

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 5, 2021. 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: 40B 30152828
Applicant: FLOWEREE LAND & CATTLE CO LLC
4230 OESTERLE RD
HELENA, MT 59602

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	40B-9163	APRIL 1, 1900
STATEMENT OF CLAIM	40B-9164	JULY 19, 1895
STATEMENT OF CLAIM	40B-9165	JULY 19, 1895
STATEMENT OF CLAIM	40B-9166	APRIL 25, 1882
STATEMENT OF CLAIM	40B-9167	JUNE 15, 1899

PAST USE OF WATER

ALL FIVE STATEMENT OF CLAIMS ARE MARSHALLED AND WERE CLAIMED WITH THREE HEADGATES TO FLOOD IRRIGATE 731.75 ACRES IN PETROLEUM COUNTY.

STATEMENT OF CLAIM NO. 40B 9163 WAS CLAIMED WITH A PRIORITY DATE OF APRIL 1, 1900 AND ASSOCIATED PERIOD OF DIVERSION AND USE OF MARCH 15 TO NOVEMBER 15. THE CLAIMED FLOW RATE WAS 4.0 CUBIC FEET PER SECOND.

STATEMENT OF CLAIM NO. 40B 9164 WAS CLAIMED WITH A PRIORITY DATE OF JULY 19, 1895 AND ASSOCIATED PERIOD OF DIVERSION AND USE OF MARCH 15 TO NOVEMBER 15. THE CLAIMED FLOW RATE WAS 5.0 CUBIC FEET PER SECOND.

STATEMENT OF CLAIM NO. 40B 9165 WAS CLAIMED WITH A PRIORITY DATE OF JULY 19, 1895 AND ASSOCIATED PERIOD OF DIVERSION AND USE OF MARCH 15 TO NOVEMBER 15. THE CLAIMED FLOW RATE WAS 5.0 CUBIC FEET PER SECOND.

STATEMENT OF CLAIM NO. 40B 9166 WAS CLAIMED WITH A PRIORITY DATE OF APRIL 25, 1882 AND ASSOCIATED PERIOD OF DIVERSION AND USE OF MARCH 15 TO NOVEMBER 15. THE CLAIMED FLOW RATE WAS 15.0 CUBIC FEET PER SECOND.

STATEMENT OF CLAIM NO. 40B 9167 WAS CLAIMED WITH A PRIORITY DATE OF JUNE 15, 1899 AND ASSOCIATED PERIOD OF DIVERSION AND USE OF MARCH 15 TO NOVEMBER 15. THE CLAIMED FLOW RATE WAS 5.0 CUBIC FEET PER SECOND.

PROPOSED CHANGE

APPLICANT PROPOSES TO CHANGE THE POINTS OF DIVERSION AND PLACES OF USE ON FIVE SUPPLEMENTAL STATEMENT OF CLAIMS HISTORICALLY DIVERTED FROM FLATWILLOW CREEK. THE CHANGES WILL HELP FACILITATE A METHOD OF IRRIGATION CHANGE RELATED TO A MAJORITY OF THE HISTORICAL FLOOD IRRIGATION SYSTEM BEING CONVERTED TO CENTER PIVOT IRRIGATION. THE APPLICANT PROPOSES TO OMIT POINT OF DIVERSION #1, RETAIN POINT OF DIVERSION #2 AND CHANGE POINT OF DIVERSION #3 FROM A HEADGATE TO A PUMPSITE. IF AUTHORIZED, THE PLACE OF USE WOULD BE RECONFIGURED FROM 731.75 ACRES TO 723.75 ACRES.

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, 613 NE MAIN, SUITE E, LEWISTOWN, MT 59457-2020 PHONE: 406-538-7459