

NOTICE OF RECEIPT WATER RIGHT APPLICATION

(Pursuant to Section § 85-2-307(1), MCA)

Summarized below are the application details as described in an Application to Change of Appropriation Water Right received by the Department of Natural Resources & Conservation on AUGUST 21, 2023. This notice reflects the application details only as originally submitted. The notice does not reflect changes to the application details made during the review process.

Application Number: 41C 30160794
Applicant: ALDER TRIPLE R LLC
386 PARK AVE S FL 20
NEW YORK, NY 10016 8814

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	41C-30151557	APRIL 30, 1865

PAST USE OF WATER

41C 30151557 IS AN IMPLIED CLAIM BASED ON IRRIGATION WATER RIGHT 41C 30151556. 41C 30151557 WAS HISTORICALLY DIVERTED VIA THE PHILLIPS #2 DITCH HEADGATE IN SWNESW SEC 21, T6S, R4W MADISON COUNTY. WATER WAS HISTORICALLY DIVERTED FOR STOCK USE FROM APRIL 1 TO NOVEMBER 1. THE STOCK HISTORICALLY DRANK FROM THE PHILLIPS #2 DITCH. THE SOURCE OF WATER IS THE RUBY RIVER.

PROPOSED CHANGE

THE APPLICANT PROPOSES TO CHANGE THE POINT OF DIVERSION AND PLACE OF USE FOR STATEMENT OF CLAIM 41C 30151557 FOR STOCK USE. THE APPLICANT PROPOSES TO CHANGE THE POD FROM THE PHILLIPS #2 DITCH HEADGATE IN THE SWNESW SEC 21, T6S, R4W, MADISON COUNTY TO THE ELSER-FINLEY-NORTON DITCH IN THE NWNESW SEC 21, T6S, R4W, MADISON COUNTY. THE PLACE OF USE IS PROPOSED TO CHANGE TO THE ELSER-FINLEY-NORTON DITCH. THERE IS NO PROPOSED CHANGE TO PURPOSE OR PLACE OF STORAGE.

ADDITIONAL INFORMATION

THIS APPLICATION WAS SUBMITTED WITH CONCURRENT CHANGE APPLICATION 41C 30160793 TO CHANGE IRRIGATION CLAIMS 41C 3015156 & 41C 30150055.

In general, the department will make a preliminary determination to grant or deny this application within 120 days of the date the application is deemed correct and complete. That date is currently unknown. If the preliminary determination is to grant the application, the application will be published in the local newspaper and a notice will be sent to appropriators who, according to the department records may be affected by the proposed appropriation. Individuals will have at least 15 days and no more than 60 days (specific deadline will be identified at time of notice) to submit an objection under § 85-2-308, MCA, after the application has been published in the newspaper.

Direct questions regarding this application to the Water Resources Regional Office, 2273 BOOT HILL COURT, SUITE 110, BOZEMAN, MT 59715-7249 FAX: 406-587-9726 PHONE: 406-586-3136