

PUBLIC NOTICE

Notice to Water Users
(Pursuant to Section 85-2-307, MCA)

The following application has been submitted to change a water right in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION TO CHANGE A WATER RIGHT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <http://www.dnrc.mt.gov/wrd/>.

OBJECTION DEADLINE: DECEMBER 11, 2015. THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 1424 9TH AVENUE, PO BOX 201601, HELENA, MT 59620-1601 FAX: 406-444-9317 PHONE: 406-444-6999.

Application Number : 411 30070581

Applicant : MARKS RANCH ENTERPRISES CO
30 LUMP GULCH RD
CLANCY, MT 59634 9781

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	411 30069586	DECEMBER 31, 1883
Historical Flow Rate: 12.29 GPM	Historical Consumptive Volume: 11.57 AC-FT	Historical Diverted Volume: 11.57 AC-FT

PAST USE OF WATER

WATER RIGHT CLAIM 411 30069586 HISTORICALLY ALLOWED 590 STOCK ANIMAL UNITS TO DRINK DIRECTLY FROM PRICKLY PEAR CREEK IN THE SE OF SECTION 4, T8N, R3W, FOR A TOTAL OF 12.29 GPM UP TO 11.57 AF. THE PERIOD OF DIVERSION WAS FROM OCTOBER 15 TO MAY 15 OF EACH YEAR.

PROPOSED CHANGE

THIS CHANGE APPLICATION CHANGES A PORTION OF STOCK WATER RIGHT CLAIM 411 30069586 TO THE PURPOSE OF MITIGATION. THE APPLICANT WILL REDUCE THE NUMBER OF ANIMAL UNITS (AU) DRINKING DIRECTLY FROM PRICKLY PEAR CREEK FROM 590 AU TO 117 AU. THE MITIGATION PLAN WILL LEAVE 3.12 GPM UP TO 2.92 AF IN PRICKLY PEAR CREEK TO OFFSET SURFACE WATER DEPLETIONS RESULTING FROM THE GROUNDWATER APPROPRIATION ASSOCIATED WITH APPLICATION FOR BENEFICIAL WATER USE PERMIT 411 30068548. THE NEW PLACE OF USE AND POINT OF DIVERSION WILL BE LOCATED IN SE OF SECTION 4, T8N, R3W.

PUBLISHED IN: INDEPENDENT RECORD ON OCTOBER 28, 2015.