

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 23, 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 210 SIXTH AVE, PO BOX 1828, HAVRE, MT 59501-1828 FAX: 406-265-2225 PHONE: 406-265-5516.

Application Number : 41P 30072725

Applicant : SHELBY, CITY OF
112 1ST ST S
SHELBY, MT 59474

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
PROVISIONAL PERMIT	41P 4489-00	DECEMBER 26, 1974
PROVISIONAL PERMIT	41P 4490-00	DECEMBER 26, 1974
PROVISIONAL PERMIT	41P 58129-00	JUNE 10, 1985
STATEMENT OF CLAIM	41P 192878-00	OCTOBER 1, 1946
STATEMENT OF CLAIM	41P 192880-00	OCTOBER 12, 1946
STATEMENT OF CLAIM	41P 192881-00	DECEMBER 26, 1963
STATEMENT OF CLAIM	41P 192882-00	DECEMBER 26, 1963

PAST USE OF WATER

ALL OF THE APPLICANT'S WATER SUPPLY IS OBTAINED FROM A WELL FIELD LOCATED APPROXIMATELY 6 MILES SOUTH OF THE CITY OF SHELBY AND ONE MILE EAST OF INTERSTATE 15 ALONG THE NORTH SIDE OF THE MARIAS RIVER. THE ENTIRE WELL FIELD CONSISTS OF 13 WELLS DRILLED TO A TOTAL DEPTH RANGING FROM 31 TO 50 FEET BELOW GROUND SURFACE (BGS). WATER PUMPED FROM THE INDIVIDUAL WELLS IS COMINGLED AND PUMPED IN A TRANSMISSION LINE TO THE SOUTH SIDE OF SHELBY WHERE IT ENTERS THE CITY'S DISTRIBUTION SYSTEM. WATER IS DISTRIBUTED THROUGHOUT THE CITY TO MEET MUNICIPAL DEMANDS.

PROPOSED CHANGE

FLOW RATE: 2,496.00 GPM **VOLUME:** 937.42 AC-FT

THE WATER RIGHTS PROPOSED TO BE CHANGED INCLUDE FOUR SOCS (192878, 192880, 192881 & 192882) AND THREE PERMITS (4489, 4490 & 58129). ALL OF THE AFOREMENTIONED WATER RIGHTS ARE FOR YEAR-ROUND MUNICIPAL USE. THE AMOUNT OF WATER BEING CHANGED IN THIS APPLICATION IS A FLOW RATE OF UP TO 2,496.00 GPM AND A VOLUME NOT TO EXCEED 937.42 AF. THIS APPLICATION PROPOSES TO PERMANENTLY CHANGE THE POINTS OF DIVERSION AND TEMPORARILY CHANGE THE PLACE OF USE FOR UP TO 10 YEARS. THIS APPLICATION ALSO PROPOSES TO TEMPORARILY CHANGE THE PLACE OF USE SO THAT WATER HISTORICALLY USED WITHIN THE CITY OF SHELBY COULD SERVE THE CITY OF SHELBY, THE CROSSROADS CORRECTIONAL FACILITY (PRISON), A HUMIC FERTILIZER FACILITY (HUMIC), AND WOULD BE USED BY THE COMMUNITIES OF DEVON, DUNKIRK, ETHRIDGE, AND BIG ROSE COLONY AS THEIR PRIMARY WATER SOURCE. THE REQUESTED CHANGE IN PLACE OF USE WOULD ALSO INCLUDE THE CITY OF CUT BANK WHICH ALSO PROVIDES WATER TO THE CUT BANK NORTH GLACIER COUNTY WATER AND SEWER DISTRICT AND WOULD BE SUPPLEMENTAL TO THEIR EXISTING WATER RIGHTS.

ADDITIONAL INFORMATION

WATER MUST NOT BE DIVERTED TO ANY INDIVIDUAL PLACE OF USE PROPOSED TO BE CHANGED UNTIL A REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING AT THE SPECIFIED METER LOCATION CORRESPONDING TO THE PARTICULAR PLACE OF USE. THE APPROPRIATOR SHALL RECORD MONTHLY VOLUME OF ALL WATER INDIVIDUALLY METERED AT EACH METER LOCATION. THE VOLUME OF WATER AT EACH METER LOCATION SHALL NOT EXCEED THE FOLLOWING AMOUNTS EXPRESSED IN ACRE FEET:

	SHELBY METER	CUT BANK METER	OTHER METERS
JAN. 1-APR. 30	312.50	124.48	64.80
MAY 1-OCT. 31	656.20	261.42	136.00
NOV. 1-DEC. 31	156.20	62.24	32.40
TOTAL	1124.90	448.10	233.20

THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICES IN PROPERLY FUNCTIONING CONDITION SO THAT THE VOLUMES ARE ACCURATELY MEASURED. RECORDS SHALL BE SUBMITTED MONTHLY AND A SUMMARY PROVIDED BY JANUARY 31 OF EACH YEAR TO THE DEPARTMENT'S WATER RESOURCES HAVRE REGIONAL OFFICE.

THIS CHANGE APPLICATION IS ASSOCIATED WITH CHANGE APPLICATION 41P 30072726.

PUBLISHED IN: SHELBY PROMOTER ON NOVEMBER 9, 2016.