

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: MARCH 22, 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 2273 BOOT HILL COURT, SUITE 110, BOZEMAN, MT 59715-7249 FAX: 406-587-9726 PHONE: 406-586-3136.

**Application Number:** 41H 30159389  
**Applicant:** LAZY TJ ENTERPRISES LLC  
6280 JOHNSON RD  
BOZEMAN, MT 59718 8902

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	41H 15887-00	MAY 31, 1882
Historical Flow Rate: 282.74 GPM	Historical Consumptive Volume: 49.00 AC-FT	
	Historical Diverted Volume: 76.44 AC-FT	

PAST USE OF WATER

STATEMENT OF CLAIM 41H 15887-00 WAS CLAIMED FOR IRRIGATION OF 83 ACRES. THE CLAIM WAS SPLIT INTO TWO WATER RIGHTS: 41H 15887-00 (PARENT RIGHT) AND 41H 30155854 (CHILD RIGHT). THE CHILD RIGHT WAS GENERATED FOR THE CONTINUED IRRIGATION OF 40 ACRES. 41H 15887-00 HISTORICALLY USED FOR IRRIGATION OF 43 ACRES (POST-SPLIT) IN THE N2NE AND S2NE SECTION 2, T3S, R5E, GALLATIN COUNTY WITH A CLAIMED PERIOD OF USE AND DIVERSION FROM MARCH 15 TO NOVEMBER 15. THE SOURCE OF WATER IS HYALITE CREEK WITH A POINT OF DIVERSION AT THE HOY DITCH HEADGATE IN THE SENWNW SECTION 14, T3S, R5E, GALLATIN COUNTY. 41H 15887-00 HAS A DECREED FLOW RATE OF 282.74 GALLONS PER MINUTE WITH A PRIORITY DATE OF MAY 31, 1882, DECREED IN THE MARCH 11, 1897, MIDDLE CREEK DECREE.

THE WATER RIGHT WAS PREVIOUSLY CHANGED THROUGH CHANGE AUTHORIZATION 41H 30148636, WHICH CHANGED THE PURPOSE TO AQUIFER RECHARGE FROM JUNE 1 TO AUGUST 31. THE PRIOR CHANGE WAS ISSUED JUNE 16, 2022. THE PORTION OF STATEMENT OF CLAIM 41H 15887-00 AUTHORIZED FOR CHANGE (THROUGH CHANGE AUTHORIZATION 41H 30148636) WAS SEVERED FROM THE PLACE OF USE.

PROPOSED CHANGE

APPLICANT PROPOSES TO CHANGE THE AQUIFER RECHARGE PURPOSE TO FULFILL THE MITIGATION REQUIREMENT FOR GROUNDWATER PERMIT 41H 30148637. APPLICANT PROPOSES TO CHANGE THE PERIOD OF USE AND DIVERSION FOR THE AQUIFER RECHARGE PURPOSE FROM JUNE 1 TO AUGUST 31 TO MAY 14 TO JULY 31.

ADDITIONAL INFORMATION

A PETITION TO MODIFY PROVISIONAL PERMIT 41H 30148637 WAS SUBMITTED TO MODIFY THE AQUIFER RECHARGE CONDITION ON PERMIT 41H 30148637. THE PETITION HAS BEEN GRANTED AND USE OF THE PERMIT IS CONDITIONED ON CHANGE APPLICATION 41H 30159389 BEING ISSUED.

**PUBLISHED IN:** BOZEMAN DAILY CHRONICLE ON FEBRUARY 7, 2024.