

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

CHANGE AUTHORIZATION
'GENERAL ABSTRACT'

Change Authorization Issue Date: JULY 16, 2026

Application From: STEVEN HACKLEY
30968 COUNTY ROAD 149
POPLAR, MT 59255 9503

Water Right	<u>Wr#</u>	<u>Ext</u>	<u>Type</u>
Number(s) Changed:	40S 2400	00	STATEMENT OF CLAIM

Change Description:

THE REPLACEMENT POINT OF DIVERSION IS LOCATED 800 FEET UPSTREAM FROM THE OLD POINT OF DIVERSION.

Additional Information:

THIS CHANGE AUTHORIZATION IS FOR A REPLACEMENT POINT OF DIVERSION (A PUMP IN MISSOURI RIVER) AUTHORIZED UNDER 85-2-429(3) MCA.

CONDITIONAL APPROVAL

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

FAILURE TO COMPLY WITH ANY OF THESE TERMS AND CONDITIONS MAY RESULT IN THE LOSS OF THIS CHANGE AUTHORIZATION.

THE INFORMATION SHOWN BELOW REFLECTS THE ENTIRE WATER RIGHT.
AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM ALTERED BY THIS CHANGE AUTHORIZATION.

Water Right Number:	40S 2400-00	STATEMENT OF CLAIM						
	Version:	2 -- CHANGE AUTHORIZATION						
	Version Status:	ACTIVE						
Owners:	ANGELA J CANDEE 31265 COUNTY ROAD 143 POPLAR, MT 59255-9512 STEVEN HACKLEY 30968 COUNTY ROAD 149 POPLAR, MT 59255-9503 TROY G CANDEE 31265 COUNTY ROAD 143 POPLAR, MT 59255-9512 LARRY D JOHNSTON 14148 HIGHWAY 480 POPLAR, MT 59255-9502							
Priority Date:	AUGUST 31, 1971							
	Enforceable Priority Date:	AUGUST 31, 1971						
Purpose (Use):	IRRIGATION							
Maximum Flow Rate:	1,900.00 GPM							
Maximum Volume:	THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.							
Maximum Acres:	92.00							
Source Name:	MISSOURI RIVER							
	Source Type:	SURFACE WATER						
*Point of Diversion and Means of Diversion:								
<u>ID</u> *1	<u>Govt Lot</u> 2	<u>QtrSec</u> SENWNE	<u>Sec</u> 31	<u>Twp</u> 27N	<u>Rge</u> 52E	<u>County</u> RICHLAND		
Period of Diversion:	APRIL 1 TO SEPTEMBER 30							
Diversion Means:	PUMP							
Purpose (Use):	IRRIGATION							
Irrigation Type:	FLOOD							
Climatic Area:	2 - MODERATELY HIGH							
Period of Use:	APRIL 1 to SEPTEMBER 30							
Place of Use:								
<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>QtrSec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>	
1	2.10		SEENW	31	27N	52E	RICHLAND	
2	6.20		E2SENW	31	27N	52E	RICHLAND	
3	9.10		S2NWNE	31	27N	52E	RICHLAND	
4	40.00		SWNE	31	27N	52E	RICHLAND	
5	34.60		SENE	31	27N	52E	RICHLAND	
Total:	92.00							

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 20925 RECEIVED 04/25/2005.

OWNERSHIP UPDATE TYPE 608 # 62366 RECEIVED 09/04/2008.

OWNERSHIP UPDATE TYPE DOR # 277005 RECEIVED 06/26/2025.

For Department Use Only



The Montana Department of
**Natural Resources
& Conservation**

**Notice of Change in Appropriation
Right for Replacement Point of
Diversion**

85-2-429(3), MCA

Form No. 644 (Revised 10/2025)

Filing fee: \$400.00 *PD*

Received

JUL 13 2026

DNRC Water Resources
Glasgow Regional Office

*This is
Deficiency
Response -*

Application # _____ Basin _____

Received By _____ *ly*

Fee Received \$ _____ Check # _____

Deposit Receipt # _____ *7/13/2026*

Payor _____

Refund \$ _____ Date/Time _____

When to use this form:

- Use this form to notify DNRC of a surface water point of diversion (POD) that has been replaced.
- No other changes to the water right can be made using this form.
- The capacity of the diversion must not be increased.
- There must be no points of diversion or intervening water rights between the existing point of diversion and the replacement point of diversion or the appropriator must obtain written waivers from all intervening water right holders.
- The replacement POD must be on the same source as the existing POD and must be located as close as reasonably practicable to the existing POD.
- The existing POD must be inoperable due to natural causes or deteriorated infrastructure and will no longer be used.
- The existing POD must have been used within the last ten years.
- The change must not increase access to water availability, change the method of irrigation, if applicable, or increase the amount of water diverted, used, or consumed.
- This form must be filed within 60 days of the completion of the replacement POD.

Water right owner(s) information:

Name(s) _____

Mailing Address _____

City _____ State _____ Zip _____

Phone Number _____ Email _____

Note: If there are additional owners, attach the water right owner information labeled as Attachment #1.

See Abstract



STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 40S 2400-00 STATEMENT OF CLAIM
Version: 1 -- ORIGINAL RIGHT
Version Status: ACTIVE

Owners:

- * ANGELA J CANDEE
31265 COUNTY ROAD 143
POPLAR, MT 59255-9512
- * TROY G CANDEE
31265 COUNTY ROAD 143
POPLAR, MT 59255-9512
- * STEVEN HACKLEY
30968 COUNTY ROAD 149
POPLAR, MT 59255-9503
- * LARRY D JOHNSTON
14148 HIGHWAY 480
POPLAR, MT 59255-9502

Priority Date: AUGUST 31, 1971

Enforceable Priority Date: AUGUST 31, 1971

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 1,900.00 GPM

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT
PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 92.00

Source Name: MISSOURI RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSENE	31	27N	52E	RICHLAND

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: PUMP

Period of Use: APRIL 1 to SEPTEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.10		SENEW	31	27N	52E	RICHLAND
2	6.20		E2SEW	31	27N	52E	RICHLAND
3	9.10		S2NWNE	31	27N	52E	RICHLAND

Contact Person: ☒ Applicant ☐ Consultant ☐ Attorney ☐ Other _____

Contact Name Steve Hawckley

Mailing Address 30968 Co Rd 149

City Poplar State MT Zip 59255

Phone Number 406-525-3262 Email hawck1959@gmail

Note: If a contact person is identified as an attorney, all communications will be sent only to the attorney unless the attorney provides written instruction to the contrary. Unless the contact person is an attorney, the water right owner will receive all correspondence, and a copy may be sent to the contact person.

1. **Date the Replacement Point Of Diversion was completed:** May 15 2026

Note: If more than 60 days have passed since completing the project, you cannot use this form and need to file Form 606-Application to Change a Water Right. Contact your Regional Water Resources Office for more information (Regional Office contact information is on page 4).

2. **Water Right Number (for the existing POD being replaced):** 405-2400-00

- a. Attach a water right abstract of the existing water right.
- b. Are there any other changes being made to this water right? If Yes, this form cannot be used.
- ☐ Yes ☒ No

3. **Diversion Information:**

- a. Has the existing POD been used within the last 10 years? If No, this form cannot be used. If Yes, attach supporting documentation such as dated pictures, affidavits, power records, or water commissioner records.

☒ Yes ☐ No

- b. Are the new and existing means of diversion the same?

☒ Yes ☐ No

If No, explain:

- c. Are the replacement POD and existing POD on the same surface water source? If No, this form cannot be used.

☒ Yes ☐ No

- d. Is the replacement POD located as close as reasonably practicable to the existing POD?

☒ Yes ☐ No

Explain:

only practical location left when
the river moved



e. The replacement POD is located approximately 800ft feet upstream/downstream from the existing POD.

f. Identify the new POD legal land description: Lot 2
SE $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 31 Twp 27 ☒ N ☐ S Rge 52 ☒ E ☐ W County Richland

g. Is the existing POD rendered inoperable due to natural causes or structural deterioration? If No, or the existing POD can still be used by other water right users, this form cannot be used.

☒ Yes ☐ No

Explain why the existing POD cannot be used:

the river moved in the 2011 flood
and the location is now primarily
under water

h. This form cannot be used if the capacity of the replacement diversion is greater than the capacity of the existing diversion.

Existing diversion capacity: 1900 ☒ GPM ☐ CFS

Replacement diversion capacity: 1900 ☒ GPM ☐ CFS

i. Explain why the change in POD will not increase access to the amount of water that was historically available and does not increase the amount of water diverted, used or consumed.

the pump site makes no change
in water as it is raised by a pump

4. Intervening Water Right Holders and Waivers:

a. Are there any intervening PODs between the existing POD and the replacement POD? You need to also include instream flow diversions for water reservations, fisheries, or mitigation.

☐ Yes ☒ No

If Yes, list the intervening water rights. If No, go to section 6. (attach list if necessary and label as Attachment #4a)

b. Provide a notarized waiver from all owners of the intervening water rights listed in Question 5a. You can obtain waiver form from the DNRC Website, (<https://dnrc.mt.gov/docs/water/Water-Rights-Forms/644-waiver.pdf>). (Attach all waivers and label #4b)

5. Map Requirements (attach map and label as Attachment #5):

Include the following:

- North arrow, scale bar, section lines and numbers, and township and range.
- The replacement POD and existing POD locations.
- The POD locations of intervening water rights.



SIGNATURE(S):

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

Appropriator's Signature J. B. Allen Date 7-13-26

Appropriator's Signature Larry O Johnston Date 7-13-26

Appropriator's Signature Angela J. Candee Date 7-13-26

Appropriator's Signature Steve Haddock Date 7-13-26

WATER RESOURCES REGIONAL OFFICES





Farm 6540
Tract 13268

Tract Cropland Total: 399.23 acres

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

10096 SHH



 Cropland
 Other Ag
 Rangeland
 Tract Boundary

Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation
- Compliance Provisions

Tract Cropland Total: 189.42 acres

2026 Program Year
Map Created September 09, 2025
2021 NAIP

Farm **6540**

Tract **13267**

31-27N-52E

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).



Glasgow Water Resources Regional Office
222 6th St South
PO Box 1269
Glasgow, MT 59230-1269
Office (406) 228-2561
lih-an.yang@mt.gov

June 12, 2026

Steven Hackley
30968 County Road 149
Poplar, MT 59255

Subject: Deficiency letter for Notice of Change in Appropriation Right for a Replacement Point of Diversion No. 40S 30175525

Dear Steven,

The Department of Natural Resources and Conservation (DNRC or Department) has begun reviewing your notice. This letter is to notify you of the deficiencies in your notice as required in §85-2-429(6), MCA. An Appropriator is required to submit substantial and credible information addressing the rules and statutes that are relative to your notice. You must provide the information specified below for your notice 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 notice as submitted contains deficiencies in the following sections:

- ☐ Water right owner(s) information: This section was not filled out. However, the Department will accept the water right abstract which you attached to the Notice as owner information. Please reach out if any water right owner information has changed.
- ☐ Item 1. Date the Replacement Point of Diversion was completed: This item was not addressed. Please provide the date the replacement point of diversion was completed. Examples include the date within the last 60 days when you might have moved the pump, installed new parts, made pump site improvement, etc. *Please note: If more than 60 days have passed since completing the project, you cannot use this form and need to file Form 606-Application to Change a Water Right.*
- ☐ Item 3e. Location and distance: The replacement POD is located approximately _____ ft upstream from the existing POD. This item was not addressed. While I was able to approximate this



distance on an aerial image when you visited the Glasgow office in 2025, your original measurement is required for the Notice.

- ☐ Item 3h. Diversion capacity: Existing diversion capacity and replacement diversion capacity were not addressed. Please provide these figures.
- ☐ Signatures: All water right owners are required to sign this Notice. Please obtain original signatures from Angela J Candee, Troy G Candee, and Larry D Johnston.
- ☐ A blank Form 644 has been enclosed with this letter. Please complete all items on the form with your original writing, be sure to address the above deficiency items, and return within 60 days from the date of this letter.

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 August 11, 2026. This is the only deficiency letter that will be sent. A notice not corrected or completed within 60 days from the date of this letter is terminated per §85-2-429(6)(a), MCA.

Please feel free to contact me at my direct line (406) 808-7076 or email lih-an.yang@mt.gov if you have any questions.

Best,



Lih-An Yang
Regional Manager
Glasgow Water Resources Regional Office

Enclosure: Form 644

IMPORTANT NOTICE: This will be the final opportunity for you to provide the required information to the Department. If all of the requested information in this letter is not submitted within 60 days of this letter, the notice will be terminated, and the completed project will require a change authorization pursuant to 85-2-402 and the associated Form 606-Application to Change a Water Right. The 60-day deadline is August 11, 2026.





The Montana Department of
**Natural Resources
& Conservation**

**Notice of Change in Appropriation
Right for Replacement Point of
Diversion**

85-2-429(3), MCA

Form No. 644 (Revised 10/2025)

Filing fee: \$400.00

Application # _____ Basin _____

Received By _____

Fee Received \$ _____ Check # _____

Deposit Receipt # _____

Payor _____

Refund \$ _____ Date/Time _____

When to use this form:

- Use this form to notify DNRC of a surface water point of diversion (POD) that has been replaced.
- No other changes to the water right can be made using this form.
- The capacity of the diversion must not be increased.
- There must be no points of diversion or intervening water rights between the existing point of diversion and the replacement point of diversion or the appropriator must obtain written waivers from all intervening water right holders.
- The replacement POD must be on the same source as the existing POD and must be located as close as reasonably practicable to the existing POD.
- The existing POD must be inoperable due to natural causes or deteriorated infrastructure and will no longer be used.
- The existing POD must have been used within the last ten years.
- The change must not increase access to water availability, change the method of irrigation, if applicable, or increase the amount of water diverted, used, or consumed.
- This form must be filed within 60 days of the completion of the replacement POD.

Water right owner(s) information:

Name(s) _____

Mailing Address _____

City _____ State _____ Zip _____

Phone Number _____ Email _____

Note: If there are additional owners, attach the water right owner information labeled as Attachment #1.



Contact Person: ☐ Applicant ☐ Consultant ☐ Attorney ☐ Other _____

Contact Name _____

Mailing Address _____

City _____ State _____ Zip _____

Phone Number _____ Email _____

Note: If a contact person is identified as an attorney, all communications will be sent only to the attorney unless the attorney provides written instruction to the contrary. Unless the contact person is an attorney, the water right owner will receive all correspondence, and a copy may be sent to the contact person.

1. Date the Replacement Point Of Diversion was completed: _____

Note: If more than 60 days have passed since completing the project, you cannot use this form and need to file Form 606-Application to Change a Water Right. Contact your Regional Water Resources Office for more information (Regional Office contact information is on page 4).

2. Water Right Number (for the existing POD being replaced): _____

- a. Attach a water right abstract of the existing water right.
- b. Are there any other changes being made to this water right? If Yes, this form cannot be used.
☐ Yes ☐ No

3. Diversion Information:

- a. Has the existing POD been used within the last 10 years? If No, this form cannot be used. If Yes, attach supporting documentation such as dated pictures, affidavits, power records, or water commissioner records.
☐ Yes ☐ No
- b. Are the new and existing means of diversion the same?
☐ Yes ☐ No

If No, explain:

- c. Are the replacement POD and existing POD on the same surface water source? If No, this form cannot be used.
☐ Yes ☐ No
- d. Is the replacement POD located as close as reasonably practicable to the existing POD?
☐ Yes ☐ No

Explain:



- e. The replacement POD is located approximately _____ feet upstream/downstream from the existing POD.
- f. Identify the new POD legal land description:
____ ¼ ____ ¼ ____ ¼ Section ____ Twp ____ ☐ N ☐ S Rge ____ ☐ E ☐ W County _____
- g. Is the existing POD rendered inoperable due to natural causes or structural deterioration? If No, or the existing POD can still be used by other water right users, this form cannot be used.
☐ Yes ☐ No

Explain why the existing POD cannot be used:

- h. This form cannot be used if the capacity of the replacement diversion is greater than the capacity of the existing diversion.

Existing diversion capacity: _____ ☐ GPM ☐ CFS

Replacement diversion capacity: _____ ☐ GPM ☐ CFS

- i. Explain why the change in POD will not increase access to the amount of water that was historically available and does not increase the amount of water diverted, used or consumed.

4. Intervening Water Right Holders and Waivers:

- a. Are there any intervening PODs between the existing POD and the replacement POD? You need to also include instream flow diversions for water reservations, fisheries, or mitigation.
☐ Yes ☐ No

If Yes, list the intervening water rights. If No, go to section 6. (attach list if necessary and label as Attachment #4a)

- b. Provide a notarized waiver from all owners of the intervening water rights listed in Question 5a. You can obtain waiver form from the DNRC Website, (<https://dnrc.mt.gov/docs/water/Water-Rights-Forms/644-waiver.pdf>). (Attach all waivers and label #4b)

5. Map Requirements (attach map and label as Attachment #5):

Include the following:

- North arrow, scale bar, section lines and numbers, and township and range.
- The replacement POD and existing POD locations.
- The POD locations of intervening water rights.



SIGNATURE(S):

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

Appropriator's Signature _____ Date _____

Appropriator's Signature _____ Date _____

Appropriator's Signature _____ Date _____

Appropriator's Signature _____ Date _____

WATER RESOURCES REGIONAL OFFICES



For Department Use Only
Received

JUN 04 2026

DNRC Water Resources
Glasgow Regional Office



The Montana Department of
**Natural Resources
& Conservation**

**Notice of Change in Appropriation
Right for Replacement Point of
Diversion**

85-2-429(3), MCA

Form No. 644 (Revised 10/2025)

Filing fee: \$400.00

Application # 30175525 Basin 403
Received By LJ 11:00
Fee Received \$ 400 Check # 2455
Deposit Receipt # GUS 2630 226
Payor Christofferson Law PC
Refund \$ _____ Date/Time _____

When to use this form:

- Use this form to notify DNRC of a surface water point of diversion (POD) that has been replaced.
- No other changes to the water right can be made using this form.
- The capacity of the diversion must not be increased.
- There must be no points of diversion or intervening water rights between the existing point of diversion and the replacement point of diversion or the appropriator must obtain written waivers from all intervening water right holders.
- The replacement POD must be on the same source as the existing POD and must be located as close as reasonably practicable to the existing POD.
- The existing POD must be inoperable due to natural causes or deteriorated infrastructure and will no longer be used.
- The existing POD must have been used within the last ten years.
- The change must not increase access to water availability, change the method of irrigation, if applicable, or increase the amount of water diverted, used, or consumed.
- This form must be filed within 60 days of the completion of the replacement POD.

Water right owner(s) information:

Name(s) _____

Mailing Address _____

City _____ State _____ Zip _____

Phone Number _____ Email _____

Note: If there are additional owners, attach the water right owner information labeled as Attachment #1.

See Abstract fine



STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 40S 2400-00 STATEMENT OF CLAIM

Version: 1 -- ORIGINAL RIGHT

Version Status: ACTIVE

Owners:

ANGELA J CANDEE
31265 COUNTY ROAD 143
POPLAR, MT 59255-9512

TROY G CANDEE
31265 COUNTY ROAD 143
POPLAR, MT 59255-9512

STEVEN HACKLEY
30968 COUNTY ROAD 149
POPLAR, MT 59255-9503

LARRY D JOHNSTON
14148 HIGHWAY 480
POPLAR, MT 59255-9502

Priority Date: AUGUST 31, 1971

Enforceable Priority Date: AUGUST 31, 1971

Type of Historical Right: USE

Purpose (Use): IRRIGATION

Irrigation Type: FLOOD

Maximum Flow Rate: 1,900.00 GPM

Maximum Volume: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

Climatic Area: 2 - MODERATELY HIGH

Maximum Acres: 92.00

Source Name: MISSOURI RIVER

Source Type: SURFACE WATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSENE	31	27N	52E	RICHLAND

Period of Diversion: APRIL 1 TO SEPTEMBER 30

Diversion Means: PUMP

Period of Use: APRIL 1 to SEPTEMBER 30

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	2.10		SENEW	31	27N	52E	RICHLAND
2	6.20		E2SEW	31	27N	52E	RICHLAND
3	9.10		S2NWE	31	27N	52E	RICHLAND

Contact Person: ☒ Applicant ☐ Consultant ☐ Attorney ☐ Other _____
Contact Name Steve Hackley
Mailing Address 30968 G Rd 149
City Poplar State MT Zip 59255
Phone Number 406-525-3262 Email hawk1959@gmail

Note: If a contact person is identified as an attorney, all communications will be sent only to the attorney unless the attorney provides written instruction to the contrary. Unless the contact person is an attorney, the water right owner will receive all correspondence, and a copy may be sent to the contact person.

1. **Date the Replacement Point Of Diversion was completed:** _____

Note: If more than 60 days have passed since completing the project, you cannot use this form and need to file Form 606-Application to Change a Water Right. Contact your Regional Water Resources Office for more information (Regional Office contact information is on page 4).

2. **Water Right Number (for the existing POD being replaced):** 405-2400-00

- a. Attach a water right abstract of the existing water right. ☒ **b.** Are there any other changes being made to this water right? If Yes, this form cannot be used.
☐ Yes ☒ No

3. **Diversion Information:**

- a. Has the existing POD been used within the last 10 years? If No, this form cannot be used. If Yes, attach supporting documentation such as dated pictures, affidavits, power records, or water commissioner records.

☒ Yes ☐ No

- b. Are the new and existing means of diversion the same?

☒ Yes ☐ No

If No, explain:

- c. Are the replacement POD and existing POD on the same surface water source? If No, this form cannot be used.

☒ Yes ☐ No

- d. Is the replacement POD located as close as reasonably practicable to the existing POD?

☒ Yes ☐ No

Explain:

please provide some explanation
only practical location left when the river moved

Did you hook up any part in last 60 days? Inspection? Any finishing touch in the last 60 days?

this would work



e. The replacement POD is located approximately 1693 feet upstream / downstream from the existing POD. *or something you measured approximately*

f. Identify the new POD legal land description:

Lot 2 $\frac{1}{4}$ ~~NE~~ *NE* $\frac{1}{4}$ Section 31 Twp 36 ~~N~~ *N* $\frac{1}{2}$ S Rge 53 ~~E~~ *E* $\frac{1}{2}$ W County Richland

g. Is the existing POD rendered inoperable due to natural causes or structural deterioration? If No, or the existing POD can still be used by other water right users, this form cannot be used.

☒ Yes ☐ No *or make it match the deed*

Explain why the existing POD cannot be used:

Please explain The river moved in the 2011 flood and the location is now primarily under water.

h. This form cannot be used if the capacity of the replacement diversion is greater than the capacity of the existing diversion.

Existing diversion capacity: ☐ GPM ☐ CFS *The abstract says max 1900 GPM*

Replacement diversion capacity: ☐ GPM ☐ CFS

i. Explain why the change in POD will not increase access to the amount of water that was historically available and does not increase the amount of water diverted, used or consumed.

Please explain The pump ~~at~~ site makes no change in water as it remains accessed by a pump.

4. Intervening Water Right Holders and Waivers:

a. Are there any intervening PODs between the existing POD and the replacement POD? You need to also include instream flow diversions for water reservations, fisheries, or mitigation.

☐ Yes ☒ No

If Yes, list the intervening water rights. If No, go to section 6. (attach list if necessary and label as Attachment #4a)

b. Provide a notarized waiver from all owners of the intervening water rights listed in Question 5a. You can obtain waiver form from the DNRC Website, (<https://dnrc.mt.gov/docs/water/Water-Rights-Forms/644-waiver.pdf>). (Attach all waivers and label #4b)

5. Map Requirements (attach map and label as Attachment #5):

Include the following:

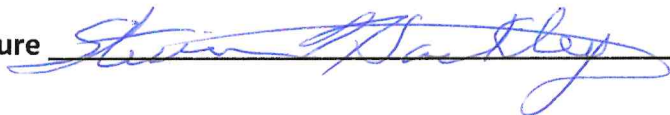
- North arrow, scale bar, section lines and numbers, and township and range.
- The replacement POD and existing POD locations.
- The POD locations of intervening water rights.

Please mark on map



SIGNATURE(S):

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

Appropriator's Signature  Date 4-30-26

Appropriator's Signature _____ Date _____

WATER RESOURCES REGIONAL OFFICES



Steven Hackley being sworn states:

1. I am a resident of Richland County, Montana. I have farmed in the area for many years. I am familiar with the location of the diversion point for water right 40S 2400-00.

2. The diversion point was located on NWSENE of Section 31, Township 27 North, Range 52 East. As a result of the flood of 2011, the Missouri River moved and the diversion point was moved to Lot 2, Section 31, Township 27 North, Range 52 East.

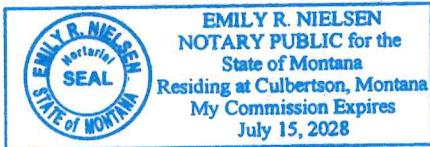
DATED this 30th day of April, 2026.

Steven Hackley

Subscribed and sworn to before me on April 30, 2026.

Emily R. Nielsen

Notary



Replacement POD 31-27N-52E

New POD

old poD



N