

# 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: AUGUST 1, 2016.** 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 613 NE MAIN, SUITE E, LEWISTOWN, MT 59457-2020 FAX: 406-538-7089 PHONE: 406-538-7459.

**Application Number :** 40A 30072654

**Applicant :** T NEIL GLENNIE  
1643 JUDITH GAP RD  
JUDITH GAP, MT 59453 8103

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

<b>Water Right Type</b>	<b>Water Right Number</b>	<b>Priority Date</b>
STATEMENT OF CLAIM Historical Flow Rate: 3.75 CFS	40A 199382-00 Historical Consumptive Volume: 36.80 AC-FT Historical Diverted Volume: 72.90 AC-FT	MAY 6, 1893
STATEMENT OF CLAIM Historical Flow Rate: 2.5 CFS	40A 199383-00 Historical Consumptive Volume: 24.50 AC-FT Historical Diverted Volume: 48.60 AC-FT	JULY 12, 1882
STATEMENT OF CLAIM Historical Flow Rate: 5. CFS	40A 199384-00 Historical Consumptive Volume: 49.00 AC-FT Historical Diverted Volume: 97.20 AC-FT	MAY 28, 1884

**PAST USE OF WATER**

STATEMENT OF CLAIM NO. 40A 199382-00 WAS CLAIMED WITH A 3.75 CFS FLOW RATE FROM CARELESS CREEK. APPLICANT STATES THE CALDWELL AND BOUCHARD-ROSS FLOOD DITCHES HAVE HISTORICALLY BEEN UTILIZED TO FLOOD IRRIGATE 189 ACRES IN SECTIONS 17 AND 20 T10 N R18E. THE CLAIMED PRIORITY DATE IS MAY 6, 1893 WITH A PERIOD OF DIVERSION AND USE OF APRIL 1 TO OCTOBER 31 ANNUALLY.

STATEMENT OF CLAIM NO. 40A 199383-00 WAS CLAIMED WITH A 2.5 CFS FLOW RATE FROM CARELESS CREEK. APPLICANT STATES THE CALDWELL AND BOUCHARD-ROSS FLOOD DITCHES HAVE HISTORICALLY BEEN UTILIZED TO FLOOD IRRIGATE 189 ACRES IN SECTIONS 17 AND 20 T10 N R18E. THE CLAIMED PRIORITY DATE IS JULY 12, 1882 WITH A PERIOD OF DIVERSION AND USE OF APRIL 1 TO OCTOBER 31 ANNUALLY.

STATEMENT OF CLAIM NO. 40A 199384-00 WAS CLAIMED WITH A 5.0 CFS FLOW RATE FROM CARELESS CREEK. APPLICANT STATES THE CALDWELL AND BOUCHARD-ROSS FLOOD DITCHES HAVE HISTORICALLY BEEN UTILIZED TO FLOOD IRRIGATE 189 ACRES IN SECTIONS 17 AND 20 T10 N R18E. THE CLAIMED PRIORITY DATE IS MAY 28, 1884 WITH A PERIOD OF DIVERSION AND USE OF APRIL 1 TO OCTOBER 31 ANNUALLY.

**PROPOSED CHANGE**

APPLICANT PROPOSES TO CHANGE ONE POINT OF DIVERSION AND THE PLACE OF USE FOR THREE SUPPLEMENTAL STATEMENT OF CLAIMS IN WHEATLAND COUNTY. IF AUTHORIZED, CLAIM NOS. 40A 199382-00, 40A 199383-00 AND 40A 199384-00 WILL PUMP WATER FROM CARELESS CREEK AT A RATE OF 2.5 CFS (1120 GPM) TO SUPPLY A 161.0 ACRE CENTER PIVOT, GENERALLY LOCATED IN THE NW QUARTER OF SECTION 28 T10N R18E. THE PIVOT PUMP IS PROPOSED TO BE LOCATED IN THE SE NE SE SECTION 20 T10 N R18E WITH AN APRIL 20 TO OCTOBER 10 PERIOD OF USE. THE APPLICANT IS ALSO PROPOSING TO MITIGATE THE REDUCTION OF HISTORIC RETURN FLOWS TO LITTLE CARELESS CREEK BY DIVERTING A PORTION OF WATER ASSOCIATED WITH THE HISTORIC FLOOD IRRIGATION SYSTEM THROUGH THE CALDWELL DITCH AND PLACE IT ADJACENT TO LITTLE CARELESS CREEK IN THE SE SECTION 17 T10N R18E. THE MITIGATION WATER PURPOSE IS PROPOSED TO OCCUR FROM JUNE 1 THROUGH SEPTEMBER 30.

**PUBLISHED IN:** TIMES CLARION ON JUNE 16, 2016.