

PUBLIC NOTICE

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

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION FOR BENEFICIAL WATER USE PERMIT. 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: SEPTEMBER 19, 2026. OBJECTIONS MUST BE FILED ON AN OBJECTION TO APPLICATION FORM, FORM 611, AND MUST BE RECEIVED BY THE STATED DEADLINE. 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. 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.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 2273 BOOT HILL COURT, SUITE 110, BOZEMAN, MT 59715-7249, PHONE: 406-586-3136, FAX: 406-587-9726.

IF ISSUED, THE RIGHT WILL BE SUBJECT TO PRIOR EXISTING WATER RIGHTS.

Application Number: 41H 30021840

Owners: MANHATTAN, TOWN OF
PO BOX 96
MANHATTAN, MT 59741-0096

Priority Date: APRIL 25, 2006 at 04:34 P.M.

Purpose (Use): MUNICIPAL

Maximum Flow Rate: 575.00 GPM

Maximum Volume: 209.72 AC-FT

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Qtr	Sec	Sec	Twp	Rge	County
1		NEN	WSW	3	1N	3E	GALLATIN
Period of Diversion:		JANUARY 1 TO DECEMBER 31					
Diversion Means:		WELL					
Well Depth:		442.00 FEET					
Static Water Level:		31.80 FEET					
Casing Diameter:		16.00 INCHES					
Pump Size:		100.00 HP					
2		SE	ENW	3	1N	3E	GALLATIN
Period of Diversion:		JANUARY 1 TO DECEMBER 31					
Diversion Means:		WELL					
Purpose (Use):		MUNICIPAL					
Volume:		209.72 AC-FT					
Period of Use:		JANUARY 1 to DECEMBER 31					
Place of Use:							
ID	Acres	Govt Lot	Qtr	Sec	Twp	Rge	County
1				3	1N	3E	GALLATIN
2				2	1N	3E	GALLATIN
3				10	1N	3E	GALLATIN
4				11	1N	3E	GALLATIN

Remarks:

IMPORTANT INFORMATION

PERMITTEE SHALL INSTALL AN IN-LINE FLOW METER, WHICH MEASURES INSTANTANEOUS AND CUMULATIVE FLOWS, AT THE PUMP-HOUSE FOR EACH OF THE TWO CORRESPONDING WELLS. APPLICANT SHALL INSTALL A TOTALIZING FLOW METER THAT WILL MEASURE BOTH FLOW RATE AND TOTAL ANNUAL VOLUME. APPLICANT SHALL MAINTAIN THE MEASURING DEVICES IN PROPER OPERATING CONDITION AT ALL TIMES. WATER MAY NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICES ARE IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPLICANT SHALL KEEP A WRITTEN RECORD OF DAILY, MONTHLY AND ANNUAL FLOW RATES AND VOLUMES MEASURED AT EACH MEASURING DEVICE. APPLICANT SHALL SUBMIT TO THE DEPARTMENT'S BOZEMAN REGIONAL OFFICE COMPLETE WATER MEASUREMENT RECORDS BY NOVEMBER 1 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES OF THE YEAR.

IMPORTANT INFORMATION

PERMITTEE SHALL NOT ALLOW MORE THAN 50.54 ACRES OF LAWN AND GARDEN TO BE IRRIGATED THROUGH WATER APPROPRIATED UNDER THIS PERMIT.

IMPORTANT INFORMATION

(CONDITION # 3) ALL WATER NOT CONSUMED BY THE PROPOSED USE SHALL BE TREATED AT THE WASTEWATER TREATMENT PLANT AND DISCHARGED INTO THE BACKLIN DITCH OR INTO THE RAPID INFILTRATION BASIN (RIB) LOCATED AT THE SITE OF THE FORMER WASTEWATER TREATMENT LAGOONS. PERMITTEE SHALL NOT CAUSE OR ALLOW ANY WASTEWATER DISCHARGED FROM ITS WASTEWATER TREATMENT PLANT INTO THE BACKLIN DITCH FROM ITS USE UNDER THIS PERMIT TO BE DIVERTED OR USED FOR ANY PURPOSE OTHER THAN RETURNS TO GROUNDWATER VIA THE RIB OR THE GALLATIN RIVER REQUIRED BY THIS FINAL ORDER. AT ALL TIMES, THE APPLICANT SHALL DISCHARGE OR CAUSE TO BE DISCHARGED AT A MINIMUM 95% OF WATER APPROPRIATED FOR DOMESTIC AND COMMERCIAL POTABLE USES UNDER THIS PERMIT INTO GROUNDWATER VIA THE RIB OR THE BACKLIN DITCH AS WASTEWATER DESCRIBED IN FOF 69 - 71 (DNRC FINAL ORDER DATED DECEMBER 8, 2009). AT FULL BUILD OUT, THE APPLICANT SHALL DISCHARGE OR CAUSE TO BE DISCHARGED 73.09 GPM FOR A TOTAL VOLUME OF 117.90 AC-FT/YR OF WASTEWATER INTO GROUNDWATER VIA THE RIB OR THE BACKLIN DITCH AS DESCRIBED IN FOF 69 - 71 (DNRC FINAL ORDER DATED DECEMBER 8, 2009). PERMITTEE SHALL OBTAIN DEPARTMENT APPROVAL FOR ANY CHANGE IN THE METHOD OF DISPOSAL OF NON-CONSUMED/WASTEWATER, INCLUDING ANY REDUCTION IN WATER TREATED AT THE WASTEWATER TREATMENT PLANT AND DISCHARGED INTO GROUNDWATER VIA THE RIB OR BACKLIN DITCH FROM OTHER SOURCES.

IMPORTANT INFORMATION

(CONDITION # 5) PERMITTEE SHALL FILE THE APPLICATION TO CHANGE THE PURPOSE OF USE OF WATER RIGHT NO. 41H 30069634 FOR USE AS INSTREAM MITIGATION. THE VOLUME OF WATER AUTHORIZED BY THE DEPARTMENT FOR CHANGE FROM WATER RIGHT NO. 41H 30069634 MUST BE MADE AVAILABLE FOR A PERIOD OF 100 DAYS DURING THE PERIOD FROM MAY 15TH THROUGH SEPTEMBER 30TH, FOR A TOTAL ANNUAL VOLUME OF 94.21 AC-FT. THE PERMITTEE SHALL RETIRE A MINIMUM OF 68.77 ACRES OF LAND HISTORICALLY IRRIGATED BY WATER RIGHT NO. 41H 30069634.

IMPORTANT INFORMATION

PERMITTEE SHALL NOT DIVERT OR USE WATER UNDER THIS PERMIT UNTIL: THE CHANGE IN WATER RIGHT NO. 41H 30069634 HAS BEEN GRANTED IN THE AMOUNTS REQUIRED UNDER THE PERMITTEE'S MITIGATION PLAN AS REQUIRED BY CONDITIONS 4, 5, AND 6; WATER FROM THE CHANGE IN WATER RIGHT NO. 41H 30069634 IS LEFT INSTREAM AS REQUIRED BY CONDITIONS 4 AND 5, AND; WASTEWATER RETURNS ARE PROVIDED AS REQUIRED BY CONDITION 3.

IMPORTANT INFORMATION

FOR PURPOSES OF ADMINISTRATION, THE APPLICANT'S PERMIT IS SUBJECT TO CALL BY EXISTING SENIOR RIGHTS, PERMITS AND CERTIFICATES. THERE IS NO EXCEPTION TO PRIORITY ADMINISTRATION BASED ON MUNICIPAL USE.

IMPORTANT INFORMATION

(CONDITION # 4) PERMITTEE SHALL LEAVE ITS WATER RIGHT, 41H 30069634, INSTREAM FOR MITIGATION PURPOSES DURING THE PERIOD OF DIVERSION FROM APRIL 15 THROUGH NOV 4 OF EACH YEAR. IN ORDER TO MEET THE TIMING REQUIREMENT OF THE MITIGATION PLAN, THE PERMITTEE SHALL DISCHARGE A TOTAL OF 94.21 ACRE FEET OF EFFLUENT FROM THE WASTEWATER TREATMENT PLANT TO GROUNDWATER VIA A RAPID INFILTRATION BASIN (RIB) DURING THE SAME PERIOD (APR 15 TO NOV 4). AT OTHER TIMES DURING THE YEAR, THE PERMITTEE WILL DISCHARGE TO SURFACE WATER A MINIMUM OF 73 GPM. DURING TIMES WHEN THE WEST GALLATIN WATER COMMISSIONER IS EMPLOYED, THE PERMITTEE SHALL PAY ITS FAIR SHARE OF THE COMMISSIONER'S CHARGES TO ENSURE THE APPROPRIATE AMOUNT OF INSTREAM WATER IS DELIVERED. THE PERMITTEE SHALL SUBMIT TO THE DEPARTMENT'S BOZEMAN REGIONAL OFFICE COMPLETE WATER MEASUREMENT RECORDS OF THE AMOUNT OF THE APPLICANT'S WATER DELIVERED BY THE COMMISSIONER AND THE AMOUNT OF WATER DISCHARGED TO THE RIB BY NOVEMBER 1 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES OF THE YEAR.

IMPORTANT INFORMATION

PERMITTEE SHALL NOT USE WATER WITHDRAWN FROM THE WELL OR WELLS THAT CONSTITUTE THE POINT (S) OF DIVERSION OUTSIDE THE PLACE OF USE OF THIS PERMIT WITHOUT FIRST OBTAINING THE NECESSARY CHANGE AUTHORIZATIONS OR ADDITIONAL PERMITS TO INCLUDE AN ELARGED SERVICE AREA SERVING THE TOWN OF MANHATTAN AND/OR TO INCLUDE ANY ADDITIONAL VOLUME OF WATER.

IMPORTANT INFORMATION

UPON FULL BUILD-OUT FROM NOV 5 THROUGH APRIL 14 OF EACH YEAR, THE APPLICANT WILL PROVIDE A MINIMUM AVERAGE MONTHLY DISCHARGE OF 142.5 GPM OF WASTEWATER EFFLUENT INTO THE BACKLIN DITCH.

IMPORTANT INFORMATION

(CONDITION # 6) AQUIFER RECHARGE REQUIREMENT: THE APPROPRIATOR’S USE OF WATER UNDER THIS PERMIT IS CONDITIONED UPON THE 94.21 AC-FT OF AQUIFER RECHARGE VOLUME/MITIGATION VOLUME REQUIRED TO OFFSET ADVERSE EFFECTS FROM NET DEPLETION TO THE GALLATIN RIVER. DIVERSION UNDER THIS PERMIT MAY NOT COMMENCE UNTIL THE AQUIFER RECHARGE PLAN AND MITIGATION PLAN AS SPECIFICALLY DESCRIBED AND APPROVED THROUGH PERMIT MODIFICATION REQUEST AND CHANGE AUTHORIZATION 41H 30129387 IS LEGALLY IMPLEMENTED. DIVERSION UNDER THIS PERMIT MUST STOP IF MITIGATION AS HEREIN REQUIRED IN AMOUNT, LOCATION, AND DURATION CEASES.

IMPORTANT INFORMATION

THE TOTAL VOLUME OF WATER THAT MUST BE APPLIED TO THE RIB IS 94.21 AC-FT. THIS IS 91.12 AC-FT REQUIRED TO OFFSET DEPLETIONS TO SURFACE WATER CAUSED BY PUMPING UNDER PERMIT 41H 30021840, PLUS 3.09 AC-FT TO REPLACE THE INCREASED CONSUMPTION FROM RIB EVAPORATION.

IMPORTANT INFORMATION

THE APPLICANT SHALL PROVIDE DOCUMENTATION THAT LANDS DESIGNATED FOR RETIREMENT ARE NO LONGER IRRIGATED. DOCUMENTATION OF NO IRRIGATION MAY CONSIST OF SITE-SPECIFIC PHOTOGRAPHS AND/OR AERIAL PHOTOGRAPHY. DOCUMENTATION SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR TO THE BOZEMAN WATER RESOURCES REGIONAL OFFICE. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF THE AUTHORIZATION.

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