

**BEFORE THE DEPARTMENT OF
NATURAL RESOURCES AND CONSERVATION
OF THE STATE OF MONTANA**

**IN THE MATTER OF THE GREEN) NOTICE OF 2-YEAR EXTENSION OF
MEADOW PETITION FOR CONTROLLED) THE GREEN MEADOW TEMPORARY
GROUND WATER AREA NO. 41I-30022395) CONTROLLED GROUND WATER AREA**

The Green Meadow Temporary Controlled Groundwater Area is scheduled to expire April 11, 2010. The Area was originally established by Department Order on April 11, 2008. The statute under which the Area was established allows that a temporary controlled ground water area can be extended for an additional two years for sufficient cause. Notice of an extension must be provided to the parties and ground water appropriators in the area. §85-2-507(5)(a), MCA (2007).

The boundary of the Green Meadow Temporary Controlled Ground Water Area is generally described as all aquifers beneath the area south of Silver Creek and north of Sevenmile Creek between Green Meadow Drive and the western edge of the Scratchgravel Hills. The legal land description for the general area is as follows and all located in Lewis and Clark County, Montana:

Quarter Section	Section	Township	Range
W2 and W2W2E2	1	10 North	04 West
All	2 and 3	10 North	04 West
N2NE1/4SE1/4, NE1/4, N2NW1/4, N2SE1/4NW1/4, NE1/4SW1/4NW1/4	10	10 North	04 West
Most of	11	10 North	04 West
W2NW1/4NE1/4, NW1/4, NW1/4SW1/4, SW1/4SW1/4, W2NE1/4SW1/4	12	10 North	04 West
NW1/4NW1/4NW1/4	13	10 North	04 West
N2NE1/4NE1/4	14	10 North	04 West
W2W2, SW1/4NE1/4SW1/4, W2SE1/4SW1/4	25	11 North	04 West
All	26, 27, 34, and 35	11 North	04 West
W2W2, W2E2NW1/4, W2NE1/4SW1/4, SE1/4NE1/4SW1/4, SE1/4SW1/4, W2SW1/4SE1/4	36	11 North	04 West

The purpose of the designation is for gathering information on aquifer properties; aquifer recharge; aquifer consumptive withdrawals by type and amount, to assist in determining if a permanent controlled ground water area is warranted; the extent of area boundary; and what, if any, controls on existing or future uses are required to maintain the ground water aquifer as a viable water source for existing uses within the area. The Montana Bureau of Mines and

Geology has commenced a study of the ground water in the Green Meadow Controlled Ground Water Area to assist in determining whether a permanent ground water control area is needed to protect the public health, safety, and welfare in the Area. The result and final report of this study are not expected to be finalized before April 11, 2010.

The Department, *sua sponte* and upon Motion of the Petitioners, finds that extending the period to gather additional facts is necessary to help the Department to determine whether designation of a permanent controlled ground water area is needed. The Department finds sufficient cause exists to support an extension, and hereby **EXTENDS** the Green Meadow Temporary Controlled Ground Water Area to April 11, 2012. Prior to the expiration of the 2-year extension or an approved additional extension, a hearing will be held to determine if a permanent controlled ground water area should be designated. 85-2-507(5)(b), MCA (2007).

During this two year extension the same conditions required by the original temporary designation remain in effect, to wit:

A. With this temporary controlled ground water designation, all new uses of ground water and replacement wells in the designated area must file the following with the DNRC Helena Water Resources Regional Office: 1) DNRC Form 602, "Notice of Completion of Ground Water Development"; 2) for wells that replace existing wells that have a valid water right, DNRC Form 634, "Replacement Well Notice"; or 3) otherwise apply for a new water use permit or change authorization from DNRC in accordance with applicable law.

B. Petitioners must, and other interested water users may, consult and work with DNRC in collecting, compiling, organizing, archiving, and interpreting area-wide information. This includes, but is not limited to, collecting and compiling data from new and existing wells and springs, and providing this information to the DNRC Helena Water Resources Regional Office. During the 2-year period and any extensions of the time period, studies necessary to obtain the facts needed to assist in the designation of a permanent controlled ground water area must be commenced under the supervision and control of the Department. Facts gathered during the study period must be presented at a hearing prior to the designation of a permanent controlled ground water area. In the event the Department does not complete the necessary study in the 2-year period or extension of the period, the temporary controlled ground water area designation will terminate at the end of the 2-year period or extension. DNRC will compile the

CERTIFICATE OF SERVICE

This certifies that a true and correct copy of NOTICE OF EXTENSION was served upon all parties listed below on this 5th day of April 2010 by First-Class United States Mail.

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/ Original signed by Terri McLaughlin /

Terri McLaughlin
Water Rights Bureau, DNRC