

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 24, 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 613 NE MAIN, SUITE E, LEWISTOWN, MT 59457-2020 PHONE: 406-538-7459.

Application Number: 40C 30162292

Applicant: BERGIN LAND & LIVESTOCK LTD
PO BOX 219
MELSTONE, MT 59054 0219
FOSTER RANCH & FEEDLOT LLC
PO BOX 49
MELSTONE, MT 59054 0049

WATER RIGHT NUMBER(S) BEING CHANGED

<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
PROVISIONAL PERMIT	40C 30105634	SEPTEMBER 11, 2017

PAST USE OF WATER

WATER HAS BEEN PRIMARILY APPROPRIATED FOR COMMERCIAL STOCK USE. OTHER MINOR USAGE FOR THIS RIGHT INCLUDE DOMESTIC (4 AF), LAWN & GARDEN (2.5 AF), STOCK (4.25 AF) AND MARKETING (9.85 AF).

POINT(S) OF DIVERSION LISTED FOR 40C 30105634

- 1) WELL LOCATED SW SE NE 17 9N 30E MUSSELSHELL MT
- 2) WELL LOCATED NE SW NE 17 9N 30E MUSSELSHELL MT
- 3) WELL LOCATED NE SW NE 17 9N 30E MUSSELSHELL MT
- 4) WELL LOCATED SW SE SE 17 9N 30E MUSSELSHELL MT
- 5) WELL LOCATED NW NE NE 20 9N 30E MUSSELSHELL MT

PROPOSED CHANGE

APPLICANT IS PROPOSING TO ADD 8 ADDITIONAL STOCK TANKS (ST) TO PERMIT 40C 30105634. THESE STOCK TANKS WILL BE INSTALLED ALONG EXISTING PIPELINES. ST #39 IN THE APPLICATION IS LOCATED IN TOWNSHIP 10N RANGE 29E SECTION 29 NE NE SW. ST 40 IS IN TOWNSHIP 10N 29E SECTION 35 SW SW NW.

STOCK TANKS 41(NW SW NW), 42 (NE SW NW) & 43 (NW SE NW) ARE LOCATED IN TOWNSHIP 9N RANGE 30E SECTION 17 WITH THEIR QUARTER SECTIONS DENOTED IN PARENTHESES.

STOCK TANKS 44 (NW SW SW), 45 (SE SW NW), & 46 (NE SW NW) ARE LOCATED IN TOWNSHIP 9N RANGE 30E SECTION 8 WITH THEIR QUARTER SECTIONS DENOTED IN PARENTHESES.

THEY WILL BE SERVICING THE SAME NUMBER OF LIVESTOCK AND WILL FACILITATE DISTRIBUTION.

PUBLISHED IN: ROUNDUP RECORD TRIBUNE ON APRIL 24, 2024.