

# NOTICE OF RECEIPT WATER RIGHT APPLICATION

(Pursuant to Section § 85-2-307(1), MCA)

Summarized below are the application details as described in an Application to Change of Appropriation Water Right received by the Department of Natural Resources & Conservation on FEBRUARY 9, 2026. This notice reflects the application details only as originally submitted. The notice does not reflect changes to the application details made during the review process.

**Application Number:** 43D 30165111

**Applicant:** ROQUE PROPERTIES LLC  
1747 RED LODGE CREEK RD  
ROBERTS, MT 59070 9650

**WATER RIGHT NUMBER(S) BEING CHANGED**

<b>Water Right Type</b>	<b>Water Right Number</b>	<b>Priority Date</b>
STATEMENT OF CLAIM	43D-13723	MARCH 4, 1902

**PAST USE OF WATER**

HISTORICALLY 80 ACRES WERE FLOOD IRRIGATED IN THE SW AND SE SEC. 5, T5S, R20E, CARBON CO BY MEANS OF THE LOYNING DITCH HEADGATE FROM APPROX. APR 15 TO JUN 30 WHEN WATER WAS AVAILABLE.

WEAST DITCH SHARES (43C 198705-00) HISTORICALLY PROVIDED SUPPLEMENTAL IRRIGATION TO ALL 80 ACRES UNDER THIS WATER RIGHT FROM APPROX. JUL 1 TO OCT 15.

**PROPOSED CHANGE**

**FLOW RATE: 1.36 CFS** **ACRES: 69.10**

THE APPLICANT PROPOSES TO CHANGE THE POINT OF DIVERSION AND PLACE OF USE OF STOC 43D 13723-00. APPLICANT PROPOSES TO RETIRE THE HISTORICAL HEADGATE IN THE SWSESW SEC 5, T5S, R20E, CARBON CO, AND USE A PUMPSITE SHARED WITH STOC 43D 14970-00 IN THE SWNWSE SEC 5, T5S, R20E. APPLICANT PROPOSES TO RETIRE 14.5 AC IN THE SW AND SE SEC. 5, T5S, R20E, AND ADD 3.6 AC IN THE W2E2SW SEC. 5 T5S, R20E, FOR 69.1 AC IRRIGATED TOTAL, ALL UNDER A CENTER PIVOT.

**ADDITIONAL INFORMATION**

THIS CHANGE APP IS TIED TO CHANGE APP 43D 30165112 BECAUSE OF THE SHARED POD AND SHARED USE UNDER THE SAME PIVOT PROPOSED IN THESE TWO APPS.

In general, the Department will make a draft preliminary determination to grant or deny this application within 60 or 120 days of the date the application is deemed and correct and complete (60 days if a preapplication meeting was held, 120 days if a preapplication meeting was not held). That date is currently unknown as the application has not yet been determined to be correct and complete. If the draft preliminary determination is to grant the application, the application will be published in the local newspaper and a notice will be sent to appropriators who, according to the department records, may be affected by the proposed appropriation. Individuals will have 30 days to submit a public comment about this application under §85-2-307, MCA, after the application has been published in the newspaper. If public comments are received, the Department will consider the public comments and update the preliminary determination. If the preliminary determination is to grant the application, the application will again be published in a local newspaper and a notice will be sent to anyone who submitted a public comment, along with appropriators who, according to the department records may be affected by the proposed appropriation. Individuals will have 30 days to submit an objection under §85-2-308, MCA, after the application has been published in the newspaper.

Direct questions regarding this application to the Water Resources Regional Office, 1371 RIMTOP DRIVE, BILLINGS, MT 59105-1978 FAX: 406-247-4416 PHONE: 406-247-4419