

PUBLIC NOTICE

Notice to Water Users  
(Pursuant to Section 85-2-307, MCA)  
The following application has been submitted to change a water right in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION TO CHANGE A WATER RIGHT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <https://dnrc.mt.gov/Water-Resources/Water-Rights/application-status-environmental-assessments/>.

**OBJECTION DEADLINE: MAY 3, 2024.** THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$50.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 1424 9TH AVENUE, PO BOX 201601, HELENA, MT 59620-1601 FAX: 406-444-9317 PHONE: 406-444-6999.

**Application Number:** 41A 30160010  
**Applicant:** GRAYLING CENTENNIAL LLC  
CUSICK FARVE MATTICK & MICHAEL PC  
PO BOX 1288  
BOZEMAN, MT 59771 1288

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	41A 133547-00	JULY 13, 1906
Historical Flow Rate: 5. CFS	Historical Consumptive Volume: 56.80 AC-FT	
	Historical Diverted Volume: 349.00 AC-FT	

PAST USE OF WATER

THE PAST USE OF WATER IS FOR IRRIGATION. CLAIM NO. 133547-00 USED WATER FROM HELLROARING CREEK FOR THE PURPOSE OF FLOOD IRRIGATION WITH A PRIORITY DATE OF JULY 13, 1906. THE PERIOD OF USE AND PERIOD OF DIVERSION ARE MAY 1 TO OCTOBER 1. WATER WAS DIVERTED BY A ROCK DAM THAT DIVERTS WATER INTO A 400 FT. CHANNEL LEADING TO A SECONDARY HEADGATE DIVERSION WHERE THE FULL FLOW RATE OF THE WATER RIGHT IS DIVERTED INTO THE HELLROARING DITCH, AND EXCESS WATER RETURNS TO HELLROARING CREEK. DIVERTED WATER WAS CARRIED FOR APPROXIMATELY 4000 FT. TO AN UNNAMED TRIBUTARY OF HELLROARING CREEK. WATER IS THEN CARRIED IN THE HELLROARING DITCH ALONG THE SOUTHERN EDGE OF THE PLACE OF USE IN SECTION 23 TO A NATURAL CHANNEL WHICH CARRIED WATER APPROXIMATELY 0.25 MILES TO THE PLACE OF USE IN SECTIONS 15 AND 22, T14S, R1E, BEAVERHEAD COUNTY. THE HISTORICAL USE OF THIS CLAIM IS A MAXIMUM DIVERTED FLOW RATE OF 5.0 CFS, A DIVERTED VOLUME OF 349.0 AF, AND A CONSUMED VOLUME OF 56.8 AF.

PROPOSED CHANGE

**FLOW RATE:** 5.00 CFS **VOLUME:** 229.40 AC-FT

APPLICANT PROPOSES TO RETIRE 209 ACRES OF FLOOD IRRIGATED LAND AND CHANGE 229.4 AF DIVERTED VOLUME UP TO 5.0 CFS FLOW RATE TO SUPPLY A FISHERY POND IN THE NWNE OF SEC 22, T14S, R1E, BEAVERHEAD COUNTY. APPLICANT WILL CONTINUE TO UTILIZE THE HISTORIC HELLROARING CREEK DIVERSION AND DITCH TO CONVEY WATER TO THE PROPOSED PLACE OF USE VIA AN EXTENSION DITCH FROM THE HISTORIC PLACE OF USE TO THE DITCH THAT FEEDS THE POND FROM CORRAL CREEK. THIS CHANGE APPLICATION AND CONCURRENT CHANGE APPLICATION 41A 30159714 FOR CLAIM 41A 133548-00 FROM AN UNNAMED TRIBUTARY OF HELLROARING CREEK WILL SUPPLEMENT WATER TO THE FISHERY POND IN YEARS WHEN CLAIM 41A 133546-00 IS UNABLE TO FULLY SATISFY THE 150 AF AUTHORIZED UNDER PREVIOUS PERMANENT CHANGE APPLICATION 41A 30126471 . UNDER THE PREVIOUS AUTHORIZATION, 0.5 CFS AND 150 AF WERE AUTHORIZED TO BE DIVERTED FROM CORRAL CREEK TO SUPPLY THE 18.7 AF CAPACITY POND, 12.0 AF OF EVAPORATION, AND 119.3 AF FLOW THROUGH VOLUME TO MAINTAIN THE FISHERY HABITAT.

ADDITIONAL INFORMATION

THE APPLICANT OR DESIGNEE SHALL MEASURE THE FLOWS IN THE HELLROARING DITCH BELOW THE HEADGATE. MEASUREMENTS WILL BE TAKEN MONTHLY DURING THE PERIOD OF USE UNTIL PROJECT COMPLETION USING DEPARTMENT APPROVED MEASURING DEVICES. ALL MEASUREMENTS WILL BE REPORTED TO THE DNRC HELENA REGIONAL OFFICE BY NOVEMBER 30. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A CHANGE.

THE APPLICANT OR DESIGNEE SHALL MEASURE THE FLOWS IN THE DITCH SUPPLYING THE POND TO ENSURE THE DELIVERED VOLUME DOES NOT EXCEED 150 AF. MEASUREMENTS WILL BE TAKEN MONTHLY DURING THE PERIOD OF USE UNTIL PROJECT COMPLETION USING DEPARTMENT APPROVED MEASURING DEVICES. ALL MEASUREMENTS WILL BE REPORTED TO THE DNRC HELENA REGIONAL OFFICE BY NOVEMBER 30. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A CHANGE.

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