceedings in this cause have been ordered from the court reporter contemporaneously with the filing of this Notice of Appeal, per M. R. App. P. 8(3).

4. That in conjunction with the filing of this Notice of Appeal the undersigned has paid the filing fee prescribed by statute.

5. That a copy of this Notice of Appeal is being served by mailing a copy to the clerk of the district court and counsel of record for the other parties, per M. R. App. P. 4(4)(d), and/or via electronic service for registered e-filers.

DATED this 27th day of July, 2022.

/s/ Matthew Dolphay  
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## CERTIFICATE OF SERVICE

I, Matthew Herman Dolphay, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Appeal to the following on 07-27-2022:

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Electronically signed by Arlene Forney on behalf of Matthew Herman Dolphay  
Dated: 07-27-2022