

Draft Preliminary Determinations

- **Draft PD**
- **Draft PD cover letter**
- **Updated Draft PD**
- **Updated Draft PD cover letter**
- **Any correspondence with the applicant regarding the draft PDs**

Draft Preliminary Determinations



Glasgow Water Resources Regional Office
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March 18, 2026

Hilltop Shop, LLC
c/o Janelle and Troy Jensen
PO Box 652
Sidney, MT 59270-0652

Subject: Draft Preliminary Determination to Grant Beneficial Water Use Permit Application No. 40S 30171344

Dear Applicant,

The Department of Natural Resources and Conservation (Department or DNRC) has completed a preliminary review of your application. This review consists of an evaluation of the criteria for issuance of a permit authorization found in §85-2-311, MCA. The Department has preliminarily determined that the criteria are met, and this application should be granted. A copy of the Draft Preliminary Determination to Grant your application is attached.

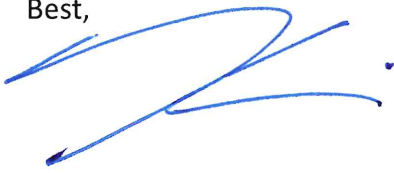
You have the opportunity to request an extension of time to submit additional information for the Department to consider in the decision, within 15 business days of the date of this letter. If no written request for an extension is received by April 8, 2026, the Department will prepare a notice of opportunity to provide public comment per §85-2-307(4), MCA.

Please note that if you are granted an extension of time to submit additional information to the Department, additional information may be considered an amendment to your application, which may reset application timelines pursuant to ARM 36.12.1401.



Please let me know if you have any questions.

Best,

A handwritten signature in blue ink, appearing to be 'Ashley Kemmis', written in a cursive style.

Ashley Kemmis
Water Resource Specialist
Water Rights Bureau
Water Resources Division



**BEFORE THE DEPARTMENT OF
NATURAL RESOURCES AND CONSERVATION
OF THE STATE OF MONTANA**

<p style="text-align:center">APPLICATION FOR BENEFICIAL WATER USE PERMIT NO. 40S 30171344 BY HILLTOP SHOP LLC</p>	}	<p style="text-align:center">DRAFT PRELIMINARY DETERMINATION TO GRANT PERMIT</p>
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On October 8, 2025, Hilltop Shop LLC (Applicant) submitted Application for Beneficial Water Use Permit No. 40S 30171344 to the Glasgow Regional Office of the Department of Natural Resources and Conservation (Department or DNRC) for 20 GPM and 1.9 AF for lawn and garden use. The Department published receipt of the application on its website. The Department sent the Applicant a deficiency letter under § 85-2-302, Montana Code Annotated (MCA), dated October 29, 2025. The Applicant responded with information dated January 12, 2026. A preapplication meeting was held between the Department and the Applicant on July 15, 2025, in which the Applicant designated that the technical analyses for this application would be completed by the Department. The Applicant returned the completed Preapplication Checklist on July 25, 2025. The application was determined to be correct and complete as of February 10, 2026. An Environmental Assessment for this application was completed on March 17, 2026.

INFORMATION

The Department considered the following information submitted by the Applicant, which is contained in the administrative record.

Application as filed:

- Application for Beneficial Water Use Permit, Form 600
- Attachments:
 - Schematic of Sprinkler System
 - Photos of Equipment
 - Warranty Deed
 - Pump Specifications Sheet
- Maps:
 - Undated aerial imagery of the property showing the location of the point of diversion (POD), conveyance, and place of use (POU).

- Plat map of Idlewild Park Subdivision, by Interstate Engineering, dated January 9, 2003
- Department- completed technical analyses based on information provided in the Preapplication Checklist, dated September 5, 2025

Information Received after Application Filed

- Email correspondence between Ashley Kemmis, DNRC, and Janelle Jensen, Applicant, dated February 2, 2026.
- Pump curves from the Munro company website obtained by the DNRC

Information within the Department’s Possession/Knowledge

- The Department also routinely considers the following information. The following information is not included in the administrative file for this application but is available upon request. Please contact the Glasgow Regional Office at 406-228-2561 to request copies of the following documents.
 - Technical Memorandum: Physical Availability of Surface Water with Gage Data, dated November 1, 2019
- USGS gaging station records (Station #06132000, Missouri River below Fort Peck Dam, MT) from April 1934 to September 2021
- Department record of existing water rights
- §85-20-201, Montana Code Annotated (MCA), Fort Peck-Montana Compact Ratified

The Department has fully reviewed and considered the evidence and argument submitted in this application and preliminarily determines the following pursuant to the Montana Water Use Act (Title 85, chapter 2, part 3, MCA).

For the purposes of this document, Department or DNRC means the Department of Natural Resources & Conservation; CFS means cubic feet per second; GPM means gallons per minute; AF means acre-feet; AC means acres; and AF/YR means acre-feet per year.

PROPOSED APPROPRIATIO

FINDINGS OF FACT

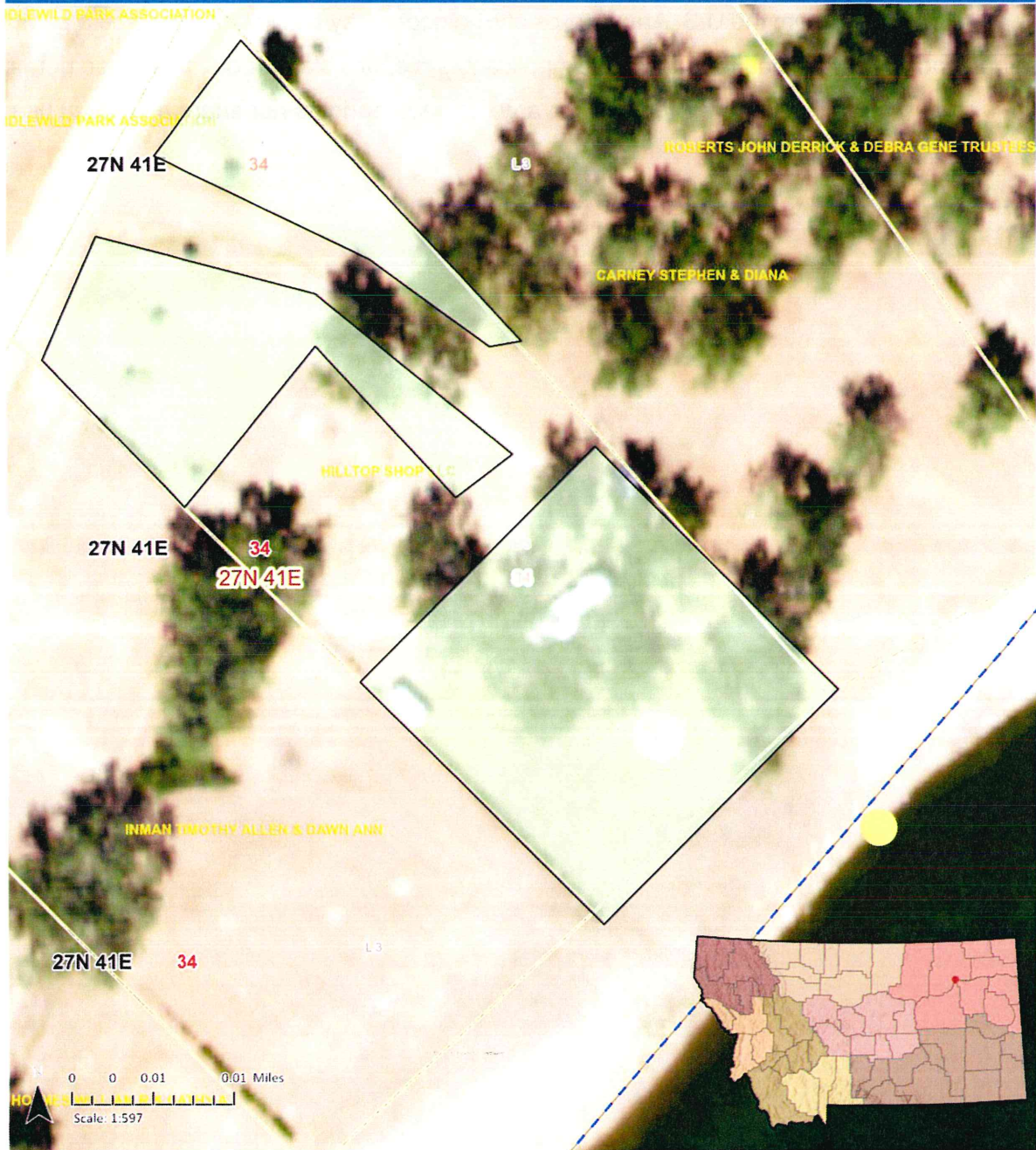
1. The Applicant proposes to divert water from the Missouri River, by means of a pump, from April 1 to October 31 at 20 GPM up to 1.9 AF, from a point in the Idlewild Subdivision, Lot 081, Gov’t Lot 3, NESENW, Sec. 34, T27N, R41E, Valley County for lawn and garden use from April

1 to October 31. The Applicants propose to irrigate lawn and garden on 0.75 acres. The place of use is located in the Idlewild Subdivision, Lot 081, Gov't Lot 3, NESENW, Sec. 34, T27N, R41E, Valley County.

2. Authorization from the U.S. Army Corps of Engineers may be required to place a pump on the shoreline of the Missouri River, and the Applicant is responsible for obtaining those permits.

3. The permit will not be supplemental to any other water rights nor share a place of use.

40S 30171344



Map Created: 9/4/2025
 Author: Ashley Kemmis,
 Water Resource Specialist
Comments regarding this map should be submitted to the Department of State, 2017 Avenue

- Parcels - Current
- Sections
- Township & Range
- DNRC Basins

- NHDF Flowline
- State Boundary
- POD
- POU

Figure 1: Map of the Applicant's proposed POD on the source and proposed POU.

§ 85-2-311, MCA, BENEFICIAL WATER USE PERMIT CRITERIA

GENERAL CONCLUSIONS OF LAW

4. The Montana Constitution expressly recognizes in relevant part that:
- (1) All existing rights to the use of any waters for any useful or beneficial purpose are hereby recognized and confirmed.
 - (2) The use of all water that is now or may hereafter be appropriated for sale, rent, distribution, or other beneficial use . . . shall be held to be a public use.
 - (3) All surface, underground, flood, and atmospheric waters within the boundaries of the state are the property of the state for the use of its people and are subject to appropriation for beneficial uses as provided by law.

Mont. Const. Art. IX, § 3. While the Montana Constitution recognizes the need to protect senior appropriators, it also recognizes a policy to promote the development and use of the waters of the state by the public. This policy is further expressly recognized in the water policy adopted by the Legislature codified at § 85-2-102, MCA, which states in relevant part:

- (1) Pursuant to Article IX of the Montana constitution, the legislature declares that any use of water is a public use and that the waters within the state are the property of the state for the use of its people and are subject to appropriation for beneficial uses as provided in this chapter. . . .
- (3) It is the policy of this state and a purpose of this chapter to encourage the wise use of the state's water resources by making them available for appropriation consistent with this chapter and to provide for the wise utilization, development, and conservation of the waters of the state for the maximum benefit of its people with the least possible degradation of the natural aquatic ecosystems. In pursuit of this policy, the state encourages the development of facilities that store and conserve waters for beneficial use, for the maximization of the use of those waters in Montana . . .

5. Pursuant to § 85-2-302(1), MCA, except as provided in §§ 85-2-306 and 85-2-369, MCA, a person may not appropriate water or commence construction of diversion, impoundment, withdrawal, or related distribution works except by applying for and receiving a permit from the Department. See § 85-2-102(1), MCA. An Applicant in a beneficial water use permit proceeding must affirmatively prove all of the applicable criteria in § 85-2-311, MCA. Section § 85-2-311(1) states in relevant part:

- ... the department shall issue a permit if the Applicant proves by a preponderance of evidence that the following criteria are met:
 - (a) (i) there is water physically available at the proposed point of diversion in the amount that the Applicant seeks to appropriate; and
 - (ii) water can reasonably be considered legally available during the period in which the Applicant seeks to appropriate, in the amount requested, based on the records of the department and other evidence provided to the department. Legal availability is determined using an analysis involving the following factors:
 - (A) identification of physical water availability;

(B) identification of existing legal demands on the source of supply throughout the area of potential impact by the proposed use; and

(C) analysis of the evidence on physical water availability and the existing legal demands, including but not limited to a comparison of the physical water supply at the proposed point of diversion with the existing legal demands on the supply of water.

(b) the water rights of a prior appropriator under an existing water right, a certificate, a permit, or a state water reservation will not be adversely affected. In this subsection (1)(b), adverse effect must be determined based on a consideration of an Applicant's plan for the exercise of the permit that demonstrates that the Applicant's use of the water will be controlled so the water right of a prior appropriator will be satisfied;

(c) the proposed means of diversion, construction, and operation of the appropriation works are adequate;

(d) the proposed use of water is a beneficial use;

(e) the Applicant has a possessory interest or the written consent of the person with the possessory interest in the property where the water is to be put to beneficial use, or if the proposed use has a point of diversion, conveyance, or place of use on national forest system lands, the Applicant has any written special use authorization required by federal law to occupy, use, or traverse national forest system lands for the purpose of diversion, impoundment, storage, transportation, withdrawal, use, or distribution of water under the permit;

(f) the water quality of a prior appropriator will not be adversely affected;

(g) the proposed use will be substantially in accordance with the classification of water set for the source of supply pursuant to 75-5-301(1); and

(h) the ability of a discharge permit holder to satisfy effluent limitations of a permit issued in accordance with Title 75, chapter 5, part 4, will not be adversely affected.

(2) The Applicant is required to prove that the criteria in subsections (1)(f) through (1)(h) have been met only if a valid objection is filed. A valid objection must contain substantial credible information establishing to the satisfaction of the department that the criteria in subsection (1)(f), (1)(g), or (1)(h), as applicable, may not be met. For the criteria set forth in subsection (1)(g), only the department of environmental quality or a local water quality district established under Title 7, chapter 13, part 45, may file a valid objection.

To meet the preponderance of evidence standard, “the Applicant, in addition to other evidence demonstrating that the criteria of subsection (1) have been met, shall submit hydrologic or other evidence, including but not limited to water supply data, field reports, and other information developed by the Applicant, the department, the U.S. geological survey, or the U.S. natural resources conservation service and other specific field studies.” Section 85-2-311(5), MCA (emphasis added). The determination of whether an application has satisfied the § 85-2-311, MCA criteria is committed to the discretion of the Department. *Bostwick Properties, Inc. v. Montana Dept. of Natural Resources and Conservation*, 2009 MT 181, ¶ 21. The Department is required grant a permit only if the § 85-2-311, MCA, criteria are proven by the Applicant by a

preponderance of the evidence. *Id.* A preponderance of evidence is “more probably than not.” *Hohenlohe v. DNRC*, 2010 MT 203, ¶¶ 33, 35, 357 Mont. 438, 240 P.3d 628.

6. Pursuant to § 85-2-312, MCA, the Department may condition permits as it deems necessary to meet the statutory criteria:

(1) (a) The department may issue a permit for less than the amount of water requested, but may not issue a permit for more water than is requested or than can be beneficially used without waste for the purpose stated in the application. The department may require modification of plans and specifications for the appropriation or related diversion or construction. The department may issue a permit subject to terms, conditions, restrictions, and limitations it considers necessary to satisfy the criteria listed in 85-2-311 and subject to subsection (1)(b), and it may issue temporary or seasonal permits. A permit must be issued subject to existing rights and any final determination of those rights made under this chapter.

E.g., Montana Power Co. v. Carey (1984), 211 Mont. 91, 96, 685 P.2d 336, 339 (requirement to grant applications as applied for, would result in, “uncontrolled development of a valuable natural resource” which “contradicts the spirit and purpose underlying the Water Use Act.”); *see also, In the Matter of Application for Beneficial Water Use Permit No. 65779-76M by Barbara L. Sowers* (DNRC Final Order 1988)(conditions in stipulations may be included if it further compliance with statutory criteria); *In the Matter of Application for Beneficial Water Use Permit No. 42M-80600 and Application for Change of Appropriation Water Right No. 42M-036242 by Donald H. Wyrick* (DNRC Final Order 1994); Admin. R. Mont. (ARM) 36.12.207.

7. The Montana Supreme Court further recognized in *Matter of Beneficial Water Use Permit Numbers 66459-76L, Ciotti: 64988-G76L, Starner*, 278 Mont. 50, 60-61, 923 P.2d 1073, 1079, 1080 (1996), *superseded by legislation on another issue*:

Nothing in that section [85-2-313], however, relieves an Applicant of his burden to meet the statutory requirements of § 85-2-311, MCA, before DNRC may issue that provisional permit. Instead of resolving doubts in favor of appropriation, the Montana Water Use Act requires an Applicant to make explicit statutory showings that there are unappropriated waters in the source of supply, that the water rights of a prior appropriator will not be adversely affected, and that the proposed use will not unreasonably interfere with a planned use for which water has been reserved.

See also, Wesmont Developers v. DNRC, CDV-2009-823, First Judicial District Court, *Memorandum and Order* (2011). The Supreme Court likewise explained that:

.... unambiguous language of the legislature promotes the understanding that the Water Use Act was designed to protect senior water rights holders from encroachment by junior appropriators adversely affecting those senior rights.

Montana Power Co., 211 Mont. at 97-98, 685 P.2d at 340; see also Mont. Const. art. IX §3(1).

8. An appropriation, diversion, impoundment, use, restraint, or attempted appropriation, diversion, impoundment, use, or restraint contrary to the provisions of § 85-2-311, MCA is invalid. An officer, agent, agency, or employee of the state may not knowingly permit, aid, or assist in any manner an unauthorized appropriation, diversion, impoundment, use, or other restraint. A person or corporation may not, directly or indirectly, personally or through an agent, officer, or employee, attempt to appropriate, divert, impound, use, or otherwise restrain or control waters within the boundaries of this state except in accordance with this § 85-2-311, MCA. Section 85-2-311(6), MCA.

9. The Department may take notice of judicially cognizable facts and generally recognized technical or scientific facts within the Department's specialized knowledge, as specifically identified in this document. ARM 36.12.221(4).

PHYSICAL AVAILABILITY

FINDINGS OF FACT

10. The Applicant is requesting to divert water from April 1 to October 31 for lawn and garden use from the Missouri River at a maximum flow rate of 20 GPM up to 1.9 AF annually.

11. Pursuant to ARM 36.12.1702, available stream gage data is used to quantify physical availability at the POD during the proposed months of diversion. The proposed point of diversion is located approximately 4 miles upstream from the USGS gaging station below Fort Peck Dam (USGS station #06132000). The period of record for the gage is April 1934 to September 2021. Department practice for physical availability analyses where the gage used is downstream of the POD is to add the monthly flow rates and volumes of existing water rights between the gage and the POD to the median of the mean monthly flows at the gage.

12. Table 1 lists the existing water rights between the requested point of diversion and USGS gaging station #06132000. The Department calculated the monthly flows (Table 2, column B) and volumes (Table 2, column C) following procedure outlines in the Department permit manual:

- a. Calculating a flow rate for all livestock direct from source rights without a designated flow rate by assigning either 30 GPD/AU for Statements of Claim or 15 GPD/AU, multiplying by the number of Animal Units (AU), and adding that to 35 GPM.

- b. Calculating a volume for all livestock direct from source rights without a designated volume by multiplying the number of AU by 30 GPD/AU for Statements of Claim or 15 GPD/AU for all other water right types.
- c. Calculating a volume for all irrigation rights without a designated volume by multiplying the number of acres by 2.69 AF/Acre per Department water use standards for a moderately high consumptive use climatic area.
- d. Evenly distributing each water right's volume by months within the period of diversion.

Table 1: Existing Water Rights Between the Proposed POD and the Gaging Station

A	B	C	D
Water Right Number	Flow Rate (CFS)	Volume (AF)	Period of Diversion
40S 32086 00	0.07	1.00	01/01 to 12/31
40S 30016330	0.06	1.15	04/01 to 10/31
40S 30007495	0.06	1.25	04/01 to 10/31
40S 30023173 ⁴	-	1.25	04/01 to 10/31
40S 30013570	0.07	2.50	04/01 to 10/31
40S 46419 00	0.04	2.50	01/01 to 12/31
40S 30030763	0.07	4.08	04/01 to 10/31
40S 35719 00	5.30	300.00	04/15 to 10/15
40S 7336 00	6.68	450.00	04/15 to 10/15
40S 31725 00	5.69	1,715.00	01/01 to 12/31
40S 171767 00	4.46	2,286.00	01/01 to 12/31
40S 37645 00 ¹	7.58	960.00	04/01 to 10/31
40S 46363 00 ²	5.35	497.65	04/01 to 11/19
40S 46390 00 ¹	0.30	30.00	04/15 to 09/19
40S 46416 00 ¹	9.13	1,740.00	03/15 to 11/19
40S 30106536 ³	0.09	1.02	01/01 to 12/31
40S 42279 00 ³		10.46	01/01 to 12/31

¹Volume as Claimed

²Irrigation volume is calculated as the number of acres multiplied by 2.69 AF per acre, in accordance with DNRC permit manual.

³Livestock use volume is calculated as number of claimed animal units at 30 gallons per day multiplied by number of days in the period of use

⁴Permit for additional volume only

13. The Department calculated median of the mean monthly flow rates in cubic feet per second (CFS) for the Missouri River using USGS gage #06132000 records for each month of the proposed period of diversion (Table 2, column B). Those flows were converted to monthly volumes in AF (Table 2, column C) using the following equation found on DNRC Water Calculation Guide: median of the mean monthly flow (CFS x 1.98 AF/day/1 CFS x days per month = AF/month).

14. Because the gage is downstream of the POD, the Department added the flow rates and volumes of the existing rights between USGS gage #06132000 and the POD (Table 2, columns D and E) to the median of the mean monthly gage values (Table 2, columns B and C) to determine physical availability at the POD (Table 2, columns F and G).

Table 2 below displays the amount of water physically available at the proposed point of diversion:

A	B	C	D	E	F	G
Month	Median of the Mean Monthly Flow at Gage 06132000 (CFS)	Median of the Mean Monthly Volume at Gage 06132000 (AF)	Existing Rights from the POD to Gage 06132000 (CFS)	Existing Rights from the POD to Gage 06132000 (AF)	Physically Available Water at POD (CFS)	Physically Available Water at POD (AF)
April	6,768	402,019	44.94	840.95	6,813	402,860
May	7,729	474,406	44.94	840.95	7,774	475,247
June	8,643	513,394	44.94	840.95	8,688	514,235
July	8,629	529,648	44.94	840.95	8,674	530,489
August	9,390	576,358	44.94	840.95	9,435	577,199
September	7,808	463,766	44.94	840.95	7,852	464,606
October	7,175	440,371	44.64	835.95	7,219	441,207

15. The Department finds surface water is physically available during the proposed period of diversion at the proposed point of diversion in the amount the Applicants seek to appropriate.

LEGAL AVAILABILITY

FINDINGS OF FACT

16. The Department determined that the area of potential impact is the portion of the Missouri River between the POD and the confluence of the Missouri and Milk River, which is approximately 6 miles downstream. The Milk River is a substantial tributary to the Missouri River, so the Department finds the confluence to be an appropriate hydrologic boundary for the area of potential impact. A total of 25 surface water rights exist within this reach. This includes private water rights (Table 3), the Fort Peck-Montana Compact (Table 4), the Montana Department of Fish, Wildlife and Parks Reservation 40S 30017671 (Table 5), and Conservation District Reservations (Table 6).

17. A list of active surface water rights that divert from the Missouri River in the location between the POD (Idlewild Subdivision, Lot 081, Gov't Lot 3, NESENW, Sec. 34, T27N, R41E, Valley

County) and the confluence of the Missouri and Milk River (E2E2NE, Sec. 32, T27N, R42E, Valley County) were compiled using the DNRC GIS web application Converge. Active surface water rights could include all active claims, exempt notices, permits, perfected CD reservations, instream flows, tribal rights, and hydropower water rights. The flow rate and volume were assigned to any unquantified water rights following Department standards per the DNRC permit manual by:

- a. Calculating a flow rate for all livestock direct from source rights without a designated flow rate by assigning either 30 GPD/AU for Statements of Claim or 15 GPD/AU, multiplying by the number of Animal Units (AU), and adding that to 35 GPM.
- b. Calculating a volume for all livestock direct from source rights without a designated volume by multiplying the number of AU by 30 GPD/AU for Statements of Claim or 15 GPD/AU.
- c. Calculating a volume for all irrigation rights without a designated volume by multiplying the number of acres by 2.69 AF/Acre per Department water use standards for a moderate consumptive use climatic area.
- d. Evenly distributing each water right's volume by months within the period of diversion.

These downstream legal demands are summarized in Table 3.

Table 3: Water Rights Within the Area of Potential Impact				
A	B	D	E	F
Water Right Number	Period of Diversion	Flow Rate (CFS)	Volume (AF)	Water Right Type
40S 32086 00	01/01 to 12/31	0.07	1	STATEMENT OF CLAIM
40S 30016330	04/01 to 10/31	0.06	1.15	PROVISIONAL PERMIT
40S 30007495	04/01 to 10/31	0.06	1.25	PROVISIONAL PERMIT
40S 30023173	04/01 to 10/31	-	1.25	PROVISIONAL PERMIT
40S 46419 00	01/01 to 12/31	0.04	2.5	STATEMENT OF CLAIM
40S 30013570	04/01 to 10/31	0.07	2.5	PROVISIONAL PERMIT
40S 30030763	04/01 to 10/31	0.07	4.08	PROVISIONAL PERMIT
40S 35719 00	04/15 to 10/15	5.30	300	PROVISIONAL PERMIT
40S 7336 00	04/15 to 10/15	6.68	450	PROVISIONAL PERMIT
40S 33997 00	04/01 to 10/31	10.03	597.9	PROVISIONAL PERMIT
40S 31725 00	01/01 to 12/31	5.69	1715	PROVISIONAL PERMIT
40S 171767 00	01/01 to 12/31	4.46	2286	STATEMENT OF CLAIM
40S 37645 00 ¹	04/01 to 10/31	7.58	960	STATEMENT OF CLAIM
40S 46416 00 ¹	03/15 to 11/19	9.13	1740	STATEMENT OF CLAIM
40S 28935 00 ¹	04/01 to 11/04	6.68	532.5	STATEMENT OF CLAIM
40S 46363 00 ²	04/01 to 11/19	5.35	497.65	STATEMENT OF CLAIM
40S 46364 00 ²	04/01 to 11/19	5.35	646.138	STATEMENT OF CLAIM

40S 46390 00 ¹	04/15 to 09/19	0.30	30	STATEMENT OF CLAIM
40S 30133976 ³	01/01 to 12/31	0.15	17	STATEMENT OF CLAIM
40S 42279 00 ³	01/01 to 12/31		10.455	STATEMENT OF CLAIM
40S 168953 00 ³	04/01 to 11/30		23.8	STATEMENT OF CLAIM
40S 30106536 ³	01/01 to 12/31		1.02	STATEMENT OF CLAIM

¹Volume assigned as claimed

²Irrigation – volume is calculated as the number of acres multiplied by 2.69 AF per acre, in accordance with DNRC permit manual

³Livestock Direct - Flow rate and volume assigned per Department standards

Month	Flow Rate (CFS)	Volume (AF)
April	842	50,000
May	1,711	105,000
June	2,441	145,000
July	3,503	215,000
August	2,933	180,000
September	1,768	105,000
October	815	50,000

*Flow rate in CFS calculated by dividing the monthly volume in AF by the numbers of days in the month by 1.98

Month	Flowrate (CFS)*	Volume (AF)
April	4,508	267,775
May	4,508	276,701
June	4,508	267,775
July	4,508	276,701
August	4,508	276,701
September	4,508	267,775
October	4,508	276,701

*Those flows were converted to monthly volumes in AF using the following equation found on DNRC Water Calculation Guide: median of the mean monthly flow (CFS x 1.98 AF/day/1 CFS x days per month = AF/month).

Month	Valley CD Flow Rate (CFS)	Valley CD Volume (AF)	McCone CD Flow Rate (CFS)	McCone CD Volume (AF)
April	37.8	778	99.5	2,043
May	37.8	778	99.5	2,043

June	37.8	778	99.5	2,043
July	37.8	778	99.5	2,043
August	37.8	778	99.5	2,043
September	37.8	778	99.5	2,043
October	37.8	778	99.5	2,043

* Evenly distributing each Conservation District's volume by months within the period of diversion.

18. The comparison between physically and legally available water in the Missouri River is shown in Table 7 below, indicating that water is legally available for the proposed appropriation.

A	B	C	D	E	F	G
Month	Physically Available Water at POD (CFS)	Physically Available Water at POD (AF)	Existing Legal Demands between Surface Water Depletion and MT Border (CFS)	Existing Legal Demands between Depletion and MT Border (AF)	Legally Available Water (CFS)	Legally Available Water (AF)
April	6,813	402,860	5,554	321,684	1,259	81,176
May	7,774	475,247	6,423	385,609	1,351	89,638
June	8,688	514,235	7,153	416,684	1,535	97,552
July	8,674	530,489	8,215	495,609	459	34,880
August	9,435	577,199	7,645	460,609	1,790	116,590
September	7,852	464,606	6,480	376,684	1,372	87,923
October	7,219	441,207	5,527	330,604	1,692	110,602

19. Table 8 compares the legally available flow rate and volume with the requested amount. Table 7 shows that water is legally available for the requested amount throughout the proposed period of diversion at the proposed source of supply. For comparison purpose, the monthly requested volumes are equal to the total requested volume divided by the period of use (1.9 AF/7 months = 0.27 AF/month).

A	B	C	D	E	F	G
Month	Legally Available Water (CFS)	Legally Available Water (AF)	Applicant Requested Flow Rate (CFS)	Applicant Requested Volume (AF)	Remaining Legally Available Water (CFS)	Remaining Legally Available Water (AF)
April	1,259	81,176	0.04	0.27	1,258.96	81,175.73
May	1,351	89,638	0.04	0.27	1,350.96	89,637.73
June	1,535	97,552	0.04	0.27	1,534.96	97,551.73

July	459	34,880	0.04	0.27	458.96	34,879.73
August	1,790	116,590	0.04	0.27	1,789.96	116,589.73
Sept.	1,372	87,923	0.04	0.27	1,371.96	87,922.73
Oct.	1,692	110,602	0.04	0.27	1,691.96	110,601.73

20. The Department finds the proposed appropriation of 20 GPM and up to 1.9 AF to be legally available during the proposed period of diversion.

ADVERSE EFFECT

FINDINGS OF FACT

21. Water is both physically and legally available in the source. In the event of a water shortage, the Applicants will cease pumping if a valid call is made.

22. The Department finds that there will be no adverse effect because the amount of water requested is physically and legally available on the Missouri River at the point of diversion and the Applicants plan to curtail their appropriation during times of water shortage is adequate.

ADEQUATE MEANS OF DIVERSION

FINDINGS OF FACT

23. The Applicant plans to divert water from the Missouri River using a 1.5-HP, Munro LP150B Professional Pump from the Idlewild Subdivision, Lot 081, Gov't Lot 3, NESENW, Sec. 34, T27N, 41E, Valley County. The Department obtained pump curves from manufacturer website showing the pump is capable of diverting the requested flow rate.

24. Water is filtered via a screened intake which is constructed by the installation company, Frontier Lawn and Landscaping. Water is then distributed via 1.5" to 1" PVC pipe to an underground irrigation system which branches into two valve boxes that each control 4 zones (8 zones total). Each zone operates for approximately 25 minutes, resulting in a total irrigation cycle of 200 minutes. Irrigation will occur three times per week and the system is controlled by an electronic timer.

25. The Department finds that the proposed means of diversion and conveyance are capable of diverting the proposed volume and flow rate.

BENEFICIAL USE

FINDINGS OF FACT

26. The Applicant proposes to use water for the purpose of lawn and garden irrigation from April 1 to October 31. Lawn and garden purpose is recognized by the Department as a beneficial use of water. The Applicants plan to irrigate 0.75 acres with a pump capable of diverting water at the requested rate of 20 GPM up to 1.9 AF annually.

27. The requested flow rate is sufficient to supply lawn and garden irrigation for 0.75 acres and is supported by the pump curve obtained by the Department. The flow rate requested is similar to the flow rates of other surface water lawn and garden irrigation permits in the area. The Applicants' proposed volume is within the Department's water calculation guide for lawn and garden, 2.5 AF per acre (2.5 AF/acre * 0.75 acres = 1.9 AF).

28. The Department finds the proposed water use is beneficial, and that the requested flow rate of 20 GPM and annual volume of 1.9 AF are reasonably justified per ARM 36.12.1801(3).

POSSESSORY INTEREST

FINDINGS OF FACT

29. The Applicant signed the application form affirming that the Applicants have possessory interest or the written consent of the person with the possessory interest, in the property where the water is to be put to beneficial use.

CONCLUSIONS OF LAW

PHYSICAL AVAILABILITY

30. Pursuant to § 85-2-311(1)(a)(i), MCA, an Applicant must prove by a preponderance of the evidence that "there is water physically available at the proposed point of diversion in the amount that the Applicant seeks to appropriate."

31. It is the Applicant's burden to produce the required evidence. *In the Matter of Application for Beneficial Water Use Permit No. 27665-411 by Anson* (DNRC Final Order 1987) (Applicant produced no flow measurements or any other information to show the availability of water; permit denied); *In the Matter of Application to Change Water Right No. 41H 1223599 by MGRR #1, LLC.*, (DNRC Final Order 2005).

32. An Applicant must prove that at least in some years there is water physically available at the point of diversion in the amount the Applicant seeks to appropriate. *In the Matter of Application for Beneficial Water Use Permit No. 72662s76G by John Fee and Don Carlson* (DNRC Final

Order 1990); *In the Matter of Application for Beneficial Water Use Permit No. 85184s76F by Wills Cattle Co. and Ed McLean* (DNRC Final Order 1994).

33. Use of published upstream gauge data minus rights of record between gauge and point of diversion adjusted to remove possible duplicated rights shows water physically available. *In the Matter of Application for Beneficial Water Use Permit No. 41P-105759 by Sunny Brook Colony* (DNRC Final Order 2001)

34. The Applicant has proven that water is physically available at the proposed point of diversion in the amount Applicant seeks to appropriate. Section 85-2-311(1)(a)(i), MCA. (FOF 10-15)

LEGAL AVAILABILITY

35. Pursuant to § 85-2-311(1)(a), MCA, an Applicant must prove by a preponderance of the evidence that:

(ii) water can reasonably be considered legally available during the period in which the Applicant seeks to appropriate, in the amount requested, based on the records of the department and other evidence provided to the department. Legal availability is determined using an analysis involving the following factors:

(A) identification of physical water availability;

(B) identification of existing legal demands on the source of supply throughout the area of potential impact by the proposed use; and

(C) analysis of the evidence on physical water availability and the existing legal demands, including but not limited to a comparison of the physical water supply at the proposed point of diversion with the existing legal demands on the supply of water.

E.g., ARM 36.12.101 and 36.12.120; *Montana Power Co.*, 211 Mont. 91, 685 P.2d 336 (Permit granted to include only early irrigation season because no water legally available in late irrigation season); *In the Matter of Application for Beneficial Water Use Permit No. 81705-g76F by Hanson* (DNRC Final Order 1992).

36. It is the Applicant's burden to present evidence to prove water can be reasonably considered legally available. *Sitz Ranch v. DNRC*, DV-10-13390, Fifth Judicial District Court, *Order Affirming DNRC Decision*, (2011) Pg. 7 (the legislature set out the criteria (§ 85-2-311, MCA) and placed the burden of proof squarely on the Applicant. The Supreme Court has instructed that those burdens are exacting.); *see also Matter of Application for Change of Appropriation Water Rights Nos. 101960-41S and 101967-41S by Royston* (1991), 249 Mont. 425, 816 P.2d 1054 (burden of proof on Applicant in a change proceeding to prove required criteria); *In the Matter of Application to Change Water Right No. 41H 1223599 by MGRR #1, LLC.*, (DNRC Final Order 2005) (it is the Applicant's burden to produce the required evidence.); *In the Matter of Application for Beneficial*

Water Use Permit No. 41H 30023457 by Utility Solutions, LLC (DNRC Final Order 2007) (permit denied for failure to prove legal availability); see also ARM 36.12.1705.

37. Applicant has proven by a preponderance of the evidence that water can reasonably be considered legally available during the period in which the Applicant seeks to appropriate, in the amount requested, based on the records of the Department and other evidence provided to the Department. Section 85-2-311(1)(a)(ii), MCA. (FOF 16-20)

ADVERSE EFFECT

38. Pursuant to § 85-2-311(1)(b), MCA, the Applicant bears the affirmative burden of proving by a preponderance of the evidence that the water rights of a prior appropriator under an existing water right, a certificate, a permit, or a state water reservation will not be adversely affected. Analysis of adverse effect must be determined based on a consideration of an Applicant's plan for the exercise of the permit that demonstrates that the Applicant's use of the water will be controlled so the water right of a prior appropriator will be satisfied. See *Montana Power Co.*, 211 Mont. 91, 685 P.2d 336 (1984) (purpose of the Water Use Act is to protect senior appropriators from encroachment by junior users); *Bostwick Properties, Inc.*, ¶ 21.

39. An Applicant must analyze the full area of potential impact under the § 85-2-311, MCA criteria. In *the Matter of Beneficial Water Use Permit No. 76N-30010429 by Thompson River Lumber Company* (DNRC Final Order 2006). While § 85-2-361, MCA, limits the boundaries expressly required for compliance with the hydrogeologic assessment requirement, an Applicant is required to analyze the full area of potential impact for adverse effect in addition to the requirement of a hydrogeologic assessment. *Id.* ARM 36.12.120(5).

40. Applicant must prove that no prior appropriator will be adversely affected, not just the objectors. *Sitz Ranch v. DNRC*, DV-10-13390, Fifth Judicial District Court, *Order Affirming DNRC Decision*, 4 (2011).

41. In analyzing adverse effect to other appropriators, an Applicant may use the water rights claims of potentially affected appropriators as evidence of their "historic beneficial use." See *Matter of Application for Change of Appropriation Water Rights Nos. 101960-41S and 101967-41S by Royston*, 249 Mont. 425, 816 P.2d 1054 (1991).

42. It is the Applicant's burden to produce the required evidence. *E.g.*, *Sitz Ranch v. DNRC*, DV-10-13390, Fifth Judicial District Court, *Order Affirming DNRC Decision*, 7 (2011) (legislature has placed the burden of proof squarely on the Applicant); *In the Matter of Application to Change Water Right No. 41H 1223599 by MGRR #1, LLC.*, (DNRC Final Order 2005). The Department

DRAFT Preliminary Determination to GRANT

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Application for Beneficial Water Use Permit No. 40S 30171344

is required to grant a permit only if the § 85-2-311, MCA, criteria are proven by the Applicant by a preponderance of the evidence. *Bostwick Properties, Inc.*, ¶ 21.

43. Section 85-2-311 (1)(b) of the Water Use Act does not contemplate a de minimis level of adverse effect on prior appropriators. *Wesmont Developers v. DNRC*, CDV-2009-823, First Judicial District Court, *Memorandum and Order*, 8 (2011).

44. The Applicant has proven by a preponderance of the evidence that the water rights of a prior appropriator under an existing water right, a certificate, a permit, or a state water reservation will not be adversely affected. Section 85-2-311(1)(b), MCA. (FOF 21-22)

ADEQUATE DIVERSION

45. Pursuant to § 85-2-311(1)(c), MCA, an Applicant must demonstrate that the proposed means of diversion, construction, and operation of the appropriation works are adequate.

46. The adequate means of diversion statutory test merely codifies and encapsulates the case law notion of appropriation to the effect that the means of diversion must be reasonably effective, i.e., must not result in a waste of the resource. *In the Matter of Application for Beneficial Water Use Permit No. 33983s41Q by Hoyt* (DNRC Final Order 1981); § 85-2-312(1)(a), MCA.

47. Information needed to prove that proposed means of diversion, construction, and operation of the appropriation works are adequate varies, based upon project complexity design by licensed engineer adequate. *In the Matter of Application for Beneficial Water Use Permit No. 41C-11339900 by Three Creeks Ranch of Wyoming LLC* (DNRC Final Order 2002).

48. Applicant has proven by a preponderance of the evidence that the proposed means of diversion, construction, and operation of the appropriation works are adequate for the proposed beneficial use. Section 85-2-311(1)(c), MCA (FOF 23-27).

BENEFICIAL USE

49. Under § 85-2-311(1)(d), MCA, an Applicant must prove by a preponderance of the evidence the proposed use is a beneficial use.

50. An appropriator may appropriate water only for a beneficial use. See also, § 85-2-301 MCA. It is a fundamental premise of Montana water law that beneficial use is the basis, measure, and limit of the use. *E.g., McDonald; Toohey v. Campbell* (1900), 24 Mont. 13, 60 P. 396. The amount of water under a water right is limited to the amount of water necessary to sustain the beneficial use. *E.g., Bitterroot River Protective Association v. Siebel, Order on Petition for Judicial Review*, Cause No. BDV-2002-519, Montana First Judicial District Court, Lewis and Clark County (2003),

affirmed on other grounds, 2005 MT 60, 326 Mont. 241, 108 P.3d 518; *In The Matter Of Application For Beneficial Water Use Permit No. 43C 30007297 by Dee Deaterly* (DNRC Final Order), *affirmed other grounds*, *Dee Deaterly v. DNRC*, Cause No. 2007-186, Montana First Judicial District, *Order Nunc Pro Tunc on Petition for Judicial Review* (2009); *Worden v. Alexander* (1939), 108 Mont. 208, 90 P.2d 160; *Allen v. Petrick* (1924), 69 Mont. 373, 222 P. 451; *In the Matter of Application for Beneficial Water Use Permit No. 41S-105823 by French* (DNRC Final Order 2000).

51. Amount of water to be diverted must be shown precisely. *Sitz Ranch v. DNRC*, DV-10-13390, Fifth Judicial District Court, *Order Affirming DNRC Decision*, 3 (2011) (citing *BRPA v. Siebel*, 2005 MT 60, and rejecting Applicant's argument that it be allowed to appropriate 800 acre-feet when a typical year would require 200-300 acre-feet).

52. It is the Applicant's burden to produce the required evidence. *Bostwick Properties, Inc. v. DNRC*, 2013 MT 48, ¶ 22, 369 Mont. 150, 296 P.3d 1154 ("issuance of the water permit itself does not become a clear, legal duty until [the applicant] proves, by a preponderance of the evidence, that the required criteria have been satisfied"); *Sitz Ranch v. DNRC*, DV-10-13390, Fifth Judicial District Court, *Order Affirming DNRC Decision*, (2011) Pg. 7; *In the Matter of Application to Change Water Right No. 41H 1223599 by MGRR #1, LLC.*, (DNRC Final Order 2005); *see also Royston; Ciotti*.

53. Applicant proposes to use water for lawn and garden use which is a recognized beneficial use. Section 85-2-102(5), MCA. Applicant has proven by a preponderance of the evidence lawn and garden use is a beneficial use and that 1.9 AF of diverted volume and 20 GPM is the amount needed to sustain the beneficial use. Section 85-2-311(1)(d), MCA. (FOF 26-28)

POSSESSORY INTEREST

54. Pursuant to § 85-2-311(1)(e), MCA, an Applicant must prove by a preponderance of the evidence that it has a possessory interest or the written consent of the person with the possessory interest in the property where the water is to be put to beneficial use, or if the proposed use has a point of diversion, conveyance, or place of use on national forest system lands, the Applicant has any written special use authorization required by federal law to occupy, use, or traverse national forest system lands for the purpose of diversion, impoundment, storage, transportation, withdrawal, use, or distribution of water under the permit.

55. Pursuant to ARM 36.12.1802:

(1) An Applicant or a representative shall sign the application affidavit to affirm the following:

(a) the statements on the application and all information submitted with the application are true and correct and

(b) except in cases of an instream flow application, or where the application is for sale, rental, distribution, or is a municipal use, or in any other context in which water is being supplied to another and it is clear that the ultimate user will not accept the supply without consenting to the use of water on the user's place of use, the Applicant has possessory interest in the property where the water is to be put to beneficial use or has the written consent of the person having the possessory interest.

(2) If a representative of the Applicant signs the application form affidavit, the representative shall state the relationship of the representative to the Applicant on the form, such as president of the corporation, and provide documentation that establishes the authority of the representative to sign the application, such as a copy of a power of attorney.

(3) The department may require a copy of the written consent of the person having the possessory interest.

56. The Applicant has proven by a preponderance of the evidence that it has a possessory interest, or the written consent of the person with the possessory interest, in the property where the water is to be put to beneficial use. Section 85-2-311(1)(e), MCA. (FOF 29)

PRELIMINARY DETERMINATION

Subject to the terms, analysis, and conditions in this Order, the Department preliminarily determines that this Application for Beneficial Water Use Permit No. 40S 30171344 should be GRANTED.

The Department determines the Applicant may divert water from the Missouri River, by means of a pump, from April 1 to October 31 at 20 GPM up to 1.9 AF, from a point in the Idlewild Subdivision, Lot 081, Gov't Lot 3, NESENW, Sec. 34, T27N, R41E, Valley County for lawn and garden use from April 1 to October 31. The Applicant may irrigate lawn and garden on 0.75 acres. The place of use is located in the Idlewild Subdivision, Lot 081, Gov't Lot 3, NESENW, Sec. 34, T27N, R41E, Valley County.

NOTICE

The Department will provide a notice of opportunity for public comment on this application and the Department's Draft Preliminary Determination to Grant pursuant to § 85-2-307, MCA. The Department will set a deadline for public comments to this application pursuant to §§ 85-2-307, and -308, MCA. If this application receives public comment pursuant to § 85-2-307(4), the Department shall consider the public comments, respond to the public comments, and issue a preliminary determination to grant the application, grant the application in modified form, or deny the application. If no public comments are received pursuant to § 85-2-307(4), MCA, the Department's preliminary determination will be adopted as the final determination.

DATED this 18th day of March, 2026.



Lih-An Yang, Manager
Glasgow Regional Office
Montana Department of Natural Resources and
Conservation

CERTIFICATE OF SERVICE

This certifies that a true and correct copy of the DRAFT PRELIMINARY DETERMINATION TO GRANT was served upon all parties listed below on this 18th day of March, 2026, by first class United States mail.

HILLTOP SHOP, LLC
C/O TROY AND JANELLE JENSEN
PO BOX 652
SIDNEY, MT 59270

A handwritten signature in blue ink, consisting of a large, stylized 'R' followed by a horizontal line and a short vertical stroke.

GLASGOW Regional Office, (406) 228-2561

Environmental Assessment & Public Notice for Public Comment

- **Environmental Assessment &
supporting documents**
- **Public Notice for Public Comment
package**
 - **Form Checklist**
 - **PN- Certificate of service**
 - **PN- Invoice & tear sheet**
 - **PN- Letter to applicant**
 - **PN- Letter to editor**
 - **PN- Return mail**
 - **Public Comment files**
 - **Notice Area List**
 - **Notice Area Map**

**Environmental Assessment &
Public Notice for Public
Comment**

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address: HILLTOP SHOP, LLC
C/O TROY AND JANELLE JENSEN
PO BOX 652
SIDNEY, MT 59270
2. Type of action: Surface Water Application for Beneficial Water Use Permit No
40S 30171344
3. Water source name: Missouri River
4. Location affected by project: Section 34, T27N, R41E, Valley County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:
The DNRC shall issue a water use permit if an applicant proves the criteria in 85-2-311
MCA are met.

The Applicant proposes to divert water from the Missouri River, by means of a pump,
from April 1 to October 31 at 20 GPM up to 1.9 AF, from a point in the Idlewild
Subdivision, Lot 081, Gov't Lot 3, NESENW, Sec. 34, T27N, R41E, Valley County for
lawn and garden use from April 1 to October 31. The Applicant proposes to irrigate lawn
and garden on 0.75 acres. The place of use is located in the Idlewild Subdivision, Lot
081, Gov't Lot 3, NESENW, Sec. 34, T27N, R41E, Valley County.
6. Agency websites visited during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)
 - Montana Department of Natural Resources and Conservation (DNRC)
 - US Fish & Wildlife Service
 - Montana Natural Heritage Program
 - Montana Department of Fish, Wildlife, & Parks
 - Montana Department of Environmental Quality
 - USDA Web Soil Survey
 - National Wetlands Inventory

Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

The reach of the Missouri River is not identified as a chronically or periodically dewatered stream by the Department of Fish, Wildlife & Parks (FWP). Also, FWP holds an instream flow right on this section of the Missouri River for 5,178 CFS, effective year-round. Based on the flow requested and the FWP instream right, the proposed diversion is unlikely to alter the current condition of the river, therefore no significant impacts to water quantity related to this application have been identified.

Determination: No significant impact.

Water quality - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

The reach of the Missouri River where the proposed POD is located is listed on the 2020 Montana 303(d) list as fully supporting agricultural and drinking water uses and not fully supporting aquatic life. It was not assessed for primary contact recreation. Causes of impairment for aquatic life is Fort Peck Dam which alters the natural hydrologic regime of the river and thus impacts aquatic and riparian habitat. The proposed project will not have any significant effect on water quality.

Determination: No significant impact.

Groundwater - Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

The surface water appropriation should have no significant impact on ground water in the area.

Determination: No significant impact.

DIVERSION WORKS - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

The Applicant plans to divert water from the Missouri River using a 1.5-HP, Munro LP150B Professional Pump from the Idlewild Subdivision, Lot 081, Gov't Lot 3, NESENW, Sec. 34, T27N, 41E, Valley County. The Department obtained pump curves from manufacturer website showing the pump is capable of diverting the requested flow rate.

Water is filtered via a screened intake which is constructed by the installation company, Frontier Lawn and Landscaping. Water is then distributed via 1.5" to 1" PVC pipe to an underground irrigation system which branches into two valve boxes that each controls 4 zones (8 zones

total). Each zone operates for approximately 25 minutes, resulting in a total irrigation cycle of 200 minutes. Irrigation will occur three times per week and the system is controlled by an electronic timer.

Determination: No significant impact.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - *Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any “species of special concern,” or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or “species of special concern.”*

The Montana Natural Heritage Program identified a list of 16 species of concern within and surrounding section 34, T27N, R41E. Of this list, the Pallid Sturgeon is listed as endangered by the United States Fish, and Wildlife Service (USFWS) and Bureau of Land Management (BLM).

Species Group	Common Name	Scientific name
Birds	Bobolink	Dolichonyx oryzivorus
Birds	Great Blue Heron	Ardea herodias
Birds	Red-headed Woodpecker	Melanerpes erythrocephalus
Birds	Baird's Sparrow	Centronyx bairdii
Birds	Loggerhead Shrike	Lanius ludovicianus
Birds	Greater Sage-Grouse	Centrocercus urophasianus
Birds	Brewer's Sparrow	Spizella breweri
Fish	Blue Sucker	Cycleptus elongatus
Fish	Pallid Sturgeon*	Scaphirhynchus albus
Fish	Sauger	Sander canadensis
Fish	Shortnose Gar	Lepisosteus platostomus
Fish	Sturgeon Chub	Macrhybopsis gelida
Fish	Northern Redbelly Dace	Chrosomus eos
Mammals	Northern Hoary Bat	Lasiurus cinereus
Mammals	Silver-haired Bat	Lasionycteris noctivagans
Birds	Bobolink	Dolichonyx oryzivorus

*Listed Endangered by the USFWS and BLM

Pallid Sturgeon are found in the Missouri River and use large, turbid rivers over sand and gravel bottoms, usually in strong current. They use all channel types but primarily use straight reaches with islands. The pumps will use floating screens with small footprints and are not anticipated to have an effect on Pallid Sturgeons.

The diversion point is adjacent to land used for residential purposes and has already experienced impact from human activity. Ground disturbance associated with sprinkler system installation is temporary, and, once in place, will have minimal surface impact.

Determination: No significant impact.

Wetlands - *Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.*

The only wetland identified within this project is the Missouri River.

Determination: No significant impact.

Ponds - *For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.*

Determination: There are no ponds identified within the project area.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - *Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.*

The soil type for the irrigated acres is Havre-Glendive complex. The Havre-Glendive complex has a slope of 0-3%, is identified as farmland of statewide importance and is non-saline to slightly saline (0.0 to 4.0 mmhos/cm).

It is not anticipated that there will be degradation to the soil nor development of a saline seep caused by development of this project.

Determination: No significant impact.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

No vegetation was listed as endangered or threatened by the USFWS or BLM in the project area. Because the project site is a well-established subdivision with lawn and garden as vegetation cover, the proposed use is not expected to impact the existing vegetation. The control of noxious weeds is the responsibility of the landowner.

Determination: No significant impact.

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

Determination: The pumps will be electric and there will be no deterioration of air quality as a result of this appropriation.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

Determination: Not applicable, project not located on State or Federal Lands.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

Determination: No other potential impacts have been identified.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.

Determination: No known local environmental plans or goals in this area.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.

The project is located on a subdivision. It will not affect the quality of recreational and wilderness activities.

Determination: No significant impact.

HUMAN HEALTH - Assess whether the proposed project impacts on human health.

The project is in a private subdivision and will not affect human health.

Determination: No significant impact.

PRIVATE PROPERTY - Assess whether there are any government regulatory impacts on private property rights.

Yes ___ No **X** If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.

Determination: There are no additional government regulatory requirements on private property rights associated with this application.

OTHER HUMAN ENVIRONMENTAL ISSUES - For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.

Impacts on:

- (a) Cultural uniqueness and diversity? No significant impacts identified.
- (b) Local and state tax base and tax revenues? No significant impacts identified.
- (c) Existing land uses? No significant impacts identified.
- (d) Quantity and distribution of employment? No significant impacts identified.
- (e) Distribution and density of population and housing? No significant impacts identified.
- (f) Demands for government services? No significant impacts identified.
- (g) Industrial and commercial activity? No significant impacts identified.
- (h) Utilities? No significant impacts identified.
- (i) Transportation? No significant impacts identified.

(j) Safety? No significant impacts identified.

(k) Other appropriate social and economic circumstances?

2. Secondary and cumulative impacts on the physical environment and human population:

Secondary Impacts No significant impacts.

Cumulative Impacts No significant impacts.

3. Describe any mitigation/stipulation measures: None

4. Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:

The only other viable alternative would be the no action alternative in which the Department would not authorize a water right permit for lawn and garden use. Under the no action alternative, the Applicant would not be able to divert Missouri River water for lawn and garden irrigation.

PART III. Conclusion

1. Preferred Alternative: Issue a water use permit if the applicant proves the criteria in §85-2-311, MCA are met.

2. Comments and Responses

3. Finding:

Yes ___ No X Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action: No significant impacts have been identified, therefore an EIS is not necessary.

Name of person(s) responsible for preparation of EA:

Name: Ashley Kemmis
Title: Water Resource Specialist
Date: March 17, 2026

NOTICE AREA FOR PUBLIC COMMENT

Application No. 40S 30171344 Regional Office # 7

Applicant's Name Hilltop Shop, LLC

Indian Reservation Yes No If yes, Reservation _____

Irrigation District Yes No If yes, District _____

Specialist Ashley Kemmis Date 4/2/2026



Water Right Owner	Water Right # (Basin, ID, and Number)
Applicant: Hilltop Shop, LLC	40S 30171344
1BIA	
1DSL	
1FWS	
1FWP	
2FWP	
1PPL	
1NWE	
7MCD	
1WQB	
7GLS	
1BOR	
1 CRP	
7VCD	
1DOI	
7SON	
7FPT	
7CMR	
WALTER S BUSCH	40S 32086 00
CRAIG A EGELAND; RICK HOISTAD; PICKTHORN FARMS	40S 46419 00
MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS	40S 30017670
RONALD A GARWOOD; GARWOOD RONALD & PATRICIA REVOCABLE TRUST	40S 35719 00
DAVID M ANDERSON	40S 7336 00
TWO CROW LAND & CATTLE LP	40S 33997 00
PATRICIA A GARWOOD; RONALD A GARWOOD; GARWOOD RONALD & PATRICIA REVOCABLE TRUST	40S 37645 00
CAROLYN A ANDERSON; DAVID M ANDERSON	40S 28935 00
DIANE C FORBES; JOHN S FORBES; RONALD A GARWOOD; GARWOOD RONALD & PATRICIA REVOCABLE TRUST	40S 46363 00
DIANE C FORBES; RONALD A GARWOOD; STEARNS, GARY A ESTATE	40S 46364 00
CRAIG A EGELAND; RICK HOISTAD; PICKTHORN FARMS	40S 46416 00
BONNIE J GERMUNDSON; GARY O GERMUNDSON	40S 46390 00
ROBERT M WEST; SHIRLEY WEST	40S 30016330
BONNY L GAY; DONALD F GAY	40S 30007495
BAIT & SWITCH LLC	40S 30023173
THOMAS B AULT; WANDA L AULT	40S 30013570
MICHELE PAGE; STEVEN K PAGE	40S 30030763
GLASGOW, CITY OF	40S 31725 00
MONTANA AVIATION RESEARCH CO	40S 171767 00
MONTANA STATE BOARD OF LAND COMMISSIONERS	40S 30106536
MCCONE CITY LLC	40S 42279 00
DUSTIN MORTENSON; JAYDEE MORTENSON	40S 168953 00
MONTANA STATE BOARD OF LAND COMMISSIONERS	40S 30106536
ROBERTS LIVING TRUST	40S 30163563
Published: Glasgow Courier	
Remarks: The area of potential impact includes surface water rights out of the Missouri River between the point of diversion located in the Idlewild Subdivision, Lot 081, Gov't Lot 3, NESENW, Sec. 34, T27N, R41E, Valley County to the confluence of the Milk River and Missouri River. The confluence is 6 miles downstream.	

**If owner listed twice, only one notice sent*

Processing Materials

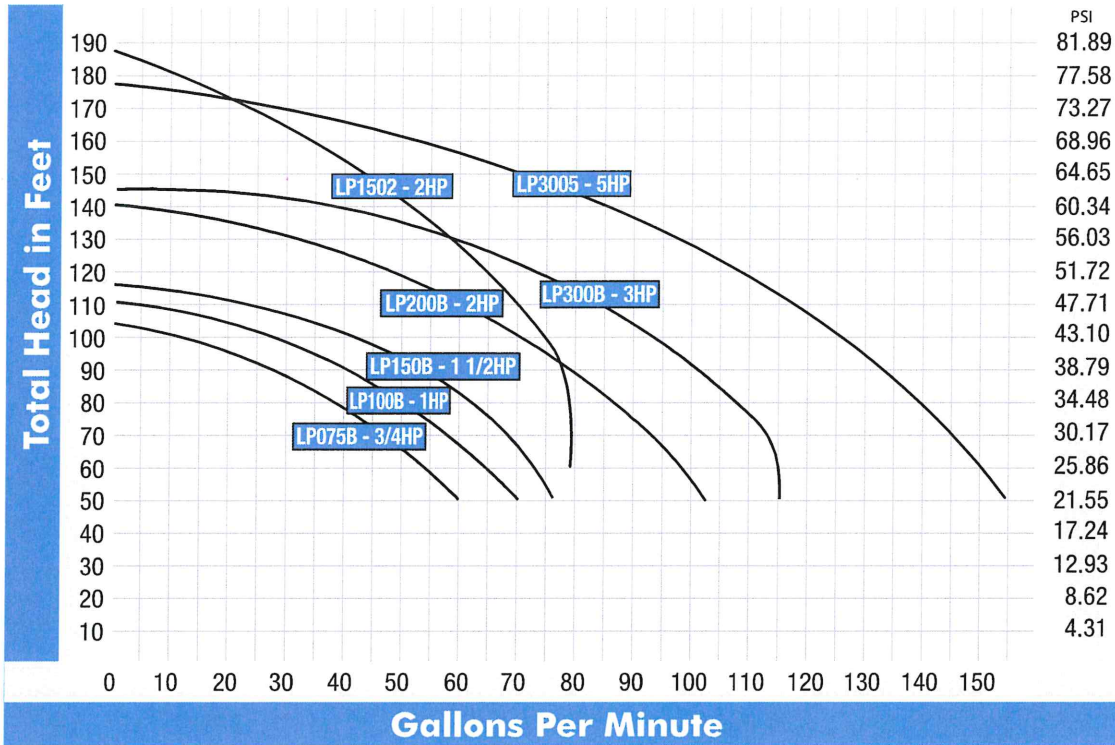
- Work copies of applicant-submitted information
- Deficiency letter
- Deficiency response
- Correct & complete determination
- Any correspondence with the applicant after application receipt and prior to sending the Draft PD

Processing Materials

Pump Performance Curves

HORSEPOWER RANGE: 3/4 - 5

OBTAINED BY DEPT
AK 2/20/26



Available in 1 and 3-phase

Pump Performance Charts

HP	Capacity - U.S. Gallons per Minute Discharge Pressure (psi) at 5' Suction Lift										Shut Off Pressure psi	Model Number
	20	25	30	35	40	45	50	55	60			
3/4	63	53	43	33	25	--	--	--	--	45	LP075B	
1	73	65	57	47	35	18	--	--	--	47	LP100B	
1-1/2	75	70	68	60	48	35	--	--	--	49	LP150B	
2	102	98	92	82	74	61	52	40	--	60	LP200B	
3	115	114	112	105	100	88	72	56	30	61	LP300B	

HP	Capacity - U.S. Gallons per Minute Discharge Pressure (psi) at 5' Suction Lift										Shut Off Pressure psi	Model Number
	35	40	45	50	55	60	65	70	75			
2	80	73	73	67	61	56	44	34	18	80	LP1502B	

HP	Capacity - U.S. Gallons per Minute Discharge Pressure (psi) at 5' Suction Lift											Shut Off Pressure psi	Model Number
	20	25	30	35	40	45	50	55	60	65	70		
5	--	--	145	137	132	123	110	98	85	67	47	75	LP3005B
	--	--	--	--	--	120	110	98	85	67	47	75	LP3005B3

Suction lift varies, depending upon elevation (altitude) and water temperatures. Max lift is 15 feet at 5000 feet elevation. Maximum case pressure for MP075B, LP100B, LP200B, LP300B is 150 PSI. Maximum case pressure for LP1502B and LP3005B is 100 PSI.

Munro LP Series 3/4hp – 5hp

OBTAINED BY DEPT
AK 2/20/26



Designed specifically for landscape irrigation, this self-priming pump provides outstanding performance to horsepower ratio. Our LP Series is truly heavy duty, offering standard high-end features that our competitors only offer as pricey add-ons. Professionals trust the LP Series to deliver trouble-free performance.

- **Brass impeller** – durable and low maintenance with the longest life in its class
- **Stainless steel wear ring** – eliminates impeller friction due to rust build-up
- **Cast iron body and internal components** – heavy duty for long-term performance and reliability

COMMON APPLICATIONS

- Residential irrigation: Drawing water from ponds, lakes, streams, cisterns and shallow wells
- Booster: Boost domestic water pressure for use in irrigation
- Water transfer

ADVANTAGES

Durable and long lasting – While many centrifugal turf irrigation pumps are made out of plastic, which wears and warps, our cast iron construction and brass impeller mean that our self-priming pumps are built to stand the test of time, even in more unusual or difficult environments. Testing in tough conditions shows Munro LP Series pumps last up to four times as long as typical competitors' products.

Industry leading performance by horsepower – In many cases a smaller horsepower Munro pump can be used in place of a larger horsepower pump from another manufacturer.

Easy to install and maintain – With two priming ports and a durable steel base plate, installing a Munro LP Series is a snap. When it's time to maintain or winterize the pump, you'll love our two drain valves. A stainless steel wear ring reduces oxidation and friction, minimizing wear and repairs. If you do have to service the pump, stainless steel bolts and a dry-socket design provide easy access.

BRASS IMPELLER – Longest life in its class. Offers greatest durability and reduces costly maintenance vs. traditional plastic impellers.

BUILT-IN PRIMING & DRAIN PORTS – Added start-up and maintenance convenience, with steel plugs and no extra parts to buy.

CAST IRON CONSTRUCTION – Designed for long term performance, season after season. No plastic case to warp or crack.

SENSOR PORT – Allows temperature monitoring to avoid costly maintenance issues.

CERAMIC/CARBON WITH RUBBER BUNA SEAL – Proven tough, this seal is an industrial standard for challenging applications, including higher temperatures and more abrasive conditions.

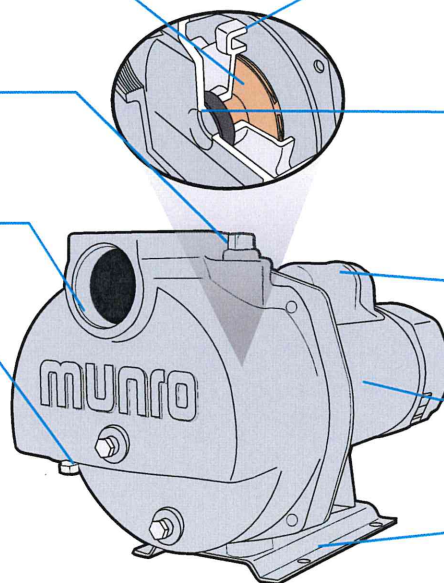
CAST IRON DIFFUSER – Assures durability for the life of the pump.

STAINLESS STEEL WEAR RING – Reduces springtime oxidation and impeller friction.

STAINLESS STEEL BOLTS – No more "busting knuckles" to remove bolts during maintenance.

THERMALLY PROTECTED MOTOR* – Shut down protection protects motor from damage due to over amping.

STEEL BASE PLATE – Easiest, most stable mounting. Provides four handy bolt holes for easy anchoring.



*Thermally Protected Motor not available on 5 hp models

PURPOSE AND DIVERSION INFORMATION

WORK COPY

14. Y N Is the proposed use temporary?

14.a. If yes, when will the appropriation cease? _____

15. Is the proposed source surface water or groundwater? Surface Water

16. What is the source name? Missouri River

17. S Attach a map utilizing an aerial photograph or topographic map that shows the following: section corners; township and range; north arrow; scale bar; all proposed points of diversion labeled with a unique Point of Diversion (POD) ID number and, if applicable, GWIC number; all proposed places of use; all proposed conveyance facilities and or routes; all proposed places of storage labeled with a unique Storage ID number; and places of use (POU) for all overlapping water rights. More than one map may be submitted, if necessary to clearly convey all required information.

18. Fill out the table below. Means of diversion for surface water includes headgate, pump, dam, and others. Means of diversion for groundwater includes well, developed spring, pit pond, and others.

AK PER DEF RESP 2/19

Purpose	Means of Diversion	Acres Irrigated (if appl.)	Period of Diversion (Month/Day - Month/Day)	Period of Use (Month/Day - Month/Day)	Flow Rate		Volume (Acre-Feet)	
					<input checked="" type="checkbox"/> GPM	<input type="checkbox"/> CFS		
Lawn/Trees/Shrubs	Pump	0.75	May 1 - Oct 31	May 1 - Oct 31	20		1.9	
			Apr 1	Apr 1				
Total Flow Rate and Volume Required								

19. Y N Does the proposed use include on or more of the following purposes: domestic, multiple domestic, stock, or irrigation? If yes, fill out the table below, where applicable.

Purpose	Requested Information	Response
Domestic or multiple domestic	Number of households and bedrooms served per household	No
Stock	Number of animal units	N/A
Irrigation	Method of irrigation type (sprinkler or flood) and subtype (if flood: level border, graded border, furrow, contour ditch, or other; if sprinkler: center pivot, wheel line, or other)	Underground Sprinkler for Yard
Irrigation (flood only)	Design slope	N/A



WORK COPY

POINT(S) OF DIVERSION

20. Describe the proposed location of the point(s) diversion to the nearest 1/4 1/4 1/4 Section. Label each POD with the POD ID number used for the project map (question 17).

AK PER DEF RESPONSE 2/19

POD #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Lot	Block	Tract	Subdivision	Gov. Lot
1	NE	SE	NW	34	27N	41E	Valley	081			Idlewild Park Subdivision	3

PLACE OF USE

21. What are the geocodes of the place of use?

20-3901-34-2-04-09-0000	

22. Describe the legal land description for the proposed place of use and, if applying for an irrigation or lawn and garden purpose, list the number of irrigated acres.

AK 2/19

Acres	Gov. Lot	Block	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
1.10	3		NE	SE	NW	34	27N	41E	Valley
0.75									

ADEQUATE MEANS OF DIVERSION AND OPERATION

32. S Submit a diagram of how you will operate your system from all proposed points of diversion to all proposed places of use.

33. Describe specific information about the capacity of all proposed diversionary structures. This may include, where applicable: pump curves and total dynamic head calculations, headgate design specifications, and dike or dam height and length.

The proposed diversion consists of a 1.5 HP pump with a 1.5-inch intake and 1.5-inch discharge pipe, operating at a maximum capacity of 18–20 gallons per minute (gpm). The system will irrigate an estimated 0.75 acres through 8 zones. Each zone operates for approximately 25 minutes, resulting in a total daily irrigation cycle of 200 minutes. At 20 gpm, this equates to approximately 4,000 gallons per cycle. Irrigation will occur three times per week to serve lawn, trees, and shrubs.

34. Describe the size, materials, capacity, and configuration of infrastructure to convey water from all proposed points of diversion to all proposed places of use. This may include but is not limited to, pipelines and ditches. Include a description of any losses related to the proposed conveyance. Ditch conveyance losses may be estimated numerous ways, which include a ditch loss rate or Department standard methods.

Conveyance is provided by buried PVC sprinkler lines installed approximately 6 inches below grade. The main lateral lines consist of 1-inch PVC supplying the irrigation sprinkler heads. As all conveyance occurs through enclosed, buried pipeline, conveyance losses are minimal and no open ditches are involved.

SEE DEF RESPONSE REGARDING PUMP INFO AK 2/19

35. Describe how the proposed diversion and conveyance infrastructure can provide the required flow and volume, for the purposes plus any conveyance losses and storage, throughout the proposed period of diversion.

The 1.5 HP pump is capable of delivering 18–20 gpm, which is sufficient to operate each irrigation zone in sequence. The 1-inch buried PVC conveyance lines are designed to efficiently deliver this flow to all sprinkler heads with negligible loss. No storage facilities are necessary, as the pump and pressurized line system are adequate to provide the required flow and volume throughout the irrigation season.

POSSESSORY INTEREST

WORK COPY

45. Y N Do you meet one of the exceptions to possessory interest requirements, pursuant to ARM 36.12.1802? Exceptions include cases where the application is for sale, rental, distribution, or is a municipal use, or in any other context in which water is being supplied to another and it is clear that the ultimate user will not accept the supply without consenting to the use of water on the user's place of use.

45.a. If yes, explain.

46. Y N NA Do you own all proposed places of use? Mark "NA" if you meet one of the exceptions to the possessory interest requirement.

IF NO,

46.a. S Explain and submit documentation that shows you either have possessory interest or written permission of the parties with possessory interest of the place of use.

46.b. Y N Would you like the water right to be appurtenant to the land? Please note that if your water right is not appurtenant to land it will not transfer by default with the conveyance of the property, pursuant to § 85-2-403, MCA.

46.b.i. If no, explain.

PROPOSED COMPLETION PERIOD

47. How much time will be needed to complete this project and to submit to the DNRC a Project Completion Notice (Form 617)? 2 weeks. 6 months per def response AK 2/19

48. Please describe why this amount of time is needed to complete this project.
This is for installation of the irrigation system.





Glasgow Water Resources Regional Office
222 6th St South
PO Box 1269
Glasgow, MT 59230-1269
(Office) 406-228-2561
(Desk) 406-808-7075
ashley.kemmis@mt.gov

February 10, 2026

Hilltop Shop LLC
PO Box 652
Sidney, MT 59270

Subject: Correct and Complete Application for Beneficial Water Use Permit No. 40S 30171344

Dear Applicant,

The Department of Natural Resources and Conservation (Department) has determined that your application is correct and complete pursuant to ARM 36.12.1601. Please remember that correct and complete does not mean that your application will be granted. The purpose of this letter is to indicate that the Department has enough information to analyze your water right application.

The Department will issue a Draft Preliminary Determination within 60 days of the date of this letter per §85-2-307(2)(b), MCA.

Following issuance of the Draft Preliminary Determination, you (Applicant) will have 15 business days to request an extension of time to submit additional information, if desired pursuant to §85-2-307(3)(a), MCA.


If no extension of time is requested and the Draft Preliminary Determination decision is to grant your application or grant your application in modified form, the Department will prepare a notice of opportunity to provide public comment, per §85-2-307(4)(a), MCA.

If no extension of time is requested and the Draft Preliminary Determination decision is to deny your application, the Department will adopt the Draft Preliminary Determination as the final determination per §85-2-307(3)(d)(ii), MCA.

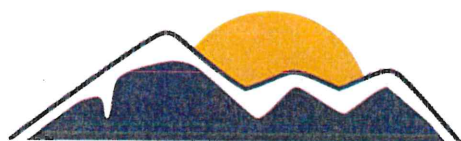


If you have any questions or concerns about the application process, please contact me.

Best,

A handwritten signature in blue ink, consisting of several fluid, connected strokes.

Ashley Kemmis
Water Resource Specialist
Water Rights Bureau
Water Resources Division



[EXTERNAL] RE: Clarifying Questions

From tsjensen@midrivers.com <tsjensen@midrivers.com>
Date Mon 2/2/2026 7:59 PM
To Kemmis, Ashley <Ashley.Kemmis@mt.gov>
Cc tsjensen@midrivers.com <tsjensen@midrivers.com>

Hi Ashley,

The business that will be installing the pump system is Frontier Lawn and Landscaping in Malta. Ron from this company will be doing the install. He makes his own screened intake. He describes it as tomato cage-type of frame that gets attached to the end of the intake pipe, and that entire frame gets covered with screen.

I hope this helps answer your questions,
Thanks!
Janelle

From: Kemmis, Ashley <Ashley.Kemmis@mt.gov>
Sent: Monday, February 2, 2026 3:44 PM
To: tsjensen@midrivers.com
Subject: Clarifying Questions

Hi there,

I'm reviewing the deficiency response, and I have two follow up questions. Usually, these systems include a screened intake to prevent debris from entering your system and protect wildlife. Could you confirm if your system will include a screened intake and if so, please provide specifications. Also, I recall mention of a local business installing your system, but I just wanted to confirm if this will be self-installed or done by a landscaping company.

Thanks,
Ashley



Ashley Kemmis | Water Resource Specialist
Glasgow Regional Office / Water Resources Division
Montana Department of Natural Resources and Conservation
222 6th St S/PO Box 1269 Glasgow, MT 59230
OFFICE: 406-228-2561 **DESK:** 406-808-7075 **EMAIL:** ashley.kemmis@mt.gov
[Website](#) | [Facebook \[facebook.com\]](#) | [\[facebook.com\]](#) | [\[twitter.com\]](#)X [\[twitter.com\]](#)(T
[\[twitter.com\]](#)witter [\[twitter.com\]](#)) | [Instagram \[instagram.com\]](#)
How did we do? Let us know here: [\[forms.office.com\]](#)[Feedback Survey](#)
[\[forms.office.com\]](#)

Hilltop Shop LLC
PO Box 652
Sidney, MT 59270

Received

JAN 12 2026

DNRC Water Resources
Glasgow Regional Office

January 10, 2026

Ashley Kemmis, Water Resource Specialist
Glasgow Water Resources Regional Office
222 6th St South
Glasgow, MT 59230-1269

Subject: Response to deficiency letter for Beneficial Water Use Permit Application No. 40S 30171344

Dear Ashley,

Please find in this letter substantial and credible information addressing the deficiencies in the sections listed below. Responses to each section will be in **BLUE**.

- #2. c. Has any element of the project described in this application changed from the mandatory elements of the project described in the completed form 600P? If yes: please explain.
 - Per ARM 36.12.1401, modification of an element will reset the statutory timelines for application processing identified in 85-2-302 and 85-2-307, MCA unless the applicant completed a pre-application meeting and the modification does not require the department to update its technical analyses.
 - “No” was marked for this question, but the period of diversion, period of use, and irrigated acres differ from the project description on the Preapplication Meeting Form 600P. Please provide clarification on these elements in the corresponding questions. If any element differs from the answers on the 600P form, the answer to this question would be “Yes” and the statutory timelines for the application process would be reset.
 - **Response:**
The answer to #2. c. is still “No”. We inadvertently listed the dates on Application Form 600 incorrectly; the correct information should match the following:
 - Period of diversion is Apr 1 – Oct 31, as indicated in Preapplication Meeting Form 600P**
 - Period of use is Apr 1 – Oct 31, as indicated in Preapplication Meeting Form 600P**
 - Irrigated acres is 0.75, as indicated in Preapplication Meeting Form 600P**

- #18. Fill out the table below. Period of Diversion and Period of Use
 - Per ARM 36.12.1401, modification of an element will reset the statutory timelines for application processing identified in 85-2-302 and 85-2-307.
 - The period of diversion and period of use listed are May 1 – Oct. 31. In the Preapplication Meeting Form 600P part A, the period of diversion and period of use provided was April 1 – Oct. 31. Please clarify the correct period of diversion and period of use.

- **Response:**
We inadvertently listed the incorrect date in table #18 of the Application Form 600. The correct information should match the following:
 - **Period of diversion is Apr 1 – Oct 31, as indicated in Preapplication Meeting Form 600P**
 - **Period of use is Apr 1 – Oct 31, as indicated in Preapplication Meeting Form 600P**
- #19. Does the proposed use include one or more of the following purposes: domestic, multiple domestic, stock, or irrigation?
 - “Yes” was marked for this question and the underground sprinkler system for the yard was referenced. Irrigation use refers to agricultural use, so the Department will assume the answer to this question is “No” per the discussed lawn and garden use in the preapplication meeting.
 - **Response: The answer to this question is “No” per the discussed lawn and garden use in the preapplication meeting.**
- #21. Describe the proposed location of the point(s) of diversion to the nearest ¼ ¼ ¼ section.
 - Per ARM 36.12.110, primary points of diversion must be described as one or more of the following:
 - ¼ ¼ ¼ section, section, township, range and county;
 - lot, block, subdivision, 1/4 section, section, township, range and county;
 - government lot, 1/4 section, section, township, range, and county;
 - certificate of survey number with a lot number, if present, 1/4 section, section, township, range, and county; or
 - latitude/longitude coordinates and the geodetic reference system used to collect the coordinates.
 - In the Application for Beneficial Water Use form, the point of diversion provided is Section 34, T27N, R41E. The legal land description for the point of diversion is incomplete. In the Preapplication Meeting Form: Part A, the point of diversion legal land description was provided as Gov’t Lot 3, NESENW, Section 34, T27N, R41E. Please clarify the correct legal land description of the point of diversion.
 - **Response: The correct legal land description of the point of diversion is Gov’t Lot 3, NESENW, Section 34, T27N, R41E, as provided in the Preapplication Meeting Form 600P.**
- #22. Describe the legal land description of the proposed place of use and, if an irrigation or lawn and garden purpose, list the number of irrigated acres.
 - Per ARM 36.12.110, the legal land description for the place of use must be listed to the nearest concise legal land description.
 - In the Application for Beneficial Water Use form, the place of use provided is Section 34, T27N, R41E. The legal land description for the place of use is incomplete. In the Preapplication Meeting Form: Part A, the place of use legal

land description was provided as Gov't Lot 3, NESENW, Section 34, T27N, R41E. Please clarify the correct legal land description for the place of use.

- **Response: The correct legal land description the place of use is Gov't Lot 3, NESENW, Section 34, T27N, R41E, as provided in the Preapplication Meeting Form 600P.**

- Per ARM 36.12.1401, modification of an element will reset the statutory timelines for application processing identified in §85-2-302 and §85-2-307.
 - The acreage provided in the Application for Beneficial Water Use Permit form is 1.10 acres, but in the Preapplication Meeting Form: Part A, the place of use acreage was provided as 0.75 acres. Please clarify the correct amount of acreage.
 - **Response: The correct acreage is 0.75, as provided in the Preapplication Meeting Form 600P.**

- #34. Describe the size, materials, capacity, and configuration of infrastructure to convey water from all proposed points of diversion to all proposed places of use.
 - Per ARM 36.12.1707, preliminary design plans and specifications for the diversion and conveyance facilities and the equipment used to put the water to beneficial use must be submitted including the proposed flow rate and volume design capacity.
 - More information is needed regarding the equipment used in your operational plan. Please provide additional specifications for the pump and sprinkler system controller. This may include make, model, performance ratings/curves, etc.
 - **Response:**
 - **Munro Model LP150B 1.5HP pump**
 - **Intake 2" pipe / Discharge 2" pipe**
 - **Maximum Total Head in Feet = 115**
 - **Maximum Gallons per Minute = 75**
 - **Maximum PSI 21.55 Discharge Pressure**
 - **Rainbird sprinkler system controller**
 - **Conveyance provided by 1" PVC pipe buried approx. 6 inches below grade**
 - **Pump to mainline that divides to two valve boxes, each valve box has 4 zones**
 - **See attachments for irrigation system summary**

- #47. How much time will be needed to complete this project and to submit to the DNRC a Project Completion Notice?
 - A correct and complete Project Completion Notice for a permit must include:
 - information about all completed elements of the permit;
 - a certified statement in compliance with 85-2-315, MCA;
 - a description explaining compliance or deviation from terms, conditions, or restrictions;
 - if a permit is reduced or modified following the final decree pursuant to 85-2-313, MCA, a

- description explaining compliance with the order reducing or modifying the permit;
 - for a permit authorized for a purpose of sale of water or water marketing, records of the
 - maximum annual use of water and copies of all executed contracts for the sale of all water;
 - other information deemed necessary by the department.
-
- You requested two weeks for the project completion notice. This may not be enough time to construct the system if the permit was issued in the winter months. Please clarify if more time is needed to construct the system and put it to use.
 - **Response: 6 months should be sufficient time to have a correct and complete Project Completion Notice for a permit. Goal is to complete the installation early spring 2026.**

The requested and enclosed information has been submitted to the Glasgow Regional Office prior to the date of February 26, 2026, as specified in the deficiency letter dated October 29, 2025.

Thank you,



Troy Jensen
Member
Hilltop Shop LLC



Janelle Jensen
Member
Hilltop Shop LLC

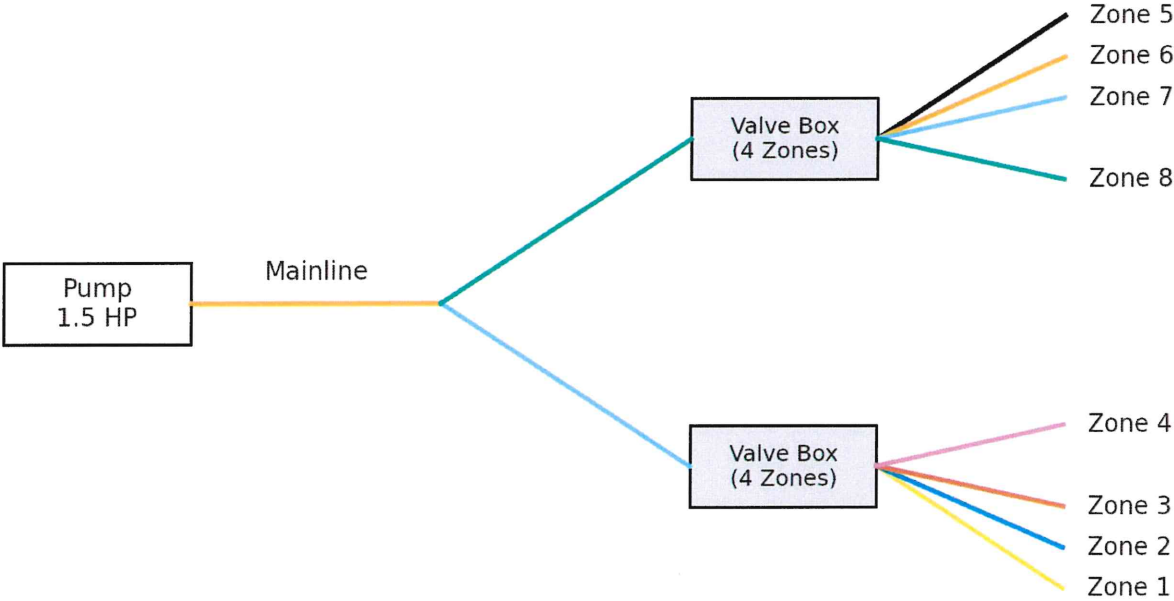
Troy Jensen cell: (406) 480-0906
Janelle Jensen cell: (406) 489-0251

Montana DNRC Permit – Irrigation System Summary

Component	Specification
Pump	Munro model: LP150B 1.5 HP pump, 2" intake & discharge
Capacity	75 gpm maximum flow
Service Area	0.75 acres (lawn, trees, shrubs)
Zones	8 zones (2 valve boxes, 4 zones each)
Cycle Volume	4,000 gallons per day (at 20 gpm)
Schedule	3 times per week, electronic timer controlled
Conveyance	1" buried PVC lines, ~6" deep
Storage	None required – pump/lines sufficient

Schematic – Pump, Mainline, and Two Valve Boxes (4 Zones Each)

Schematic – Irrigation Layout with Two Valve Boxes (4 Zones Each)



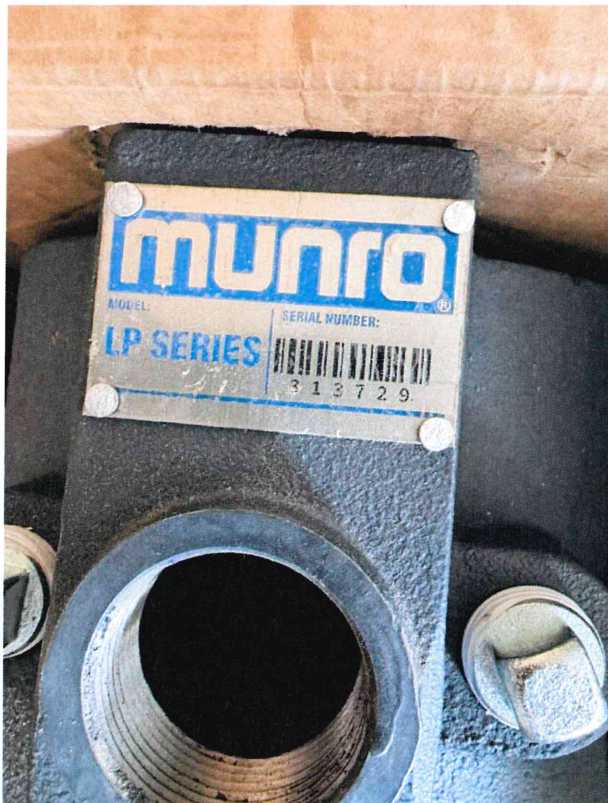
DNRC Irrigation Calculation Sheet – Lawn & Garden Irrigation

This calculation sheet documents the application of DNRC standards for lawn and garden irrigation to the proposed 0.75-acre irrigation system. Values are shown in both acre-feet and gallons for clarity.

Parameter	Standard / Proposed Value	Calculation	Result
Standard Consumptive Use	2.5 acre-feet/acre/year	0.75 acres × 2.5 AF	1.875 AF/year
Volume (in gallons)	1 AF = 325,851 gal	1.875 AF × 325,851	≈ 610,966 gal/year
Irrigated Area	0.75 acres	-	0.75 acres
Period of Use & Diversion	April 1 – October 31	DNRC Standard	214 days
Pump Capacity	18–20 gpm	20 gpm × 200 min/cycle × 3 cycles/week × 26 weeks	≈ 624,000 gal/year
Comparison	DNRC Standard vs. Proposed	620,000 vs. 610,966	Within Standard

The proposed irrigation system (0.75 acres, 18–20 gpm pump, 3 cycles/week) fits within DNRC's lawn and garden irrigation standards for volume and period of use. Calculated annual use is approximately 1.9 acre-feet (≈ 620,000 gallons), consistent with the DNRC standard of 2.5 acre-feet per acre per year.

Munro Model LP150B 1.5 HP Pump





Glasgow Water Resources Regional Office
222 6th St South
PO Box 1269
Glasgow, MT 59230-1269
(Office) 406-228-2561
(Desk) 406-808-7075
ashley.kemmis@mt.gov

October 29, 2025

Hilltop Shop LLC
PO Box 652
Sidney, MT 59270

Subject: Deficiency letter for Beneficial Water Use Permit Application No. 40S 30171344

Dear Applicant,

The Department of Natural Resources and Conservation (DNRC or Department) has begun reviewing your application. This letter is to notify you of the deficiencies in your application as required in ARM 36.12.1501(1) and §85-2-302(5)(b), MCA. An Applicant is required to submit substantial and credible information addressing the rules and statutes that are relative to your application. You must provide the information specified below for your application to be considered correct and complete. "Correct and complete" means all of the information provided is substantial and credible and provides all of the information as required by applicable rules and statutes. The application as submitted contains deficiencies in the following section(s):

- #2. c. Has any element of the project described in this application changed from the mandatory elements of the project described in the completed form 600P? If yes: please explain.
 - Per ARM 36.12.1401, modification of an element will reset the statutory timelines for application processing identified in 85-2-302 and 85-2-307, MCA unless the applicant completed a pre-application meeting and the modification does not require the department to update its technical analyses.
 - "No" was marked for this question, but the period of diversion, period of use, and irrigated acres differ from the project description on the Preapplication Meeting Form 600P. Please provide clarification on these elements in the corresponding questions. If any element differs from the answers on the 600P form, the answer to this question would be "Yes" and the statutory timelines for the application process would be reset.
- #18. Fill out the table below. Period of Diversion and Period of Use
 - Per ARM 36.12.1401, modification of an element will reset the statutory timelines for application processing identified in §85-2-302 and §85-2-307.



- The period of diversion and period of use listed are May 1 – Oct. 31. In the Preapplication Meeting Form 600P part A, the period of diversion and period of use provided was April 1 – Oct. 31. Please clarify the correct period of diversion and period of use.
- #19. Does the proposed use include one or more of the following purposes: domestic, multiple domestic, stock, or irrigation?
 - “Yes” was marked for this question and the underground sprinkler system for the yard was referenced. Irrigation use refers to agricultural use, so the Department will assume the answer to this question is “No” per the discussed lawn and garden use in the preapplication meeting.
- #21. Describe the proposed location of the point(s) of diversion to the nearest $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ section.
 - Per ARM 36.12.110, primary points of diversion must be described as one or more of the following:
 - $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ section, section, township, range and county;
 - lot, block, subdivision, 1/4 section, section, township, range and county;
 - government lot, 1/4 section, section, township, range, and county;
 - certificate of survey number with a lot number, if present, 1/4 section, section, township, range, and county; or
 - latitude/longitude coordinates and the geodetic reference system used to collect the coordinates.
 - In the Application for Beneficial Water Use form, the point of diversion provided is Section 34, T27N, R41E. The legal land description for the point of diversion is incomplete. In the Preapplication Meeting Form: Part A, the point of diversion legal land description was provided as Gov’t Lot 3, NESENW, Section 34, T27N, R41E. Please clarify the correct legal land description of the point of diversion.
- #22. Describe the legal land description of the proposed place of use and, if an irrigation or lawn and garden purpose, list the number of irrigated acres.
 - Per ARM 36.12.110, the legal land description for the place of use must be listed to the nearest concise legal land description.
 - In the Application for Beneficial Water Use form, the place of use provided is Section 34, T27N, R41E The legal land description for the place of use is incomplete. In the Preapplication Meeting Form: Part A, the place of use legal land description was provided as Gov’t Lot 3, NESENW, Section 34, T27N, R41E. Please clarify the correct legal land description for the place of use.
 - Per ARM 36.12.1401, modification of an element will reset the statutory timelines for application processing identified in §85-2-302 and §85-2-307.
 - The acreage provided in the Application for Beneficial Water Use Permit form is 1.10 acres, but in the Preapplication Meeting Form: Part A, the place of use acreage was provided as 0.75 acres. Please clarify the correct amount of acreage.
- #34. Describe the size, materials, capacity, and configuration of infrastructure to convey water from all proposed points of diversion to all proposed places of use.
 - Per ARM 36.12.1707, preliminary design plans and specifications for the diversion and conveyance facilities and the equipment used to put the water to beneficial use must be submitted including the proposed flow rate and volume design capacity.




- More information is needed regarding the equipment used in your operational plan. Please provide additional specifications for the pump and sprinkler system controller. This may include make, model, performance ratings/curves, etc.
- #47. How much time will be needed to complete this project and to submit to the DNRC a Project Completion Notice?
 - A correct and complete Project Completion Notice for a permit must include:
 - information about all completed elements of the permit;
 - a certified statement in compliance with 85-2-315, MCA;
 - a description explaining compliance or deviation from terms, conditions, or restrictions;
 - if a permit is reduced or modified following the final decree pursuant to 85-2-313, MCA, a description explaining compliance with the order reducing or modifying the permit;
 - for a permit authorized for a purpose of sale of water or water marketing, records of the maximum annual use of water and copies of all executed contracts for the sale of all water;
 - other information deemed necessary by the department.
 - You requested two weeks for the project completion notice. This may not be enough time to construct the system if the permit was issued in the winter months. Please clarify if more time is needed to construct the system and put it to use.

As stated above, the information submitted to address the rules and statutes listed in this deficiency letter must be substantial credible information to be acceptable at the correct and complete determination. §§85-2-102 (9) and (26), MCA.

Please submit the information specified above to the Glasgow Regional Office by February 26, 2026. This is the only deficiency letter that will be sent. An application not corrected or completed within 120 days from the date of this letter is terminated per ARM 36.12.1501(2) and §85-2-302(6)(a), MCA.

Please let me know if you have any questions.

Best,



Ashley Kemmis
Water Resource Specialist
Water Rights Bureau
Water Resources Division



Application Materials

- Application
- Any information submitted with Application including maps

Application Materials



APPLICATION FOR BENEFICIAL WATER USE PERMIT

§ 85-2-302, MCA

Form No. 600 (10/2025)

For Department Use Only Received

OCT 08 2025

DNRC Water Resources Glasgow Regional Office

FILING FEE

\$2900/\$1600 - Inside a Basin Closure Area, Controlled Groundwater Area or Compact Closure; without/with filing fee reduction.

\$2500/\$1200 - Outside a Basin Closure Area; Controlled Groundwater Area or Compact Closure; without/with filing fee reduction.

INFORMATION

An application will be eligible for a filing fee reduction and expedited timelines if the applicant completes a preapplication meeting with the Department (ARM 36.12.1302(1)), which includes submitting any follow-up information identified by the Department (ARM 36.12.1302(3)(c)) and receiving either Department-completed technical analyses or Department review of applicant-submitted technical analyses (ARM 36.12.1302(4) and (5)).

Application # 30171344 Basin 405
Priority Date 10/8/25 Time 12 AM/PM
Rec'd By AK
Fee Rec'd \$ 700.00 Check # 2860
Deposit Receipt # GVS2606127
Payor
Refund \$ Date

Applicant Information: Add more as necessary.

Applicant Name Hilltop Shop LLC (Troy/Janelle Jensen)
Mailing Address PO Box 652 City Sidney State MT Zip 59270
Phone Numbers: Home Work (406) 480-0906 Troy Cell (406) 489-0251 Janelle
Email Address tsjensen@midrivers.com

Applicant Name
Mailing Address City State Zip
Phone Numbers: Home Work Cell
Email Address

Applicant Name
Mailing Address City State Zip
Phone Numbers: Home Work Cell
Email Address

Contact/Representative Information: Add more as necessary.

Contact/Representative is: [X] Applicant [] Consultant [] Attorney [] Other
Contact/Representative Name
Mailing Address City State Zip
Phone Numbers: Home Work Cell
Email Address

NOTE: If a contact person is identified as an attorney, all communication will be sent only to the attorney unless the attorney provides written instruction to the contrary (ARM 36.12.122(2)). If a contact person is identified as a consultant, employee, or lessee, the individual filing the water right form or objection form will receive all correspondences, and a copy may be sent to the contact person (ARM 36.12.122(3)).



Answer every question and applicable follow-up questions. Use the checkboxes to denote yes ("Y"), no ("N"), or not applicable ("NA"). Questions that require items to be submitted to the Department have a submitted ("S") checkbox, which is marked when the required item is attached to the Application. Label all submitted items with the question number for which they were submitted. Narrative responses that are larger than the space provided can be answered in an attachment. If an attachment is used, specify "see attachment" on this form, and label the attachment with the question number. Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative. Responses in the form of a table may be entered into the table provided on this form or in an attachment. If an attachment is used, the table must have the exact headings found on this form, and "see attachment" must be entered as a response to the relevant question. Clearly label all units in tables and narrative responses.

PREAPPLICATION AND TECHNICAL ANALYSES INFORMATION

- 1. Y N Do you elect for Department technical analyses to be used for criteria assessment?
- 2. Y N Did you have a preapplication meeting AND complete a Permit Preapplication Meeting Form Part A and Part B (Form 600P-A and 600P-B)?

IF QUESTION 2 IS NO, answer 2.a and 2.b:

- 2.a. S Submit the Technical Analyses Addendum (Form 600-TAA).
- 2.b. S NA Submit the technical analyses, if you elected in question 1 for Applicant technical analyses to be used for criteria assessment. Select "NA" if you elected for Departmental technical analyses.

IF QUESTION 2 IS YES, answer 2.c, 2.d, and 2.e:

- 2.c. Y N Has any element of the project described in this application changed from the mandatory elements of the project described in the completed form 600P? **If yes:**
 - 2.c.i. Please explain.

- 2.c.ii. S Submit the Technical Analyses Addendum (Form 600-TAA).

- 2.d. Y N Are the technical analyses to be used for criteria assessment exactly the same as those completed during the preapplication process? **If no:**
 - 2.d.i. Please explain.

- 2.d.ii. S Submit the Technical Analyses Addendum (Form 600-TAA).

- 2.e. Y N Did you elect in Question 1 for Department technical analyses to be used for criteria assessment? **If no:**
 - 2.e.i. S Submit the technical analyses.



APPLICATION ADDENDA AND REVIEW

3. S NA If your application is for groundwater, not surface water, and one or more of your points of diversion are in a Basin Closure Area, then submit the Basin Closure Area Addendum (Form 600-BCA).
4. S NA If your application is for groundwater and one or more points of diversion are in a Basin Closure Area, then your project must have a Hydrogeologic Report that conforms with MCA 85-2-361 to comply with the requirements of § 85-2-360, MCA. A Hydrogeologic Report Addendum (Form 600-HRA) or Department Technical Analyses may be used to meet these requirements. Please mark the box below that best applies, then select "S" if submitting a Hydrogeologic Report or "NA" if one is not required. This question does not apply to surface water points of diversion in a Basin Closure Area.
 - If you elected to conduct Technical Analyses, you must submit the Hydrogeologic Report Addendum (Form 600-HRA).
 - If you elected for DNRC to conduct Technical Analyses but did not have a preapplication meeting AND complete a Form 600P Permit Preapplication Meeting Form (or changes have occurred since the completed Form 600P), you must submit the Hydrogeologic Report Addendum (Form 600-HRA).
 - If you elected for DNRC to conduct Technical Analyses, had a preapplication meeting, completed a Form 600P, and the Technical Analyses remain unchanged since the preapplication meeting, you do not need to submit Form 600-HRA because the Department's Technical Analyses meet the report requirements of § 85-2-360 and § 85-2-361, MCA.
5. S NA If the project is for one or more groundwater points of diversion located in a Controlled Groundwater Area, then submit the Controlled Groundwater Area Addendum (Form 600-CGWA).
6. S NA If the project involves an appropriation that is greater than 5.5 CFS and 4,000 acre-feet, then submit a Criteria Addendum Application for Beneficial Water Use Permit for Appropriations Greater than 5.5 CFS and 4,000 AC-FT (Form 600-B).
7. S NA If the project involves out-of-state water use, then submit the Out-of-State Use Addendum (Form 600/606-OSA).
8. S NA If you require mitigation water to meet the criteria of issuance, then submit a Mitigation Purpose Addendum (Form 600/606-MIT).
9. S NA If the proposed purposes include marketing or selling water, (not marketing for mitigation/aquifer recharge), then submit the Marketing Purpose Addendum (Form 600/606-WMA).
10. S NA If the project involves one or more places of storage, then submit a Permit Storage Addendum (Form 600-SA). This does not include reservoirs, pits, pit-dams, or ponds with a capacity less than 0.1 AF; water tanks; or cisterns (ARM 36.12.113(6)).
11. S NA If the project is in designated sage grouse habitat, then submit a review letter from the Montana Sage Grouse Habitat Conservation Program.
12. S NA If the project includes a point of diversion and/or place of use on State of Montana Trust Land, submit documentation of consent from the DNRC Trust Lands Management Division.
13. S NA You must provide a written notice of the application to each owner of an appropriation right sharing a point of diversion or means of conveyance (e.g., canal, ditch, flume, pipeline, or constructed waterway) pursuant to §85-2-302(4)(c), MCA. Submit a copy of this notice and the recipient list.



PURPOSE AND DIVERSION INFORMATION

14. Y N Is the proposed use temporary?

14.a. If yes, when will the appropriation cease? _____

15. Is the proposed source surface water or groundwater? Surface Water

16. What is the source name? Missouri River

17. S Attach a map utilizing an aerial photograph or topographic map that shows the following: section corners; township and range; north arrow; scale bar; all proposed points of diversion labeled with a unique Point of Diversion (POD) ID number and, if applicable, GWIC number; all proposed places of use; all proposed conveyance facilities and or routes; all proposed places of storage labeled with a unique Storage ID number; and places of use (POU) for all overlapping water rights. More than one map may be submitted, if necessary to clearly convey all required information.

18. Fill out the table below. Means of diversion for surface water includes headgate, pump, dam, and others. Means of diversion for groundwater includes well, developed spring, pit pond, and others.

Purpose	Means of Diversion	Acres Irrigated (if appl.)	Period of Diversion (Month/Day - Month/Day)	Period of Use (Month/Day - Month/Day)	Flow Rate		Volume (Acre-Feet)	
					<input checked="" type="checkbox"/> GPM	<input type="checkbox"/> CFS		
Lawn/Trees/Shrubs	Pump	0.75	May 1 - Oct 31	May 1 - Oct 31	20		1.9	
Total Flow Rate and Volume Required								

19. Y N Does the proposed use include on or more of the following purposes: domestic, multiple domestic, stock, or irrigation? If yes, fill out the table below, where applicable.

Purpose	Requested Information	Response
Domestic or multiple domestic	Number of households and bedrooms served per household	No
Stock	Number of animal units	N/A
Irrigation	Method of irrigation type (sprinkler or flood) and subtype (if flood: level border, graded border, furrow, contour ditch, or other; if sprinkler: center pivot, wheel line, or other)	Underground Sprinkler for Yard
Irrigation (flood only)	Design slope	N/A

POINT(S) OF DIVERSION

20. Describe the proposed location of the point(s) diversion to the nearest ¼ ¼ ¼ Section. Label each POD with the POD ID number used for the project map (question 17).

POD #	¼	¼	¼	Sec.	Twp.	Rge.	County	Lot	Block	Tract	Subdivision	Gov. Lot
1				34	27N	41E	Valley	081			Idlewild Park Subdivision	

PLACE OF USE

21. What are the geocodes of the place of use?

20-3901-34-2-04-09-0000	

22. Describe the legal land description for the proposed place of use and, if applying for an irrigation or lawn and garden purpose, list the number of irrigated acres.

Acres	Gov. Lot	Block	¼	¼	¼	Sec.	Twp.	Rge.	County
1.10						34	27N	41E	Valley

SUPPLEMENTAL AND OVERLAPPING WATER RIGHTS

23. Y N Will other water rights supplement or overlap the place of use to contribute to the purpose(s)?

23.a. If yes, summarize how the supplemental and proposed water rights will be operated as a whole to serve the purpose(s).

24. For each supplemental or overlapping water right, please list the water right number, typical period of diversion and use (MM/DD-MM/DD), flow rate (GPM or CFS), and the volume of water (AF) contributed to the shared place of use.

Water Right #	Average Period of Diversion	Average Period of Use	Flow Rate	Volume Contributed

25. Y N Will this application supplement contract water from a Federal Project, ditch company, or other source?

25.a. If yes, explain.

ADVERSE EFFECT

26. Explain how you can control your diversion in response to a call being made.

If there is a water shortage or drought, I will not use water and will stop pumping.



27. Describe any plans you have for ensuring existing water rights will be satisfied during times of water shortage.

If there is a water shortage or drought, I will not use water and will stop pumping.

28. Y N Are you aware of any calls that have been made on the source of supply or, if groundwater, on nearby surface water sources?

28.a. If yes, explain.

29. Y N Does a water commissioner distribute water or oversee water distribution on your proposed source?

29.a. If yes, list the source(s).

30. Y N Do other water rights share any of the proposed points of diversion?

30.a. If yes, describe how the proposed project will not adversely affect these water rights.

31. Y N Do other water rights share any conveyance infrastructure associated with the proposed project?

31.a. If yes, describe how the proposed project will not adversely affect these water rights.

ADEQUATE MEANS OF DIVERSION AND OPERATION

32. **S** Submit a diagram of how you will operate your system from all proposed points of diversion to all proposed places of use.

33. Describe specific information about the capacity of all proposed diversionary structures. This may include, where applicable: pump curves and total dynamic head calculations, headgate design specifications, and dike or dam height and length.

The proposed diversion consists of a 1.5 HP pump with a 1.5-inch intake and 1.5-inch discharge pipe, operating at a maximum capacity of 18–20 gallons per minute (gpm). The system will irrigate an estimated 0.75 acres through 8 zones. Each zone operates for approximately 25 minutes, resulting in a total daily irrigation cycle of 200 minutes. At 20 gpm, this equates to approximately 4,000 gallons per cycle. Irrigation will occur three times per week to serve lawn, trees, and shrubs.

34. Describe the size, materials, capacity, and configuration of infrastructure to convey water from all proposed points of diversion to all proposed places of use. This may include but is not limited to, pipelines and ditches. Include a description of any losses related to the proposed conveyance. Ditch conveyance losses may be estimated numerous ways, which include a ditch loss rate or Department standard methods.

Conveyance is provided by buried PVC sprinkler lines installed approximately 6 inches below grade. The main lateral lines consist of 1-inch PVC supplying the irrigation sprinkler heads. As all conveyance occurs through enclosed, buried pipeline, conveyance losses are minimal and no open ditches are involved.

35. Describe how the proposed diversion and conveyance infrastructure can provide the required flow and volume, for the purposes plus any conveyance losses and storage, throughout the proposed period of diversion.

The 1.5 HP pump is capable of delivering 18–20 gpm, which is sufficient to operate each irrigation zone in sequence. The 1-inch buried PVC conveyance lines are designed to efficiently deliver this flow to all sprinkler heads with negligible loss. No storage facilities are necessary, as the pump and pressurized line system are adequate to provide the required flow and volume throughout the irrigation season.



36. Provide a plan of operations, which includes specific information about how water is delivered within the place of use. This may include, where applicable, the range of flow rates needed for a pivot.
The irrigation system is operated by an electronic timer that controls the pump and valves to run the 8 irrigation zones in sequence. Each zone operates for approximately 25 minutes, with a total system run time of 200 minutes per irrigation cycle. Irrigation will occur three times per week during the growing season, typically in the early morning or evening to reduce evaporation and ensure efficient watering of lawn, trees, and shrubs.

37. Y N Does the proposed conveyance require easements?

37.a. If yes, explain.

38. Y N Do you own the land where all proposed points of diversion are located?

38.a. S If no, submit documentation to show you have the right to use all points of diversion located on each property you do not own. This may include, but is not limited to, a well agreement, an easement, or permission of the party that owns the property where the proposed point(s) of diversion are located.

39. Y N Will your system be designed to discharge water from the project?

IF YES,

39.a. Explain the wastewater disposal method.

39.b. Y N NA Have the necessary permits been obtained to comply with §§ 75-5-410 and 85-2-364, MCA?

40. Y N Do you have any plans to measure your diversion and use?

40.a. If yes, describe the plan and the type of measurements you will take.



POSSESSORY INTEREST

45. Y N Do you meet one of the exceptions to possessory interest requirements, pursuant to ARM 36.12.1802? Exceptions include cases where the application is for sale, rental, distribution, or is a municipal use, or in any other context in which water is being supplied to another and it is clear that the ultimate user will not accept the supply without consenting to the use of water on the user's place of use.

45.a. If yes, explain.

46. Y N NA Do you own all proposed places of use? Mark "NA" if you meet one of the exceptions to the possessory interest requirement.

IF NO,

46.a. S Explain and submit documentation that shows you either have possessory interest or written permission of the parties with possessory interest of the place of use.

46.b. Y N Would you like the water right to be appurtenant to the land? Please note that if your water right is not appurtenant to land it will not transfer by default with the conveyance of the property, pursuant to § 85-2-403, MCA.

46.b.i. If no, explain.

PROPOSED COMPLETION PERIOD

47. How much time will be needed to complete this project and to submit to the DNRC a Project Completion Notice (Form 617)? 2 weeks.

48. Please describe why this amount of time is needed to complete this project.
This is for installation of the irrigation system.



AFFIDAVIT & CERTIFICATION

Read carefully before you sign and review with legal counsel if you have any questions. All owners (or trustees) must sign the form. ***If the owner is a business or trust, include the title of the representative(s) signing the form (i.e., president, trustee, managing partner, etc.) and provide documentation that establishes the authority of the representative to sign the application.*

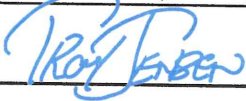
I affirm the information provided for this application is to the best of my knowledge true and correct. If a preapplication meeting form was submitted, I am aware that my application for this project will not qualify for a discounted filing fee and expedited timelines if upon submittal of the application to the Department, I changed any element of the proposed application from the preapplication meeting form and follow-up materials (ARM 36.12.1302(6)(a)).

I affirm I have possessory interest, or the written consent of the person with the possessory interest, in the property where the water is to be put to beneficial use, unless this application meets an exception to the possessory interest requirements in ARM 36.12.1802(1)(b).

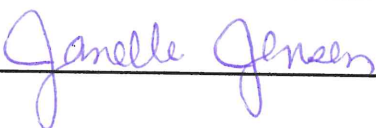
I understand that making a false statement under oath or affirmation in this application and official proceedings throughout the examination of my application may subject me to prosecution under § 45-7-202, MCA, a misdemeanor punishable by a jail term not to exceed 6 months or a fine not to exceed \$500, or both. I have read this Affidavit and understand the terms and conditions.

I declare under penalty of perjury and under the laws of the state of Montana that the foregoing is true and correct.

Printed Name Troy Jensen, Member, Hilltop Shop LLC

Applicant Signature  Date: 10-06-2025

Printed Name Janelle Jensen, Member, Hilltop Shop LLC

Applicant Signature  Date: 10/6/25

Printed Name _____

Applicant Signature _____ Date: _____





CERTIFICATE OF SURVEYOR

I, Richard H Thom, a Registered Land Surveyor, do hereby certify that the survey shown on the attached plat of IDLEWILD PARK performed by me or under my direct supervision; that said survey is true and complete as shown by monuments found and set are of the character and location thereon

Dated this 9TH day of JANUARY, 2007

R. H. THOM

Doc 121735

TRACT DESCRIPTION

A TRACT OF LAND LOCATED IN SECTION THIRTY-FOUR (34), TOWNSHIP TWENTY-SEVEN NORTH (T27N), RANGE FORTY-ONE EAST (R41E), PRINCIPLE MERIDIAN MONTANA (P.M.), AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Beginning at the N 1/4 corner of Section 34, T27N, R41E, P.M.M.; thence S0°40'22"W a distance of 133.00 feet; thence S89°29'55"E a distance of 4268.03 feet to the West bank of the Missouri River; thence along the bank of the Missouri River S59°39'19"W a distance of 2137.00 feet; thence S88°21'18"W a distance of 530.85 feet; thence S00°16'40"W a distance of 222.68 feet; thence S74°28'37"W a distance of 205.00 feet; thence S67°50'10"W a distance of 425.00 feet; thence S59°42'27"W a distance of 425.00 feet; thence S43°05'29"W a distance of 450.00 feet; thence S30°22'13"W a distance of 125.00 feet; thence S45°45'53"W a distance of 279.00 feet; thence S21°33'39"E a distance of 83.57 feet to the North line of Gov. Lot 6; thence along the North line N89°34'14"W a distance of 443.00 feet to the Northwest corner of Gov. Lot 6; thence along the West line of Gov. Lot 6, S00°00'00"E a distance of 556.44 feet to the West bank of the Missouri River; thence along the West bank of the Missouri River S50°17'45"W a distance of 297.18 feet; thence S30°31'14"W a distance of 150.00 feet; thence S89°38'06"W a distance of 399.87 feet to the North line of Gov. Lot 7; thence along the North line of Gov. Lot 7 N89°36'44"W a distance of 86.74 feet to the Northwest corner of Gov. Lot 7; thence along the West line of Section 34 N0°04'43"E a distance of 1329.01 feet to the N 1/4 corner of Section 34; thence continuing along the West line of Section 34 N0°05'02"E a distance of 329.55 feet to the N 1/4 corner; thence along the 1/8th line S09°55'44"E a distance of 1326.06 feet to the NW 1/8 corner; thence along the 1/8th line N0°03'00"W a distance of 329.22 feet to the NW 1/8 corner on the North line of Section 34; thence along the North line of Section 34 S89°35'14"E a distance of 1322.95 feet to the Point of Beginning.

50.00 Acre Containing 153.29 acres
17.70 acres of road right-of-way
85.99 acres of private lots
49.59 acres of blocks

CERTIFICATE OF DEDICATION

We the undersigned property owners, do hereby certify that we have caused to be surveyed, subdivided and plotted into lots, blocks, streets and alleys, as shown by the plat hereto annexed, the above described land in Valley County, Montana, to wit:

We the undersigned hereby grant unto each and every person, firm or corporation, whether public or private, providing an offering to provide telephone, telegraph, electric power, gas, cable television, water or sewer service to the public, the right to the joint use of an easement for the construction, maintenance, repair and removal of sewer lines and other facilities in, over, under and across each area designated on this plat as "Utility Easement" and to hold forever.

We the undersigned hereby certify that parcels known as "Park Areas" and "Common Areas" are parcels in which no structure requiring water or sewage disposal will be erected, therefore these parcels are exempt from revenue pursuant to AD14 17.36.6(5)(2)(i).

We also certify that Legal and physical access is provided by Boxcar Road, a public road located adjacent to the property.

Terry Kinkannon
STATE OF MONTANA
County of Daniels
On this 29 day of Jan 2003
Before me, the undersigned Notary Public for the State of Montana, personally appeared Terry Kinkannon, known to me to be the persons that executed the same.

My witness WHEREOF, I have hereunto set my hand and affixed my official seal this 29th day and year in the certificate first above written.

Steph A. Carney
Notary Public for the State of Montana
Residing at Laurel, MT
My commission expires 12-17-2005

Steph A. Carney
STATE OF MONTANA
County of Daniels
On this 29 day of Jan 2003
Before me, the undersigned Notary Public for the State of Montana, personally appeared Terry Kinkannon, known to me to be the persons that executed the same.

My witness WHEREOF, I have hereunto set my hand and affixed my official seal this 29th day and year in the certificate first above written.

Steph A. Carney
Notary Public for the State of Montana
Residing at Laurel, MT
My commission expires 12-17-2005

Steph A. Carney
STATE OF MONTANA
County of Daniels
On this 29 day of Jan 2003
Before me, the undersigned Notary Public for the State of Montana, personally appeared Stephen Carney, known to me to be the persons that executed the same.

My witness WHEREOF, I have hereunto set my hand and affixed my official seal this 29th day and year in the certificate first above written.

Steph A. Carney
Notary Public for the State of Montana
Residing at Laurel, MT
My commission expires 12-17-2005

VICINITY MAP

CERTIFICATE OF COUNTY COMMISSIONERS

The County Commission of Valley County, Montana does hereby certify that it has examined the final plat of IDLEWILD PARK SUBDIVISION and found it same to conform to law, and approves it.

Dated this 29 day of January 2003

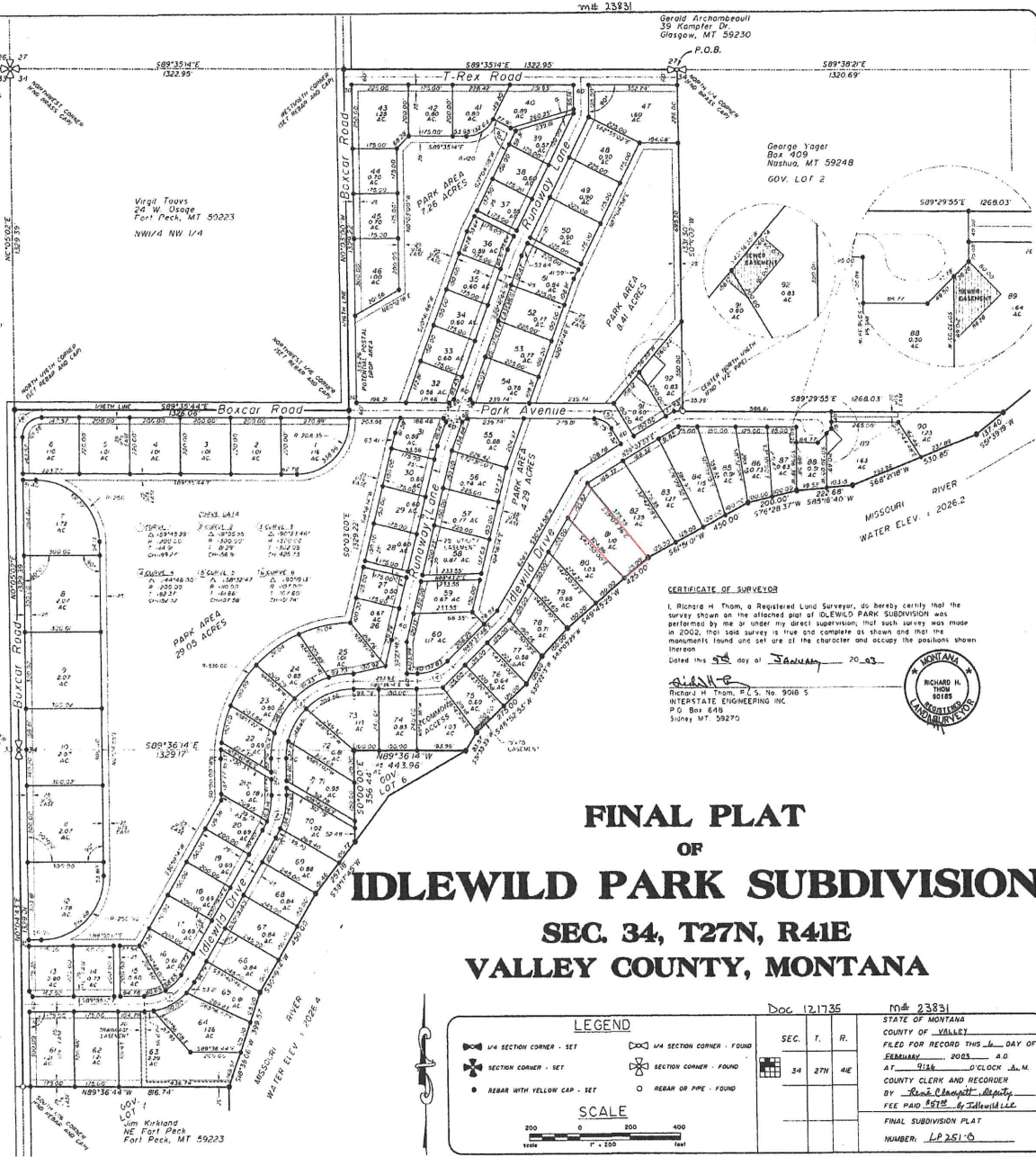
Steph A. Carney
County Commissioner

CERTIFICATE OF COUNTY TREASURER

I hereby certify, pursuant to Section 76.3.64 (1) (b), M.C.A., that no real property taxes are assessed and levied on the land described above and encompassed by the proposed IDLEWILD PARK SUBDIVISION.

Dated this 28 day of January 2003

Steph A. Carney
County Treasurer, Valley County



FINAL PLAT
OF
IDLEWILD PARK SUBDIVISION
SEC. 34, T27N, R41E
VALLEY COUNTY, MONTANA

Doc 121735 m# 23831

STATE OF MONTANA
COUNTY OF VALLEY
FILED FOR RECORD THIS 30 DAY OF
FEBRUARY 2003 A.M.
AT 9:16 O'CLOCK A.M.
COUNTY CLERK AND RECORDER
BY *Rene Campbell, Deputy*
FEE PAID \$175 by Idlewild LLC

FINAL SUBDIVISION PLAT
NUMBER: LP 251-6

LEGEND

⊕ 1/4 SECTION CORNER - SET
⊗ 1/4 SECTION CORNER - FOUND
⊕ SECTION CORNER - SET
⊗ SECTION CORNER - FOUND
● REBAR WITH YELLOW CAP - SET
○ REBAR OR PIPE - FOUND

SCALE

1" = 200'

Remitter No.	Date	By	Description
1	4-10-02	DRS	STREET NAMES
3	7-05-02	DRS	STREET NAMES
	8-01-02	DRS	LOT LINES
			SEWER & WATER LINES
			REBAR & EASE

Drawn By	Project No.	Checked By	Date
T. S. J.	SOI-4146	RHT/TS	FEB. 2002

interstate engineering, inc.
Engineering - Surveying - Planning
P.O. Box 648 Sidney, Montana 406-432-997

interstate engineering, inc.
Engineering - Surveying - Planning
P.O. Box 648 Sidney, Montana 406-432-997

SHEET
1

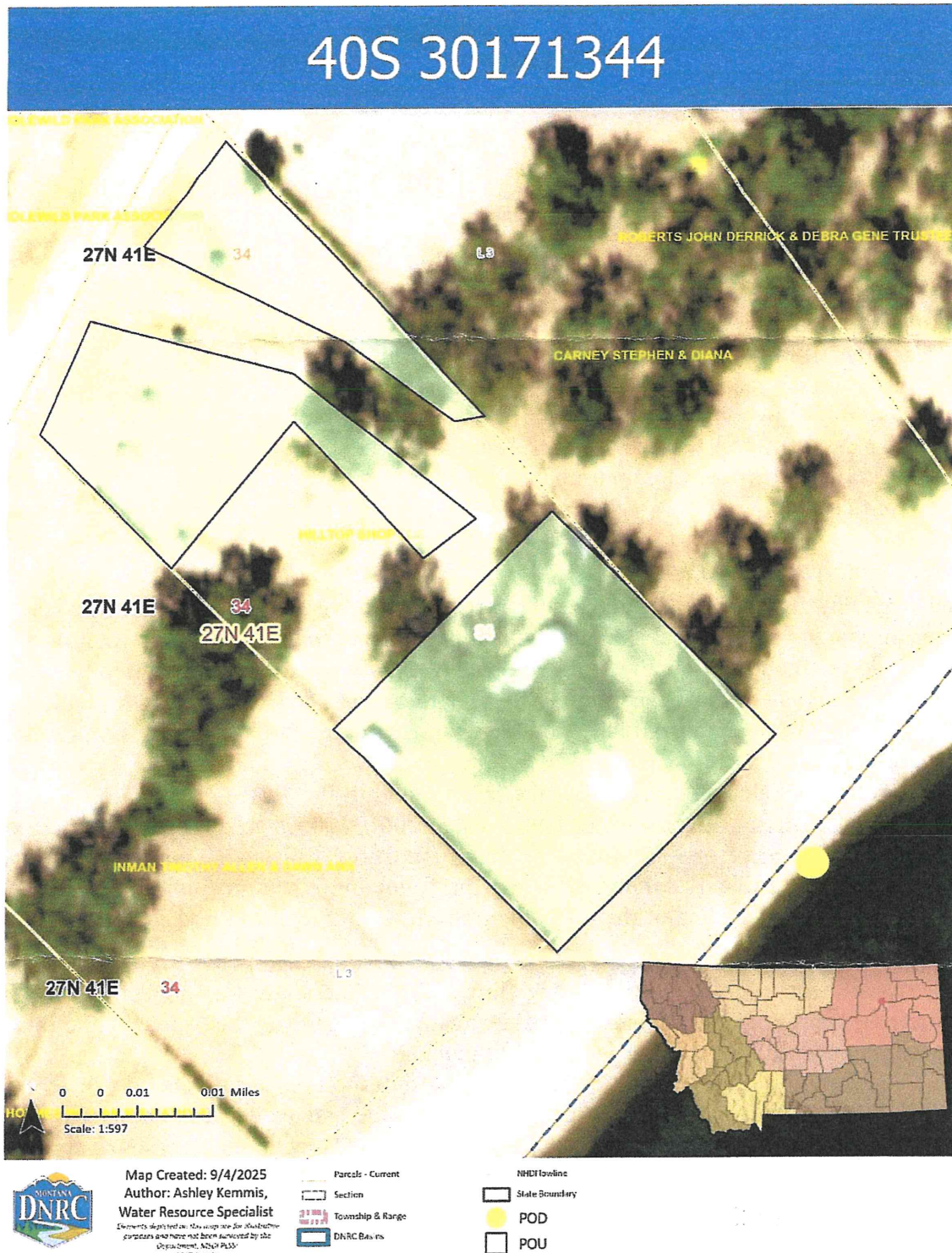


Figure 1: Map of the Applicant's proposed POD on the source and proposed place of use.

DNRC Irrigation Calculation Sheet – Lawn & Garden Irrigation

This calculation sheet documents the application of DNRC standards for lawn and garden irrigation to the proposed 0.75-acre irrigation system. Values are shown in both acre-feet and gallons for clarity.

Parameter	Standard / Proposed Value	Calculation	Result
Standard Consumptive Use	2.5 acre-feet/acre/year	0.75 acres × 2.5 AF	1.875 AF/year
Volume (in gallons)	1 AF = 325,851 gal	1.875 AF × 325,851	≈ 610,966 gal/year
Irrigated Area	0.75 acres	-	0.75 acres
Period of Use & Diversion	April 1 – October 31	DNRC Standard	214 days
Pump Capacity	18–20 gpm 20 gpm	20 gpm × 200 min/cycle × 3 cycles/week × 26 weeks	624,000 gal/year
Comparison	DNRC Standard vs. Proposed	620,000 vs. 610,966	Within Standard

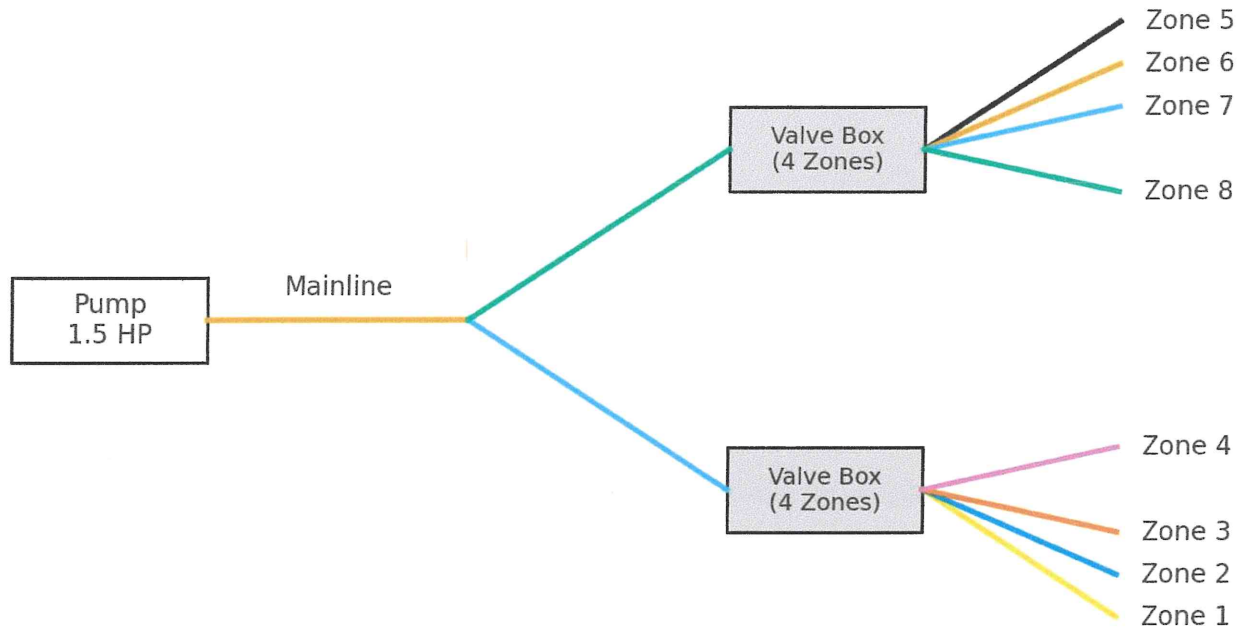
The proposed irrigation system (0.75 acres, 18–20 gpm pump, 3 cycles/week) fits within DNRC's lawn and garden irrigation standards for volume and period of use. Calculated annual use is approximately 1.9 acre-feet (≈ 620,000 gallons), consistent with the DNRC standard of 2.5 acre-feet per acre per year.

Montana DNRC Permit – Irrigation System Summary

Component	Specification
Pump	1.5 HP pump with 1.5" intake and discharge
Capacity	18–20 gpm maximum flow
Service Area	0.75 acres (lawn, trees, shrubs)
Zones	8 zones (2 valve boxes, 4 zones each)
Cycle Volume	4,000 gallons per day (at 20 gpm)
Schedule	3 times per week, electronic timer controlled
Conveyance	1" buried PVC lines, ~6" deep
Storage	None required – pump/lines sufficient

Schematic – Pump, Mainline, and Two Valve Boxes (4 Zones Each)

Schematic - Irrigation Layout with Two Valve Boxes (4 Zones Each)



Technical Analyses Report/ Scientific Credibility Review

- Departmental Technical Analyses Report/ Scientific Credibility Review
- Any correspondence relating to the Technical Analyses Report

Technical Analyses Report / Scientific Credibility Review



Glasgow Water Resources Regional Office
222 6th St South
PO Box 1269
Glasgow, MT 59230-1269
(Office) 406-228-2561
(Desk) 406-808-7075
ashley.kemmis@mt.gov

September 5, 2025

Hilltop Shop, LLC
c/o Troy and Janelle Jensen
PO Box 652
Sidney, MT 59270

Subject: Completed Technical Analyses Report for Beneficial Water Use Permit Preapplication No. 40S 30171344

Dear Applicant,

As designated on the submitted Preapplication Meeting Form per §85-2-302(3)(b), MCA, the Department of Natural Resources and Conservation (DNRC or Department) has completed the technical analyses for Beneficial Water Use Permit Preapplication No. 40S 30171344 based on the information provided in your Preapplication Meeting Form accepted by the Department on July 25, 2025. The technical analyses can be found in the attached report.

This Technical Analyses Report IS: A collection of facts that the DNRC has gathered, including content provided in the Preapplication Meeting Form materials. The Department will use this data to analyze the criteria in §85-2-311, MCA if you submit an application for the project described in the completed Preapplication Meeting Form.

This Technical Analyses Report IS NOT: An analysis or discussion of whether the Preapplication Meeting Form as filed meets the criteria §85-2-311, MCA.

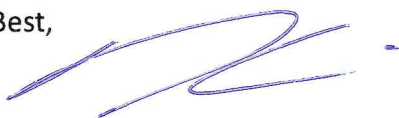
You have 180 days to submit the Beneficial Water Use Permit Application Form 600 considering the information provided in the technical analyses and Preapplication Meeting Form. If the Application Form is not



submitted to the Glasgow Regional Office by March 4, 2026, a new preapplication meeting will be required to process the Application with expedited timelines (ARM 36.12.1302(6)(b)). If any details described in the submitted Application are changed from that of the submitted Preapplication Meeting Form, the discounted filing fee and expedited timelines will not apply (ARM 36.12.1302(6)(a)). Please note that the technical analyses will expire one year from the date of this letter (ARM 36.12.1302(8)).

Please let me know if you have any questions.

Best,



Ashley Kemmis
Water Resource Specialist
Water Rights Bureau
Water Resources Division





Surface Water Permit Technical Analyses Report

Department of Natural Resources and Conservation (DNRC or Department) Water Resources Division

Ashley Kemmis, Water Conservation Specialist, Glasgow Regional Office

Application No.	40S 30171344	Proposed Point of Diversion	NESENW, Section 34, T27N, R41E, Valley County
Applicant	Hilltop Shop, LLC		

Overview

This report analyzes data submitted by the Applicant in support of the above-mentioned water right application. This report provides technical analyses as required under the Administrative Rules of Montana (ARM) 36.12.1303 in support of the water rights criteria assessment as required in § 85-2-311, Montana Code Annotated (MCA).

This Surface Water Permit Technical Analyses Report contains the following sections:

- Overview..... 1
- Variances..... 2
- 1.0 Application Details 2
 - 2.1 Source Description 4
 - 2.2 Method of Estimation..... 4
 - 2.3 Monthly Flow Rate and Volume..... 4
- 3.0 Area of Potential Impact Analysis 5
- Review 6
- References..... 6
- Appendix A: Water Rights within the Area of Potential Impact 7



Variations

No variations were requested.

1.0 Application Details

The Applicant proposes to divert water April 1 through October 31 from the Missouri River at a rate of 20 GPM and 1.9 AF annually. Water would be appropriated between April 1 through October 31 for lawn and garden use on 0.75 acres in the Idlewild Park Subdivision, Lot 081 in Gov't Lot 3, NESENW, Sec. 34, T27N, R41E, Valley County.

Table 1. Summary of the proposed use.

Source	Flow Rate	Diverted Volume	Purpose	Period of Use	Place of Use	Point(s) of Diversion	Period of Diversion
Missouri River	20 GPM	1.9 AF	Lawn and Garden	April 1 through October 31	Idlewild Subdivision, Lot 081, Gov't Lot 3, NESENW, Sec. 34, T27N, R41E, Valley County	Idlewild Subdivision, Lot 081, Gov't Lot 3, NESENW, Sec. 34, T27N, 41E, Valley County	April 1 through October 31



Figure 1: Map of the Applicant's proposed POD on the source and proposed place of use.



2.0 Surface Water Analysis

2.1 Source Description

Proposed Source of Water: Missouri River

Proposed Source Type: Perennial

Proposed Point of Diversion: NESENW, Sec. 34, T27N, 41E, Valley County

2.2 Method of Estimation

Gage Name: Missouri River below Fort Peck Dam, MT

Gage Number: USGS #06132000

Period of Record: April 1934 to September 2021

Why this gage is considered an appropriate data source: According to ARM 36.12.1702, available stream gage records will be used to quantify physical availability using the median of the mean monthly flow rate and volume during the proposed months of diversion. USGS Gage #06132000, Missouri River below Fort Peck Dam, is the nearest gage to the proposed POD, and is approximately 4 miles downstream from the POD. The date range used includes the entire period of record for this gage.

2.3 Monthly Flow Rate and Volume

Methodology: Physical availability of Missouri River water at the POD will be quantified monthly. Department practice for physical availability analyses where the gage used is downstream of the POD is to add the monthly flow rates and volumes of existing water rights between the gage and the POD to the median of the mean monthly flows at the gage. The DNRC used the method below to quantify physically available monthly flows and volumes at the POD during the proposed period of diversion:

1. The Department calculated median of the mean monthly flow rates in cubic feet per second (CFS) for the Missouri River using USGS Gage #06132000 records for each month of the proposed period of diversion (Table 1, column B). Those flows were converted to monthly volumes in AF (Table 1, column C) using the following equation found on DNRC Water Calculation Guide: median of the mean monthly flow (CFS \times 1.98 AF/day/1 CFS \times days per month = AF/month).
2. The Department calculated the monthly flows (Table 1, column D) and volumes (Table 1, column E) appropriated by existing users upstream of the gage on the source by the following procedure outlined in the Department permit manual:
 - i. Generating a list of existing water rights from the point of diversion to USGS Gage #06132000 (list is included in the application file and available upon request);
 - ii. Designating irrigation and lawn and garden uses with no period of diversion as occurring from April 1 to October 31;
 - iii. Designating all other water uses with no period of diversion as year-round;
 - iv. Calculating a flow rate for all livestock direct from source rights without a designated flow rate by assigning either 30 GPD/AU for Statements of Claim or 15 GPD/AU, multiplying by the number of Animal Units (AU), and adding that to 35 GPM.



- v. Calculating a volume for all livestock direct from source rights without a designated volume by multiplying the number of AU by 30 GPD/AU for Statements of Claim or 15 GPD/AU.
 - vi. Calculating a volume for all irrigation rights without a designated volume by multiplying the number of acres by 2.69 AF/Acre.
 - vii. Evenly distributing each water right’s volume by months within the period of diversion.
3. Since the gage used is downstream of the POD, the Department added the flow rates and volumes of the existing rights between USGS Gage #06132000 and the POD (Table 1, column D and E) to the median of the mean monthly gage values (Table 1, column B and C) to determine physical availability at the POD (Table 1, column F and G).

Table 1: Physical Availability at the Point of Diversion on the Missouri River						
A	B	C	D	E	F	G
Month	Median of the Mean Monthly Flow at Gage 06132000 (CFS)	Median of the Mean Monthly Volume at Gage 06132000 (AF)	Existing Rights from the POD to Gage 06132000 (CFS)	Existing Rights from the POD to Gage 06132000 (AF)	Physically Available Water at POD (CFS)	Physically Available Water at POD (AF)
April	6,768	402,019	45	841	6,813	402,860
May	7,729	474,406	45	841	7,774	475,247
June	8,643	513,394	45	841	8,688	514,235
July	8,629	529,648	45	841	8,674	530,489
August	9,390	576,358	45	841	9,435	577,199
September	7,808	463,766	45	841	7,852	464,606
October	7,175	440,371	45	836	7,219	441,207

3.0 Area of Potential Impact Analysis

The Area of Potential Impact for this application is: The area of potential impact is approximately 6 miles downstream from the proposed point of diversion. A list of water rights can be found in Appendix A.

Why this is an appropriate Area of Potential Impact: The Missouri River is a major surface water source compared to other streams in the area. The area of potential impact is the portion of the Missouri River between the POD and the confluence with the Milk River, which is approximately 6 miles downstream.

Methodology: A list of senior surface water rights that are appropriated from the Missouri River between the POD and the confluence with the Milk River were compiled using the DNRC GIS web application Converge. Types of legal demands that could be included are all active claims, certificates, exempt notices, permits, conservation district reservations, instream flows, tribal rights, and hydropower water rights. Using the method outlined in Section 2.3, designated flow rates and volumes were assigned to any water rights that did not have them.



Review

This document has been reviewed by the Department on August 21, 2025

References

Department Standard Practice for Determining Physical Availability of Surface Water

Department Standard Practice for Area of Potential Impact Analysis

DNRC Technical Memorandum: Physical Availability of Surface Water with Gage Data, dated November 1, 2019



Appendix A: Water Rights within the Area of Potential Impact



Table 2: Water Rights Within the Area of Potential Impact

A	B	D	E	F
Water Right Number	Period of Diversion	Flow Rate (CFS)	Volume (AF)	Water Right Type
40S 32086 00	01/01 to 12/31	0.07	1	STATEMENT OF CLAIM
40S 30016330	04/01 to 10/31	0.06	1.15	PROVISIONAL PERMIT
40S 30007495	04/01 to 10/31	0.06	1.25	PROVISIONAL PERMIT
40S 30023173	04/01 to 10/31	-	1.25	PROVISIONAL PERMIT
40S 46419 00	01/01 to 12/31	0.04	2.5	STATEMENT OF CLAIM
40S 30013570	04/01 to 10/31	0.07	2.5	PROVISIONAL PERMIT
40S 30030763	04/01 to 10/31	0.07	4.08	PROVISIONAL PERMIT
40S 35719 00	04/15 to 10/15	5.30	300	PROVISIONAL PERMIT
40S 7336 00	04/15 to 10/15	6.68	450	PROVISIONAL PERMIT
40S 33997 00	04/01 to 10/31	10.03	597.9	PROVISIONAL PERMIT
40S 31725 00	01/01 to 12/31	5.69	1715	PROVISIONAL PERMIT
40S 171767 00	01/01 to 12/31	4.46	2286	STATEMENT OF CLAIM
40S 37645 00 ¹	04/01 to 10/31	7.58	960	STATEMENT OF CLAIM
40S 46416 00 ¹	03/15 to 11/19	9.13	1740	STATEMENT OF CLAIM
40S 28935 00 ¹	04/01 to 11/04	6.68	532.5	STATEMENT OF CLAIM
40S 46363 00 ²	04/01 to 11/19	5.35	497.65	STATEMENT OF CLAIM
40S 46364 00 ²	04/01 to 11/19	5.35	646.138	STATEMENT OF CLAIM
40S 46390 00 ¹	04/15 to 09/19	0.30	30	STATEMENT OF CLAIM
40S 30133976 ³	01/01 to 12/31	0.15	17	STATEMENT OF CLAIM
40S 42279 00 ³	01/01 to 12/31		10.455	STATEMENT OF CLAIM
40S 168953 00 ³	04/01 to 11/30		23.8	STATEMENT OF CLAIM
40S 30106536 ³	01/01 to 12/31		1.02	STATEMENT OF CLAIM

¹Volume assigned as claimed

²Irrigation – Volume assigned per Department standards for climatic area 2

³Livestock Direct – Flow rate and volume assigned per Department standards



Table 3: Conservation Districts Water Reservation Within the Area of Potential Impact				
Month	Valley CD Flow Rate (CFS)	Valley CD Volume (AF)	McCone CD Flow Rate (CFS)	McCone CD Volume (AF)
April	37.8	778	99.5	2,043
May	37.8	778	99.5	2,043
June	37.8	778	99.5	2,043
July	37.8	778	99.5	2,043
August	37.8	778	99.5	2,043
September	37.8	778	99.5	2,043
October	37.8	778	99.5	2,043

Table 4: Fort Peck Tribal Compact		
Month	Flow Rate (CFS)	Volume (AF)
April	842	50,000
May	1,711	105,000
June	2,441	145,000
July	3,503	215,000
August	2,933	180,000
September	1,768	105,000
October	815	50,000

*Flow rate in CFS calculated by dividing the monthly volume in AF by the numbers of days in the month by 1.98

Table 5: Montana Department of Fish, Wildlife & Parks Water Reservation 40S 30017670		
Month	Flowrate (CFS)	Volume (AF)
April	4,508	267,775
May	4,508	276,701
June	4,508	267,775
July	4,508	276,701
August	4,508	276,701
September	4,508	267,775
October	4,508	276,701

Preapplication Materials

- **Preapplication Meeting Request**
- **Preapplication Meeting Form**
- **All attachments**
- **All correspondence prior to application receipt**

Preapplication Materials

THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

GOVERNOR GREG GIANFORTE



DNRC DIRECTOR AMANDA KASTER

Glasgow Water Resources Regional Office
222 6th St South
PO Box 1269
Glasgow, MT 59230-1269
(Office) 406-228-2561
(Desk) 406-808-7075
ashley.kemmis@mt.gov

July 25, 2025

Hilltop Shop, LLC
c/o Troy and Janelle Jensen
PO Box 652
Sidney, MT 59270

Subject: Complete Preapplication Form for Beneficial Water Use Permit Application No. 40S 30171344

Dear Applicant,

The Glasgow Regional Office of the Department of Natural Resources and Conservation (DNRC or Department) received your Preapplication Meeting Form and preapplication meeting fee on July 21, 2025, and the Department deemed the submitted Preapplication Meeting Form to be successfully completed per ARM 36.12.1302 on July 25, 2025.

As designated on the submitted Preapplication Meeting Form per § 85-2-302(3)(b), MCA, the Department will produce the technical analyses based on the parameters included in the Preapplication Meeting Form (ARM 36.12.1302(4)) within 45 days of July 25, 2025.

Please let me know if you have any questions.

Best,

A handwritten signature in blue ink, appearing to read "AK", written over a light blue horizontal line.

Ashley Kemmis
Water Resource Specialist
Water Rights Bureau
Water Resources Division



DNRC.MT.GOV



**PREAPPLICATION MEETING
FORM: PART B
PERMIT**
§ 85-2-302, MCA
Form No. 600P-B (Revised 02/2025)

For Department Use Only

Application # 3071344 Basin 405
 Form Received _____
 Fee Rec'd \$ 500⁰⁰ Check # 2836
 Deposit Receipt # 6V5260117
 Payor _____
 Form Returned _____
 Refund \$ _____ Date _____

PREAPPLICATION MEETING FEE

\$ 500

FILING FEE REDUCTION & EXPEDITED TIMELINE

An application will be eligible for a filing fee reduction and expedited timelines if the Applicant completes a preapplication meeting with the Department (ARM 36.12.1302(1)), which includes submitting any follow-up information identified by the Department (ARM 36.12.1302(3)(c)) and receiving either Department-completed technical analyses or Department review of Applicant-submitted technical analyses (ARM 36.12.1302(4) and (5)). An application for the proposed project also must be submitted within 180 days of delivery of Department technical analyses or scientific credibility review and no element on the submitted application can be changed from the completed preapplication meeting form (ARM 36.12.1302(6)).

Received

JUL 21 2025

DNRC Water Resources
Glasgow Regional Office

The Applicant is responsible for providing a "Follow-up Responses" document for all follow-up identified in Preapplication Meeting Form Part A (Form 600P-A). The Applicant may not alter Form 600P-A. If a response has changed to a question answered at the preapplication meeting, the Applicant can provide a new response in a separate document entitled "Amended Responses" with the question number labeled.

The following guidelines are applicable to both the "Follow-up Responses" and "Amended Responses" documents. Clearly label all question numbers. Answer questions in the same format as Form 600P-A. For responses in the form of checkboxes, write "Y", "N", or "S". Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative. Label units in narrative responses and tables. Tables must have the exact headings found on the form. Questions that require items to be submitted to the Department may be marked "S" when the required item is included with the document.

1. Y N Are you submitting this form in response to a determination by the Department that a previously submitted Form 600P-B was inadequately completed?

If yes,

- a. Date form was returned ("Form Returned" date found in "For Department Use Only" box on the previously submitted Form 600P-B): _____
- b. If a "Follow-up Responses" or "Amended Responses" document is required by questions 2 or 3, submit complete updated documents with responses that stand-alone. The Department will only use the most recently submitted "Follow-up Responses" and "Amended Responses" documents for departmental technical analyses or scientific credibility review; the Department will not use multiple versions of a document.

2. Y N Were any questions identified as requiring follow-up on Form 600P-A?

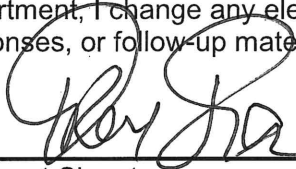
If yes,

- a. S Submit "Follow-up Responses" document for all questions requiring follow-up.



FOLLOW-UP AND AMENDED RESPONSES AFFIDAVIT & CERTIFICATION

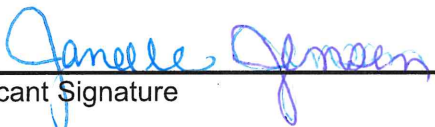
"I attest that this preapplication meeting form (Form 600P-A and Form 600P-B), follow-up, and amended responses accurately portray the proposed project. I am aware that my application for this project will not qualify for a discounted filing fee and expedited timelines if, upon submittal of the application to the department, I change any element of the proposed application from the preapplication meeting form, amended responses, or follow-up materials (ARM 36.12.1302(6)(a))."



7-15-2025

Applicant Signature

Date



7-15-2025

Applicant Signature

Date

"We confirm that the preapplication form (Form 600P-A and Form 600P-B), amended responses, and follow-up information are adequate for the Department to proceed with technical analyses in ARM 36.12.1303. Or, if the Applicant has elected to complete technical analyses, we confirm they have submitted each required element of technical analysis based on the proposed project and the Department is able to proceed with the scientific credibility review (ARM 36.12.1303(8))."



7/25/25

Department Signature

Date

Department Signature

Date





**PREAPPLICATION MEETING
FORM: PART A
PERMIT**
§ 85-2-302, MCA
Form No. 600P-A (Revised 03/2025)

For Department Use Only

Application # _____ Basin # _____
Meeting Date _____ Time _____
Variance Request Deadline _____
Completed Form Deadline _____

PREAPPLICATION MEETING FEE

\$ 500

FILING FEE REDUCTION & EXPEDITED TIMELINE

An application will be eligible for a filing fee reduction and expedited timelines if the applicant completes a preapplication meeting with the Department (ARM 36.12.1302(1)), which includes submitting any follow-up information identified by the Department (ARM 36.12.1302(3)(c)) and receiving either Department-completed technical analyses or Department review of applicant-submitted technical analyses (ARM 36.12.1302(4) and (5)). An application for the proposed project also must be submitted within 180 days of delivery of Department technical analyses or scientific credibility review and no element on the submitted application can be changed from the completed preapplication meeting form (ARM 36.12.1302(6)).

RECEIVED
07/15/2025
DNRC
GLASGOW WATER RESOURCES

The Department will fill out Permit Preapplication Meeting Form Part A (Form 600P-A) and will identify items for follow-up during the preapplication meeting. The Department and Applicant will sign the Preapplication Meeting Affidavit and Certification within 10 business days. Within 180 days of the preapplication meeting, the Applicant will complete Preapplication Meeting Form Part B (Form 600P-B), including identified follow-up, any amended responses, and Follow-up and Amended Responses Affidavit & Certification. Variance requests must be submitted on Form 653 to the Department on or before the Variance Request Deadline, which is day 138 of the 180 day-deadline for a completed preapplication meeting form. Form 653 may be submitted earlier than the Variance Request Deadline. The Department has 30 business days to process the Form 653.

Applicant Information: Add more as necessary.

Applicant Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone Numbers: Home _____ Work _____ Cell _____
Email Address _____

Applicant Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone Numbers: Home _____ Work _____ Cell _____
Email Address _____

Contact/Representative Information: Add more as necessary.

Contact/Representative is: Applicant Consultant Attorney Other (describe) _____
Contact/Representative Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone Numbers: Home _____ Work _____ Cell _____
Email Address _____

NOTE: If a contact person is identified as an attorney, all communication will be sent only to the attorney unless the attorney provides written instruction to the contrary (ARM 36.12.122(2)). If a contact person is identified as a consultant, employee, or lessee, the applicant will receive all correspondences, and a copy may be sent to the contact person (ARM 36.12.122(3)).

Meeting Attendees: Add more as necessary.

Name	Role	Name	Role



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APPLICATION DETAILS

The following questions are mandatory and must be filled out before the Preapplication Meeting Form is determined to be complete. Narrative responses that are larger than the space provided can be answered in an attachment. If an attachment is used, mark the see attachment (“A”) checkbox on this form and label the attachment with the question number. Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative. Responses in the form of a table may be entered into the table provided on this form or in an attachment. If an attachment is used, the table must have the exact headings found on this form, and the see attachment (“A”) checkbox must be marked. Label units in narrative responses and tables. Questions that require Applicant to submit items to the Department have a submitted (“S”) checkbox, which is marked when the required item is attached to the Preapplication Meeting Form. Label all submitted items with the question number for which they were submitted. For all questions where follow-up is necessary, mark the “F” checkbox in the “Follow-Up” column and write the question number on the “Follow-Up Page”.

S = Submitted. Use when required item is included with form.

A = See attachment. Use when additional space is needed to answer a question.

F = Follow-up. Use when follow-up is necessary.

Questions, Narrative Responses, and Tables	Check-boxes	Follow-up
1. Do you elect to have DNRC conduct Technical Analyses?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
2. Provide a map created on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, north arrow, all proposed points of diversion labeled with a unique POD ID number (include GWIC ID, if available, for wells), all proposed places of use, all proposed conveyance structures (including ditches and pipelines), all proposed places of storage, and places of use for all overlapping water rights. More than one map may be submitted, if necessary to clearly convey all required information.	<input type="checkbox"/> S	<input type="checkbox"/> F
3. Is the project located in a Controlled Groundwater Area or Basin Closure Area? If yes, immediately go to Mandatory Project-Specific questions 54 to 56 because Form 600 may be the incorrect form, or this project may not meet the requirements for the Department to accept a Form 600.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
4. Is the proposed use temporary?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, when will the appropriation cease? _____	<input type="checkbox"/> A	<input type="checkbox"/> F



5. Describe the proposed purpose information, including period of diversion (MM/DD-MM/DD), period of use (MM/DD-MM/DD), flow rate (GPM or CFS) and volume (AF). A F

Purpose	Period of Diversion	Period of Use	Flow Rate			Volume
	(MM/DD-MM/DD)	(MM/DD-MM/DD)	Flow Rate	GPM	CFS	(AF)
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	
Total				<input type="checkbox"/>	<input type="checkbox"/>	

6. Does the proposed use include one or more of the following purposes: domestic, multiple domestic, stock, or irrigation? If yes, fill out the following table, where applicable. Y N F

Purpose	Requested Information	Response
Domestic or multiple domestic	Number of dwellings	
Stock	Number of animal units	
Irrigation	Method of irrigation type (sprinkler or flood) and subtype (if flood: level border, graded border, furrow, contour ditch, or other; if sprinkler: center pivot, wheel line, or other)	
Irrigation (flood only)	Design slope	

7. Describe the proposed location of the point(s) diversion to the nearest 10 acres, if source is groundwater (GW) or surface water (SW), source name, and means of diversion (e.g., pump, headgate, well). Label each POD with the POD # used for the project map (question 2). A F

POD #	1/4	1/4	1/4	Sec	Twp	Rge	County	Lot	Block	Tract	Subdivision	Gov Lot	SW or GW	Source Name	Means

8. What are the geocodes of the place of use?	<input type="checkbox"/> A	<input type="checkbox"/> F

9. Describe the legal land description for the proposed place of use and, if an irrigation or lawn and garden purpose, list the number of irrigated acres.	<input type="checkbox"/> A	<input type="checkbox"/> F
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Acres	Gov't Lot	Block	¼	¼	¼	Sec	Twp	Rge	County
	Total								

10. Will other water rights supplement or overlap the place of use to contribute to the purpose(s)?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, summarize how the water rights will be operated as a whole to serve the purpose(s). <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/> <hr style="border: 0; border-top: 1px solid black; margin: 5px 0;"/>	<input type="checkbox"/> A	<input type="checkbox"/> F

11. For each supplemental or overlapping water right, please list the water right number, purpose, typical period of diversion and use (MM/DD-MM/DD), flow rate (GPM or CFS), and the volume of water (AF) contributed. A F

Water Right No.	Avg. Period of Diversion	Avg. Period of Use	Flow Rate			Volume Contributed
	MM/DD-MM/DD	MM/DD-MM/DD	Flow Rate	GPM	CFS	AF
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	

12. Will this application supplement contract water from a Federal Project, ditch company, or other source? Y N F

a. If yes, explain. A F

13. Does the project involve one or more places of storage? This does not include reservoirs, pits, pit-dams, or ponds with a capacity less than 0.1 AF; water tanks; or cisterns (ARM 36.12.113(6)). If yes, answer the following questions once for each place of storage. Use an "Additional Place of Storage (600P)" sheet if more than one. Additionally, you may choose to answer non-mandatory questions 76 to 80 for place of storage. Y N F

a. Is this application to enlarge an existing reservoir? If yes, list the water right numbers for the existing reservoir. Y N F

b. Is the place of storage located on-stream? Y N F

c. What is the capacity of the proposed place of storage or the existing place of storage after it is enlarged? Use bathymetry data, survey, or engineering plans for capacity. Submit the data source used with this form. In lieu of these data sources, use the following equation:

$$\text{Surface Acres} \times \text{Maximum Depth (FT)} \times 0.5 = \text{Capacity (AF)}$$
 A F

<p>d. What is the surface area of the place of storage?</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>14. Will your system be designed to discharge water from the project?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>a. If yes, explain the wastewater disposal method. A discharge permit may be required to comply with §§ 75-5-410 and 85-2-364, MCA.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>15. Does the project involve an appropriation that is greater than 5.5 CFS and 4,000 AF? If yes, you must submit a Criteria Addendum Application for Beneficial Water Use Permit for Appropriations Greater than 5.5 CFS and 4,000 AF (Form 600-B) with application submittal. The criteria are found in §85-2-311(3), MCA.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>16. Will you be transporting water for use outside of Montana? If yes, you must submit an Out-of-State Use Addendum (Form 600/606-OSA) with the application. The out-of-state use criteria are outlined in §85-2-402(6), MCA.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>17. Does the project include the water marketing purpose? If yes, you may choose to answer non-mandatory questions 81 to 85 for water marketing. A Water Marketing Purpose Addendum (Form 600/606-WMA) will be required with application submittal.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>18. Are you proposing a point of diversion and/or place of use on State of Montana Trust Land? If yes, documentation of consent from the DNRC Trust Lands Management Division will be required at application submittal.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>19. Is the project located in designated sage grouse habitat? If yes, a review letter from the Montana Sage Grouse Habitat Conservation Program will be required at application submittal.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F



SURFACE WATER

Applicable, move on to question 20. **Not Applicable**, skip to question 30.

The following questions are mandatory for surface water permit applications and must be filled out before the Preapplication Meeting Form is determined to be complete.

Surface Water Analysis

Questions, Narrative Responses, and Tables	Check-boxes	Follow-up
20. What is the flow rate (GPM or CFS), volume (AF), period of diversion start date and end date (MM/DD-MM/DD), and source type (e.g., perennial, ephemeral) at each point of diversion? Use the same POD # as the project map (question 2) to label each point of diversion.	<input type="checkbox"/> A	<input type="checkbox"/> F

POD #	Flow Rate			Volume	Period Start	Period End
	Flow Rate	GPM	CFS	AF	MM/DD	MM/DD
		<input type="checkbox"/>	<input type="checkbox"/>			
		<input type="checkbox"/>	<input type="checkbox"/>			
		<input type="checkbox"/>	<input type="checkbox"/>			
		<input type="checkbox"/>	<input type="checkbox"/>			
		<input type="checkbox"/>	<input type="checkbox"/>			

21. Is the source type of the diversion perennial or intermittent, ephemeral, lake, or other? _____	<input type="checkbox"/> A	<input type="checkbox"/> F
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Perennial or intermittent	Answer questions 22 to 25	Ephemeral	Answer question 26	Lake	Answer question 27	Other	Answer questions 28 to 29
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Surface Water Analysis: Perennial or Intermittent

Applicable **Not Applicable**

22. Are stream gage data available?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, answer question 23.		
b. If no, answer question 24.		



23. Stream gage data are available.		
a. Is one stream gage located above the most upstream POD and one stream gage located below the most upstream POD?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If no, is only one stream gage located near the most upstream POD?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, is the stream gage located upstream or downstream? _____		<input type="checkbox"/> F
b. List the gage name(s). Write "N/A" for Gage 2 if one gage is available. Gage 1: _____ Gage 2: _____		<input type="checkbox"/> F
c. What is the distance between the gage(s) and the most upstream POD? Write "N/A" for Gage 2 if one gage is available. Gage 1: _____ Gage 2: _____		<input type="checkbox"/> F
d. Is there a limiting or controlling factor on the source between the stream gage(s) and the most upstream POD? This includes dams that control the flow and streams with large gaining and/or losing reaches. If you have questions about this, the Regional Office may provide assistance.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, explain. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
e. How long is the period of record? Write "N/A" for Gage 2 if one gage is available. Gage 1: _____ Gage 2: _____		<input type="checkbox"/> F
f. Who operates and maintains the gage(s)? Write "N/A" for Gage 2 if one gage is available. Gage 1: _____ Gage 2: _____		<input type="checkbox"/> F



g. Is each available stream gage operated and maintained by USGS or DNRC?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, skip to question 23.h.		
ii. If no, answer the following questions for each gage not operated and maintained by USGS or DNRC.		
1. How frequently are stage data recorded? Write "N/A" for Gage 2 if only one gage is not operated or maintained by USGS. Gage 1: _____ Gage 2: _____		<input type="checkbox"/> F
2. If data gaps were to occur, are they identified and left unfilled or estimated using interpolation, ice correction, or indirect discharge measurements methods?		
a. Gage 1. _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
3. Was the rating curve established and maintained throughout the duration of the period of record using measurements taken near the reference gage and stage recorder according to USGS protocols?		
a. Gage 1. _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
4. Were requirements established and followed for maintaining a permanent gage datum and meeting specified accuracy limits?		
a. Gage 1. _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F



h. Do the data for one or more available stream gages meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the proposed months of diversion?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, record how many meet the standard, then skip to question 54 because this section is complete. _____		<input type="checkbox"/> F
ii. If no, answer question 24.		
24. If no gage data are available or if available gage data do not meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the proposed months of diversion, is the source otherwise measured?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, measurements may be necessary. The Department cannot deem the preapplication meeting form adequately completed until the Department receives gage data and/or measurements that meet the requirements of ARM 36.12.1702 or, in combination with an approved variance request, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria. Skip to question 25.		
b. If yes,		
i. Submit available measurements to the Department.	<input type="checkbox"/> S	<input type="checkbox"/> F
ii. Who collected the measurements? _____	<input type="checkbox"/> A	<input type="checkbox"/> F
iii. With what method were the data collected? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
iv. What is the period of record? _____		<input type="checkbox"/> F
v. What is the frequency of measurement? _____		<input type="checkbox"/> F
vi. Are there gaps in the data?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F



<p>1. If yes, what is the nature of the gaps and how are gaps handled to ensure data quality?</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>vii. Is there a process for maintaining the data and meeting specified accuracy limits?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>1. If yes, explain.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>viii. Do available measurement data meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the proposed months of diversion?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>1. If yes, this section is complete. Skip to question 54.</p>		
<p>2. If no, answer question 25.</p>		
<p>25. Do the available measurement data, gage and/or otherwise measured, meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for validation of a Department-accepted estimation technique?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>a. If yes,</p>		
<p>i. Describe how the measurements are representative of high, moderate, and low flows.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>ii. Describe the estimation technique.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>b. If no, but a Department-accepted estimation technique will be appropriate for the source:</p>		



<p>i. Will measurements be collected prior to submission of Form 600P-B that meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>1. If yes,</p>		
<p>a. With what method will the data be collected?</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>b. What will be the interval of measurement?</p> <p>_____</p>		<input type="checkbox"/> F
<p>c. Describe the proposed estimation technique.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>2. If no, do you plan on requesting a variance from measurement requirements pursuant to ARM 36.12.1702(1)(b)? If you plan to request a variance, you must submit Form 653 on or before the Variance Request Deadline. The Department cannot deem the preapplication meeting form adequately completed until the Department receives measurements that meet the requirements of ARM 36.12.1702(1)(b) or, in combination with an approved variance request, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>c. If no, because no Department-accepted estimation technique will be appropriate for the source:</p>		
<p>i. Describe why no Department-accepted estimation technique is appropriate for the source characteristics.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>ii. Do the available measurement data, gage and/or otherwise measured, meet the Department's standard for monthly measurements throughout the proposed period of diversion pursuant to ARM 36.12.1702(4)?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F



1. If no, will measurements be collected prior to submission of a completed Form 600P that meet the Department's standard of monthly measurements throughout the proposed period of diversion?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, with what method will the data be collected? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
b. If no, do you plan on requesting a variance from measurement requirements pursuant to ARM 36.12.1702(4)? If you plan to request a variance, you must submit Form 653 on or before the Variance Request Deadline. The Department cannot deem the preapplication meeting form adequately completed until the Department receives measurements that meet the requirements of ARM 36.12.1702(4) or, in combination with an approved variance request, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F

Surface Water Analysis: Ephemeral

Applicable **Not Applicable**

26. Did you elect for the Department to conduct the Technical Analyses?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, do you have climate or drainage area data you would like the Department to consider during Technical Analyses?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, submit this information to the Department.	<input type="checkbox"/> S	<input type="checkbox"/> F
b. If no,		
i. Describe the estimation technique you propose to use to estimate physical availability at the point of diversion. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
ii. What is the net annual precipitation? Include the source of this information. _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F



iii. What is the drainage area upstream of the point of diversion and how was this figure calculated? _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
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Surface Water Analysis: Lakes

Applicable **Not Applicable**

27. Has the lake volume been quantified by a qualified entity based on bathymetric data?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, provide this information to DNRC.	<input type="checkbox"/> S	<input type="checkbox"/> F
b. If no, answer the following questions,		
i. When do you plan to collect this information? _____		<input type="checkbox"/> F
ii. What data collection method will you use? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F

Surface Water Analysis: Other

Applicable **Not Applicable**

28. Explain why the source type is "other". _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
29. Have you measured the source?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, answer the following questions,		
i. With what method was the measurement data collected? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F



ii. What is the measurement interval? _____		<input type="checkbox"/> F
1. Does the interval meet the Department's standard for monthly measurements throughout the proposed period of diversion pursuant to ARM 36.12.1702(4)?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, do you plan on requesting a variance from measurement requirements pursuant to ARM 36.12.1702(4)? If you plan to request a variance, you must submit Form 653 on or before the Variance Request Deadline.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
b. If no,		
i. When do you plan to measure? _____		<input type="checkbox"/> F
ii. What data collection method will be used? _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
iii. Do you plan on requesting a variance from measurement requirements pursuant to ARM 36.12.1702(4)? If you plan to request a variance, you must submit Form 653 on or before the Variance Request Deadline. The Department cannot deem the preapplication meeting form adequately completed until the Department receives measurements that meet the requirements of ARM 36.12.1702(4) or, in combination with an approved variance request, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F

Area of Potential Impact Analysis

No additional information needed for Technical Analyses.



GROUNDWATER

Applicable, move on to question 30. **Not Applicable**, skip to question 54.

The following questions are mandatory for groundwater permit applications and must be filled out before the Preapplication Meeting Form is determined to be complete.

Groundwater Analysis for Permits

Questions, Narrative Responses, and Tables				Check-boxes	Follow-up
30. What is the type of groundwater diversion? _____				<input type="checkbox"/> A	<input type="checkbox"/> F
Well/Pumping Pit	Answer questions 31 to 35	Developed Spring	Answer question 36	Pond	Answer questions 37 to 39

Groundwater Analysis for Permits: Well/Pumping Pit

Applicable Not Applicable

31. Per ARM 36.12.121 a 24- or 72-hour aquifer test is required; do you propose not to conduct the test? An 8-hour test will be required, if no aquifer test is completed.		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, explain. The Department will let you know if the request is reasonable and identify additional data needs. _____ _____ _____ _____ _____		<input type="checkbox"/> A	<input type="checkbox"/> F



32. Submit Aquifer Test Data Form (Form 633). If a variance is requested, Form 633 must be submitted on or before the Variance Request Deadline. If no variance is requested, Form 633 is due by the time the preapplication meeting form is complete but may be submitted earlier. However, if the Department determines a variance is needed and the Variance Request Deadline has passed, to submit the Form 653 you must reschedule the preapplication meeting or submit the application without expedited fees and timelines (ARM 36.12.1302(6)).	<input type="checkbox"/> S	<input type="checkbox"/> F
33. Submit the Aquifer Testing Addendum (Form 600/606-ATA) and associated materials (e.g., well logs). If you request a variance, Form 600/606-ATA must be submitted on or before the Variance Request Deadline. If no variance is requested, Form 600/606-ATA is due by the time the preapplication meeting form is complete but may be submitted earlier. However, if the Department determines a variance is needed and the Variance Request Deadline has passed, to submit the Form 653 you must reschedule the preapplication meeting or submit the application without expedited fees and timelines (ARM 36.12.1302(6)).	<input type="checkbox"/> S	<input type="checkbox"/> F
34. Are you requesting a variance from ARM 36.12.121? If you are unsure if a variance request will be needed, mark follow-up and answer this question once Form 600/606-ATA and Form 633 are complete. A variance must be requested by the Variance Request Deadline.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, submit Form 653, Form 600/606-ATA, and Form 633 together on or before the Variance Request Deadline.	<input type="checkbox"/> S	<input type="checkbox"/> F
b. If no, you may choose to submit Form 600/606-ATA and Form 633 before the Variance Request Deadline, and the Department will review these two forms. However, if the Department determines a variance is needed after the Variance Request Deadline, to submit the Form 653 you must reschedule the preapplication meeting or submit the application without expedited fees and timelines (ARM 36.12.1302(6)).		
35. Have all proposed wells/pumping pits been constructed?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, answer the following questions:		
i. Submit a list of the POD IDs for all wells/pumping pits and mark whether they have or have not been constructed.	<input type="checkbox"/> S	<input type="checkbox"/> F
ii. When will all proposed wells/pumping pits be constructed? _____		<input type="checkbox"/> F
iii. Is the requested volume for each proposed well/pumping pit known?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, list the flow rate and volume requested for each proposed well/pumping pit. Label with POD ID. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F



2. If no, what is the total requested volume (AF) and the number of proposed PODs? _____		<input type="checkbox"/> F
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Groundwater Analysis for Permits: Developed Spring

Applicable Not Applicable

36. Have you measured the source?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, submit the measurements and answer the following questions,	<input type="checkbox"/> S	<input type="checkbox"/> F
i. Do you have flow rate (GPM or CFS) and volume measurements?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
ii. With what method were measurements collected? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
iii. What is the interval of measurements? _____		<input type="checkbox"/> F
iv. Is the interval of measurements sufficient to comply with ARM 36.12.1703(1)?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
b. If no, or if measurements do not comply with ARM 36.12.1703(1), answer the following questions. The Department cannot deem the preapplication meeting form adequately completed until the Department receives measurements that meet the requirements of ARM 36.12.1703(1). Variances from ARM 36.12.1703(1) are not allowed.		
i. When do you plan to measure? _____		<input type="checkbox"/> F
ii. With what method and at what interval will measurements be collected? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F



Groundwater Analysis for Permits: Pond

Applicable Not Applicable

37. Submit Form 653 to apply for a variance from ARM 36.12.121 for the Aquifer Test on or before the Variance Request Deadline.	<input type="checkbox"/> S	<input type="checkbox"/> F
38. Submit pond bathymetry data, survey, or engineering plans to the Department.	<input type="checkbox"/> S	<input type="checkbox"/> F
39. Is the pond fed or drained by surface water?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. Explain. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
ii. Submit measurements of the connected surface water source. These may include inflow and outflow measurements.	<input type="checkbox"/> S	<input type="checkbox"/> F

Surface Water Depletion Analysis

40. Is the type of groundwater diversion for your proposed project a developed spring? If yes, skip to question 45 because this section is complete. If no, move onto question 41.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
41. Is the type of groundwater diversion for your proposed project a pond? If yes, answer question 41.a, then skip to question 45 because this section is complete. If no, move onto question 42.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. Will any of the ponds have diversions for out-of-pond use that differ from, if year-round use, an allocation of diverted volume by the number of days in the month, or, if irrigation/lawn and garden use, the 80% dry year net irrigation requirement (IWR, NRCS 2003)?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, provide a schedule of the diversions for out-of-pond use in the table below. Use the same POD # as the project map (question 2). Attach any additional schedules with POD # labeled.	<input type="checkbox"/> A	<input type="checkbox"/> F

POD #			
Month	Diversions for Out-of-Pond Use Volume (AF)	Month	Diversions for Out-of-Pond Use Volume (AF)
January		July	
February		August	
March		September	
April		October	
May		November	
June		December	



42. What is the flow rate (GPM or CFS), volume (AF), and period of diversion required (MM/DD-MM/DD) at each well/pumping pit? What is the well/pumping pit depth (FT), if available, or estimated well/pumping pit depth (FT). Please use the same POD # as the project map (question 2) to match this information with the location information.

<input type="checkbox"/> A	<input type="checkbox"/> F
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POD #	Flow Rate			Volume	Period of Diversion	Depth	Measured or Estimated
	Flow Rate	GPM	CFS	AF	MM/DD-MM/DD	FT	
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				

43. Will any of the *new* wells/pumping pits have a monthly pumping schedule that differs from, if year-round use, an allocation of diverted volume by the number of days in the month, or, if irrigation/lawn and garden use, the 80% dry year net irrigation requirement (IWR, NRCS 2003)?

<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
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a. If yes, provide the alternative pumping schedule(s) in the table below. Use the same POD # as the project map (question 2). Attach any additional pumping schedules with POD # labeled.

<input type="checkbox"/> A	<input type="checkbox"/> F
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POD #				POD #			
Month	Volume (AF)	Month	Volume (AF)	Month	Volume (AF)	Month	Volume (AF)
January		July		January		July	
February		August		February		August	
March		September		March		September	
April		October		April		October	
May		November		May		November	
June		December		June		December	

44. Will one or more <i>existing</i> wells/pumping pits be used for the proposed project?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, will any of the <i>existing</i> wells/pumping pits have a monthly pumping schedule, before or after the proposed project, that differs from an allocation of diverted volume by the number of days in the month (if year-round use) or the 80% dry year net irrigation requirement (if irrigation/lawn and garden use) (IWR, NRCS 2003)?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, provide the pumping schedules before and after the proposed project in the table below. Use the same POD # as the project map (question 2). Attach any additional pumping schedules with POD # and before/after proposed project labeled.	<input type="checkbox"/> A	<input type="checkbox"/> F

Before proposed project: POD #				After proposed project: POD #			
Month	Volume (AF)	Month	Volume (AF)	Month	Volume (AF)	Month	Volume (AF)
January		July		January		July	
February		August		February		August	
March		September		March		September	
April		October		April		October	
May		November		May		November	
June		December		June		December	

Surface Water Analysis of Depleted Surface Water

45. Based on the preliminary net depletion data provided by the Department at this preapplication meeting, what are the hydraulically connected surface water source(s)? <i>*Net depletion data provided by the Department at the preapplication meeting is preliminary and is subject to change during Technical Analyses. If the source or location of net depletion data changes during Technical Analyses, then surface water analysis of depleted surface water source(s) will reflect the Technical Analyses; this will not constitute a change of any element to the proposed application pursuant to ARM 36.12.1302(6)(a).</i> If the type of groundwater diversion for your proposed project is a developed spring, write "NA" and skip to question 51 because this section is complete.	<input type="checkbox"/> A	<input type="checkbox"/> F
46. Answer the questions in this section one time for each hydraulically connected source. Use the "Additional Hydraulically Connected Source (600P)" sheet, as necessary. For which hydraulically connected source are you answering questions 47 to 50? _____		<input type="checkbox"/> F
47. Are stream gage data available?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, answer question 48.		
b. If no, answer question 49.		



48. Stream gage data are available		
a. Is one stream gage located above and one stream gage located below the start of the depleted reach?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If no, is only one stream gage located near the start of the depleted reach?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, is the stream gage upstream or downstream? _____		<input type="checkbox"/> F
b. List the gage name(s). Write "N/A" for Gage 2 if one gage available. Gage 1: _____ Gage 2: _____		<input type="checkbox"/> F
c. What is the distance between the gage(s) and the start of the depleted reach? Write "N/A" for Gage 2 if one gage available. Gage 1: _____ Gage 2: _____		<input type="checkbox"/> F
d. Is there a limiting or controlling factor on the source between the stream gage(s) and the start of the depleted reach? This includes dams that control the flow and streams with large gaining and/or losing reaches. If you have questions about this, the Regional Office may provide assistance.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, explain. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
e. How long is the period of record? Write "N/A" for Gage 2 if one gage is available. Gage 1: _____ Gage 2: _____		<input type="checkbox"/> F
f. Who operates and maintains the gage(s)? Write "N/A" for Gage 2 if one gage is available. Gage 1: _____ Gage 2: _____		<input type="checkbox"/> F
g. Is each available stream gage operated and maintained by USGS or DNRC?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, skip to question 48.h.		
ii. If no, answer the following questions for each gage not operated and maintained by USGS or DNRC.		



1. How frequently is stage data recorded? Write "N/A" for Gage 2 if only one gage is not operated or maintained by USGS. Gage 1: _____ Gage 2: _____		<input type="checkbox"/> F
2. If data gaps were to occur, are they identified and left unfilled or estimated using interpolation, ice correction, or indirect discharge measurements methods?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. Gage 1. _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
3. Was the rating curve established and maintained throughout the duration of the period of record using measurements taken near the reference gage and stage recorder according to USGS protocols?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. Gage 1. _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
4. Were there requirements for maintaining a permanent gage datum and meeting specified accuracy limits?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. Gage 1. _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
h. Do the data for one or more available stream gages meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months with net depletions?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, record how many meet the standard, then skip to question 54 because this section is complete. _____		
ii. If no, answer question 49.		
49. If no gage data are available or if available gage data do not meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months with net depletions, is the source otherwise measured?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F



a. If no, measurements may be necessary. The Department cannot deem the preapplication meeting form adequately completed until the Department receives gage data and/or measurements that meet the Department's measurement standards or, in combination with an approved request to deviate from the Department's standards, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria. Skip to question 50.		
b. If yes,		
i. Submit measurements to the Department.	<input type="checkbox"/> S	<input type="checkbox"/> F
ii. Who collected the measurements? _____	<input type="checkbox"/> A	<input type="checkbox"/> F
iii. With what method was the data collected? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
iv. What is the period of record? _____		<input type="checkbox"/> F
v. What is the frequency of measurement? _____		<input type="checkbox"/> F
vi. Are there gaps in the data?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, what is the nature of the gaps and how are gaps handled to ensure data quality? _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
vii. Is there a process for maintaining the data and meeting specified accuracy limits?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, explain. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
viii. Do available measurement data meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months with net depletions?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, this section is complete. Skip to question 54.		
2. If no, answer question 50.		



50. Do the available measurement data, gage and/or otherwise measured, meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. Describe how the measurements are representative of high, moderate, and low flows. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
ii. Describe the estimation technique. _____ _____ _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
b. If no, but a Department-accepted estimation technique will be appropriate for the hydraulically connected surface water source:		
i. Will measurements be collected prior to submission of a completed Form 600P-B that meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes,		
a. With what method will the data be collected? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
b. What will be the interval of measurement? _____		<input type="checkbox"/> F



<p>c. Describe the proposed estimation technique.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>2. If no, do you plan on requesting to deviate from the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique? The Department's technical analyses or scientific credibility review of your technical analyses cannot commence until the Department receives measurements that meet Department measurement standards, or in combination with a request to deviate, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>c. If no, because no Department-accepted estimation technique will be appropriate for the hydraulically connected surface water source:</p>		
<p>i. Describe why no Department-accepted estimation technique is appropriate for the source characteristics.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>ii. Do the available measurement data, gage and/or otherwise measured, meet the Department's standard for monthly measurements throughout the months with net depletions?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>1. If no, will measurements be collected prior to submission of a completed Form 600P that meet the Department's standard of monthly measurements throughout the months with net depletions?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>a. If yes, with what method will the data be collected?</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F



<p>b. If no, do you plan on requesting to deviate from the Department’s standard for monthly measurements throughout the months with net depletions? The Department’s technical analyses or scientific credibility review of your technical analyses cannot commence until the Department receives measurements that meet Department measurement standards, or in combination with a request to deviate, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
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Area of Potential Impact Analysis of Depleted Surface Water

All information for area of potential impact of depleted surface water was collected in previous questions.

Hydrogeologic Report

<p>51. Does your project include one or more wells, pumping pits, or ponds that are in a basin closure area? If yes, fill out questions 52 to 53. Your project must have a Hydrogeologic Report that conforms with § 85-2-361 to comply with the requirements of § 85-2-360, MCA. A Hydrogeologic Report Addendum (Form 600-HRA) or Department Technical Analyses may be used to meet these requirements.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>52. Did you elect in question 1 for the Department to conduct the Technical Analyses?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>a. If yes, the Basin Closure Area Addendum (Form 600-BCA), Form 600-HRA, and Hydrogeologic Report are not required at this time. The Department’s Technical Analyses will meet requirements of §85-2-360, MCA for a Hydrogeologic Report and Form 600-HRA. Form 600-BCA will be required with application submittal.</p>		
<p>b. If no, submit the Basin Closure Area Addendum (Form 600-BCA) and Hydrogeologic Report Addendum (600-HRA) with your Technical Analyses.</p>	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>53. If the Hydrogeologic Report indicates that the proposed groundwater use will impact a surface water source, identify and explain which of the following three options best describes your plan to mitigate depletions of hydraulically connected surface water and respond to the relevant questions below.</p> <ul style="list-style-type: none"> <input type="checkbox"/> Application to Change a Water Right to mitigate the adverse effects created <input type="checkbox"/> Alternative mitigation plan <input type="checkbox"/> Documentation to show a mitigation plan is not required 		
<p>a. Application to Change a Water Right to mitigate the adverse effects created: Submit a summary of your initial proposal. <i>A separate Preapplication Meeting will be required for each Application to Change a Water right to a mitigation or aquifer recharge purpose to qualify for expedited timelines and reduced filing fees for the project per ARM 36.12.1302(7)(a).</i></p>	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>b. Alternative mitigation plan: Submit a summary of your initial proposal.</p>	<input type="checkbox"/> S	<input type="checkbox"/> F



i. Do you propose to use water with a marketing for mitigation/aquifer recharge purpose?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes,		
a. List the change authorization number(s) for all water rights proposed for use. _____	<input type="checkbox"/> A	<input type="checkbox"/> F
b. What is the area defined for marketing for all water rights proposed for use? _____	<input type="checkbox"/> A	<input type="checkbox"/> F
c. If Marketing for aquifer recharge, submit the analysis of the monthly accretions to hydraulically connected surface water(s); otherwise write "NA". _____	<input type="checkbox"/> S	<input type="checkbox"/> F
c. Documentation to show a mitigation plan is not required: Submit all documentation.	<input type="checkbox"/> S	<input type="checkbox"/> F



MANDATORY PROJECT-SPECIFIC QUESTIONS

The following questions are mandatory when applicable and must be filled out before the Preapplication Meeting Form is determined to be complete.

Project-Specific Questions: Controlled Groundwater Areas and Basin Closures

Questions, Narrative Responses, and Tables	Check-boxes	Follow-up
54. Does the project include one or more groundwater points of diversion located in the East Valley Controlled Groundwater Area (EVCGWA)?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, is the use over 35 GPM or 10 AF/YR?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If no, this is the incorrect form. Use instead Form 600-EVCGWA: East Valley Controlled Groundwater Area Permit Application.		
ii. If yes, how does this project meet the specific requirements of the East Valley Controlled Groundwater Area? Include any relevant documentation. _____	<input type="checkbox"/> A	<input type="checkbox"/> F
b. If no, skip to question 55.		
55. Does the project include one or more groundwater points of diversion located in the Yellowstone Controlled Groundwater Area?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, is the proposed flow rate and volume over 35 GPM or 10 AF/YR?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If no, this is the incorrect form. Use instead Form 600-YCGA: Yellowstone Controlled Groundwater Area Permit Application.		
ii. If yes, answer the remaining parts of question 55 and submit <i>Form 600 YCGA: A Yellowstone Controlled Groundwater Area Addendum Over 35 gallons per minute</i> with the application.		
1. Does the proposed use require a point of diversion with water temperature of 60 degrees Fahrenheit or more?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
2. If an application is in a basin tributary to a category 3 or 4 stream (generally in or upstream of Yellowstone National Park), submit with the application a report prepared by a qualified professional verifying that the appropriation is not hydrologically connected to surface flow that is tributary to the reserved portion of category 3 or 4 streams.		
b. If no, skip to question 56.		



<p>56. Is the project for surface water or groundwater and subject to one or more of the Controlled Groundwater Areas; administrative, Department ordered, or legislative basin closures; or compact closures listed on the Department's website (https://dnrc.mt.gov/Water-Resources/Water-Rights/Basin-Closures-Stream-Depletion-Controlled-Ground-Water-Areas) not covered in questions 54 to 55?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>a. If yes, identify each area and describe how the proposed project meets its requirements. An application must meet the specific requirements of the Controlled Groundwater Area or closure to be accepted by the Department.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F



NON-MANDATORY QUESTIONS FOR CRITERIA ANALYSIS

The following questions are not mandatory. They should be discussed in the Preapplication Meeting, but do not need to be filled out before the Preapplication Meeting Form is determined to be complete.

Adverse Effect

Questions, Narrative Responses, and Tables	Check-boxes
57. Describe your plan to ensure that existing water rights will be satisfied during times of water shortage. _____ _____ _____ _____ _____ _____ _____ _____ _____	<input type="checkbox"/> A
58. Explain how you can control your diversion in response to call being made. _____ _____ _____	<input type="checkbox"/> A
59. Are you aware of any calls that have been made on the source of supply or depleted surface water source?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, explain. _____ _____ _____	<input type="checkbox"/> A
60. Does a water commissioner distribute water or oversee water distribution on your proposed source or depleted surface water source?	<input type="checkbox"/> Y <input type="checkbox"/> N



61. Will the point of diversion or conveyance infrastructure be shared with one or more existing water rights?	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If yes, explain how capacity of the shared point of diversion and/or conveyance infrastructure is sufficient for all water rights.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A

Adequate Diversion Means and Operation

62. Submit a diagram of how you will operate your system from the point of diversion to the place of use.	<input type="checkbox"/> S
<p>63. Describe specific information about the capacity of the diversionary structure(s). This may include, where applicable: pump curves and total dynamic head calculations, headgate design specifications, and dike or dam height and length.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A



64. Describe the size, materials, capacity, and configuration of infrastructure to convey water from point of diversion to place of use. This may include but is not limited to, pipelines and ditches. Include a description of any losses related to the proposed conveyance. Ditch conveyance losses may be estimated numerous ways, which include a ditch loss rate or Department standard methods. You may work with the Department to estimate ditch conveyance losses but will need to provide sufficient baseline information; which includes ditch slope, dimensions, length, lining material, soil type, and location.

A

65. Describe how the proposed diversion and conveyance infrastructure can provide the required flow and volume, for the purposes plus any conveyance losses and storage, throughout the proposed period of diversion.

A

66. Provide a plan of operations, which includes specific information about how water is delivered within the place of use. This may include, where applicable, the range of flow rates needed for a pivot.

A



67. Does the proposed conveyance require easements?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, explain. _____ _____ _____	<input type="checkbox"/> A
68. Do you own the land where all proposed points of diversion are located?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If no, documentation to show you have the right to use all points of diversion located on each property you do not own will be required upon application submittal. This may include, but is not limited to, a well agreement, an easement, or permission of the party that owns the property where the proposed point(s) of diversion are located.	
69. Describe any places of storage, including whether drainage devices will be installed, and provide preliminary designs, if available. Preliminary designs will be required at application submittal. _____ _____ _____ _____	<input type="checkbox"/> A
70. Do you have any plans to measure your diversion and use?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, describe the plan and the type of measurements you will take. _____ _____ _____	<input type="checkbox"/> A

Beneficial Use

71. Does the Department have a standard for any of the purposes for which water is used? Department standards can be found in ARM 36.12.112 and ARM 36.12.115.	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, list the purposes for which the Department has a standard and note whether the proposed use falls within or outside the standard. _____ _____	



<p>72. If no Departmental standard exists for any proposed purpose, or if any proposed purpose falls outside of Department standards, explain how the use is reasonable for that purpose.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A
<p>73. Will your proposed project be subject to DEQ requirements for a public water supply (PWS) system or Certificate of Subdivision Approval (COSA)?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If yes,</p> <p>i. Have you researched or consulted with DEQ regarding those requirements?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>74. Are you proposing to use surface water for in-house domestic use?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If yes, does a COSA exist for the proposed place of use?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>i. If yes, please submit the COSA.</p>	<input type="checkbox"/> S
<p>ii. If no, have you researched or consulted with DEQ regarding their requirements?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N

Possessory Interest

<p>75. Do you meet one of the exceptions to possessory interest requirements, pursuant to ARM 36.12.1802? Exceptions include cases where the application is for sale, rental, distribution, or is a municipal use, or in any other context in which water is being supplied to another and it is clear that the ultimate user will not accept the supply without consenting to the use of water on the user's place of use.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If yes, explain.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A



b. If no,	
i. Do you own all proposed places of use?	<input type="checkbox"/> Y <input type="checkbox"/> N
1. If no,	
a. Explain. Documentation that shows you either have possessory interest or written permission of the parties with possessory interest of the place of use will be required at application submittal. _____ _____ _____	<input type="checkbox"/> A
b. Would you like the water right to be appurtenant to the land? Please note that if your water right is not appurtenant to land it will not transfer by default with the conveyance of the property, pursuant to § 85-2-403.	<input type="checkbox"/> Y <input type="checkbox"/> N
i. If no, explain. _____ _____	<input type="checkbox"/> A

Non-Mandatory Project Specific Questions

Place of Storage

76. Does the proposal include at least one place of storage? If yes, answer questions 77 to 80 for each individual place of storage (use "Additional Place of Storage (600P)" sheet for additional places of storage). A Permit Storage Addendum (Form 600-SA) will be required at application submittal. If no, this section is complete, and you can skip to question 81.	<input type="checkbox"/> Y <input type="checkbox"/> N
77. Are preliminary designs available? Preliminary designs will be required at application submittal.	<input type="checkbox"/> S
a. If yes, submit preliminary designs.	<input type="checkbox"/> Y <input type="checkbox"/> N
78. Will the place of storage be lined?	<input type="checkbox"/> Y <input type="checkbox"/> N
79. What is the annual net evaporation of water from the place of storage, based on the Department's gridded net evaporation layer? If you propose a different method, attach an explanation and justification of the method. _____	A



80. Is the place of storage capacity calculated to be greater than 50 AF?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, have you made an application to the DNRC Water Operations Bureau for a determination of whether the dam or reservoir is a high-hazard dam? This will be required by application submittal.	<input type="checkbox"/> Y <input type="checkbox"/> N

Project-Specific Questions: Water Marketing

81. Does the proposal include water marketing? If yes, please answer the questions in this section (questions 82 to 85). A Water Marketing Addendum Purpose Addendum (600/606-WMA) will be required at application submittal. If no, this section is complete.	<input type="checkbox"/> Y <input type="checkbox"/> N
82. For what purpose(s) will the marketed water be used? _____ _____ _____	<input type="checkbox"/> A
83. How will you control or limit access to the water? _____ _____ _____	<input type="checkbox"/> A
84. Do you have contracts for the entire volume and flow rate sought?	<input type="checkbox"/> Y <input type="checkbox"/> N
85. Provide a service area map. Create map on an aerial photograph or topographic map and show the following: general service area boundary, section corners, township and range, scale bar, and north arrow.	<input type="checkbox"/> S



PREAPPLICATION MEETING AFFIDAVIT & CERTIFICATION

"We attest that the information on this form accurately describes the proposed project discussed during the preapplication meeting, and that the items marked for follow-up will require the Applicant to provide additional information before the form is deemed complete."

"Applicant acknowledges that any information provided by the Department during the preapplication meeting is preliminary and subject to change."

"Applicant acknowledges that if the follow-up information provided to the Department substantially changes the proposed project, for example in a way that alters which sections of the form are applicable or which technical analyses are required, or who is to complete the technical analyses, the applicant will need to schedule a new preapplication meeting so that the Department can identify any additional information necessary for completion of the technical analyses (ARM 36.12.1302(3)(c))."

Upon Department receipt of the completed form (within 180 days following the meeting), the Department reserves five business days to return the form to the applicant if:

- 1 – the completed form does not include all necessary follow-up information identified in the meeting, OR
- 2 – the completed form is not adequate for the Department to proceed with technical analyses, OR
- 3 – the applicant has elected to complete technical analyses and has not submitted each piece of technical analysis required, OR
- 4 – the applicant has substantially changed the details of the proposed project, such as in a way that alters which sections of the form are applicable, which technical analyses are required, or who is to complete the technical analyses.

If the Department returns the form to the Applicant within these five days due to reasons 1-3 above, the Applicant can use the balance of their 180-day period in ARM 36.12.1302(4) or (5) to gather the remaining follow-up information needed. If there is no time remaining in the 180-day period, the Applicant can submit a written request for a new preapplication meeting, pursuant to ARM 36.12.1302(2). Even if there is still time remaining, the Applicant can choose to schedule a new preapplication meeting. The Department shall transfer the \$500 payment received to the new preapplication meeting or refund the payment to the Applicant if the Applicant desires. If the Department returns the form to the Applicant within these five days due to reason (4) above, the Applicant must submit a written request for a new preapplication meeting, pursuant to ARM 36.12.1302(2). The Department shall transfer the \$500 payment received to the new preapplication meeting or refund the payment to the Applicant if the Applicant desires.

Applicant Signature

Date

7-15-2025

Applicant Signature

Date

7/15/25

Department Signature

Date





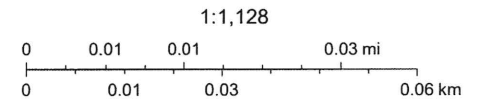
Hilltop Shop LLC Lawn and Garden



7/14/2025, 1:57:14 PM

- Override 1
- Active Water Rights (Points of Diversion)
- SURFACE
- DNRC Basins
- NHD Flowlines
- Sage Grouse - Executive Order Layers (Core, Connectivity and General Habitat)
- Not In EO Area

- 2025 Cadastral Parcels
- PLSS Second Division
- Government Lot
- PLSS First Division
- Section
- PLSS Township
- PLSS Meandered Water
- PLSS Point
- 2023 Aerial Photos
- Red: Red
- Green: Green
- Blue: Blue



Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community. Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodastyrrelsen, Rijkswaterstaat, GSA, Geoland.



**REQUEST FOR
PREAPPLICATION MEETING**
ARM 36.12.1302(2)
(Revised 02/2025)

For Department Use Only
Received

JUN 09 2025

DNRC Water Resources
Glasgow Regional Office

Instructions

Use this optional form to submit a written request for a preapplication meeting, as required in ARM 36.12.1302(2) for applicants electing to complete a preapplication meeting with the department prior to submitting an application for a beneficial water use permit or change in appropriation right pursuant to § 85-2-302, MCA. Use additional sheets as necessary.

Submit this form to the appropriate regional office; see contact information on the last page of this form.

Date Received

Received By

Scheduled Meeting Date

AK
7/15 @ 2PM

1. Applicant Name Hilltop Shop LLC - Troy and Janelle Jensen, Members
Mailing Address PO Box 652
City Sidney **State** MT **Zip** 59270
Home Phone (406) 480-0906 Troy Cell **Other Phone** (406) 489-0251 Janelle Cell
Email: tsjensen@midrivers.com

2. Representative Name (if other than Applicant) _____
 Representative is Consultant Representative is Attorney Representative is Other
Mailing Address _____
City _____ **State** _____ **Zip** _____
Home Phone _____ **Other Phone** _____
Email: _____

3. Are you requesting a preapplication meeting for a permit or change application?
 Permit Change

4. Describe your project:
 Lawn Irrigation



5. Identify the following elements of the proposed permit or change in appropriation.

a) The flow rate and volume of water required:

Flow Rate 20 GPM CFS Volume 1.9 Acre-Feet

b) The point of diversion:

Point of Diversion #1 1/4 1/4 1/4 Section 34, Township 27 N S, Range 41 E W
 County Valley

Lot/Tract 081 Block Subdivision Name Idlewild Park Subdivision

Point of Diversion #2 1/4 1/4 1/4 Section , Township N S, Range E W
 County

Lot/Tract Block Subdivision Name

c) The place of use:

1.10 Acres 081 Lot Block 1/4 1/4 1/4 Sec 34, Twp 27 N S, Rge 41 E W
 Acres Lot Block 1/4 1/4 1/4 Sec , Twp N S, Rge E W
 Acres Lot Block 1/4 1/4 1/4 Sec , Twp N S, Rge E W
 Acres Lot Block 1/4 1/4 1/4 Sec , Twp N S, Rge E W
 Acres Lot Block 1/4 1/4 1/4 Sec , Twp N S, Rge E W

d) The source of water: Missouri River

e) The proposed purpose: Lawn Irrigation

f) For a change in appropriation right, the water right(s) proposed for change:

Type of water right Basin Water Right #

Type of water right Basin Water Right #

Type of water right Basin Water Right #

Identify the water right elements proposed for change, with a checkmark for each water right proposed for change.

Water Right #					
Point of diversion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Place of use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Purpose of use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Place of storage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



g) For a change in appropriation right, an explanation of historical use of the right(s) proposed for change:

h) Any proposed place of storage, if applicable (only if storage capacity is greater than 0.1 acre-feet):

#1 Capacity: Surface Acres _____ x Max Depth (feet) _____ x (.4 for dams/.5 for pits) = _____ Acre-Feet

Location: ___ 1/4 ___ 1/4 ___ 1/4 Section ___, Township ___ N S, Range ___ E W

#2 Capacity: Surface Acres _____ x Max Depth (feet) _____ x (.4 for dams/.5 for pits) = _____ Acre-Feet

Location: ___ 1/4 ___ 1/4 ___ 1/4 Section ___, Township ___ N S, Range ___ E W

#3 Capacity: Surface Acres _____ x Max Depth (feet) _____ x (.4 for dams/.5 for pits) = _____ Acre-Feet

Location: ___ 1/4 ___ 1/4 ___ 1/4 Section ___, Township ___ N S, Range ___ E W

i) For applications proposing a well or wells, the well depth(s) and location. If more than two wells, attach a separate sheet to this request:

Well #1 New Well Existing Well

For existing well, if available, Water Right # _____ GWIC ID _____

1/4 ___ 1/4 ___ 1/4 Section ___, Township ___ N S, Range _____ E W

County _____

Lot/Tract _____ Block _____ Subdivision Name _____

Estimated Well Depth _____ Feet

Well #2 New Well Existing Well

For existing well, if available, Water Right # _____ GWIC ID _____

___ 1/4 ___ 1/4 ___ 1/4 Section _____, Township ___ N S, Range ___ E W

County _____

Lot/Tract _____ Block _____ Subdivision Name _____

Estimated Well Depth _____ Feet

