

# NOTICE

## **NOTICE TO GROUNDWATER USERS AND PROPERTY OWNERS: NOTICE OF HEARING FOR DESIGNATION OF A CONTROLLED GROUNDWATER AREA IN THE HORSE CREEK AREA NEAR ABSAROKEE, MT.**

A hearing before the Montana Department of Natural Resources and Conservation (DNRC) on proposed rules for a controlled groundwater area will be held at the Cobblestone Community Center, 242 South Woodward Avenue, Absarokee, MT on **November 17, 2011 at 6:00 pm**. Concerned persons may submit their data, views, or arguments, either orally or in writing, at the hearing. Written data, views, or arguments may also be submitted in writing to Millie Heffner, Department of Natural Resources and Conservation, 1424 Ninth Avenue, Helena, MT 59620; fax (406) 444-0533; or e-mail [mheffner@mt.gov](mailto:mheffner@mt.gov), and must be postmarked no later than November 25, 2011.

Montana Code Annotated (MCA) § 85-2-506 allows the DNRC to designate a controlled groundwater area by rule. Data collected within the boundaries of the temporary Horse Creek Controlled Groundwater Area over approximately a four- year time period shows that springs in the Horse Creek drainage could dry up and the average annual flows in Horse Creek could be reduced by 25 percent during dry years if a platted subdivision (Crow Chief Meadows) is completed as intended. A Montana Department of Natural Resources and Conservation hydrogeologist evaluated the data and provided a report in 2009 (*Ground Water Conditions at the Horse Creek Temporary Controlled Ground Water Area*, April 2009), which shows that future water development within the Horse Creek Controlled Groundwater Area should be managed to protect senior water right users. Under the proposed rules, an individual on a parent tract of land as it exists on October 27, 2011, may file a Notice of Completion of Groundwater Development, Form 602, for domestic, multiple domestic, or stock for 35 gallons per minute or less up to one acre-foot per year. Any other circumstance would require an Application for Beneficial Water Use Permit, Form 600.

The proposal notice of the rules for designation of Horse Creek Controlled Groundwater Area will be published by the Secretary of State in the Montana Administrative Register on October 27, 2011. An unofficial copy of the proposal notice is available through DNRC's website at <http://www.dnrc.mt.gov>. The DNRC strives to make the electronic copy of this Notice of Public Hearing on Proposed Amendment conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered.

The Department makes reasonable accommodation for any disability that may interfere with an individual's ability to attend this hearing. For consideration of any such accommodation, please contact Jamie Price at 406-444-6615 as soon as possible before the hearing date.

**PUBLISHED IN:** STILLWATER NEWS OCTOBER 13, 2011; OCTOBER 20, 2011; AND OCTOBER 27, 2011.