

## IN THE SUPREME COURT OF THE STATE OF MONTANA

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

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UNITED PROPERTY OWNERS OF MONTANA, INC., a Montana non-profit corporation,

*Plaintiff and Appellant,*

VS.

MONTANA FISH AND WILDLIFE COMMISSION AND MONTANA DEPARTMENT OF FISH, WILDLIFE, AND PARKS,

*Defendants and Appellees,*

AND

MONTANA WILDLIFE FEDERATION, MONTANA BACKCOUNTRY HUNTERS AND ANGLERS, MONTANA BOWHUNTERS ASSOCIATION, HELLGATE HUNTERS AND ANGLERS, HELENA HUNTERS AND ANGLERS, SKYLINE SPORTSMEN'S ASSOCIATION, AND PUBLIC LAND AND WATER ACCESS ASSOCIATION,

*Intervenors.*

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ON APPEAL FROM THE TENTH JUDICIAL DISTRICT COURT,  
FERGUS COUNTY, HON. TODD GREGORY PRESIDING  
CASE No. DV-14-2022-0000036

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**NOTICE OF APPEAL**

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*Attorneys for Appellant United Property  
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**NOTICE** is given that United Property Owners of Montana, Inc., which is the Plaintiff in the cause of action filed in the Tenth Judicial District Court, in and for the County of Fergus, as Cause No. DV-14-2022-0000036, 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 September 23, 2024, and all previous orders, rulings, and decisions excepted or objected which led up to and resulted in the Final Judgment, including the District Court's Order Granting the Motion to Intervene (Dkt. No. 27), the Order Denying Plaintiff's Motion for Partial Summary Judgment as to Count IV (Dkt. No. 47), the Order Denying Plaintiff's November 22, 2023 Motion to Compel and Order Requiring Leave to File More than Ten Pages of Attached Exhibits to Any Filed Document in this Matter (Dkt. No. 93); the Order Denying Plaintiff's Motion to Compel and to Extend the Deposition Deadline (Dkt. No. 136), the Order Denying Plaintiff's Motion to Vacate the Orders Issued by Judge Perry (Dk. No. 148), the Order Denying Plaintiff's Motion to Strike the Declaration of Quentin Kujala (Dkt. No. 151), the Order Denying Plaintiff the Order Granting Defendants' and Intervenors' Motion for Summary Judgment as to Count VI and Denying Plaintiff's Cross Motion for Summary Judgment as to Count VI (Dkt. No. 164), the Order Denying Plaintiff's Motion for Partial Summary Judgment as to Count I (Dkt. No. 165), the Amended Order Regarding Count IV (Dkt. No. 166), the Order

Granting the Motion for Partial Summary Judgment as to Counts II and III (Dkt. No. 168), the Amended Order Granting the Motion for Partial Summary Judgment as to Counts II and III (Dkt. No. 170), the Order Granting Defendants' Motion for Summary Judgment on Count I and Finding Counts V and VII Moot (Dkt. No. 171), the Order Closing the Case (ECF No. 172), and the Notice of Entry of Judgment (ECF No. 173).

**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).

4. 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).

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

6. 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 19th day of November, 2024.

/s/ Matthew Dolphay

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*Attorneys for Appellant United Property  
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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 11-19-2024:

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Electronically signed by Arlene Forney on behalf of Matthew Herman Dolphay

Dated: 11-19-2024