

NOTICE AREA

Application No. 41I 30172223

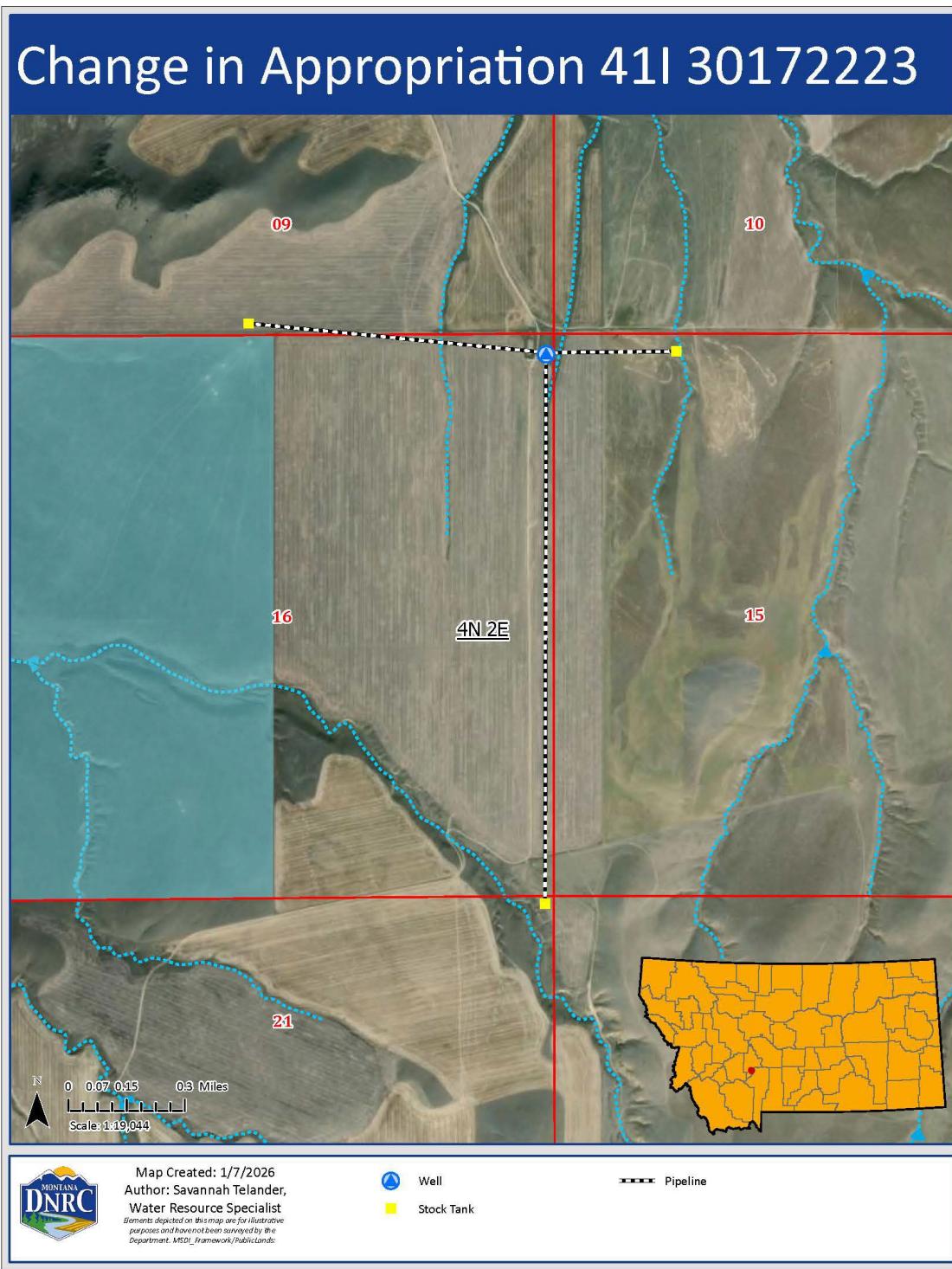
Regional Office # 5

Applicant's Name Arnold J Kolberg, Sharon M Lewis Revocable Living Trust

Indian Reservation Yes No If yes, Reservation _____

Irrigation District Yes No If yes, District _____

Specialist Savannah Telander Date 1/7/2026



Water Right Owner	Water Right # (Basin, ID, and Number)
Applicant: Arnold J Kolberg, Sharon M Lewis Revocable Living Trust	411 6758 00
Other Parties: Michelle Gilespie (Contact Person)	
Helena Regional Office Standards:	
5HNL DEPT OF NATURAL RESOURCES & CONSERVATION	
1BIA BUREAU OF INDIAN AFFAIRS	
1BOR US DEPT OF INTERIOR	
1DSL MONTANA BOARD OF LAND COMMISSIONERS	
1EQC ENVIRONMENTAL QUALITY COUNCIL	
1FWP DEPT OF FISH WILDLIFE AND PARKS	
2FWP DEPT OF FISH WILDLIFE AND PARKS	
1NWE NORTHWESTERN ENERGY	
1SCH CANYON FERRY PROJECT OFFICE	
1TUL MT TROUT UNLIMITED	
1WQB DEPT OF ENVIRONMENTAL QUALITY	
5FWS US FISH AND WILDLIFE SERVICE	
1CFC CLARK FORK COALITION	
1WQB DEQ WATER PROTECTION BUREAU	
BANK OF COMMERCE	
1PPL PPL MONTANA LLC	
1FWS US FISH & WILDLIFE SERVICE	

PUBLISHED: MT 43 News

REMARKS: The following methodologies were employed to determine an appropriate public notice area:

1. All Helena Regional Office public notice standards for Broadwater County were included in the Mailing
2. The following methods were used to identify water rights for public notice:
 - a. All water rights with points of diversion and places of use located on the historical place of use, State of Montana land in W2 Section 16, T4N, R2E, Broadwater County.
 - b. All water rights with points of diversion and places of use located on the new place of use, SE Section 9, T4N, 2E, Broadwater County.
 - c. After duplicative owner names were removed, only the water right proposed for change was identified for public notice.

STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

CHANGE AUTHORIZATION

UPON FINDING THE REQUIREMENTS OF SECTION 85-2-429, MCA HAVE BEEN MET, APPLICATION TO CHANGE WATER RIGHT NUMBER 41I-30172223 SUBMITTED ON OCTOBER 22, 2025, IS APPROVED.

Application Form: ARNOLD J KOLBERG
66 LONE MOUNTAIN RD
TOSTON, MT 59643 9745

LEWIS, SHARON M REVOCABLE LIVING TRUST
81 LEWIS KITTO LN
TOSTON, MT 59643 9744

Water Right Number(s) Changed: 41I-6758 **Wr #** **Ext** **Type**
00 STATEMENT OF CLAIM

Change Description:

THIS CHANGE AUTHORIZATION IS TO REMOVE THE STOCK TANK IN NENENW SECTION 16, T4N, R2E, FROM WATER RIGHT 41I 6758-00, AND ADD A STOCK TANK TO SESESWE SECTION 9, T4N, R2E, ALL WITHIN BROADWATER COUNTY. THE EXISTING PLACES OF USE WITHIN NENENW SECTION 15 AND NENENE SECTION 21, T4N, R2E, BROADWATER COUNTY, WILL REMAIN THE SAME.

Additional Information:

THIS CHANGE AUTHORIZATION IS AUTHORIZED PURSUANT TO 85-2-429(5) MCA

CONDITIONAL APPROVAL

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

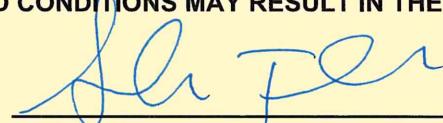
FAILURE TO COMPLY WITH ANY OF THESE TERMS AND CONDITIONS MAY RESULT IN THE LOSS OF THIS CHANGE AUTHORIZATION.

Witness Signature

DATE ISSUED:

JANUARY 9, 2026

Water Resources Division



**THE INFORMATION SHOWN BELOW REFLECTS THE ENTIRE WATER RIGHT.
AN ASTERISK (*) HAS BEEN PLACED NEXT TO EACH ITEM ALTERED BY THIS CHANGE AUTHORIZATION.**

Water Right Number: 41I 6758-00 STATEMENT OF CLAIM
Version: 4 -- CHANGE AUTHORIZATION
Version Status: ACTIVE

Owners:
ARNOLD J KOLBERG
66 LONE MOUNTAIN RD
TOSTON, MT 59643-9745
LEWIS, SHARON M REVOCABLE LIVING TRUST
81 LEWIS KITTO LN
TOSTON, MT 59643-9744

Priority Date: JANUARY 9, 1963
Enforceable Priority Date: JANUARY 9, 1963

Purpose (Use): STOCK
Maximum Flow Rate: 5.00 GPM
Maximum Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: GROUNDWATER
Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NENENE	16	4N	2E	BROADWATER

Period of Diversion: APRIL 15 TO OCTOBER 31
Diversion Means: WELL
Well Depth: 320.00 FEET
Static Water Level: 248.00 FEET
Casing Diameter: 6.00 INCHES

Purpose (Use) STOCK
Period of Use: APRIL 15 to OCTOBER 31

***Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NENWNW	15	4N	2E	BROADWATER
2			NENENE	21	4N	2E	BROADWATER
*3			SESESW	9	4N	2E	BROADWATER

OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 16097 RECEIVED 05/20/2004.

OWNERSHIP UPDATE TYPE DOR # 88548 RECEIVED 02/22/2010.

OWNERSHIP UPDATE TYPE DOR # 106756 RECEIVED 12/11/2012.

THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

GOVERNOR GREG GIANFORTE



DNRC DIRECTOR AMANDA KASTER

Helena Regional Office

1424 Ninth Avenue P.O. Box 201601

Helena, MT 59620-1601

406-444-6999

December 29, 2025

Michelle Gillespie
71 Lewis Kitto Ln
Toston, MT 59643-9744

Subject: Deficiency Letter for Notice of Change in Appropriation Right for Stock Use No. 41I 30172223 (Sharon M Lewis Revocable Trust & Arnold J Kolberg)

Dear Applicant,

The Department of Natural Resources and Conservation (DNRC or Department) has begun reviewing your notice. This letter is to notify you of the deficiencies in your notice as required in §85-2-429(6), MCA. An Appropriator is required to submit substantial and credible information addressing the rules and statutes that are relative to your notice. You must provide the information specified below for your notice to be considered correct and complete. "Correct and complete" means all of the information provided is substantial and credible and provides all of the information as required by applicable rules and statutes. The notice as submitted contains deficiencies in the following section(s):

2.f. What are the types and numbers of animals that use the stock water system?

The form that was received on October 22, 2025, is filled out as 84 head of cattle. Please clarify if this is the number of cattle that have access to the one tank that moved off State land, or the number of cattle that have access to the whole system?

As stated above, the information submitted to address the rules and statutes listed in this deficiency letter must be substantial credible information to be acceptable at the correct and complete determination. §§85-2-102(9) and (26), MCA.

Please submit the information specified above to the Helena Regional Office by **February 27, 2026**. This is the only deficiency letter that will be sent. A notice not corrected or completed within 60 days from the date of this letter is terminated per §85-2-429(6)(a), MCA.

Please let me know if you have any questions.

Sincerely,



Savannah Telander
Water Resources Specialist
406-444-6810
Savannah.Telander@mt.gov

IMPORTANT NOTICE: This will be the final opportunity for you to provide the required information to the Department. If all of the requested information in this letter is not submitted within 60 days of this letter, the notice will be terminated, and the completed project will require a change authorization pursuant to 85-2-402 and the associated Form 606-Application to Change a Water Right.



- f. What are the types and numbers of animals that use the stock water system?

Refer to the DNRC Water Calculation Guide for information about animal unit (AU) calculations.

Note: If necessary, attach additional animal information using a separate sheet and label as Attachment #2.f.

*Per call W1
MB 1/11/2023*

Type of Animal	Cattle - <i>cow/calf pairs</i>	x # of Animals	84	= <i>42</i>	AU
Type of Animal		x # of Animals		=	AU
Type of Animal		x # of Animals		=	AU
Type of Animal		x # of Animals		=	AU

Total Animal Units: _____

- g. Provide the legal land description for new points of diversion (PODs), if the change involves going from livestock drinking direct from source to tanks:

____ $\frac{1}{4}$ ____ $\frac{1}{4}$ ____ $\frac{1}{4}$ Section ____ Twp ____ N S Rge ____ E W County _____

____ $\frac{1}{4}$ ____ $\frac{1}{4}$ ____ $\frac{1}{4}$ Section ____ Twp ____ N S Rge ____ E W County _____

____ $\frac{1}{4}$ ____ $\frac{1}{4}$ ____ $\frac{1}{4}$ Section ____ Twp ____ N S Rge ____ E W County _____

____ $\frac{1}{4}$ ____ $\frac{1}{4}$ ____ $\frac{1}{4}$ Section ____ Twp ____ N S Rge ____ E W County _____

- h. Are you changing all water right(s) associated with the place of use? Yes No

If No, provide an explanation of how the rights will be operated to ensure no expansion of use:

~~Changing place of use for stock tank from state leased land to private land per statement of agreement filed by the water court that removed place of use in the NENENW of section 16, T4N, R2E to reflect use will now be at SESESW of section 9, T4N, R2E. Only had to connect existing pipeline to the new place of use.~~

Note: If necessary, attach additional narrative explaining details of associated rights and label as Attachment #2h.

- i. Did you add stock tanks on State Trust Lands? Yes No

If Yes, you must include a copy of the DNRC Forestry and Trust Lands Division's *Authorization for Temporary Change in Appropriation Right Consent Form*. A change in authorization to add stock tanks on state trust land will be temporary for the duration of the lease term. If one FORM No. 656 is used to add permanent stock tanks on private land and temporary stock tanks on state trust land the form, attachments and map(s) must clearly identify the permanent POUs on private land and temporary POUs on state trust land.

**WORK
COPY**





The Montana Department of
Natural Resources
& Conservation

Notice of Change in Appropriation Right for Stock Tanks

85-2-429(5), MCA

Form No. 656 (Revised 10/2025)

For Department Use Only

RECEIVED

OCT 22 2025

DNRC-HRO

30172223

Application # 411 Basin 41
Received By HRO
Fee Received \$ 400.00 Check # 2024
Deposit Receipt # HES 2607014
Payor Gillespie Ranch LLC
Refund \$ _____ Date/Time _____

FILING FEE:

\$400.00

WHEN TO USE THIS FORM:

- To add, move, or remove stock tanks on an existing water right for stock use, or to change to stock tanks from a livestock direct from source water right.
- File this form within 60 days after the project is completed.
- Multiple water rights may be changed on one form if the place of use and purpose will be exactly the same for each water right, and all water rights will share a common conveyance system.
- This form cannot be used if the amount of water diverted from the source or the number of animal units will increase.

1. Water right owner(s) information:

Name(s) Lewis, Sharon M Revocable Living Trust 304572 Kolberg - 116294
Mailing Address 81 Lewis Kitto Lane
City Toston State MT Zip 59643-9744
Phone Number 406-949-0964 Email n/a

Note: If there are additional owners, attach the water right owner information labeled as Attachment #1.

Contact Person: Applicant Consultant Attorney Other _____
Contact Name Michelle Gillespie
Mailing Address 71 Lewis Kitto Lane
City Toston State MT Zip 59643-9744
Phone Number 406-980-1968 Email mgillespie@gmail.com



Note: If a contact person is identified as an attorney, all communications will be sent only to the attorney unless the attorney provides written instruction to the contrary. Unless the contact person is an attorney, the water right owner will receive all correspondence, and a copy may be sent to the contact person.

2. Application details:

- a. Date project was completed: 9/4/25

Note: If more than 60 days have passed since the project completion you cannot use this form and will need to file Form 606-Application to Change a Water Right.

- b. List all water right numbers included in this change in appropriation right:

411 6758 00

Note: Attach the water right abstracts and a narrative explaining details of the change in appropriation right and label as Attachment #2b.

Note: If you do not have a DNRC water right number, you may have an existing exempt water use. Water for stock use from groundwater sources (well or developed springs) or stock drinking directly from a surface water source were exempt from the general adjudication filing requirements for claims of existing water rights if they met either of the following criteria:

- For wells, the water was put to use prior to January 1, 1962, OR put to use between January 1, 1962, and July 1, 1973, and a notice was filed in the courthouse records.
- For stock drinking directly from the source and water was put to use before July 1, 1973.

If your stock use meets one of the above criteria, complete this form and a Non-Filed Water Project Addendum. You can obtain the addendum from the [Water Rights Forms and Resources webpage](#). If your use does not meet these criteria, contact your Regional Water Resources Office for more information (Regional Office contact information is on page 5).

- c. How many stock tanks have been added through this change?

Permanent¹ _____ Temporary _____

Note: A temporary change in appropriation right for stock tanks may be authorized in accordance with 85-2-407, MCA.

- d. Will the existing places of use (POUs) continue to be used? Yes No



e. New places of use: Provide the following information for all POUs being added in this change:

Note: If necessary, attach additional geocode or legal land descriptions using another sheet and label as Attachment #2e.

i. Geocode(s) of the place(s) of use:

43-1299-9-1-01-01-0000

ii. Legal Land Description (LLD):

1. SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9 Twp 4 N S Rge 2 E W County _____
of permanent tanks in LLD 1 # of temporary tanks in LLD _____
2. $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ Section _____ Twp _____ N S Rge _____ E W County _____
of permanent tanks in LLD _____ # of temporary tanks in LLD _____
3. $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ Section _____ Twp _____ N S Rge _____ E W County _____
of permanent tanks in LLD _____ # of temporary tanks in LLD _____
4. $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ Section _____ Twp _____ N S Rge _____ E W County _____
of permanent tanks in LLD _____ # of temporary tanks in LLD _____
5. $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ Section _____ Twp _____ N S Rge _____ E W County _____
of permanent tanks in LLD _____ # of temporary tanks in LLD _____
6. $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ Section _____ Twp _____ N S Rge _____ E W County _____
of permanent tanks in LLD _____ # of temporary tanks in LLD _____
7. $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ Section _____ Twp _____ N S Rge _____ E W County _____
of permanent tanks in LLD _____ # of temporary tanks in LLD _____
8. $\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ Section _____ Twp _____ N S Rge _____ E W County _____
of permanent tanks in LLD _____ # of temporary tanks in LLD _____



- f. What are the types and numbers of animals that use the stock water system?

Refer to the DNRC Water Calculation Guide for information about animal unit (AU) calculations.

Note: If necessary, attach additional animal information using a separate sheet and label as Attachment #2.f.

Type of Animal Cattle x # of Animals 84 = 42 AU
 Type of Animal _____ x # of Animals _____ = _____ AU
 Type of Animal _____ x # of Animals _____ = _____ AU
 Type of Animal _____ x # of Animals _____ = _____ AU

Total Animal Units: _____

- g. Provide the legal land description for new points of diversion (PODs), if the change involves going from livestock drinking direct from source to tanks:

1/4 1/4 1/4 Section Twp □N □S Rge □E □W County _____
1/4 1/4 1/4 Section Twp □N □S Rge □E □W County _____
1/4 1/4 1/4 Section Twp □N □S Rge □E □W County _____
1/4 1/4 1/4 Section Twp □N □S Rge □E □W County _____

- h. Are you changing all water right(s) associated with the place of use? Yes No

If No, provide an explanation of how the rights will be operated to ensure no expansion of use:

Changing place of use for stock tank from state leased land to private land per statement of agreement filed by the water court that removed place of use in the NENENW of section 16, T4N, R2E to reflect use will now be at SESESW of section 9, T4N, R2E. Only had to connect existing pipeline to the new place of use.

Note: If necessary, attach additional narrative explaining details of associated rights and label as Attachment #2h.

- i. Did you add stock tanks on State Trust Lands? Yes No

If Yes, you must include a copy of the DNRC Forestry and Trust Lands Division's *Authorization for Temporary Change in Appropriation Right Consent Form*. A change in authorization to add stock tanks on state trust land will be temporary for the duration of the lease term. If one FORM No. 656 is used to add permanent stock tanks on private land and temporary stock tanks on state trust land the form, attachments and map(s) must clearly identify the permanent POUs on private land and temporary POUs on state trust land.



3. Adequate infrastructure to control diversions:

Note: If stock tanks are being added to a livestock direct from source water right, the diversion must be shut off when the tank is full. If you will not have an automatic shut off on the tank, outflow water must be immediately directed back to the source.

a. How will the water be diverted from the source?

Well Pump Gravity Flow Other

New place of service on section 9 utilizes same well utilized at section 16 on the state
lease. Water source will be same usage as previously used.

b. Identify the flow rate that will be diverted: 5 GPM

Note: If stock tanks are being added to a livestock direct from source water right, the maximum flow rate for the diversion to the tanks may not exceed 35 GPM (85-2-429(5)(b)(i), MCA).

c. How was the flow rate determined?

Stock tank utilizes the same GPM on the new site as it did on the previous site on the state
leased land.

d. Provide evidence to show that the flow rate will be adequate for the new system.

Note: Attach evidence to the form and label it #3d.

e. Will a pipeline be used to convey water to the new tanks? Yes No

If No, explain the new means of conveyance:

f. Provide design plans for the stock tanks system from the point of diversion to the place of use (tanks). Include pump information, pipe size, pipe length, pipe material, flow shut off method, any valves or booster pumps used, depth pipelines will be buried, etc.

Note: Attach information to the form and label as Attachment #3e.



4. **Map: Provide a map or maps depicting the changed stock water system;**

Note: label map as attachment #4.

Aerial photos may be available from the DNRC, NRIS, NRCS, USGS, or other sources. Be sure to indicate which tanks are currently authorized and which tanks are being added via this form. The map also must show:

- North arrow, scale bar, section lines and numbers, and township and range.
- Labels for already authorized PODs, POUs and means of conveyance.
- Labels for new PODs, POUs and means of conveyance. The map should reflect the entire water right including the change and the remaining old use.

Signatures(s): *All owners must sign the form.*

I DECLARE UNDER PENALTY OF PERJURY AND UNDER THE LAWS OF THE STATE OF MONTANA THAT THE FOREGOING IS TRUE AND CORRECT.

I AFFIRM STATEMENTS APPEARING HERE ARE TO THE BEST OF MY KNOWLEDGE TRUE AND CORRECT. I ALSO AFFIRM THAT I HAVE POSSESSORY INTEREST IN THE PROPERTY WHERE THE WATER IS TO BE PUT TO BENEFICIAL USE.

Water Right Owner Signature Sharon M Lewis Date 10/21/25

Printed Name Lewis, Sharon M Revocable Living Trust

Water Right Owner Signature Arnold J Kolberg Date Oct 21-25

Printed Name Arnold J Kolberg



STATE OF MONTANA
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
1424 9TH AVENUE P.O. BOX 201601 HELENA, MONTANA 59620-1601

GENERAL ABSTRACT

Water Right Number: 41I 6758-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Version Status: ACTIVE

Owners:
ARNOLD J KOLBERG
66 LONE MOUNTAIN RD
TOSTON, MT 59643-9745

LEWIS, SHARON M REVOCABLE LIVING TRUST
81 LEWIS KITTO LN
TOSTON, MT 59643-9744

Priority Date: JANUARY 9, 1963

Enforceable Priority Date: JANUARY 9, 1963

Type of Historical Right: FILED

Purpose (Use): STOCK

Maximum Flow Rate: 5.00 GPM

Maximum Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: GROUNDWATER

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

ID	Govt Lot	Otr Sec	Sec	Twp	Rge	County
1		NENENE	16	4N	2E	BROADWATER

Period of Diversion: APRIL 15 TO OCTOBER 31

Diversion Means: WELL

Well Depth: 320.00 FEET

Static Water Level: 248.00 FEET

Casing Diameter: 6.00 INCHES

Period of Use: APRIL 15 to OCTOBER 31

Place of Use:

ID	Acres	Govt Lot	Otr Sec	Sec	Twp	Rge	County
1			NENWNW	15	4N	2E	BROADWATER
2			NENENE	21	4N	2E	BROADWATER

Geocodes/Valid: 43-1299-15-1-01-01-0000 - Y 43-1299-16-2-01-01-0000 - Y
43-1299-21-1-01-01-0000 - Y

Remarks:

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/03/97.

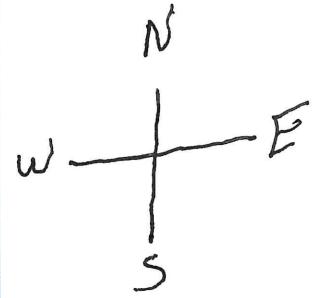
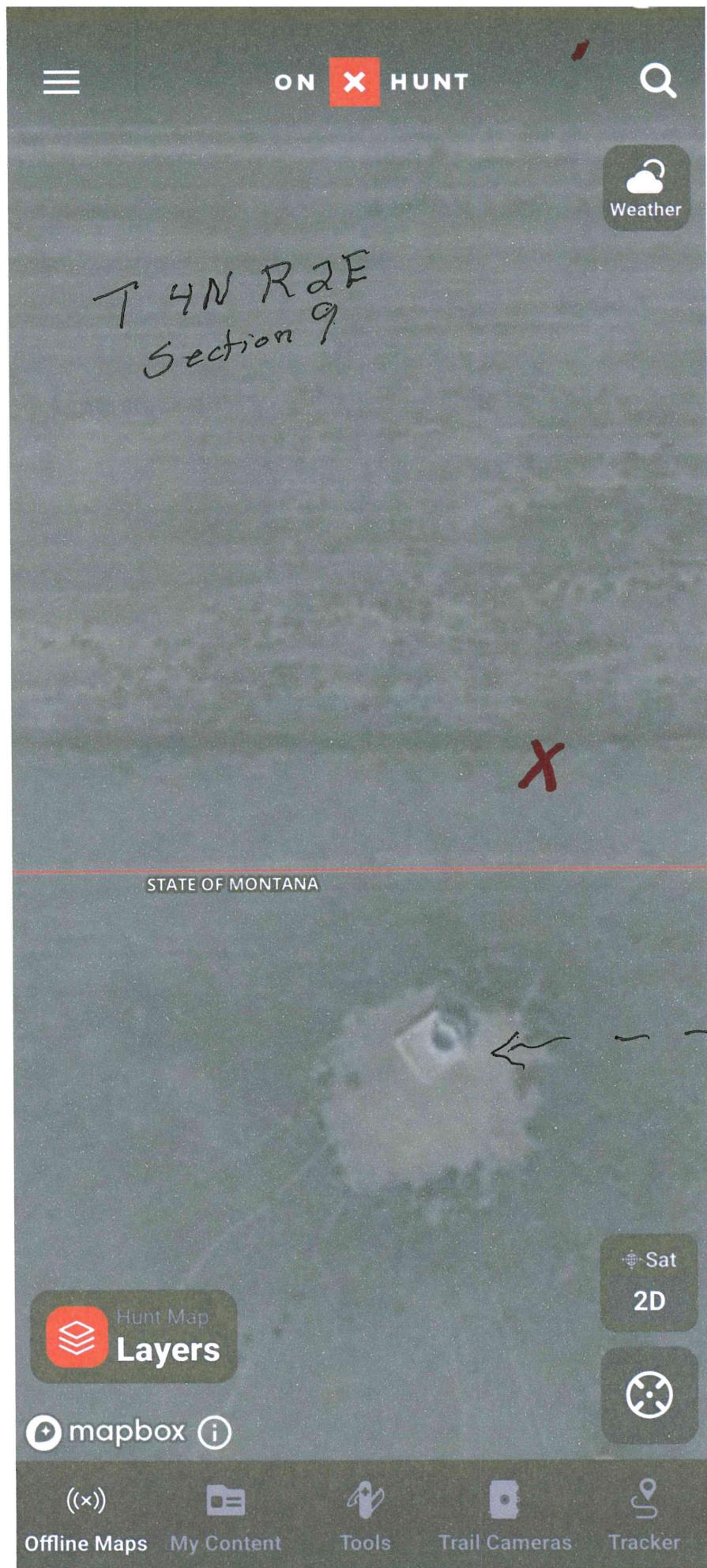
OWNERSHIP UPDATE RECEIVED

OWNERSHIP UPDATE TYPE 608 # 16097 RECEIVED 05/20/2004.

OWNERSHIP UPDATE TYPE DOR # 88548 RECEIVED 02/22/2010.

OWNERSHIP UPDATE TYPE DOR # 106756 RECEIVED 12/11/2012.

Attachment 2e
WR# 411 6758 00



X → New
Trough

Old
Trough

Attachment #1
Notice of Change in Appropriation
Right For Stock Tanks
Water Right # 411 6758 00

Arnold J Kolberg
66 Lone Mountain Road
Toston MT 59643-9745
Phone: 406-461-0573
E-mail: N/A