

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: OCTOBER 9, 2020. 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 222 SIXTH STREET SOUTH, PO BOX 1269, GLASGOW, MT 59230-1269 PHONE: 406-228-2561 FAX: 406-228-8706.

Application Number : 40S 30126841

Applicant : GIBBS LAND LLC
904 WELDON RD
CIRCLE, MT 59215

WATER RIGHT NUMBER(S) BEING CHANGED

<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
STATEMENT OF CLAIM	40S 8614-00	MAY 31, 1946
	Historical Diverted Volume:	42.70 AC-FT

PAST USE OF WATER

STATEMENT OF CLAIM 40S 8614-00 HISTORICALLY DIVERTED BY MEANS OF A DAM ON AN UNNAMED TRIBUTARY OF PRAIRIE ELK CREEK, EAST FORK IN THE SWSWNW SEC 2, T21N, R46E, MCCONE COUNTY FOR THE WATERING OF 400 ANIMAL UNITS.

PROPOSED CHANGE

APPLICANT PROPOSES TO TEMPORARILY CHANGE THE PLACE OF USE AND PURPOSE FOR STATEMENT OF CLAIM 40S 8614-00. STATEMENT OF CLAIM 40S 8614-00 HAS HISTORICALLY DIVERTED WATER BY MEANS OF A RESERVOIR TO WATER 400 ANIMAL UNITS (AU). ONSTREAM RESERVOIRS ARE NOT DECREED FLOW RATES. STOCK CLAIMS ARE NOT DECREED VOLUMES. THE APPLICANT IS PROPOSING TO RETIRE 200 AU TO ACCOMMODATE THE PROPOSED CHANGE OF PURPOSE AND PLACE OF USE. THE APPLICANT IS PROPOSING TO TEMPORARILY ADD THE PURPOSE TO WATER MARKETING FOR INDUSTRIAL USE. THE NEW TEMPORARY PLACE OF USE WILL BE THE POINT OF SALE IN THE S2SWNW SEC 2, T21N, R46E, MCCONE COUNTY. THE POINT OF DIVERSION AND PLACE OF STORAGE WILL REMAIN THE SAME.

PUBLISHED IN: CIRCLE BANNER ON AUGUST 26, 2020.