

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: FEBRUARY 17, 2023. 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 2705 SPURGIN RD, BLDG C, PO BOX 5004, MISSOULA, MT 59804-5004 FAX: 406-542-5899 PHONE: 406-721-4284.

Application Number: 76M 30151160

Applicant: MLH MONTANA LLC
1457 130TH AVE NE
BELLEVUE, WA 98005 2253

WATER RIGHT NUMBER(S) BEING CHANGED

<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
STATEMENT OF CLAIM Historical Flow Rate: 2,000. GPM	76M 118481-00 Historical Consumptive Volume: 498.00 AC-FT Historical Diverted Volume: 2,108.50 AC-FT	AUGUST 4, 1960
STATEMENT OF CLAIM Historical Flow Rate: 2,000. GPM	76M 118483-00 Historical Consumptive Volume: 110.20 AC-FT Historical Diverted Volume: 244.80 AC-FT	AUGUST 4, 1960
STATEMENT OF CLAIM Historical Flow Rate: 2,000. GPM	76M 118507-00 Historical Consumptive Volume: 498.00 AC-FT Historical Diverted Volume: 2,108.50 AC-FT	MAY 27, 1960
STATEMENT OF CLAIM Historical Flow Rate: 2,000. GPM	76M 118509-00 Historical Consumptive Volume: 110.20 AC-FT Historical Diverted Volume: 244.80 AC-FT	MAY 27, 1960

PAST USE OF WATER

GROUNDWATER WELLS #4 AND #5 WERE HISTORICALLY USED AT THE FORMER SMURFIT-STONE CONTAINER MILL FOR THE PURPOSES OF INDUSTRIAL AND POWER GENERATION AT A RATE OF 4,000 GPM UP TO 4,706.6 AF OF DIVERTED VOLUME. THE POINTS OF DIVERSION ARE LOCATED IN THE SWSESE AND SESWSE OF SEC 13, T14N, R21W.

PROPOSED CHANGE

TO CHANGE THE POINT OF DIVERSION OF EACH WATER RIGHT SUCH THAT BOTH THE WELLS IN THE MILL WELL FIELD ARE INCLUDED AS POINTS OF DIVERSION ON ALL OF THE WATER RIGHTS THAT ARE ASSOCIATED WITH THAT WELL FIELD. THE PURPOSE OF EACH WATER RIGHT WILL BE CHANGED FROM INDUSTRIAL OR POWER GENERATION TO MARKETING FOR MITIGATION. THE APPLICANT WILL NO LONGER DIVERT 4000 GPM UP TO A VOLUME OF 4,706.6 AF OF WATER FROM WELL NOS. 4, AND 5, REDUCING THEIR CONSUMPTIVE USE BY 1,216.4 AF. THE PLACE OF USE FOR MARKETING FOR MITIGATION PURPOSE CONSISTS OF A REACH OF THE CLARK FORK RIVER BEGINNING IN THE SE OF SECTION 36, T14N, R21W, AND ENDS AT THE NOXON RAPIDS DAM LOCATED IN THE S2S2 OF SECTION 33, T26N, R32W, SANDERS COUNTY.

PUBLISHED IN: MISSOULIAN ON JANUARY 4, 2023.