

PUBLIC NOTICE

PUBLIC COMMENT PERIOD

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 DRAFT 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/>.

PUBLIC COMMENT DEADLINE: SEPTEMBER 26, 2025. THE DEPARTMENT CAN ONLY ACCEPT PUBLIC COMMENTS FILED ON A PUBLIC COMMENT FORM, FORM 654. MAIL THE COMPLETED FORM TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE. PER 85-2-307(5)(C), MCA, IF NO PUBLIC COMMENTS ARE RECEIVED, THE DRAFT PD WILL BE ADOPTED AS FINAL AND THERE WILL BE NO OPPORTUNITY TO OBJECT TO THIS APPLICATION.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, OR REQUESTS TO OBTAIN THE DRAFT PD OR PUBLIC COMMENT 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: 41E 30164689

Applicant: L R HUCKABA RANCH INC
26 MT HIGHWAY 359
CARDWELL, MT 59721 9604

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	41E 3407-00	DECEMBER 31, 1886
Historical Flow Rate: 11.37 CFS	Historical Consumptive Volume: 104.19 AC-FT	Historical Diverted Volume: 632.92 AC-FT
STATEMENT OF CLAIM	41E 3408-00	DECEMBER 31, 1888
Historical Flow Rate: 11.37 CFS	Historical Consumptive Volume: 104.19 AC-FT	Historical Diverted Volume: 632.92 AC-FT

PAST USE OF WATER

STATEMENTS OF CLAIM 41E 3407-00 AND 41E 3408-00 HISTORICALLY DIVERTED WATER FROM THE BOULDER RIVER VIA THE CARDWELL DITCH HEADGATE IN NWSNW SECTION 35, T2N, R3W, JEFFERSON COUNTY FOR IRRIGATION OF 300 ACRES IN SECTION 2, 3, AND 11 ALL WITHIN T1N, R3W, JEFFERSON COUNTY, FROM APRIL 1 TO OCTOBER 30. THE HISTORICAL USE FOR STATEMENT OF CLAIM 41E 3407-00 IS A MAXIMUM FLOW RATE OF 11.37 CFS, A DIVERTED VOLUME OF 632.92 AF, AND A CONSUMED VOLUME OF 104.19 AF. THE HISTORICAL USE FOR STATEMENT OF CLAIM 41E 3408-00 IS A MAXIMUM FLOW RATE OF 11.37 CFS, A DIVERTED VOLUME OF 632.92 AF, AND A CONSUMED VOLUME OF 104.19 AF.

PROPOSED CHANGE

FLOW RATE: 4.52 CFS **VOLUME:** 694.58 AC-FT **ACRES:** 300.00

THE APPLICANT PROPOSES TO CHANGE THE POINT OF DIVERSION OF STATEMENTS OF CLAIM 41E 3407-00 AND 41E 3408-00 FROM THE CARDWELL DITCH HEADGATE TO THREE PUMPSITES DOWNSTREAM ON THE APPLICANT'S PROPERTY. THE APPLICANT IS PROPOSING TO PUT THREE PUMPSITES IN NWNWNE SECTION 11, NENWSW SECTION 2, NENWSE SECTION 3 ALL WITHIN T1N, R3W, JEFFERSON COUNTY. THE PROJECT IS IN JEFFERSON COUNTY AND THE SOURCE IS THE BOULDER RIVER AND THE JEFFERSON SLOUGH. JEFFERSON SLOUGH WATER WILL BE IMMEDIATELY REPLACED BY BOULDER RIVER WATER AT THE CONFLUENCE OF THE BOULDER RIVER AND THE JEFFERSON SLOUGH. THE PURPOSE AND PLACE OF USE ARE NOT PROPOSED TO CHANGE. THE PROPOSED CHANGE WILL HAVE A TOTAL COMBINED FLOW RATE OF 4.52 CFS, A TOTAL DIVERTED VOLUME OF 694.58 AF, AND CONSUMED VOLUME OF 208.38 AF.

ADDITIONAL INFORMATION

THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE AT THE POINTS APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPROPRIATOR SHALL KEEP A WRITTEN DAILY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED INCLUDING THE PERIOD OF OPERATION. RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR UPON PROJECT COMPLETION AND UPON REQUEST THEREAFTER. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF THE AUTHROIZATION. THE RECORDS MUST BE SENT TO THE HELENA DNRC WATER RESOURCES REGIONAL OFFICE. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

PUBLISHED IN: WHITEHALL LEDGER ON AUGUST 27, 2025.