

# 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 JANUARY 5, 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:** 41H 30156210

**Applicant:** TURNER ENTERPRISES INC  
901 TECHNOLOGY BLVD  
BOZEMAN, MT 59718

**WATER RIGHT NUMBER(S) BEING CHANGED**

<b>Water Right Type</b>	<b>Water Right Number</b>	<b>Priority Date</b>
STATEMENT OF CLAIM	41H-128154	JUNE 1, 1910
STATEMENT OF CLAIM	41H-128155	MAY 1, 1881
STATEMENT OF CLAIM	41H-132745	MAY 1, 1881
STATEMENT OF CLAIM	41H-132752	APRIL 15, 1962
STATEMENT OF CLAIM	41H-132753	MAY 1, 1881

**PAST USE OF WATER**

PAST USE OF WATER INCLUDES IRRIGATION AND STOCK DIRECT FROM DITCH AND IRRIGATION LOCATED IN SECTIONS 12, 13, 18, AND 19 TOWNSHIP 4 SOUTH, RANGE 3 EAST, GALLATIN COUNTY.

**PROPOSED CHANGE**

**FLOW RATE:** 2.63 CFS                      **VOLUME:** 398.81 AC-FT

APPLICANT PROPOSES A TEMPORARY CHANGE IN PURPOSE OF USE TO AN INSTREAM FISHERY. APPLICANT PROPOSES A PROTECTED REACH ON SPANISH CREEK TO THE CONFLUENCE OF SPANISH CREEK AND WEST GALLATIN RIVER. THE PROTECTED REACH WILL HAVE A POINT OF DIVERSION AT NWSESE SECTION 21, TOWNSHIP 4 SOUTH, RANGE 3 EAST, MADISON COUNTY. THE PROTECTED REACH PLACE OF USE WILL RUN ALONG SPANISH CREEK FROM THE POINT OF DIVERSION TO THE CONFLUENCE WITH WEST GALLATIN RIVER AT TO NWSESE SECTION 21, TOWNSHIP 4 SOUTH, RANGE 3 EAST, GALLATIN COUNTY.

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