

PUBLIC NOTICE

PUBLIC COMMENT PERIOD

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 DRAFT 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/>.

PUBLIC COMMENT DEADLINE: JANUARY 30, 2026. PUBLIC COMMENTS MUST BE FILED ON A PUBLIC COMMENT FORM, FORM 654, AND MUST BE RECEIVED BY THE STATED DEADLINE. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE OR CAN BE OBTAINED FROM ANY WATER RESOURCES REGIONAL OFFICE. MAIL PAPER COPIES OF THE COMPLETED FORM TO : DNRC WATER RIGHTS BUREAU, PO BOX 201601, HELENA, MT 59620-1601. SUBMIT ELECTRONIC COPIES OF THE COMPLETED FORM TO: DNRCWATERRIGHTSCOMMENTOBJECTION@MT.GOV. PER 85-2-307(5)(C), MCA, IF NO PUBLIC COMMENTS ARE RECEIVED, THE DRAFT PD WILL BE ADOPTED AS FINAL AND THERE WILL BE NO OPPORTUNITY TO OBJECT TO THIS APPLICATION.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, OR REQUESTS TO OBTAIN THE DRAFT PD OR PUBLIC COMMENT FORM TO THE WATER RESOURCES OFFICE AT 613 NE MAIN, SUITE E, LEWISTOWN, MT 59457-2020 PHONE: 406-538-7459.

Application Number:

40B 30164213

Applicant:

EAST FORK HOLDINGS LLC
109 ROYAL PALM WAY
PALM BEACH, FL 33480 4249

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	40B 6655-00	MARCH 4, 1883
Historical Flow Rate: 2.5 CFS	Historical Consumptive Volume: 106.86 AC-FT	
	Historical Diverted Volume: 205.39 AC-FT	

PAST USE OF WATER

STATEMENT OF CLAIM 40B 6655-00 IS PERMITTED TO FLOOD IRRIGATE 155.00 ACRES. THE SOURCE OF WATER IS NORTH FORK OF MCDONALD CREEK. POINT OF DIVERSION IS THE SESWSE OF SECTION 14 TOWNSHIP 15N RANGE 20E IN FERGUS COUNTY. ALL HISTORICAL PLACE OF USE IS WITHIN FERGUS COUNTY. THE HISTORICAL PLACE OF USE INCLUDES 3.00 ACRES IN S2SWSW SECTION 13 TOWNSHIP 15N RANGE 20E; 9.00 ACRES IN S2S2SE SECTION 14 TOWNSHIP 15N RANGE 20E; 22.00 ACRES IN NENE OF SECTION 23 TOWNSHIP 15N RANGE 20E; 82.00 ACRES IN N2 OF SECTION 24 TOWNSHIP 15N RANGE 20E; AND 39.00 ACRES IN NW OF SECTION 19 TOWNSHIP 15N RANGE 21E.

PROPOSED CHANGE

FLOW RATE: 2.50 CFS

VOLUME: 163.78 AC-FT

ACRES: 155.00

THE APPLICANT IPROPOSES A PARTIAL CHANGE TO THE PLACE OF USE AND A CHANGE IN (ADDITION OF A) PLACE OF STORAGE. THE PROPOSED PLACE OF USE TOTALS 70.65 ACRES, INCLUDING 14.88 ACRES IN THE E2NE SECTION 24 TOWNSHIP 15N RANGE 20E; 38.36 ACRES IN THE NW OF SECTION 19 TOWNSHIP 15N RANGE 21E; 10.27 ACRES IN THE SENE OF SECTION 19 TOWNSHIP 15N RANGE 21E; AND 7.14 ACRES IN THE SWNW OF SECTION 20 TOWNSHIP 15N RANGE 21E. (ALL PROPOSED PLACE OF USE IS WITHIN FERGUS COUNTY). THE APPLICANT PROPOSES 17.40 ACRES OF NEW IRRIGATION OUTSIDE OF THE HISTORICAL FOOTPRINT. THE APPLICANT PROPOSES TO RETIRE 101.75 AC FROM THE 155.00 HISTROCIAL PLACE OF USE. THE APPLICANT PROPOSES TO RETAIN 53.25 AC OF FLOOD IRRIGATION WITHIN THE HISTORICAL FOOTPRINT. THUS, A NET REDUCTION OF 84.35 IRRIGATED ACRES IS PROPOSED. THE APPLICANT PROPOSES TO LEAVE 41.61 AF OF HISTORICAL DIVERTED NON-CONSUMED VOLUME INSTREAM AT THE HISTORICAL POINT OF DIVERSION. THE PROPOSED PLACE OF STORAGE HAS A CAPACITY OF 6.48 AF. THE PROPOSED PLACE OF STORAGE HAS A SURFACE AREA OF 1.62 AC. THE PROPOSED PLACE OF STORAGE IS PREDOMINANTLY LOCATED IN S2SENE OF SECTION 19 TOWNSHIP 15N RANGE 21E FERGUS COUNTY, WITH A PORTION (0.25 ACRES) EXTENDING INTO NWSWSWNW SECTION 20 TOWNSHIP 15N RANGE 21E FERGUS COUNTY. THE APPLICANT PROPOSES A PERIOD OF STORAGE OF MAY 15 TO SEPTEMBER 15. APPLICANT PROPOSES TO CHANGE THE MEANS OF DIVERSION FROM A DIKE TO A PUMP AND THE MEANS OF CONVEYANCE FROM DITCH TO PIPELINE.

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