

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 30165112

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

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	43D-14970	JUNE 15, 1902
Historical Flow Rate: 3.75 CFS	Historical Consumptive Volume: 65.21 AC-FT	Historical Diverted Volume: 127.59 AC-FT

PAST USE OF WATER

HISTORICALLY 169.3 ACRES WERE FLOOD IRRIGATED IN THE W2 SEC. 4, T5S, R20E; THE NE AND SE SEC. 5, T5S, R20E; AND THE NE AND NW SEC. 8 T5S R20E, CARBON CO BY MEANS OF THE CLARK (HOINES) DITCH HEADGATE, THE LOYNING DITCH HEADGATE, AND A PUMP SITE FROM APPROX. APR 15 TO JUN 30 WHEN WATER WAS AVAILABLE.

WEAST DITCH SHARES (43C 198705-00) HISTORICALLY PROVIDED SUPPLEMENTAL IRRIGATION TO ALL 169.3 ACRES UNDER THIS WATER RIGHT FROM APPROX. JUL 1 TO OCT 15.

PROPOSED CHANGE

APPLICANT PROPOSED TO CHANGE THE POINT OF DIVERSION AND PLACE OF USE OF STOCK 43D 14970-00, AND ADD A NEW PLACE OF STORAGE. APPLICANT PROPOSED TO RETIRE THE HISTORICAL LOYNING DITCH HEADGATE IN THE SWSESW SEC 5, T5S, R20E, CARBON CO, RETAIN THE HISTORICAL CLARK (HOINES) DITCH HEADGATE IN THE SWNESE SEC. 5 T5S, R20E, AND ADD TWO SHARED PUMPSITES, ONE IN THE SWNWSE AND ONE IN THE NENESE SEC. 5 T5S, R20E, CARBON COUNTY. APPLICANT PROPOSES TO RETIRE 10.8 ACRES, GENERALLY LOCATED OUTSIDE THE PIVOT IN THE E2SE SEC. 5, AND THE ACRES UNDER THE PROPOSED POND AND RIDING FACILITIES IN THE SENE SEC. 5, T5S, R20E, CARBON COUNTY. APPLICANT PROPOSES TO ADD 3.5 ACRES OF IRRIGATION OUTSIDE THE HISTORICAL FOOTPRINT IN THE NWSW SEC. 4, T5S, R20E, THE SWSWNE SEC. 5, AND SWSENE SEC. 5, T5S, R20E, CARBON COUNTY. THE PLACE OF STORAGE IS A POND WHICH WILL SERVE THE NEW FISHERY PURPOSE AS IS LOCATED GENERALLY WITHIN THE RETIRED HISTORICAL ACRES IN THE SENE SEC.5, T5S, R20E.

ADDITIONAL INFORMATION

THIS CHANGE APP IS TIED TO CHANGE APP 43D 30165111 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