

PUBLIC NOTICE

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

The following application has been submitted to appropriate water in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION FOR BENEFICIAL WATER USE PERMIT. 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: MARCH 1, 2021. 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.

IF ISSUED, THE RIGHT WILL BE SUBJECT TO PRIOR EXISTING WATER RIGHTS.

Application Number: 42M 30145939

Owners: CYNTHIA K MITTELSTAED
781 ROAD 261
GLENDIVE, MT 59330

EDWARD W MITTELSTAED
781 ROAD 261
GLENDIVE, MT 59330

Priority Date: MAY 20, 2020 at 12:00 A.M.

Purpose (Use): IRRIGATION
STOCK

Maximum Volume: 66.10 AC-FT

Maximum Acres: 19.00

Source Name: UNNAMED TRIBUTARY OF YELLOWSTONE RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESESE	6	14N	55E	DAWSON

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: DAM

Reservoir: ON STREAM

<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
	NESESE	6	14N	55E	DAWSON

Depth: 8.00 FEET

Surface Area: 3.80 ACRES

Current Capacity: 12.16 ACRE-FEET

Purpose (Use): IRRIGATION

Irrigation Type: SPRINKLER

Climatic Area: 1 - HIGH

Volume: 56.50 AC-FT

Period of Use: MAY 1 to AUGUST 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	19.00		E2SE	6	14N	55E	DAWSON

Total: 19.00

Purpose (Use): STOCK

Volume: 0.10 AC-FT

Period of Use: JANUARY 1 to DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESE	6	14N	55E	DAWSON

Remarks:

IMPORTANT INFORMATION

THE PRIMARY SOURCE OF WATER IS WASTEWATER FROM A BUFFALO RAPIDS IRRIGATION DISTRICT DITCH. WASTEWATER MEANS THAT PART OF A DIVERTED FLOW WHICH IS NOT CONSUMPTIVELY USED AND WHICH RETURNS AS SURFACE WATER TO ANY SURFACE WATER SOURCE, AND WHICH OTHER WATER USERS CAN APPROPRIATE, BUT HAVE NO LEGAL RIGHT TO ITS CONTINUANCE (ARM 36.12.101 (82)). THE OWNER OF THIS PROVISIONAL PERMIT HAS NO RIGHT TO THE CONTINUATION OF WASTEWATER FROM BUFFALO RAPIDS IRRIGATION DISTRICT DITCH.

IMPORTANT INFORMATION

THE DAM WILL BE CONSTRUCTED AND OPERATED IN SUCH A WAY THAT THE IMPOUNDMENT (POOL) DOES NOT EXTEND ONTO NEIGHBORING PARCELS.

PUBLISHED IN: RANGER REVIEW ON JANUARY 14, 2021.