

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 <https://dnrc.mt.gov/Water-Resources/Water-Rights/application-status-environmental-assessments/>.

OBJECTION DEADLINE: MAY 10, 2024. THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$50.00 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 2273 BOOT HILL COURT, SUITE 110, BOZEMAN, MT 59715-7249 FAX: 406-587-9726 PHONE: 406-586-3136.

Application Number: 43A 30158389

Applicant: RED DOG RANCH LLC
396 NE OATS AVE
MADISON, FL 32340 3834

WATER RIGHT NUMBER(S) BEING CHANGED

<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
STATEMENT OF CLAIM	43A 190659-00	JUNE 15, 1895
Historical Flow Rate: 1. CFS	Historical Consumptive Volume: 33.46 AC-FT	
	Historical Diverted Volume: 210.50 AC-FT	

PAST USE OF WATER

43A 190659-00 WAS DIVERTED FROM MUDDY CREEK AT THE KAISER DITCH HEADGATE IN THE SWSNW SECTION 14, T3N, R8E, PARK COUNTY AT A FLOW RATE OF 1.00 CFS AND CONVEYED VIA THE KAISER DITCH FOR FLOOD IRRIGATION OF 49.00 ACRES IN S2S2NW AND N2SW SECTION 13, T3N, R8E, PARK COUNTY. THE PERIOD OF DIVERSION AND PERIOD OF USE ARE 4/1 TO 10/15. THE HISTORICAL USE OF THIS WATER RIGHT IS A MAXIMUM DIVERTED FLOW RATE OF 1 CFS, A DIVERTED VOLUME OF 210.5 AF, AND A CONSUMED VOLUME OF 33.46 AF.

PROPOSED CHANGE

THE APPLICANT PROPOSES TO CHANGE THE POINT OF DIVERSION AND PLACE OF USE FOR CLAIM 43A 190659-00. THE PROPOSED POINT OF DIVERSION IS A PUMP SITE LOCATED IN MUDDY CREEK IN THE NWNWSE OF SECTION 13, T3N, R8E, PARK COUNTY. THE APPLICANT PROPOSES TO DIVERT WATER TO IRRIGATE A NEW 160-ACRE PLACE OF USE IN SECTION 13, T3N, R8E, PARK COUNTY. THE HISTORICAL POINT OF DIVERSION AND PLACE OF USE WILL NO LONGER BE USED AS PART OF THE PROPOSED CHANGE. CLAIM 43A 190659-00 WILL BE SUPPLEMENTAL TO FLATHEAD CREEK CLAIMS 43A 190660-00, 43A 190661-00, 43A 190662-00, 43A 190663-00, 43A 190664-00, 43A 190666-00, 43A 190667-00, 43A 190668-00, AND 43A 190669-00 ON THE 160-ACRE PLACE OF USE AS PART OF THE PROPOSED CHANGE. NO CHANGES TO A PLACE OF STORAGE OR PURPOSE ARE PROPOSED. THE PERIOD OF DIVERSION WILL REMAIN 4/1-10/15 AND THE SOURCE WILL REMAIN MUDDY CREEK. THE APPLICANT PROPOSES TO DIVERT AT A MAXIMUM FLOW RATE OF 1 CFS UP TO A MAXIMUM DIVERTED VOLUME OF 33.46 AF AND A CONSUMED VOLUME OF 26.77 AF.

ADDITIONAL INFORMATION

THIS CHANGE APPLICATION WILL BE SUBJECT TO THE FOLLOWING CONDITIONS:
WATER MEASUREMENT INFORMATION - THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE AT A POINT APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPROPRIATOR SHALL KEEP A WRITTEN DAILY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF OPERATION. RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A PERMIT OR CHANGE. THE RECORDS MUST BE SENT TO THE BOZEMAN DNRC WATER RESOURCES REGIONAL OFFICE. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

IMPORTANT INFORMATION - WATER MAY NOT BE DIVERTED INTO THE KAISER DITCH FOR MULTIPLE-USE STOCK CLAIM 43A 30149984 WHEN WATER IS BEING DIVERTED BY 43A 190659-00 FOR IRRIGATION THROUGH THE PUMP SITE LOCATED IN THE NWNWSE OF SECTION 13, T3N, R8E, PARK COUNTY.

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