

BENJAMIN S. SUDDUTH  
SUDDUTH LAW, PLLC  
682 South Ferguson Avenue, Suite 4  
PO Box 507  
Bozeman, MT 59771-0507  
406-272-2390  
benjamin@sudduthlaw.com

IN THE SUPREME COURT OF THE STATE OF MONTANA  
Supreme Court Cause No. DA 24-0656

---

TROUT UNLIMITED,

Appellant/Cross-Appellee,

v.

PETRICH FAMILY LIMITED PARTNERSHIP,

Appellee/Cross-Appellant.

---

**NOTICE OF CROSS-APPEAL**

NOTICE is given that PETRICH FAMILY LIMITED PARTNERSHIP, the Cross-Appellant above-named and who is the Claimant in that cause of action filed in the Montana Water Court, Yellowstone Division, as Cause No. 43B-0354-R-2021, hereby cross-appeals to the Supreme Court of the State of Montana from the Findings of Fact, Conclusions of Law and Order entered on 10th day of October, 2024, and from the Order on Motion for Summary Judgment entered on February 27, 2023.

**THE CROSS-APPELLANT FURTHER CERTIFIES:**

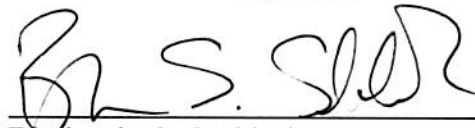
1. That this cross-appeal is not subject to the mediation process required by M. R. App. P. 7.
2. That this cross-appeal is not an appeal from an order certified as final under M. R. Civ. P. 54(b).

3. All available transcripts of the proceedings in this cause and involving the issues cross-appealed have already been ordered by Appellant. Cross-Appellant affirms that where necessary, it will comply or has complied with M. R. App. P. 8(3).

4. That included herewith is the filing fee prescribed by statute.

DATED this 7th day of November, 2024.

SUDDUTH LAW, PLLC



Benjamin S. Sudduth  
*Attorney for Petrich Family Limited Partnership*

### CERTIFICATE OF SERVICE

I hereby certify that I have filed a true and accurate copy of the foregoing NOTICE OF CROSS-APPEAL with the Clerk of the Montana Supreme Court and that I have served true and accurate copies of the foregoing NOTICE OF CROSS-APPEAL upon the Montana Water Court, each attorney of record, and each party not represented by an attorney in the above-referenced Water Court action, as follows:

Meg K. Casey  
Patrick Byorth  
Walker Conyngham  
TROUT UNLIMITED  
321 East Main Street, no. 411  
Bozeman, MT 59715  
mcasey@tu.org  
pbyorth@tu.org  
walker.conyngham@tu.org  
406-599-8666

Montana Water Court  
1123 Research Drive  
PO Box 1389  
Bozeman, MT 59771-1389  
watercourt@mt.gov

DATED this 7th day of November, 2024.



Benjamin S. Sudduth  
Sudduth Law, PLLC

## CERTIFICATE OF SERVICE

I, Benjamin Sudduth, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice of Cross Appeal to the following on 11-07-2024:

Patrick Arthur Byorth (Attorney)  
321 E. Main Street, Suite 411  
Bozeman MT 59715  
Representing: Trout Unlimited  
Service Method: eService

Walker Conyngham (Attorney)  
1337 Sherwood St  
Missoula MT 59802  
Representing: Trout Unlimited  
Service Method: eService

Megan Casey (Attorney)  
321 E. Main St. No. 411  
Bozeman MT 59715  
Representing: Trout Unlimited  
Service Method: eService

Montana Water Court  
1123 Research Drive  
Bozeman MT 59718  
Service Method: E-mail Delivery  
E-mail Address: watercourt@mt.gov

Electronically Signed By: Benjamin Sudduth  
Dated: 11-07-2024