

IN THE SUPREME COURT OF THE STATE OF MONTANA
CAUSE NO. DA 25-0776

A KING BESTIC, et. al,

Plaintiffs,

vs.

EDWARD O. LARSEN, et. al,

Defendants,

GERALD BROWE,

Complainant/Appellant,

vs.

RICK YERGER, in his capacity as water
commissioner for Canyon Creek/Putnam Ditch

Respondent/Appellee.

NOTICE OF PENDING REQUESTED TRANSCRIPTS

On appeal from the Montana Twenty-First Judicial District Court, Ravalli County,
Cause No. DV-1998-1503, Before Hon. Judge Howard F. Recht.

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Pursuant to M. R. App. P. 8(3), Appellant Gerald Browe, through undersigned counsel, hereby files this Notice of Pending Requested Transcripts, along with the attached Notice of Transcripts Deemed Necessary for Appeal.

This Court's November 21, 2025, Notice of Filing advised that the electronic district court record "consisting of documents 1-265 and the case register report" was received on November 21, 2025. The Notice of Filing also advised: "If the above-described record constitutes the complete record on appeal, the Appellant's opening brief is due 30 days from November 21, 2025."

Appellant hereby advises this Court that the transcripts—requested contemporaneously with the filing of the Notice of Appeal in the above-captioned matter pursuant to M. R. App. 8(3)—are, to the best of Appellant's knowledge, still pending with the court reporter. Thus, pursuant to M. R. App. 13(1), the complete record has yet to be filed and the 30-day clock for filing of Appellant's opening brief has not yet started. Appellant asks that, should the Supreme Court or the Office of the Clerk of Supreme Court interpret these filing deadline

rules differently, Appellant be so advised so as to take appropriate action.

Respectfully submitted this 25th day of November, 2025.

FERGUSON and COPPES, PLLC
A Natural Resource Law Firm

By: /s/ John J Ferguson
John J Ferguson

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MONTANA TWENTY-FIRST JUDICIAL DISTRICT COURT
RAVALLI COUNTY

A KING BESTIC, et. al,)	
)	Dept. No. 1
)	
Plaintiff,)	Cause No. DV-1998-1503
)	
vs.)	
)	NOTICE OF TRANSCRIPTS
EDWARD O. LARSEN, et. al,)	DEEMED NECESSARY FOR
)	APPEAL
Defendant.)	
)	
CANYON CREEK-PUTNAM)	
DITCH)	

NOTICE is hereby given that Petitioner Gerald Browe, by and through the undersigned counsel and pursuant to M. R. App. P. 8(3)(a) and in compliance with Form 9, M. R. App. P., determine that the following transcripts are necessary for appeal:

Hearing on Dissatisfied Water User Complaint

Held on October 2, 2025 at 1:30pm.

The above hearing was held at the Ravalli County District Courthouse, Tamara Stuckey appearing as Court Reporter. Arrangements have been made with Ms. Stuckey to produce the necessary transcripts.

The following transcripts have been prepared previously and are deemed necessary on appeal, and Appellant requests the court reporter(s) prepare such transcripts in the proper format for filing with the Supreme Court and service on Appellee(s):

Status Hearing

Held on November 27, 2024 at 1:30pm.

The court reporter responsible for the preparation of these transcripts is Terra Rohlf.

Hearing on Objection to Water Commissioner Invoice (DV-98-957: Blodgett Creek First Right Ditch)

Held on July 30, 2025 at 3:00pm.

The court reporter responsible for the preparation of these transcripts is Tamara Stuckey.

Hearing on Objection to Water Commissioner Invoice (DV-98-1503: Canyon Creek – Putnam Ditch)

Held on July 30, 2025 at 3:00pm.

The court reporter responsible for the preparation of these transcripts is Tamara Stuckey.

Dated this 3rd day of November, 2025.

/s/ John J. Ferguson
John J. Ferguson
Attorney for Gerald Browe

CERTIFICATE OF SERVICE

I, John J. Ferguson, hereby certify that I have served true and accurate copies of the foregoing Notice - Notice to the following on 11-03-2025:

Emily Wilmott (Attorney)
425 E Spruce
Missoula MT 59802
Representing: Gerald Browe
Service Method: eService

Rick Yerger (Other Party)
P.O. BOX 853
Hamilton MT 59840
Service Method: First Class Mail

Electronically signed by Taylor Haas on behalf of John J. Ferguson
Dated: 11-03-2025

CERTIFICATE OF SERVICE

I, John J. Ferguson, hereby certify that I have served true and accurate copies of the foregoing Notice - Other to the following on 11-25-2025:

Emily Wilmott (Attorney)
425 E Spruce
Missoula MT 59802
Representing: Gerald Browe
Service Method: eService

Rick Yerger (Appellee)
PO Box 853
Hamilton MT 59840
Service Method: Conventional

Electronically signed by Taylor Haas on behalf of John J. Ferguson
Dated: 11-25-2025