

# 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: JULY 17, 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 613 NE MAIN, SUITE E, LEWISTOWN, MT 59457-2020 PHONE: 406-538-7459.

**Application Number :** 41S 30147282

**Applicant :** FRED W COLVER  
42039 MT HWY 81  
LEWISTOWN, MT 59457

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

<b><u>Water Right Type</u></b>	<b><u>Water Right Number</u></b>	<b><u>Priority Date</u></b>
PROVISIONAL PERMIT	41S 4374-00	DECEMBER 11, 1974
Historical Flow Rate: 1.23 CFS	Historical Consumptive Volume: 53.90 AC-FT	Historical Diverted Volume: 70.00 AC-FT

**PAST USE OF WATER**

THE WATER RIGHT PROPOSED FOR CHANGE IS PERMIT NO. 41S 4374-00. IT HAS A PRIORITY DATE OF DECEMBER 11, 1974, WITH ASSOCIATED FLOW RATE OF 550 GALLONS PER MINUTE AND DIVERTED VOLUME OF 70 ACRE-FEET. THE HISTORICAL POINT OF DIVERSION IS A WELL LOCATED IN THE NENENE SEC 35 TWP 17N RGE 18E USED TO IRRIGATE 116.9 ACRES IN THE NE SEC 35 TWP 17N RGE 18E FERGUS CO. THE PERIOD OF DIVERSION AND USE ARE APRIL 20 THROUGH SEPTEMBER 20.

**PROPOSED CHANGE**

APPLICANT PROPOSES TO CHANGE THE POINT OF DIVERSION, ADD STORAGE AND CHANGE THE PLACE OF USE FOR PERMIT NO. 41S 4374-00. THE POINT OF DIVERSION IS PROPOSED TO CHANGE FROM A WELL LOCATED IN THE NENENE SEC 35 TWP 17N RGE 18E TO A GROUNDWATER PIT IN THE NENWNE SEC 35 TWP 17N RGE 18E, ALL IN FERGUS COUNTY. THE PIT HAS A STORAGE CAPACITY OF 3.8 ACRE-FEET WITH ESTIMATED EVAPORATION FROM THE SURFACE OF 0.5 ACRE-FEET. THE APPLICANT WILL APPLY UP TO 59.4 ACRE-FEET TO IRRIGATE 97.0 ACRES UNDER A CENTER PIVOT SYSTEM IN THE NE QUARTER OF SEC 35 TWP 17N RGE 18E.

**PUBLISHED IN:** LEWISTOWN NEWS-ARGUS ON JUNE 3, 2020.