

PUBLIC NOTICE

Notice to Water Users
(Pursuant to Section 85-2-428, MCA)

The following application has been submitted to temporarily lease a water right in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION RECEIVED AN APPLICATION FOR TEMPORARY LEASE OF APPROPRIATION RIGHT ON JUNE 18, 2026. THE DEPARTMENT WILL TAKE ACTION ON THIS APPLICATION ON JULY 17, 2026. IF THE ACTION IS TO AUTHORIZE THE APPLICATION, THE DEPARTMENT WILL ACCEPT CORRECT AND COMPLETE OBJECTIONS TO THE PROPOSED LEASE STARTING ON JULY 17, 2026 AND ENDING ON AUGUST 16, 2026. IF AUTHORIZED, THE AMOUNT OF WATER LEASED MAY NOT EXCEED THE TOTAL CONSUMPTIVE USE OF THE APPROPRIATION RIGHT AND THE LEASED WATER MUST BE MEASURED AND REPORTED ANNUALLY TO THE DEPARTMENT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. INFORMATION ABOUT DEPARTMENT ACTION ON THIS APPLICATION CAN BE ACCESSED HERE: <https://dnrc.mt.gov/Water-Resources/Water-Rights/application-status-environmental-assessments/>.

OBJECTION DEADLINE: AUGUST 16, 2026. OBJECTIONS MUST BE FILED ON AN OBJECTION TO APPLICATION, FORM 611. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE OR CAN BE OBTAINED FROM ANY WATER RESOURCES REGIONAL OFFICE. MAIL PAPER COPIES OF THE COMPLETED FORM AND THE \$50.00 FILING FEE TO: DNRC WATER RIGHTS BUREAU, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. SUBMIT ELECTRONIC COPIES OF THE COMPLETED FORM TO: DNRCWATERRIGHTSCOMMENTOBJECTION@MT.GOV. IF YOU SUBMIT THE FORM ELECTRONICALLY, MAIL THE \$50.00 FILING FEE TO THE ADDRESS ABOVE OR PAY BY PHONE AT (406) 444-6610 BY THE DEADLINE SPECIFIED.

CONTACT THE WATER RESOURCES OFFICE AT 222 SIXTH STREET SOUTH, PO BOX 1269, GLASGOW, MT 59230-1269 PHONE: 406-228-2561 WITH QUESTIONS PERTAINING TO THE APPLICATION OR TO REQUEST AN OBJECTION FORM.

Application Number: 40S 30175727

Applicant: DOUGLAS B SMITH
HC 58 BOX 62
BAINVILLE, MT 59212

WENDY J SMITH
HC 58 BOX 62
BAINVILLE, MT 59212

WATER RIGHT NUMBER(S) BEING CHANGED

<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
PROVISIONAL PERMIT	40S 30022935	FEBRUARY 27, 1975

PAST USE OF WATER

THE PAST USE OF WATER WAS IRRIGATION ON 166 ACRES IN S2 SECTION 9, T27N, R55E IN RICHLAND COUNTY. WATER IS DIVERTED BY PUMP FROM THE MISSOURI RIVER IN NWSNW SECTION 9, T27N, R55E IN RICHLAND COUNTY. PROVISIONAL PERMIT 40S 30022935 WAS HISTORICALLY APPROPRIATED FOR 584 GPM AND 240 AF WITH A PERIOD OF DIVERSION AND PERIOD OF USE FROM JUNE 1 TO SEPTEMBER 1.

PROPOSED CHANGE

THIS IS A TEMPORARY LEASE PROPOSED PURSUANT TO 85-2-428, MCA AND IS VALID FOR USE ONE YEAR BEGINNING JUNE 1, 2026 AND ENDING SEPTEMBER 1, 2026 FOR NO MORE THAN 40 DAYS. THE APPLICANT PROPOSES TO LEASE TO ASWS, LLC DBA HAMLIN WATER UP TO 103 AF OF WATER AT A MAXIMUM FLOW RATE OF 584 GPM FROM THE MISSOURI RIVER DIVERTED BY PUMP IN NWSNW SECTION 9, T27N, R55E, RICHLAND COUNTY FOR WATER MARKETING IN SESSEW SECTION 31, T27N, R55E, RICHLAND COUNTY. THE APPLICANT WILL CEASE IRRIGATION ON 80.26 ACRES IN SW SECTION 9, T27N, R55E, RICHLAND COUNTY DURING 2026 WHEN LEASED WATER IS USED.