NOTICE OF RECEIPT WATER RIGHT APPLICATION

(Pursuant to Section § 85-2-307(1), MCA)

Summarized below are the application details as described in an Application to Change of Appropriation Water Right received by the Department of Natural Resources & Conservation on NOVEMBER 13, 2023. This notice reflects the application details only as originally submitted. The notice does not reflect changes to the application details made during the review process.

Priority Date

MARCH 14, 1916 OCTOBER 25, 1882 AUGUST 16, 1926

SEPTEMBER 21, 1882

Application Number:	40B 30162138				
Applicant:	TRANEL PROPERTIES LP 3130 ZIMMERMAN PLACE BILLINGS, MT 59106				
WATER RIGHT NUMBER(S) BEING CHANGED					
Water Right Type	Water Right Number				
STATEMENT OF CLAIM	40B-123794				
STATEMENT OF CLAIM	40B-123803				
STATEMENT OF CLAIM	40B-123804				
STATEMENT OF CLAIM	40B-130947				

PAST USE OF WATER

TRANEL PROPERTIES, LP FROM FLATWILLOW CREEK (CONVEYED TO POU VIA GRAVES DITCH HEADGATE), FOR THE PURPOSE OF (FLOOD) IRRIGATING 304** ACRES IN FERGUS COUNTY.

PROPOSED CHANGE

THE APPLICANT, TRANEL PROPERTIES, LP, PROPOSES TO CHANGE THE POINT OF DIVERSION (POD) OF ALL FOUR SUBJECT RIGHTS (STATEMENTS OF CLAIM 40B 123803 00; 40B 123803 00; 40B 123803 00; 40B 123803 00; 40B 123803 00). THIS WILL INCLUDE:

1) CORRECTING THE LEGAL LAND DESCRIPTION (LLD) OF THE SOLE EXISTING POD AND 2) THE ADDITION OF TWO NEW POD. THESE TWO NEW POD WILL BE TWO SEPERATE PORTABLE PUMPS, LOCATED AT THE SAME PUMP SIGHT (AND SAME LLD) AND PUMPING DIRECTLY FROM FLATWILLOW CREEK.

PROPOSED POINTS OF DIVERSION:

ID	QTR	SEC	TWP	RGE	COUNTY
1 (GRAVES DITCH POD)	SWNENE	29	12N	24E	FERGUS
2 (PROPOSED 2ND POD) NWSENV	V 28	12N	24E	FERGUS
3 (PROPOSED 3RD POD) NWSENV	V 28	12N	24E	FERGUS

THE APPLICANT ALSO PROPOSES TO CHANGE THE PLACE OF USE (POU). THE APPLICANT REQUESTS TO ADD A TOTAL OF 24.1 ACRES TO THE HISTORIC PLACE OF USE (POU), INCLUDING 19.3 ACRES OF PROPOSED PIVOT IRRIGATION AND 4.8 ACRES OF PROPOSED FLOOD IRRIGATION. THE APPLICANT PROPOSES TO RETIRE 26.8 ACRES OF HISTORIC FLOOD IRRIGATION TO ACCOUNT FOR THE PROPOSED PIVOT AND FLOOD IRRIGATION THAT FALLS OUTSIDE OF THE HISTORIC POU. ALL SIX (6) OF THE PROPOSED POU ARE WITHIN FERGUS COUNTY. IRRIGATION WILL REMAIN THE PURPOSE OF USE FOR ALL FOUR SUBJECT RIGHTS. THE MAXIMUM ACRES PROPOSED TO BE IRRIGATED (PIVOT & FLOOD) IN THE APPLICATION IS 298.5* ACRES.

PROPOSED PLACE OF USE:

ID ACRES QTR SEC TWP RGE COUNT GEOCODE 1 13.4 SESW 21 12N 24E FERGUS 08-2145-21-4-03-01-0000 2 61.0 S2SE 21 12N 24E FERGUS 08-2145-21-4-03-01-0000 3 33.3 SWSW2 22 12N 24E FERGUS 08-2145-22-3-03-01-0000 5 26.8 W2NW2 27 12N 24E FERGUS 08-2145-27-3-01-01-0000 7 47.5 E2NW 28 12N 24E FERGUS 08-2145-28-2-04-01-0000 8 116.S NE 28 12N 24E FERGUS 08-2145-28-2-04-01-0000

ADDITIONAL INFORMATION

*SEE EMAIL FROM CONSULTANT WILLIAM MOORE OF DMS NATURAL RESOURCES LLC, DATED 11/16/23 FOR EXPLANATION OF SLIGHT MARGIN OF ERROR IN APPLICANT'S CALCULATION OF PROPOSED MAXIMUM ACRES TO BE IRRIGATED.

**SEE APPLICATION IR.3.B ATTACHMENT FOR DETAILS ON HOW/WHY 304 HISTORICAL ACRES IS USED IN THE APPLICATION (INSTEAD OF 326, WHICH IS LISTED ON CLAIM 40B 123794 00, VERSION 2).

In general, the department will make a preliminary determination to grant or deny this application within 120 days of the date the application is deemed correct and complete. That date is currently unknown. If the preliminary determination is to grant the application, the application will be published in the local newspaper and a notice will be sent to appropriators who, according to the department records may be affected by the proposed appropriation. Individuals will have at least 15 days and no more than 60 days (specific deadline will be identified at time of notice) to submit an objection under § 85-2-308,

MCA, after the application has been published in the newspaper.

Direct questions regarding this application to the Water Resources Regional Office, 613 NE MAIN, SUITE E, LEWISTOWN, MT 59457-2020 PHONE: 406-538-7459