



September 23, 2026

Lazy KU Estates LLC
%Jerry Krushensky
3116 S 72nd St. W.
Billings, MT 59106-4136

Subject: Correct and Complete Application for Beneficial Water Use Permit No. 43Q
30173538

Dear Applicant,

The Department of Natural Resources and Conservation (Department or DNRC) has determined that your application is correct and complete pursuant to ARM 36.12.1601. Please remember that correct and complete **does not mean that your application will be granted.** The purpose of this letter is to indicate that the Department has enough information to analyze your water right application.

The Department will issue a Draft Preliminary Determination within 60 days of the date of this letter per §85-2-307(2)(b), MCA.

Following issuance of the Draft Preliminary Determination, you (Applicant) will have 15 business days to request an extension of time to submit additional information, if desired pursuant to §85-2-307(3)(a), MCA.

If no extension of time is requested and the Draft Preliminary Determination decision is to grant your application or grant your application in modified form, the Department will prepare a notice of opportunity to provide public comment, per §85-2-307(4)(a), MCA.

If no extension of time is requested and the Draft Preliminary Determination decision is to deny your application, the Department will adopt the Draft Preliminary Determination as the final determination per §85-2-307(3)(d)(ii), MCA.

If you have any questions or concerns about the application process, please contact me.



Sincerely,



Christine Schweigert
Hydrologist
Billings Regional Office

cschweigert@mt.gov

406-247-4419

1371 Rimtop Drive, Billings, MT 59105

CC: WWC Engineering

%Greg Reid

550 S. 24th St. W., Ste 201

Billings, MT 59102





**APPLICATION FOR
BENEFICIAL WATER USE
PERMIT**

§ 85-2-302, MCA

Form No. 600 (10/2025)

For Department Use Only

RECEIVED

SEP 02 2026

DNRC-WRD-BILLINGS

FILING FEE

\$2900/\$1600 – Inside a Basin Closure Area, Controlled Groundwater Area or Compact Closure; without/with filing fee reduction.

\$2500/\$1200 – Outside a Basin Closure Area; Controlled Groundwater Area or Compact Closure; without/with filing fee reduction.

INFORMATION

An application will be eligible for a filing fee reduction and expedited timelines if the applicant completes a preapplication meeting with the Department (ARM 36.12.1302(1)), which includes submitting any follow-up information identified by the Department (ARM 36.12.1302(3)(c)) and receiving either Department-completed technical analyses or Department review of applicant-submitted technical analyses (ARM 36.12.1302(4) and (5)). An application for the proposed project also must be submitted within 180 days of delivery of Department technical analyses or scientific credibility review and no element on the submitted application can be changed from the completed preapplication meeting form (ARM 36.12.1302(6)). If application is eligible for a filing fee reduction, \$500 paid for Form 600P-B will be credited toward filing fees shown above.

Application # 30173538 Basin 43Q
Priority Date 9/2/2026 Time 11:11 AM
Rec'd By VC
Fee Rec'd \$ 1200.00 Check # CC
Deposit Receipt # WR1 2704552
Payor Western Water Consultants - Greg Reid
Refund \$ 500.00 Date 9/14/2026
REF 270175

Applicant Information: Add more as necessary.

Applicant Name Jerry Krushensky - DNRC Customer ID 278722

Mailing Address PO Box 81508 City Billings State MT Zip 59108
Phone Numbers: Home 406-581-0658 Work _____ Cell _____
Email Address jdwineridge@aol.com

Applicant Name Lazy KU Estates LLC - Cheryl Ann Kramer, Manager

Mailing Address 3116 S. 72nd Street W. City Billings State MT Zip 59106
Phone Numbers: Home 406-690-4537 Work _____ Cell _____
Email Address _____

Applicant Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone Numbers: Home _____ Work _____ Cell _____
Email Address _____

Contact/Representative Information: Add more as necessary.

Contact/Representative is: ☐ Applicant ☒ Consultant ☐ Attorney ☐ Other

Contact/Representative Name Greg Reid (WWC Engineering)

Mailing Address 550 S. 24th Street W, Ste. 201 City Billings State MT Zip 59102
Phone Numbers: Home _____ Work 406-894-2210 Cell _____
Email Address greid@wwcengineering.com

NOTE: If a contact person is identified as an attorney, all communication will be sent only to the attorney unless the attorney provides written instruction to the contrary (ARM 36.12.122(2)). If a contact person is identified as a consultant, employee, or lessee, the individual filing the water right form or objection form will receive all correspondences, and a copy may be sent to the contact person (ARM 36.12.122(3)).



Answer every question and applicable follow-up questions. Use the checkboxes to denote yes ("Y"), no ("N"), or not applicable ("NA"). Questions that require items to be submitted to the Department have a submitted ("S") checkbox, which is marked when the required item is attached to the Application. Label all submitted items with the question number for which they were submitted. Narrative responses that are larger than the space provided can be answered in an attachment. If an attachment is used, specify "see attachment" on this form, and label the attachment with the question number. Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative. Responses in the form of a table may be entered into the table provided on this form or in an attachment. If an attachment is used, the table must have the exact headings found on this form, and "see attachment" must be entered as a response to the relevant question. Clearly label all units in tables and narrative responses.

PREAPPLICATION AND TECHNICAL ANALYSES INFORMATION

1. ☒ Y ☐ N Do you elect for Department technical analyses to be used for criteria assessment?
2. ☒ Y ☐ N Did you have a preapplication meeting AND complete a Permit Preapplication Meeting Form Part A and Part B (Form 600P-A and 600P-B)?

IF QUESTION 2 IS NO, answer 2.a and 2.b:

- 2.a. ☐ S Submit the Technical Analyses Addendum (Form 600-TAA).
- 2.b. ☐ S ☐ NA Submit the technical analyses, if you elected in question 1 for Applicant technical analyses to be used for criteria assessment. Select "NA" if you elected for Departmental technical analyses.

IF QUESTION 2 IS YES, answer 2.c, 2.d, and 2.e:

- 2.c. ☐ Y ☒ N Has any element of the project described in this application changed from the mandatory elements of the project described in the completed form 600P? **If yes:**
2.c.i. Please explain.

- 2.c.ii. ☐ S Submit the Technical Analyses Addendum (Form 600-TAA).

- 2.d. ☒ Y ☐ N Are the technical analyses to be used for criteria assessment exactly the same as those completed during the preapplication process? **If no:**
2.d.i. Please explain.

- 2.d.ii. ☐ S Submit the Technical Analyses Addendum (Form 600-TAA).

- 2.e. ☒ Y ☐ N Did you elect in Question 1 for Department technical analyses to be used for criteria assessment? **If no:**
2.e.i. ☐ S Submit the technical analyses.



APPLICATION ADDENDA AND REVIEW

3. ☐ S ☒ NA If your application is for groundwater, not surface water, and one or more of your points of diversion are in a Basin Closure Area, then submit the Basin Closure Area Addendum (Form 600-BCA).
4. ☐ S ☒ NA If your application is for groundwater and one or more points of diversion are in a Basin Closure Area, then your project must have a Hydrogeologic Report that conforms with MCA 85-2-361 to comply with the requirements of § 85-2-360, MCA. A Hydrogeologic Report Addendum (Form 600-HRA) or Department Technical Analyses may be used to meet these requirements. Please mark the box below that best applies, then select "S" if submitting a Hydrogeologic Report or "NA" if one is not required. This question does not apply to surface water points of diversion in a Basin Closure Area.
- ☐ If you elected to conduct Technical Analyses, you must submit the Hydrogeologic Report Addendum (Form 600-HRA).
 - ☐ If you elected for DNRC to conduct Technical Analyses but did not have a preapplication meeting AND complete a Form 600P Permit Preapplication Meeting Form (or changes have occurred since the completed Form 600P), you must submit the Hydrogeologic Report Addendum (Form 600-HRA).
 - ☐ If you elected for DNRC to conduct Technical Analyses, had a preapplication meeting, completed a Form 600P, and the Technical Analyses remain unchanged since the preapplication meeting, you do not need to submit Form 600-HRA because the Department's Technical Analyses meet the report requirements of § 85-2-360 and § 85-2-361, MCA.
5. ☐ S ☒ NA If the project is for one or more groundwater points of diversion located in a Controlled Groundwater Area, then submit the Controlled Groundwater Area Addendum (Form 600-CGWA).
6. ☐ S ☒ NA If the project involves an appropriation that is greater than 5.5 CFS and 4,000 acre-feet, then submit a Criteria Addendum Application for Beneficial Water Use Permit for Appropriations Greater than 5.5 CFS and 4,000 AC-FT (Form 600-B).
7. ☐ S ☒ NA If the project involves out-of-state water use, then submit the Out-of-State Use Addendum (Form 600/606-OSA).
8. ☐ S ☒ NA If you require mitigation water to meet the criteria of issuance, then submit a Mitigation Purpose Addendum (Form 600/606-MIT).
9. ☐ S ☒ NA If the proposed purposes include marketing or selling water, (not marketing for mitigation/aquifer recharge), then submit the Marketing Purpose Addendum (Form 600/606-WMA).
10. ☐ S ☒ NA If the project involves one or more places of storage, then submit a Permit Storage Addendum (Form 600-SA). This does not include reservoirs, pits, pit-dams, or ponds with a capacity less than 0.1 AF; water tanks; or cisterns (ARM 36.12.113(6)).
11. ☐ S ☒ NA If the project is in designated sage grouse habitat, then submit a review letter from the Montana Sage Grouse Habitat Conservation Program.
12. ☐ S ☒ NA If the project includes a point of diversion and/or place of use on State of Montana Trust Land, submit documentation of consent from the DNRC Trust Lands Management Division.
13. ☐ S ☒ NA You must provide a written notice of the application to each owner of an appropriation right sharing a point of diversion or means of conveyance (e.g., canal, ditch, flume, pipeline, or constructed waterway) pursuant to §85-2-302(4)(c), MCA. Submit a copy of this notice and the recipient list.



PURPOSE AND DIVERSION INFORMATION

14. ☐ Y ☒ N Is the proposed use temporary?

14.a. If yes, when will the appropriation cease? _____

15. Is the proposed source surface water or groundwater? Groundwater

16. What is the source name? Groundwater

17. ☒ S Attach a map utilizing an aerial photograph or topographic map that shows the following: section corners; township and range; north arrow; scale bar; all proposed points of diversion labeled with a unique Point of Diversion (POD) ID number and, if applicable, GWIC number; all proposed places of use; all proposed conveyance facilities and or routes; all proposed places of storage labeled with a unique Storage ID number; and places of use (POU) for all overlapping water rights. More than one map may be submitted, if necessary to clearly convey all required information.

18. Fill out the table below. Means of diversion for surface water includes headgate, pump, dam, and others. Means of diversion for groundwater includes well, developed spring, pit pond, and others.

Purpose	Means of Diversion	Acres Irrigated (if appl.)	Period of Diversion (Month/Day - Month/Day)	Period of Use (Month/Day - Month/Day)	Flow Rate ☒ GPM ☐ CFS	Volume (Acre-Feet)
Multiple Domestic	Wells	NA	01/01-12/31	01/01-12/31	37.8	14.336
Lawn and Garden	Wells	16.0	04/01-10/31	04/01-10/31	181.0	40.0
Total Flow Rate and Volume Required					218.8	54.336

19. ☒ Y ☐ N Does the proposed use include on or more of the following purposes: domestic, multiple domestic, stock, or irrigation? If yes, fill out the table below, where applicable.

Purpose	Requested Information	Response
Domestic or multiple domestic	Number of households and bedrooms served per household	32 dwellings; DEQ design basis of five bedrooms per dwelling
Stock	Number of animal units	
Irrigation	Method of irrigation type (sprinkler or flood) and subtype (if flood: level border, graded border, furrow, contour ditch, or other; if sprinkler: center pivot, wheel line, or other)	
Irrigation (flood only)	Design slope	

POINT(S) OF DIVERSION

20. Describe the proposed location of the point(s) diversion to the nearest ¼ ¼ ¼ Section. Label each POD with the POD ID number used for the project map (question 17).

[illegible]

PLACE OF USE

21. What are the geocodes of the place of use?

See the Question 21 Supporting Table for all 32 assigned lot geocodes.	

22. Describe the legal land description for the proposed place of use and, if applying for an irrigation or lawn and garden purpose, list the number of irrigated acres.

[illegible]

SUPPLEMENTAL AND OVERLAPPING WATER RIGHTS

23. ☐ Y ☒ N Will other water rights supplement or overlap the place of use to contribute to the purpose(s)?

23.a. If yes, summarize how the supplemental and proposed water rights will be operated as a whole to serve the purpose(s).

24. For each supplemental or overlapping water right, please list the water right number, typical period of diversion and use (MM/DD-MM/DD), flow rate (GPM or CFS), and the volume of water (AF) contributed to the shared place of use.

Water Right #	Average Period of Diversion	Average Period of Use	Flow Rate	Volume Contributed
N/A				

25. ☐ Y ☒ N Will this application supplement contract water from a Federal Project, ditch company, or other source?

25.a. If yes, explain.

ADVERSE EFFECT

26. Explain how you can control your diversion in response to a call being made.

Recorded CCR Document 4137000 limits each lot to one well, 25 gpm, and 1.698 AF/year. It allows outdoor-irrigation limits, seasonal ~~restrictions, flow restrictions, and service suspension to maintain DNRG compliance. Each well can be restricted or shut off in response to a~~ valid call.



27. Describe any plans you have for ensuring existing water rights will be satisfied during times of water shortage.

Recorded CCR Document 4137000 allows outdoor-irrigation limits, seasonal use restrictions, and emergency curtailment. During a shortage, lawn-and-garden use will be reduced or stopped before domestic use is reduced. Individual wells can also be restricted or shut off in response to a valid call.

28. ☐ Y ☒ N Are you aware of any calls that have been made on the source of supply or, if groundwater, on nearby surface water sources?

28.a. If yes, explain.

29. ☐ Y ☒ N Does a water commissioner distribute water or oversee water distribution on your proposed source?

29.a. If yes, list the source(s).

30. ☐ Y ☒ N Do other water rights share any of the proposed points of diversion?

30.a. If yes, describe how the proposed project will not adversely affect these water rights.

31. ☐ Y ☒ N Do other water rights share any conveyance infrastructure associated with the proposed project?

31.a. If yes, describe how the proposed project will not adversely affect these water rights.



ADEQUATE MEANS OF DIVERSION AND OPERATION

32. ☒ **S** Submit a diagram of how you will operate your system from all proposed points of diversion to all proposed places of use.
33. Describe specific information about the capacity of all proposed diversionary structures. This may include, where applicable: pump curves and total dynamic head calculations, headgate design specifications, and dike or dam height and length.

Recorded CCR Document 4137000 limits each lot to one well and a maximum instantaneous rate of 25 gpm. POD A was pump tested at an average rate of 107.5 gpm for 8 hours with approximately 0.5 foot of drawdown. Each future lot owner will have the well constructed by a licensed well driller and size the pump for the approved demand.

34. Describe the size, materials, capacity, and configuration of infrastructure to convey water from all proposed points of diversion to all proposed places of use. This may include but is not limited to, pipelines and ditches. Include a description of any losses related to the proposed conveyance. Ditch conveyance losses may be estimated numerous ways, which include a ditch loss rate or Department standard methods.

Each well serves only the residence and lawn-and-garden area on the same lot through a buried potable-water service line. No shared conveyance is proposed. Service piping is sized for 25 gpm. and conveyance losses are negligible.

35. Describe how the proposed diversion and conveyance infrastructure can provide the required flow and volume, for the purposes plus any conveyance losses and storage, throughout the proposed period of diversion.

Each residence will have an individual well and a pump sized for 25 gpm. A buried service line will deliver water to the residence and lawn-and-garden area on the same lot. The well and service line are sized to deliver the approved 1.698 AF/year per lot. No shared conveyance or storage is proposed.



36. Provide a plan of operations, which includes specific information about how water is delivered within the place of use. This may include, where applicable, the range of flow rates needed for a pivot.

~~Each well serves only the POU on the same lot. Domestic use occurs year-round and is based on 400 gpd per dwelling. This application limits lawn and garden use to 0.5 acre and 1.25 AF/year per lot from April 1 through October 31. Recorded CCR Document 4137000 caps total use at 1.698 AF/year per lot. See the Question 22 Supporting Table.~~

37. ☐ Y ☒ N Does the proposed conveyance require easements?

37.a. If yes, explain.

38. ☐ Y ☒ N Do you own the land where all proposed points of diversion are located?

38.a. ☒ S If no, submit documentation to show you have the right to use all points of diversion located on each property you do not own. This may include, but is not limited to, a well agreement, an easement, or permission of the party that owns the property where the proposed point(s) of diversion are located.

39. ☒ Y ☐ N Will your system be designed to discharge water from the project?

IF YES,

39.a. Explain the wastewater disposal method.

~~Domestic wastewater will be discharged to the DEQ-permitted evapotranspiration (ET) beds shown on the site plan and approved through the subdivision COSA.~~

- 39.b. ☒ Y ☐ N ☐ NA Have the necessary permits been obtained to comply with §§ 75-5-410 and 85-2-364, MCA?

40. ☒ Y ☐ N Do you have any plans to measure your diversion and use?

40.a. If yes, describe the plan and the type of measurements you will take.

~~Recorded CCR Document 4137000 requires a meter at each well or residence connection to measure total withdrawal and peak flow. Each homeowner must retain permanent records of peak withdrawal and total lot use and report the information to DNRC as required.~~



POSSESSORY INTEREST

45. ☐ Y ☒ N Do you meet one of the exceptions to possessory interest requirements, pursuant to ARM 36.12.1802? Exceptions include cases where the application is for sale, rental, distribution, or is a municipal use, or in any other context in which water is being supplied to another and it is clear that the ultimate user will not accept the supply without consenting to the use of water on the user's place of use.

45.a. If yes, explain.

46. ☐ Y ☒ N ☐ NA Do you own all proposed places of use? Mark "NA" if you meet one of the exceptions to the possessory interest requirement.

IF NO,

- 46.a. ☒ S Explain and submit documentation that shows you either have possessory interest or written permission of the parties with possessory interest of the place of use.

Written permission from the other lot owners to apply for the water right is included.

- 46.b. ☒ Y ☐ N Would you like the water right to be appurtenant to the land? Please note that if your water right is not appurtenant to land it will not transfer by default with the conveyance of the property, pursuant to § 85-2-403, MCA.

46.b.i. If no, explain.

PROPOSED COMPLETION PERIOD

47. How much time will be needed to complete this project and to submit to the DNRC a Project Completion Notice (Form 617)? 10 years

48. Please describe why this amount of time is needed to complete this project.

The proposed wells will be drilled by future homeowners as development occurs. It is anticipated that within 10 years the full development will be built out and one year of water measurements can be collected and submitted to DNRC.



AFFIDAVIT & CERTIFICATION

Read carefully before you sign and review with legal counsel if you have any questions. All owners (or trustees) must sign the form. ***If the owner is a business or trust, include the title of the representative(s) signing the form (i.e., president, trustee, managing partner, etc.) and provide documentation that establishes the authority of the representative to sign the application.*

I affirm the information provided for this application is to the best of my knowledge true and correct. If a preapplication meeting form was submitted, I am aware that my application for this project will not qualify for a discounted filing fee and expedited timelines if upon submittal of the application to the Department, I changed any element of the proposed application from the preapplication meeting form and follow-up materials (ARM 36.12.1302(6)(a)).

I affirm I have possessory interest, or the written consent of the person with the possessory interest, in the property where the water is to be put to beneficial use, unless this application meets an exception to the possessory interest requirements in ARM 36.12.1802(1)(b).

I understand that making a false statement under oath or affirmation in this application and official proceedings throughout the examination of my application may subject me to prosecution under § 45-7-202, MCA, a misdemeanor punishable by a jail term not to exceed 6 months or a fine not to exceed \$500, or both. I have read this Affidavit and understand the terms and conditions.

I declare under penalty of perjury and under the laws of the state of Montana that the foregoing is true and correct.

Printed Name Jerry Krushensky

Applicant Signature _____ Date: _____

Printed Name Cherryl Ann Kramer, Manager, Lazy KU Estates LLC

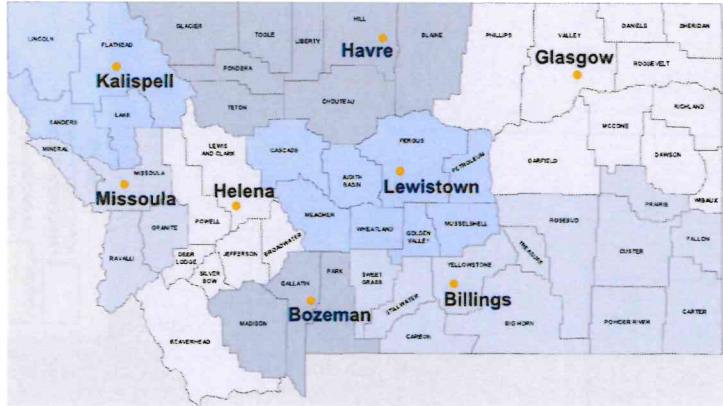
Applicant Signature _____ Date: _____

Printed Name _____

Applicant Signature _____ Date: _____



WATER RESOURCES REGIONAL OFFICES



BILLINGS

Airport Industrial Park, 1371 Rimtop Dr
Billings, MT 59105-9702

PHONE 406-247-4415 FAX 406-247-4416

EMAIL DNRCBillingsWater@mt.gov

Big Horn, Carbon, Carter, Custer, Fallon, Powder River, Prairie, Rosebud, Stillwater, Sweet Grass, Treasure, and Yellowstone Counties



HELENA

1424 9th Ave., PO Box 201601,
Helena, MT 59620-1601

PHONE 406-444-6999 FAX 406-444-9317

EMAIL DNRCHelenaWater@mt.gov

Beaverhead, Broadwater, Deer Lodge, Jefferson, Lewis and Clark, Powell, and Silver Bow Counties



BOZEMAN

2273 Boot Hill Court, Suite 110
Bozeman, MT 59715-7249

PHONE 406-586-3136 FAX 406-587-9726

EMAIL DNRCBozemanWater@mt.gov

Gallatin, Madison, and Park Counties



KALISPELL

655 Timberwolf Parkway, Suite 4
Kalispell, MT 59901-1215

PHONE 406-752-2288

EMAIL DNRCKalispellWater@mt.gov

Flathead, Lake, Lincoln, and Sanders Counties



GLASGOW

222 6th Street South, PO Box 1269
Glasgow, MT 59230-1269

PHONE 406-228-2561

EMAIL DNRCGlasgowWater@mt.gov

Daniels, Dawson, Garfield, McCone, Phillips, Richland, Roosevelt, Sheridan, Valley, and Wibaux Counties



LEWISTOWN

613 Northeast Main St., Suite E
Lewistown, MT 59457-2020

PHONE 406-538-7459

EMAIL DNRCLewistownWater@mt.gov

Cascade, Fergus, Golden Valley, Judith Basin, Meagher, Musselshell, Petroleum, and Wheatland Counties



HAVRE

210 6th Ave., PO Box 1828
Havre, MT 59501-1828

PHONE 406-265-5516

EMAIL DNRCHavreWater@mt.gov

Blaine, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, and Toole Counties



MISSOULA

2705 Spurgin Rd. Bldg. C, PO Box 5004
Missoula, MT 59806-5004

PHONE 406-721-4284 FAX 406-542-5899

EMAIL DNRCMissoulaWater@mt.gov

Granite, Mineral, Missoula, and Ravalli Counties



YELLOWSTONE COUNTY, MT

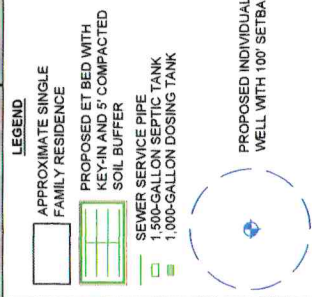
www.wileyonlinelibrary.com

PROJECT NO. 2024-127

[illegible]

Project Map and POD/POU Key

Red POD label = point of diversion ID.
Black POU label = block/lot place-of-use ID; each POU is 0.5 acre.
Example: POU B4/L6 = Block 4, Lot 6.



NOTE:
1. EXISTING SURFACE CONTOURS SHOWN AT 1' INTERVALS.
2. REFER TO PLAT FOR CURVE AND LINE DIMENSIONS AS NECESSARY.

Form 500 Attachment Packet - Page :

DEQ SUBMITTAL

FORM 600 - QUESTION 20 SUPPORTING TABLE

Point(s) of Diversion - Lazy KU Subdivision, 3rd Filing. Tract and Government Lot are not applicable.

POD #	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Lot	Block	Tract	Subdivision	Gov. Lot
A	NW	SW	SE	25	1S	24E	Yellowstone	6	4	N/A	Lazy KU 3rd Filing	N/A
B	NW	SW	SE	25	1S	24E	Yellowstone	7	4	N/A	Lazy KU 3rd Filing	N/A
C	NW	SW	SE	25	1S	24E	Yellowstone	8	4	N/A	Lazy KU 3rd Filing	N/A
D	SW	SW	SE	25	1S	24E	Yellowstone	9	4	N/A	Lazy KU 3rd Filing	N/A
E	SW	SW	SE	25	1S	24E	Yellowstone	10	4	N/A	Lazy KU 3rd Filing	N/A
F	SW	SW	SE	25	1S	24E	Yellowstone	1	7	N/A	Lazy KU 3rd Filing	N/A
G	SE	SW	SE	25	1S	24E	Yellowstone	2	7	N/A	Lazy KU 3rd Filing	N/A
H	SE	SW	SE	25	1S	24E	Yellowstone	3	7	N/A	Lazy KU 3rd Filing	N/A
I	SE	SW	SE	25	1S	24E	Yellowstone	4	7	N/A	Lazy KU 3rd Filing	N/A
J	SW	SE	SE	25	1S	24E	Yellowstone	5	7	N/A	Lazy KU 3rd Filing	N/A
K	SW	SE	SE	25	1S	24E	Yellowstone	6	6	N/A	Lazy KU 3rd Filing	N/A
L	SE	SW	SE	25	1S	24E	Yellowstone	7	6	N/A	Lazy KU 3rd Filing	N/A
M	SE	SW	SE	25	1S	24E	Yellowstone	8	6	N/A	Lazy KU 3rd Filing	N/A
N	SE	SW	SE	25	1S	24E	Yellowstone	9	6	N/A	Lazy KU 3rd Filing	N/A
O	SW	SW	SE	25	1S	24E	Yellowstone	10	6	N/A	Lazy KU 3rd Filing	N/A
P	SW	SW	SE	25	1S	24E	Yellowstone	1	6	N/A	Lazy KU 3rd Filing	N/A
Q	SE	SW	SE	25	1S	24E	Yellowstone	2	6	N/A	Lazy KU 3rd Filing	N/A
R	SE	SW	SE	25	1S	24E	Yellowstone	3	6	N/A	Lazy KU 3rd Filing	N/A
S	SE	SW	SE	25	1S	24E	Yellowstone	4	6	N/A	Lazy KU 3rd Filing	N/A
T	SW	SE	SE	25	1S	24E	Yellowstone	5	6	N/A	Lazy KU 3rd Filing	N/A
U	NW	SE	SE	25	1S	24E	Yellowstone	5	5	N/A	Lazy KU 3rd Filing	N/A
V	NE	SW	SE	25	1S	24E	Yellowstone	6	5	N/A	Lazy KU 3rd Filing	N/A
W	NE	SW	SE	25	1S	24E	Yellowstone	7	5	N/A	Lazy KU 3rd Filing	N/A
X	NW	SW	SE	25	1S	24E	Yellowstone	8	5	N/A	Lazy KU 3rd Filing	N/A
Y	NW	SW	SE	25	1S	24E	Yellowstone	1	5	N/A	Lazy KU 3rd Filing	N/A
Z	NE	SW	SE	25	1S	24E	Yellowstone	2	5	N/A	Lazy KU 3rd Filing	N/A
AA	NE	SW	SE	25	1S	24E	Yellowstone	3	5	N/A	Lazy KU 3rd Filing	N/A
BB	NW	SE	SE	25	1S	24E	Yellowstone	4	5	N/A	Lazy KU 3rd Filing	N/A
CC	NW	SE	SE	25	1S	24E	Yellowstone	8	3	N/A	Lazy KU 3rd Filing	N/A
DD	NE	SW	SE	25	1S	24E	Yellowstone	9	3	N/A	Lazy KU 3rd Filing	N/A
EE	NE	SW	SE	25	1S	24E	Yellowstone	10	3	N/A	Lazy KU 3rd Filing	N/A
FF	NW	SW	SE	25	1S	24E	Yellowstone	11	3	N/A	Lazy KU 3rd Filing	N/A

FORM 600 - QUESTION 21 SUPPORTING TABLE

The assigned geocode for each of the 32 proposed lots is listed below.

Block	Lot	Individual Lot Geocode
3	8	03-0925-25-4-06-15-0000
3	9	03-0925-25-4-06-17-0000
3	10	03-0925-25-4-06-19-0000
3	11	03-0925-25-4-06-21-0000
4	6	03-0925-25-4-07-11-0000
4	7	03-0925-25-4-07-13-0000
4	8	03-0925-25-4-07-15-0000
4	9	03-0925-25-4-07-17-0000
4	10	03-0925-25-4-07-19-0000
5	1	03-0925-25-4-14-01-0000
5	2	03-0925-25-4-14-03-0000
5	3	03-0925-25-4-14-05-0000
5	4	03-0925-25-4-14-07-0000
5	5	03-0925-25-4-14-09-0000
5	6	03-0925-25-4-14-11-0000
5	7	03-0925-25-4-14-13-0000
5	8	03-0925-25-4-14-15-0000
6	1	03-0925-25-4-15-01-0000
6	2	03-0925-25-4-15-03-0000
6	3	03-0925-25-4-15-05-0000
6	4	03-0925-25-4-15-07-0000
6	5	03-0925-25-4-15-09-0000
6	6	03-0925-25-4-15-11-0000
6	7	03-0925-25-4-15-13-0000
6	8	03-0925-25-4-15-15-0000
6	9	03-0925-25-4-15-17-0000
6	10	03-0925-25-4-15-19-0000
7	1	03-0925-25-4-16-01-0000
7	2	03-0925-25-4-16-03-0000
7	3	03-0925-25-4-16-05-0000
7	4	03-0925-25-4-16-07-0000
7	5	03-0925-25-4-16-09-0000

Source: Montana Cadastral parcel mapping, accessed July 29, 2026.

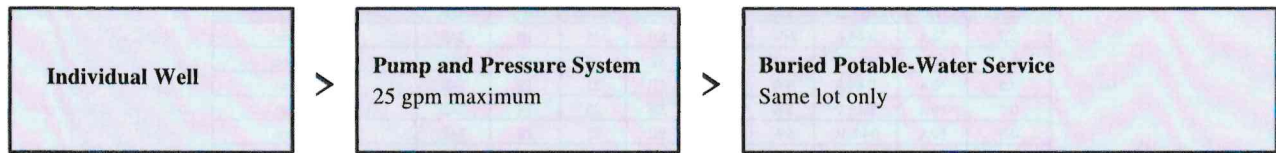
FORM 600 - QUESTION 22 SUPPORTING TABLE

Each row is a separate POU. The Block column shows the POU ID as B#/L# (subdivision block/lot); POD letters are not used as POU IDs. Government Lot is not applicable.

Acres	Gov. Lot	Block	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
0.5	N/A	B4/L6	NW	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B4/L7	NW	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B4/L8	NW	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B4/L9	SW	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B4/L10	SW	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B7/L1	SW	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B7/L2	SE	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B7/L3	SE	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B7/L4	SE	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B7/L5	SW	SE	SE	25	1S	24E	Yellowstone
0.5	N/A	B6/L6	SW	SE	SE	25	1S	24E	Yellowstone
0.5	N/A	B6/L7	SE	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B6/L8	SE	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B6/L9	SE	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B6/L10	SW	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B6/L11	SW	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B6/L2	SE	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B6/L3	SE	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B6/L4	SE	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B6/L5	SW	SE	SE	25	1S	24E	Yellowstone
0.5	N/A	B5/L5	NW	SE	SE	25	1S	24E	Yellowstone
0.5	N/A	B5/L6	NE	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B5/L7	NE	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B5/L8	NW	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B5/L1	NW	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B5/L2	NE	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B5/L3	NE	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B5/L4	NW	SE	SE	25	1S	24E	Yellowstone
0.5	N/A	B3/L8	NW	SE	SE	25	1S	24E	Yellowstone
0.5	N/A	B3/L9	NE	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B3/L10	NE	SW	SE	25	1S	24E	Yellowstone
0.5	N/A	B3/L11	NW	SW	SE	25	1S	24E	Yellowstone
32 POUs / 16.0 Total Acres									

FORM 600 - QUESTION 32 SUPPORTING DIAGRAM

The Question 17 map identifies each POD and its same-lot POU. The diagram below shows the operating path common to all 32 lots.



Service connection splits to the two uses below inside of residence.

Residence Year-round domestic use 0.448 AF/year	Lawn and Garden April 1 - October 31 0.5 acre / 1.250 AF/year
--	--

Configuration	Each POD serves only the residence and 0.5-acre lawn-and-garden POU on the same lot. No shared conveyance is proposed.
Per-lot limit	25 gpm and 1.698 AF/year, consisting of 0.448 AF/year domestic and 1.250 AF/year lawn and garden.
Project limit	Combined diversion is limited to 218.8 gpm and 54.336 AF/year.
Shortage response	Recorded CCR Document 4137000 allows outdoor-irrigation limits, seasonal restrictions, emergency curtailment, flow restrictions, and service suspension. Lawn-and-garden use is reduced before domestic use.
Construction	Each future lot owner has one individual well installed by a licensed well driller as development occurs. The CCRs cap the instantaneous rate at 25 gpm per lot.

FORM 600 - RECORDED CCR SUPPORTING PROVISIONS

Supports Questions 26, 27, 33, 36, and 40

Recorded instrument	Declaration of Covenants for Lazy KU Subdivision, 3rd Filing - Yellowstone County Document 4137000
Recording information	Recorded June 23, 2026 at 9:13:01 a.m.; document dated June 4, 2026
Per-lot allocation	One individual well per residential lot; no more than 1.698 AF/year and 25 gpm per lot.
Project allocation	The CCRs reference a cumulative DNRC authorization of 54.336 AF/year.
Metering	A meter is required at each well or residence connection to measure total withdrawal and peak flow.
Records and reporting	Each homeowner must retain permanent records of individual peak withdrawals and total lot use and provide reporting to DNRC as required by the water-right permit.
Compliance	Each homeowner must ensure total annual volume and instantaneous diversion remain within the permitted per-lot limits.
Shortage response	The CCRs allow outdoor-irrigation limits, seasonal use restrictions, and emergency curtailment to maintain compliance.
Enforcement	A lot exceeding its allocation may be subject to fines, flow restriction devices, or suspension of service as allowed by law.

Source note: This page identifies and summarizes the applicable recorded provisions for the Form 600 responses. A full-resolution recorded copy may be obtained from the Yellowstone County Clerk and Recorder using Document 4137000.

AFFIDAVIT & CERTIFICATION

Read carefully before you sign and review with legal counsel if you have any questions. All owners (or trustees) must sign the form. ***If the owner is a business or trust, include the title of the representative(s) signing the form (i.e., president, trustee, managing partner, etc.) and provide documentation that establishes the authority of the representative to sign the application.*

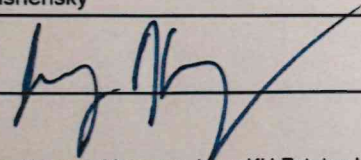
I affirm the information provided for this application is to the best of my knowledge true and correct. If a preapplication meeting form was submitted, I am aware that my application for this project will not qualify for a discounted filing fee and expedited timelines if upon submittal of the application to the Department, I changed any element of the proposed application from the preapplication meeting form and follow-up materials (ARM 36.12.1302(6)(a)).

I affirm I have possessory interest, or the written consent of the person with the possessory interest, in the property where the water is to be put to beneficial use, unless this application meets an exception to the possessory interest requirements in ARM 36.12.1802(1)(b).

I understand that making a false statement under oath or affirmation in this application and official proceedings throughout the examination of my application may subject me to prosecution under § 45-7-202, MCA, a misdemeanor punishable by a jail term not to exceed 6 months or a fine not to exceed \$500, or both. I have read this Affidavit and understand the terms and conditions.

I declare under penalty of perjury and under the laws of the state of Montana that the foregoing is true and correct.

Printed Name Jerry Krushensky

Applicant Signature 

Date: 8-14-2026

Printed Name Cherryl Ann Kramer, Manager, Lazy KU Estates LLC

Applicant Signature Cherryl A. Kramer

Date: Aug. 19, 2026

Printed Name Cherryl A. Kramer

Applicant Signature _____

Date: _____

AFFIDAVIT & CERTIFICATION

Read carefully before you sign and review with legal counsel if you have any questions. All owners (or trustees) must sign the form. ***If the owner is a business or trust, include the title of the representative(s) signing the form (i.e., president, trustee, managing partner, etc.) and provide documentation that establishes the authority of the representative to sign the application.*

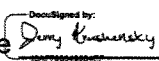
I affirm the information provided for this application is to the best of my knowledge true and correct. If a preapplication meeting form was submitted, I am aware that my application for this project will not qualify for a discounted filing fee and expedited timelines if upon submittal of the application to the Department, I changed any element of the proposed application from the preapplication meeting form and follow-up materials (ARM 36.12.1302(6)(a)).

I affirm I have possessory interest, or the written consent of the person with the possessory interest, in the property where the water is to be put to beneficial use, unless this application meets an exception to the possessory interest requirements in ARM 36.12.1802(1)(b).

I understand that making a false statement under oath or affirmation in this application and official proceedings throughout the examination of my application may subject me to prosecution under § 45-7-202, MCA, a misdemeanor punishable by a jail term not to exceed 6 months or a fine not to exceed \$500, or both. I have read this Affidavit and understand the terms and conditions.

I declare under penalty of perjury and under the laws of the state of Montana that the foregoing is true and correct.

Printed Name Jerry Krushensky

Applicant Signature  Date: 8/31/2026

Printed Name Cherryl Ann Kramer, Manager, Lazy KU Estates LLC

Applicant Signature _____ Date: _____

Printed Name _____

Applicant Signature _____ Date: _____



PROPERTY OWNER AUTHORIZATION

DNRC FORM 600 WATER USE PERMIT APPLICATION

Date: August 25, 2026

To: Montana Department of Natural Resources and Conservation, Water Resources Division

Re: Lazy KU Subdivision, 3rd Filing

Lot: 7

Block: 4

Geocode: 03092525407130000

I, **Karen Yakos**, am the record owner of the property referenced above.

I authorize **Jerry Krushensky, DNRC Customer ID 278722**, to include this property in and pursue the DNRC Form 600 Application for Beneficial Water Use Permit for Lazy KU Subdivision, 3rd Filing, as it relates to this parcel.

If approved, I authorize the proposed individual well on this property to have a water right approved for it that is tied to the associated parcel referenced herein.

LIMITED PURPOSE AND RESERVATION OF RIGHTS

This owner authorization is strictly limited to authorizing inclusion of the parcel in the DNRC Form 600 application and securing the contemplated water right for the parcel. Notwithstanding any other language in this authorization, my authorization is expressly conditioned upon and subject to the following reservation of rights:

- My authorization and participation are provided **solely for purposes of the DNRC Form 600 application and securing the contemplated water right for the parcel.**
- My signature and participation **do not constitute acceptance, affirmation, approval, or ratification of the purchase, transaction, development, or the developer's performance.**
- My signature and participation **do not waive, release, compromise, impair, limit, or otherwise prejudice any claims, causes of action, defenses, damages, rights of rescission, termination, restitution, reimbursement, recovery of funds, or any other legal or equitable rights or remedies** I may have against the developer or any other party.
- My signature and participation **do not constitute an admission concerning any disputed fact, circumstance, obligation, representation, performance, or legal issue.**
- This authorization **shall not be construed, offered, asserted, or used in any subsequent litigation, arbitration, administrative proceeding, negotiation, or other proceeding as evidence that I waived, abandoned, compromised, ratified, affirmed, or otherwise impaired any claim, right, defense, or remedy.**

- This authorization **does not create or impose upon me any additional financial, contractual, development, construction, maintenance, access, easement, well-installation, infrastructure, or other obligation** relating to the parcel, subdivision, development, water right, proposed well, or DNRC application.
- This authorization **shall not restrict, impair, delay, condition, or otherwise affect my right to rescind, terminate, unwind, cancel, or otherwise challenge the underlying parcel transaction**, regardless of whether the DNRC application is pending, approved, denied, withdrawn, modified, or otherwise acted upon.
- This authorization **does not authorize Jerry Krushensky, the developer, their agents, representatives, engineers, attorneys, or any other person to make any representation, admission, agreement, waiver, modification, settlement, commitment, or undertaking on my behalf concerning ownership of the parcel, the underlying parcel transaction, or any disputed matter**, except as strictly necessary to process the DNRC Form 600 application and secure the contemplated water right for this parcel.
- **No amendment, expansion, modification, or waiver of these reservations of rights shall be effective unless expressly agreed to by me in a separate writing signed by me.**

PROPERTY OWNER SIGNATURE

Signature: Karen Yakos

Date: 8/25/26

Printed Name: Karen Yakos

PROPERTY OWNER AUTHORIZATION

DNRC FORM 600 WATER USE PERMIT APPLICATION

Date: August 17, 2026

To: Montana Department of Natural Resources and Conservation, Water Resources Division

Re: Lazy KU Subdivision, 3rd Filing

Lot: 5 Block: 5 Geocode: 03092525414090000

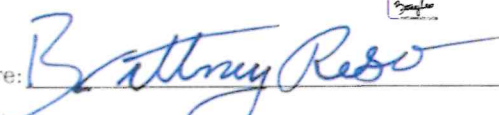
I/We, Joseph and Brittney Reso

am/are the legal owner(s) of the property identified above.

I/We authorize Jerry Krushensky, DNRC Customer ID 278722, to include this property in and pursue the DNRC Form 600 Application for Beneficial Water Use Permit for Lazy KU Subdivision, 3rd Filing for our parcel. If approved, I/we authorize the proposed individual well on this property to have a water right approved for it that is tied to the associated parcel referenced herein.

PROPERTY OWNER SIGNATURE(S)

All record owners should sign.

Signature: 

Date: 8.17.26

Printed Name: Brittney Reso

Signature: 

Date: 8-17-26

Printed Name: Joseph Reso

IF OWNED BY A COMPANY, TRUST, OR OTHER ENTITY

Entity Name: Title:

Authorized Signer: Date:

Signature:

Attach this signed authorization to the applicable DNRC Form 600 submission.

PROPERTY OWNER AUTHORIZATION

DNRC FORM 600 WATER USE PERMIT APPLICATION

Date: _____

To: Montana Department of Natural Resources and Conservation, Water Resources Division

Re: Lazy KU Subdivision, 3rd Filing

Lot: 6 Block: 4 Geocode: 03092525407110000

I/We, Chad and Tracy Hasler Living Trust

am/are the legal owner(s) of the property identified above.

I/We authorize Jerry Krushensky, DNRC Customer ID 278722, to include this property in and pursue the DNRC Form 600 Application for Beneficial Water Use Permit for Lazy KU Subdivision, 3rd Filing for our parcel. If approved, I/we authorize the proposed individual well on this property to have a water right approved for it that is tied to the associated parcel referenced herein.

PROPERTY OWNER SIGNATURE(S)

All record owners should sign.

Signature: Tracy A. Hasler Digitally signed by Tracy A. Hasler
DN: CN=Tracy A. Hasler, OU=Users,
OU=Billings, OU=Montana, OU=EPCS,
DC=biglocal, DC=com
Reason: I have reviewed this document
Date: 2026.08.17 15:28:46-06'00' Date: 08/17/2026 3:36:52 PM

Printed Name: Tracy Hasler

Signature: Chad Hasler Signed by: Chad Hasler
DN: CN=Chad Hasler, OU=Users,
OU=Billings, OU=Montana, OU=EPCS,
DC=biglocal, DC=com
Reason: I have reviewed this document
Date: 2026.08.17 15:28:46-06'00' Date: 08/17/2026 3:37:15 PM 9/8/2026

Printed Name: Chad Hasler

IF OWNED BY A COMPANY, TRUST, OR OTHER ENTITY

Entity Name: Chad and Tracy Hasler Living Trust Title: Owner

Authorized Signer: Tracy A. Hasler Digitally signed by Tracy A. Hasler
DN: CN=Tracy A. Hasler, OU=Users,
OU=Billings, OU=Montana, OU=EPCS,
DC=biglocal, DC=com
Reason: I have reviewed this document
Date: 2026.08.17 15:28:46-06'00' Date: _____

Signature: _____

[EXTERNAL] RE: Technical Analysis for Lazy KU

From Greg Reid <greid@wwcengineering.com>

Date Thu 9/10/2026 8:09 AM

To Schweigert, Christine <CSchweigert@mt.gov>

Cc jdwineridge@aol.com <jdwineridge@aol.com>; Bryce Mayn <bmayn@wwcengineering.com>

 1 attachment (192 KB)

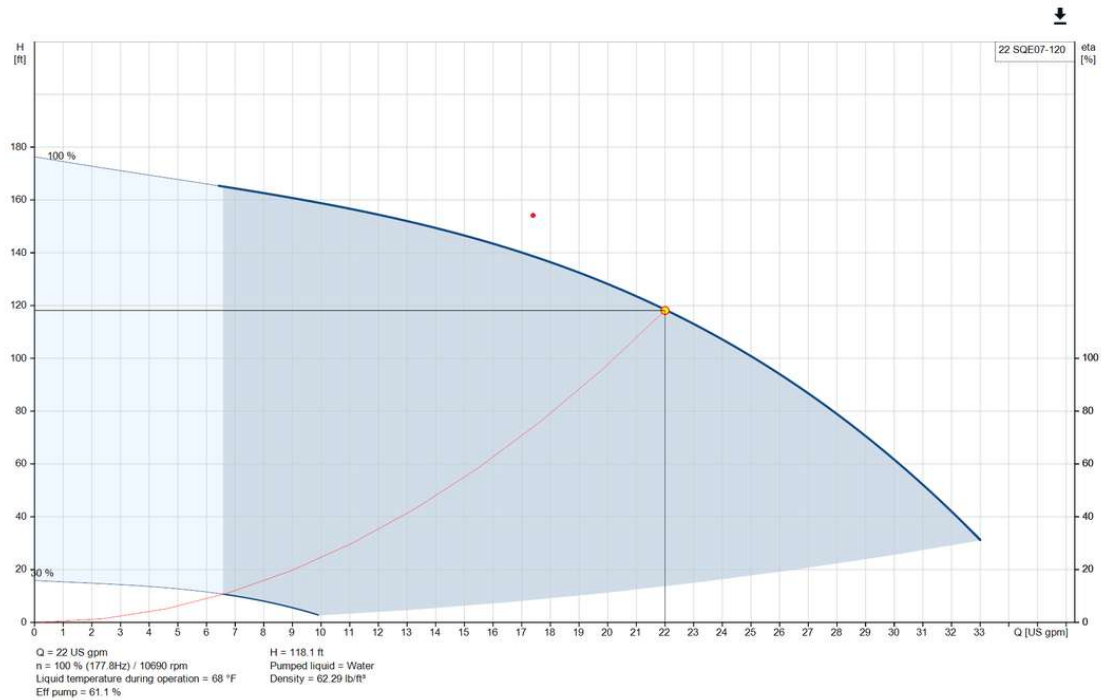
IrrigationFlowEstimate.pdf;

Christine,

Below is information as requested:

- For Question 34
 - Standard residential water service for a house on a well includes a 1" pitless adaptor and 1" service pipe (polyethylene or PVC with 0.9 inch inside diameter) from the well to the house. Additionally, the pipe would travel approximately 50 feet on average from the well to the mechanical room in the house, and then the additional distance within the house to either the line leaving the house for irrigation or to bathrooms/kitchen/etc. For example, the line leaving the well, plumbed to the mechanical room, plumbed out of the house to a control box, and plumbed to sprinkler heads would be assumed to be a minimum of 100 feet in total length from the well.
- For Question 35
 - The typical pump in a flow limited area for a single-family residence in Yellowstone County is a Grundfos 22SQE07-120 or equal. This is a 22 gpm pump with a 1.5 HP motor. The pump curve for this is shown below. Also, a flowmaster calculation for a 100 foot length pipe with this pump is attached, assuming all discharge could occur at the first sprinkler (which provides a conservatively high flow estimate as additional length would be needed to further sprinklers and sprinklers would also include a minor loss at them that is unaccounted for). This shows a 21.81 gpm flowrate from the pump producing 120 feet of head, matching the pump curve below.

Performance



Greg Reid, P.E. | Branch Manager

550 S 24th St. W. Ste.201 | Billings, MT 59102

O: 406.894.2210 | D: 406.534.8158 | C: 406.799.1415

www.wwcengineering.com ([www.wwcengineering.com](mailto:gregreid@wwcengineering.com))

From: Jerry Krushensky <jdwineridge@aol.com>

Sent: Wednesday, September 9, 2026 6:16 PM

To: Greg Reid <greid@wwcengineering.com>

Cc: Christine Schweigert <CSchweigert@mt.gov>; Bryce Mayn <bmayn@wwcengineering.com>

Subject: Re: Technical Analysis for Lazy KU

WARNING: This email originated from an external sender. Please use caution when clicking links or opening attachments.

thank you all of working together before deficiency letter is sent out that would speed up the process with us quite a bit. It's painful but we have to get this done. And And Christine, thank you for the great opportunity to talk with you and helping us out to speed this forward.
Sent from my iPhone

On Sep 9, 2026, at 3:57 PM, Greg Reid <greid@wwcengineering.com> wrote:

Thanks Christine,
We will get these couple items together tomorrow morning and back to you.
Greg

<image001.jpg>

550 S 24th St. W. Ste.201 | Billings, MT 59102
O: 406.894.2210 | D: 406.534.8158 | C: 406.799.1415
www.wccengineering.com [us-east-2.protection@sophos.com]

WARNING: This email originated from an external sender. Please use caution when clicking links or opening attachments.

<image002.png>

Christine Schweigert | Hydrologist
Billings Regional Office / Water Resources Division
Montana Department of Natural Resources and Conservation
1371 Rimtop Drive, Billings, MT 59105

PHONE: 406-247-4419 **EMAIL:** CSchweigert@mt.gov
[Website](#) | [Facebook \[us-east-2.protection.sophos.com\]](#)| [X\(Twitter \[us-east-2.protection.sophos.com\]\)](#) | [Instagram \[us-east-2.protection.sophos.com\]](#)

How did we do? Let us know here: [\[us-east-2.protection.sophos.com\]Feedback Survey.\[us-east-2.protection.sophos.com\]](#)

Irrigation Pipe Estimate - Lazy KU 3rd

Project Description	
Friction Method	Manning
	Formula
Solve For	Discharge
Input Data	
Pressure 1	120 feet H2O
Pressure 2	0 feet H2O
Elevation 1	-10.00 ft
Elevation 2	0.00 ft
Length	100.0 ft
Roughness Coefficient	0.010
Diameter	0.9 in
Results	
Discharge	21.81 gpm
Headloss	110.00 ft
Energy Grade 1	111.88 ft
Energy Grade 2	1.88 ft
Hydraulic Grade 1	110.00 ft
Hydraulic Grade 2	0.00 ft
Flow Area	0.0 ft ²
Wetted Perimeter	0.2 ft
Velocity	11.00 ft/s
Velocity Head	1.88 ft
Friction Slope	1.100 ft/ft



August 28, 2026

Lazy KU Estates LLC
%Jerry Krushensky
3116 S 72nd St. W.
Billings, MT 59106-4136

Subject: Completed Technical Analysis for Beneficial Water Use Permit Application No. 43Q 30173538

Dear Applicant,

As designated on the submitted Preapplication Meeting Form per §85-2-302(3)(b), MCA, the Department has completed the technical analyses for Beneficial Water Use Permit Preapplication No. 43Q 30173538 based on the information provided in your Preapplication Meeting Form accepted by the Department on 7/14/2026. The technical analysis can be found in the attached report.

The Technical Analyses Report **IS**: A collection of facts that the DNRC has gathered, including content provided in the Preapplication Meeting Form materials. The Department will use these data to analyze the criteria in §85-2-311, MCA if you submit an application for the project described in the completed Preapplication Meeting Form.

This Technical Analysis Report **IS NOT**: An analysis of discussion of whether the Preapplication Meeting Form as filed meets the criteria (§85-2-311, MCS).

You have 180 days to submit the Beneficial Water Use Permit Application Form 600 considering the information provided in the technical analyses and Preapplication Meeting Form. If the Application Form is not submitted to the Billings Regional Office by 2/24/2027, a new preapplication meeting will be required to process the Application with expedited timelines (ARM 36.12.1302(6)(b)). If any details described in the submitted Application are changed from that of the submitted Preapplication Meeting Form, the discounted filing fee and expedited timelines will not apply (ARM 36.12.1302(6)(a)). Please note that the technical analyses will expire one year from the date of this letter (ARM 36.12.1302(8)).

Please let me know if you have any questions.



Sincerely,

Christine Schweigert

Christine Schweigert

Hydrologist

Billings Regional Office

cschweigert@mt.gov

406-247-4419

1371 Rimtop Drive, Billings, MT 59105

Cc: WWC Engineering – Jessica Dais



Groundwater Permit Technical Analyses Report- Part A

The Montana Department of Natural Resources and Conservation (DNRC)

Water Resources Division

David Parmelee, Groundwater Hydrologist, Water Sciences Bureau (WSB)

Applicant Name	Lazy KU Estates LLC
Application No.	43Q 30173538
Point of Diversion Legal Land Description	SWSE of Section 25, Township 1 South, Range 24 East, Yellowstone County

Overview

This report is Part A of a two-part publication which analyzes data submitted by the Applicant in support of the above-mentioned water right permit application. This report provides technical analyses as required under the Administrative Rules of Montana (ARM 36.12.1303) in support of the water rights criteria assessment as required in §85-2-402, Montana Code Annotated (MCA).

This Groundwater Permit Technical Analyses Report – Part A contains the following sections:

Overview	1
1.0 Executive Summary	2
2.0 Hydrogeologic Setting	4
3.0 Pumping Test Summary	5
4.0 Aquifer Properties Analysis	8
5.0 Modeling Inputs	8
6.0 Adequacy of Diversion Analysis	9
7.0 Physical Availability Analysis	11
8.0 Adverse Effect Analyses	13
8.1 Groundwater - Drawdown in Existing Wells.....	13
8.2 Surface Water - Net Depletions (Consumed Water).....	14
Review	22
References	22

1.0 Executive Summary

Application Details

The Applicant requests to divert 54.34 acre-feet (AF) annually at a maximum flow rate of 218.8 gallons per minute (gpm) for a proposed housing subdivision. The points of diversion (PODs) would be 32 wells. Of the total requested volume, 14.34 AF would be diverted year-round for multiple domestic use, and 40.00 AF would be diverted from April 1 to October 31 for 16.0 acres of lawn and garden irrigation.

Approved Variances from ARM 36.12.121

Variances for deviations from aquifer-test requirements found in ARM 36.12.121 were requested on June 1, 2026, and granted from the Billings Regional Office on July 10, 2026. The Applicant requested a variance from completing a 72-hour aquifer test. The proposed wells are within the Yellowstone River Terrace Level 3 Aquifer, and the Applicant agreed to use the aquifer properties described in DNRC Technical Memorandum: Variance–Yellowstone River Terrace Level 3 Aquifer Properties, dated March 1, 2022, in lieu of conducting an aquifer test. The Applicant also requested a variance from completing 8-hour drawdown-and-yield tests on all proposed wells prior to issuance of the permit. The request was granted because 1) the alluvial aquifer beneath the proposed subdivision is well characterized, and 2) the submitted 8-hour drawdown-and-yield test had a flow rate of more than 15 times greater than the requested flow rate per well and showed minimal drawdown. The request was granted on the condition that 8-hour drawdown-and-yield tests continue to be conducted as wells are constructed until the sum of the flow rates of all 8-hour tests is equal to or greater than the requested flow rate.

The deviations from ARM 36.12.121 and evaluation of the requested variances can be found in the WSB Aquifer Testing Addendum Review document dated June 16, 2026.

WSB Technical Analyses Findings

Based on the information submitted, the WSB estimated aquifer properties, calculated the available water column of the proposed wells, and assessed potential impacts to existing groundwater and surface-water rights. Adverse effects were evaluated by calculating drawdown in existing wells and quantifying net depletions to surface water. These analyses are in support of criteria assessment for adequacy of diversion, physical availability, and adverse effect. A summary of WSB findings described in subsequent sections is listed below.

TECHNICAL ANALYSES FINDINGS

AQUIFER TEST ANALYSIS	No 24- or 72-hour aquifer test was submitted for this permit application. Aquifer properties from DNRC (2022) were used for forward modeling.
MODELING INPUTS	The following aquifer properties were used to complete technical analyses for adequacy of diversion, physical availability, and adverse effect: • Transmissivity (T) = 6,000 ft²/day • Specific yield (S_y) = 0.1 Pumping schedules used to model each criterion are identified within the document.
ADEQUACY OF DIVERSION	Proposed well POD A would experience a maximum of 0.81 ft of drawdown during the first year of pumping, leaving approximately 31 ft of available water column above the bottom of the perforated interval. Other proposed wells with similar construction are likely to have similar available water columns. Maximum drawdown near the center of the subdivision is predicted to be 0.19 ft greater than the modeled maximum drawdown in POD A.
PHYSICAL AVAILABILITY	The zone of influence (ZOI), defined as the area of the aquifer experiencing at least 0.01 ft of drawdown after pumping the proposed volume in one year, extends a maximum of 11,200 ft from the center of the proposed subdivision. The calculated groundwater flux through the ZOI is 4,012 AF/year. Appendix A of Part B of this report lists the active and severed water rights within the ZOI.
ADVERSE EFFECT (DRAWDOWN IN EXISTING WELLS)	The 1-foot drawdown contour extends a maximum of 560 ft from the center of the proposed subdivision at the end of July during the fifth year of proposed pumping. No water rights are within the one-foot drawdown contour.
ADVERSE EFFECT (NET DEPLETION TO SURFACE WATER)	Monthly net depletions resulting from the proposed use of groundwater are shown in Table 1 . The starting point of the depleted reach on Danford Drain is in the SWSWNW of Section 30, Township 1 South, Range 25 East, Yellowstone County.

Table 1: Consumed volume and net depletions to hydraulically connected surface waters.

Month	Consumed Volume (AF)	Danford Drain Net Depletion	
		Volume (AF)	Rate (gpm)
January	0.12	1.74	12.7
February	0.11	1.39	11.2
March	0.12	1.38	10.1
April	0.91	1.36	10.2
May	3.50	1.86	13.6
June	5.59	2.57	19.4
July	7.50	3.57	26.0
August	6.67	4.10	29.9
September	3.48	3.77	28.4
October	1.18	3.21	23.5
November	0.12	2.44	18.4
December	0.12	2.04	14.9
Total	29.43	29.43	

2.0 Hydrogeologic Setting

The location of the proposed wells is in the Yellowstone River Valley, approximately 11 miles southwest of Billings (**Figure 1**). The Yellowstone River Valley in this region is bounded to the south by shale and siltstone of the Colorado-Group Belle Fourche and Mowry Formations, and to the north by the sandstone rim rocks of the Eagle and Telegraph Creek Formations (Lopez, 2000). The valley is incised 200 to 300 ft into the shale of the Colorado Group and filled with Quaternary alluvium. Above the modern floodplain, the alluvium comprises a series of terraces formed by the migration and downcutting of the Yellowstone River. The most extensive of these is Terrace Level 3, which sits 50 to 90 feet above the river (Lopez, 2000; Olson and Reiten, 2002). The proposed subdivision is on the western side of Terrace Level 3.

Terrace Level 3 is dissected by numerous irrigation ditches, drains, and streams. Canyon Creek, Danford Drain, Shiloh Drain, and Hogans Slough are known to receive baseflow from groundwater. Groundwater occurs in gravel deposits beneath Terrace Level 3 and flows generally from northwest to southeast under unconfined to semiconfined conditions (Olson and Reiten, 2002, Plate 1). Sources of recharge to the aquifer are flood irrigation and ditch leakage, precipitation, lawn irrigation, and septic returns. The Terrace Level 3 gravel deposits are disconnected from adjacent terraces by scarps and open-pit mining, creating a distinct hydrogeologic unit (Olson and Reiten, 2002).

Of the proposed wells, one has been constructed and is identified by the Applicant as POD A (a Groundwater Information Center (GWIC) ID has not yet been assigned by the Montana Bureau of Mines and Geology (MBMG)). POD A has a total depth of 37 ft below ground surface (bgs). The lithology of the borehole is described as soil from 0 to 2 ft bgs, clay from 2 to 12 ft bgs, and sand and gravel from 12 to 37 ft bgs. Based on the mapped geology and well-log lithology, the DNRC has assigned an aquifer code of 110ALVM (Quaternary Alluvium) to POD A and the other proposed wells.

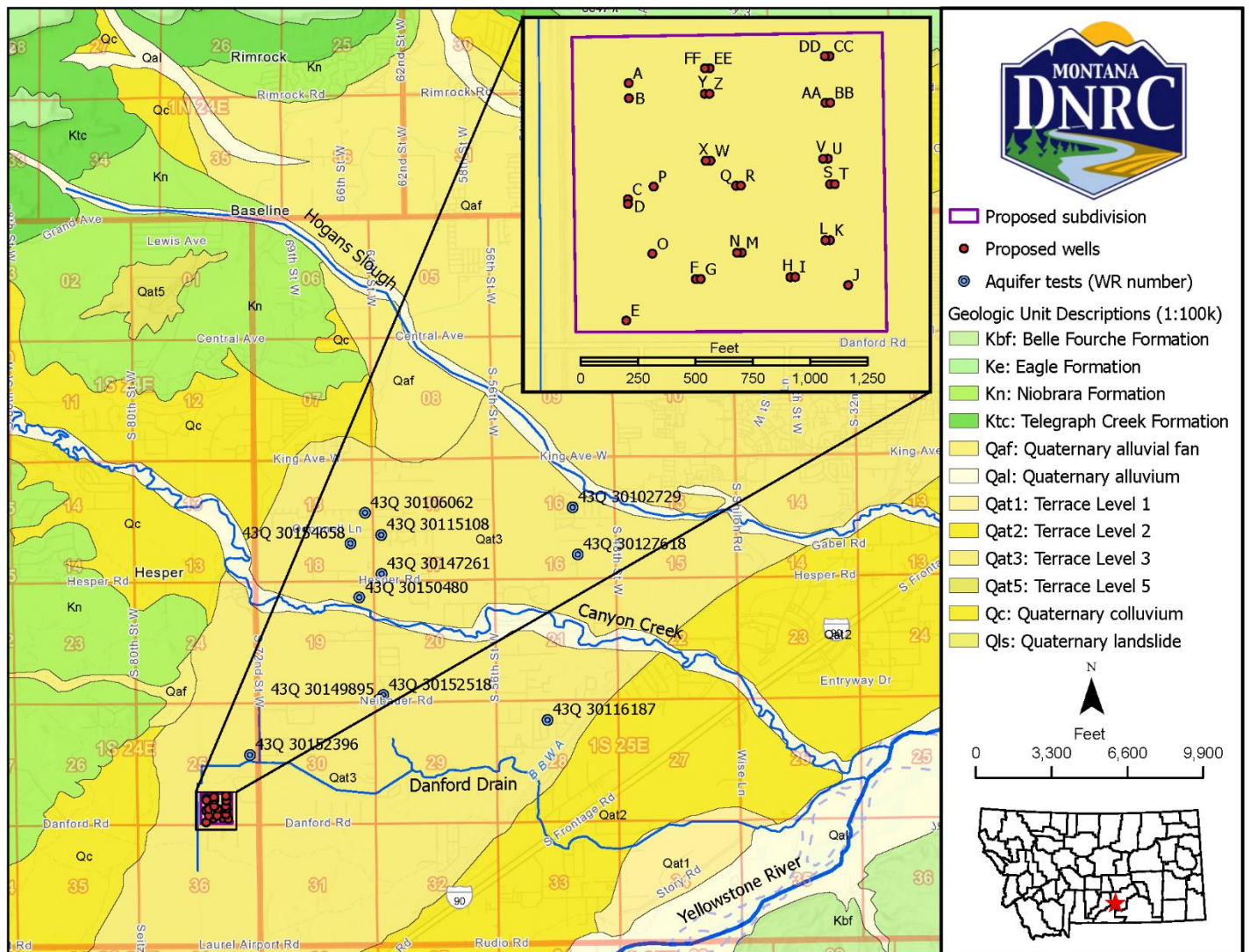


Figure 1: Map of the Applicant's proposed wells and existing nearby aquifer tests. Geology is mapped at the 1:100k scale and is from Lopez (2000).

3.0 Pumping Test Summary

To evaluate application criteria, the DNRC uses Applicant-submitted data from two types of constant-rate pumping test: aquifer tests and drawdown-and-yield tests.

- An aquifer test is a pumping test that is used to estimate aquifer properties. The minimum duration of the test is 24 or 72 hours, depending on the proposed flow rate and volume of the application (ARM 36.12.121 (3)(e)). Aquifer tests must include at least one observation well, pre-test background water-level data, and post-test recovery data. ARM requires one aquifer test per application unless the Applicant has been granted a variance.

- A drawdown-and-yield test is a pumping test that is used to evaluate well efficiency, which is a function of well construction and the ability of the aquifer to yield water to the well. The minimum duration of the test is 8 hours. Inclusion of observation wells and collection of background and recovery data are not required. ARM requires a drawdown-and-yield test for every proposed well that has not had an aquifer test unless the Applicant has been granted a variance.

The Applicant was granted variances from the requirement to complete an aquifer test and the requirement to complete 8-hour drawdown-and-yield tests on all proposed wells (see Section 1.0, Approved Variances). As such, only one drawdown-and-yield test was submitted for this permit application.

Field Methods and Equipment

An 8-hour drawdown-and-yield test was conducted on POD A starting on March 13, 2026. The average pumping rate was 108 gpm. Completion details for the tested well are shown in **Table 2**. Additional information, such as the monitoring periods for the test, equipment used, water-level measurements, and discharge measurements can be found on Form 633. The location of POD A is shown in **Figure 1**.

Table 2: Well details and maximum observed drawdown for 8-hour drawdown-and-yield test.

Applicant Well ID	GWIC ID	Casing Diameter (inches)	Completion Depth (ft bgs)	Static Water Level (ft btc*)	Maximum Observed Drawdown (ft)
POD A	---	6	32-37	7.37	1.27

*btc = below top of casing

Background, Drawdown and Recovery Data

Background water-level data are not required for a drawdown-and-yield test but were submitted and are summarized in **Figure 2**. Water levels were monitored in POD A for 48 hours prior to the start of pumping. Background water levels fluctuated by a maximum of 0.04 ft during this time and showed no trend.

Drawdown and recovery water-level data measured during the drawdown-and-yield test are shown in **Figure 3**. **Table 2** shows the maximum drawdown observed during the test.

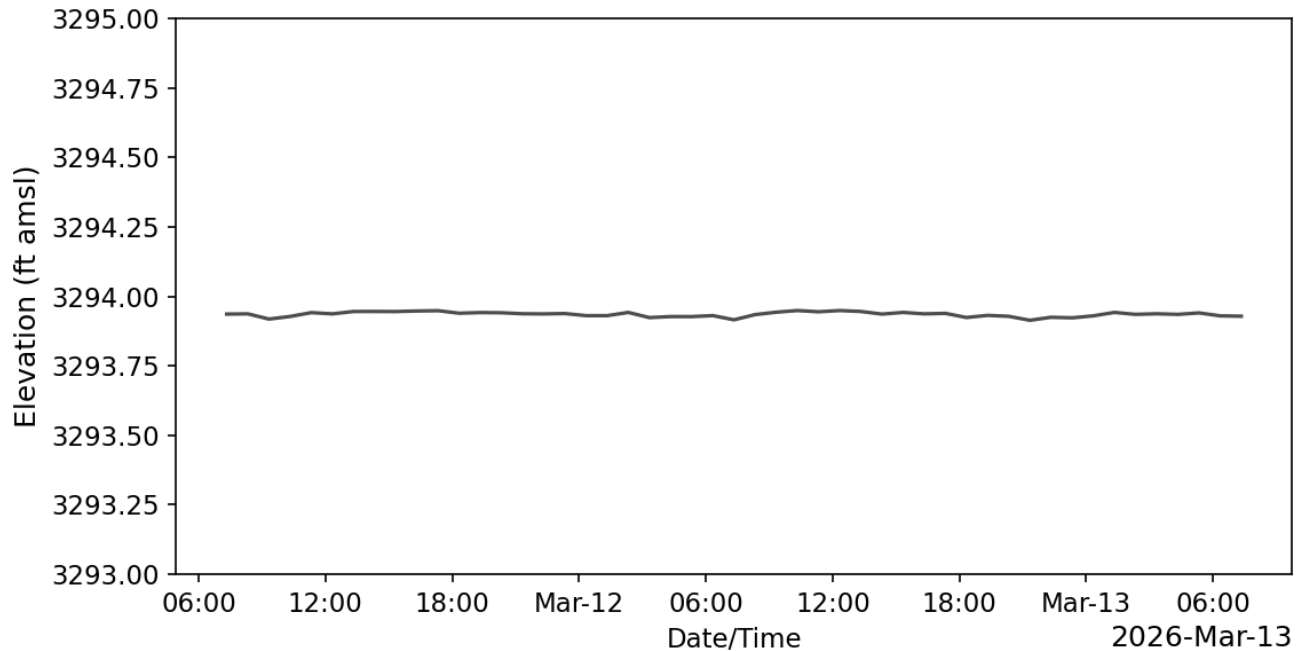


Figure 2: Background water-level data for POD A prior to the 8-hour drawdown-and-yield test.

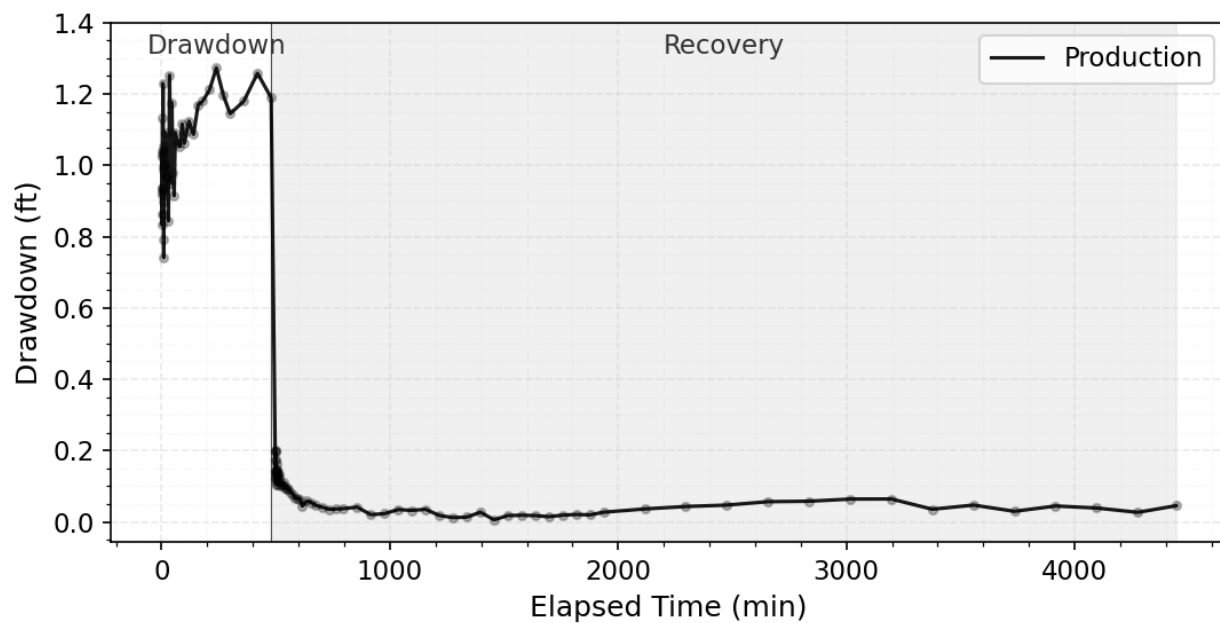


Figure 3: Drawdown and recovery data for the 8-hour drawdown-and-yield test on POD A.

4.0 Aquifer Properties Analysis

In lieu of using an aquifer test on a proposed well to derive aquifer properties, the Applicant agreed to use aquifer properties from DNRC Technical Memorandum: Variance – Yellowstone River Terrace Level 3 Aquifer Properties (DNRC, 2022). Aquifer properties from DNRC (2022) are $T = 6,000 \text{ ft}^2/\text{day}$ and $S_y = 0.1$.

Aquifer Properties Comparison

The DNRC Montana Aquifer Tests database (DNRC, 2026) was queried for nearby aquifer tests. T values from eleven nearby tests in the Yellowstone River Terrace Level 3 aquifer are shown in **Table 3**, and locations of the tests are shown in **Figure 1**. The geometric mean of the T values is $7,064 \text{ ft}^2/\text{day}$. However, the aquifer test for water right number 43Q 30152396, which yielded a T of $18,100 \text{ ft}^2/\text{day}$, was assigned low confidence by the DNRC hydrologist in the associated aquifer test report and was not used for forward modeling. The geometric mean of T values from nearby tests excluding water right number 43Q 30152396 is $6,430 \text{ ft}^2/\text{day}$.

Table 3: Nearby aquifer tests.

Water Right No.	GWIC ID	Well Depth (ft bgs)	Distance from Applicant wells (mi)	Aquifer Test Length (hours)	Pumping Rate (gpm)	T (ft^2/day)
43Q 30152396	188964	44	0.52	24	68	18,100
43Q 30149895	314565	36	1.62	72	227	7,060
43Q 30152518	317002	52	1.67	76	197	5,985
43Q 30150480	313087	43	2.10	8	66	6,070
43Q 30147261	303647	51	2.37	74	182	8,700
43Q 30154658	320896	54	2.45	8	81	6,863
43Q 30115108	295769	51	2.64	73	189	4,195
43Q 30106062	287847	56	2.73	72	218	3,443
43Q 30116187	300066	26	2.83	72	66	7,845
43Q 30127618	304825	31	3.65	24	70	9,155
43Q 30102729	281919	37	3.85	72	112	7,606

5.0 Modeling Inputs

Technical analyses in support of criteria assessment for adequacy of diversion, physical availability, and adverse effect (drawdown in existing wells) were modeled in FWD:SOLV (HydroSOLVE INC., 2024) using the following inputs:

- Theis (1935) solution for fully penetrating wells in a single-porosity aquifer
- Well radius of 0.25 ft and screened interval of 5 ft for all proposed wells (identical to the construction of proposed well POD A)
- Applicant-supplied well coordinates
- $T = 6,000 \text{ ft}^2/\text{day}$ (DNRC, 2022)
- $S_y = 0.1$ (DNRC, 2022)

Monthly pumping schedules and boundaries used to complete technical analyses are identified in subsequent criteria sections.

6.0 Adequacy of Diversion Analysis

An evaluation of the potentially available water column remaining in proposed well POD A at maximum drawdown during the first year of pumping was modeled in FWD:SOLV (HydroSOLVE INC., 2024) using the inputs listed in Section 5.0 and the following:

- Assumed monthly pumping schedule in **Table 4** for the period of diversion.

To create an assumed pumping schedule (**Table 4**), the requested volume for multiple domestic use was distributed equally throughout the year, and the requested volume for lawn and garden irrigation was apportioned to each month within the period of diversion according to the monthly net irrigation requirements (NIR) for pasture grass in a dry year.¹ The NIR was calculated based on climate data from the Billings Water Plant weather station (MT0802) using the USDA Natural Resources Conservation Service (NRCS) Irrigation Water Requirements (IWR) program (USDA, 2003). Pasture grass was used as a proxy for turf grass by applying the inputs described in DNRC (2010). According to the Applicant, each of the 32 lots in the subdivision would require the same volume of water for domestic use and lawn and garden irrigation, so the monthly total diverted flow rates for the subdivision were divided by 32 to estimate the monthly diverted flow rates for each well (**Table 4, column 7**).

Table 4: Assumed monthly pumping schedule for the proposed wells.

Month	NIR (in)	Diverted Volume (AF)			Diverted Flow Rate (gpm)	
		<i>Multiple Domestic</i>	<i>Lawn and Garden</i>	<i>Total</i>	<i>Total</i>	<i>Per Well</i>
January	0.00	1.22	0.00	1.22	8.89	0.28
February	0.00	1.10	0.00	1.10	8.89	0.28
March	0.00	1.22	0.00	1.22	8.89	0.28
April	0.71	1.18	1.14	2.32	17.47	0.55
May	3.01	1.22	4.82	6.04	44.10	1.38
June	4.88	1.18	7.82	9.00	67.88	2.12
July	6.58	1.22	10.54	11.76	85.86	2.68
August	5.84	1.22	9.36	10.58	77.21	2.41
September	3.00	1.18	4.81	5.99	45.15	1.41
October	0.94	1.22	1.51	2.72	19.89	0.62
November	0.00	1.18	0.00	1.18	8.89	0.28
December	0.00	1.22	0.00	1.22	8.89	0.28
Total	24.96	14.34	40.00	54.34		

¹ A dry year is defined in the IWR program as one in which the effective precipitation during the growing season is in the lowest 20 percent of years.

The maximum total drawdown in a proposed well is the sum of predicted drawdown of the potentiometric surface due to pumping in that well, well loss, and interference drawdown due to pumping in other wells associated with the application or water right. Predicted drawdown in POD A due to the proposed pumping was modeled for the period of diversion using the monthly pumping schedule in **Table 4**. Predicted drawdown plus well loss was calculated by dividing the predicted drawdown by well efficiency. Well efficiency was calculated for POD A by modeling drawdown for the duration and pumping rate of the drawdown-and-yield test, then dividing the maximum modeled drawdown by the maximum drawdown observed during the drawdown-and-yield test. Interference drawdown caused by pumping in the other 31 proposed wells was modeled using the same monthly pumping schedule and well construction details for each well as for POD A.

The calculated maximum total drawdown and remaining available water column for POD A are shown in **Table 5**. The maximum total drawdown in POD A occurs at the end of August and is 0.81 ft. The remaining available water column in POD A during maximum total drawdown would be 31 ft.

Assuming identical well construction and efficiency across all proposed wells, the maximum total drawdown of any well would occur in POD Q, near the center of the subdivision, where interference drawdown from the other wells is greatest. POD Q would have a maximum total drawdown of 1.00 ft at the end of July and again at the end of August. If the depths of the screened interval and the static water level in POD Q are identical to POD A, then the remaining available water column during maximum drawdown would be 31 ft. Time series plots of drawdown in POD A and POD Q during the first year of pumping are shown in **Figure 4**.

Table 5: Remaining available water column for the proposed well POD A at maximum total drawdown during the first year of pumping. Maximum total drawdown would occur at the end of August.

Drawdown Estimate	Proposed Well
Depth of Bottom of Perforated Interval (ft btc) ¹	39
Pre-Test Static Water Level (ft btc)	7.37
Available Drawdown Above Bottom of Well (ft)	32
Maximum Observed Drawdown of Aquifer Test (ft)	1.27
Modeled Drawdown Using Mean Aquifer Test Rate (ft)	3.72
Well Efficiency (%)	100
Predicted Drawdown (ft)	0.12
Predicted Drawdown with Well Loss (ft)	0.12
Interference Drawdown (ft)	0.69
Maximum Total Drawdown (ft)	0.81
Remaining Available Water Column (ft)	31

¹The total well depth measuring point was adjusted to the top of well casing based on a 2 ft well casing stickup reported on the well log.

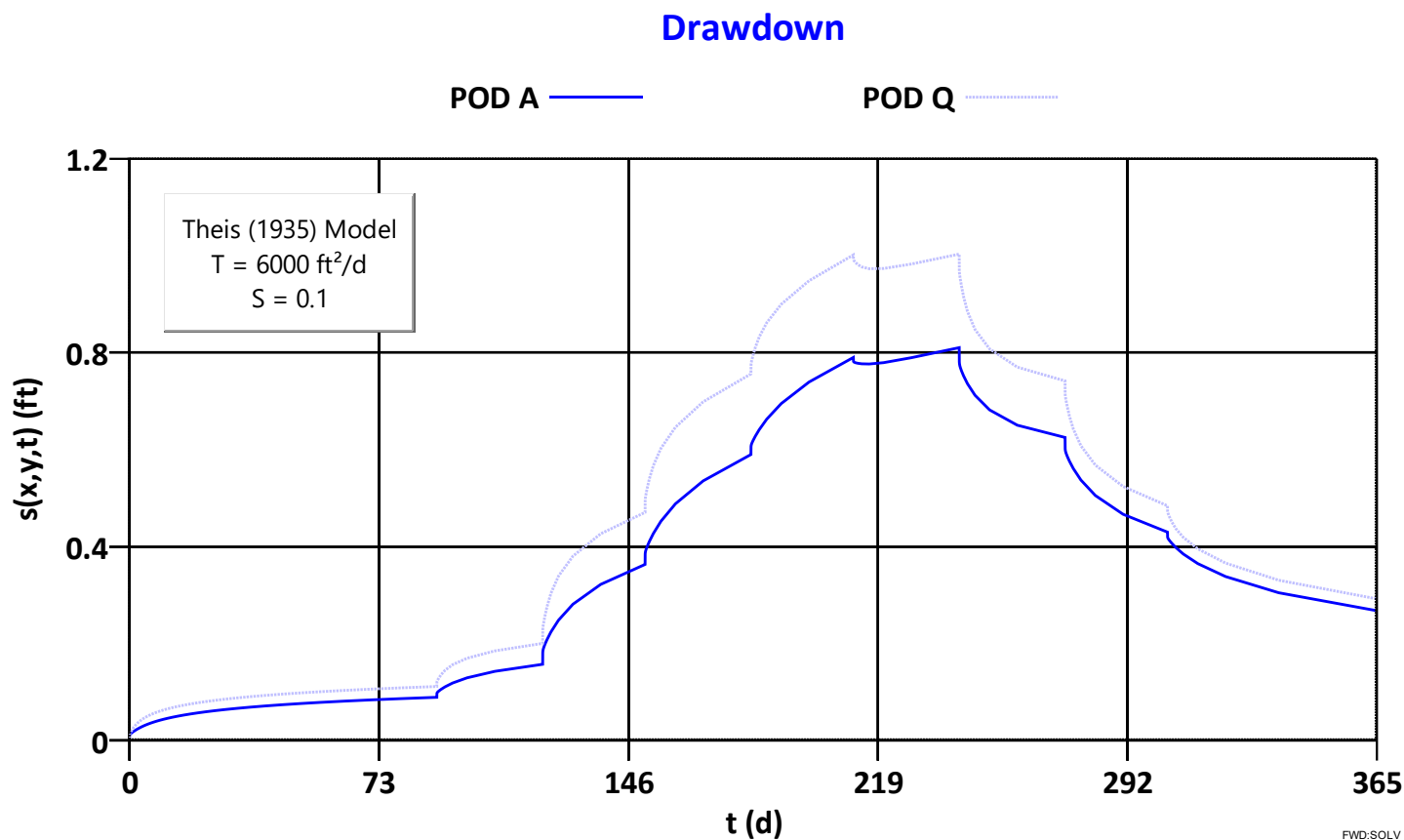


Figure 4: Total drawdown during the first year of proposed pumping in POD A and POD Q. Interference drawdown from all proposed wells is included.

7.0 Physical Availability Analysis

Per ARM 36.12.1303 (4)(a)(v), the physical availability of groundwater may be calculated in one of three ways: 1) as the flow through the modeled zone of influence (ZOI) created by the proposed diversion, 2) as the volume of water entering the aquifer each year as groundwater recharge, or 3) as the volume of water leaving the aquifer each year as groundwater discharge. The ZOI is defined as the area of the aquifer that would experience at least 0.01 ft of drawdown by the end of the period of diversion during the first year of proposed pumping. Factors used to calculate the extent of the ZOI include the aquifer properties, hydrologic and geologic boundaries, and the average pumping rate necessary to produce the requested volume during the period of diversion.

Groundwater availability in the source aquifer was evaluated by calculating groundwater flux across the ZOI of the proposed diversion. The 0.01-foot drawdown contour was modeled in FWD:SOLV (HydroSOLVE INC., 2024) using the inputs listed in Section 5.0 and the following:

- A constant pumping rate of 1.05 gpm in each of the 32 proposed wells for a period of one year.

The mean annual flow rate required to produce the proposed volume of 54.34 AF is 33.69 gpm. To model the 0.01-ft drawdown contour that would result from pumping all 32 proposed wells at a constant rate for one

year, the mean annual flow rate for the subdivision was apportioned equally to each proposed well (1.05 gpm per well). To delineate the ZOI, the 0.01-ft drawdown contour was truncated where it intersects the contact between Quaternary sediments and the shale-dominated Niobrara Formation to the northwest of the proposed wells and the edge of the Terrace Level 3 alluvial unit to the south and southeast of the proposed wells.

As shown in **Figure 5**, the ZOI extends to a maximum of 11,200 ft from the center of the proposed wells. **Appendix A of Part B** of this report lists the active and severed groundwater rights within the ZOI.

The direction of groundwater flow in the ZOI is predominantly from west to east. The hydraulic gradient is estimated to be 0.0038 ft/ft based on the potentiometric surface map in Olson (2005). The width of the ZOI perpendicular to the direction of groundwater flow is 21,000 ft. Groundwater flux (Q) through the ZOI, calculated using the equation below, is 478,800 ft³/day, or 4,012 AF/year.

$$Q = TWi$$

where:

T = Transmissivity = 6,000 ft²/day

W = Width of Zone of Influence = 21,000 ft

i = Groundwater gradient (from Olson, 2005) = 0.0038 ft/ft

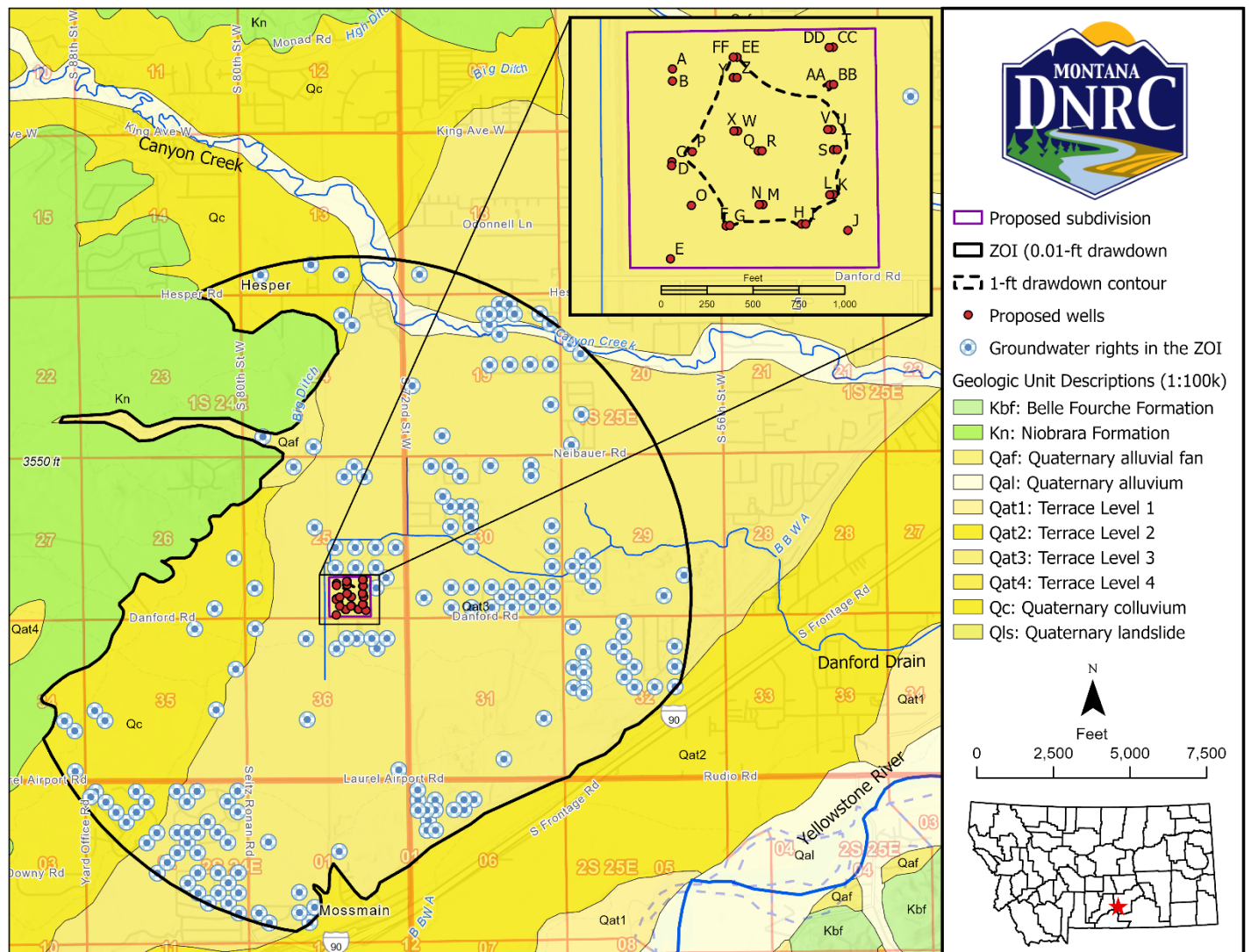


Figure 5: Map showing the 0.01-ft and 1-ft drawdown contours and groundwater rights within the ZOI.

8.0 Adverse Effect Analyses

Under §85-2-311, Montana Code Annotated (MCA), adverse effect of the proposed groundwater use is evaluated by modeling drawdown in nearby wells, changes in net depletions to surface water, and changes in return flows to surface water.

8.1 Groundwater - Drawdown in Existing Wells

The DNRC models a theoretical cone of depression to represent water removed from an aquifer due to proposed pumping. Factors considered when modeling the potential impact of pumping to existing groundwater rights include aquifer properties, hydrogeologic boundaries, and proposed monthly pumping rates. The DNRC assumes the analysis of the cone of depression during the fifth year of pumping forecasts when the cone of depression has stopped increasing at a considerable rate.

Drawdown in existing wells was modeled in FWD:SOLV (HydroSOLVE INC., 2024) using the inputs listed in Section 5.0 and the following:

- The assumed monthly pumping schedule in **Table 4** for a period of five years.

The maximum extent of the cone of depression during the fifth year of pumping would occur at the end of July, when drawdown of at least one foot would occur a maximum of 560 ft from the center of the proposed subdivision (**Figures 5 and 6**). There are no groundwater rights within the one-foot drawdown contour.

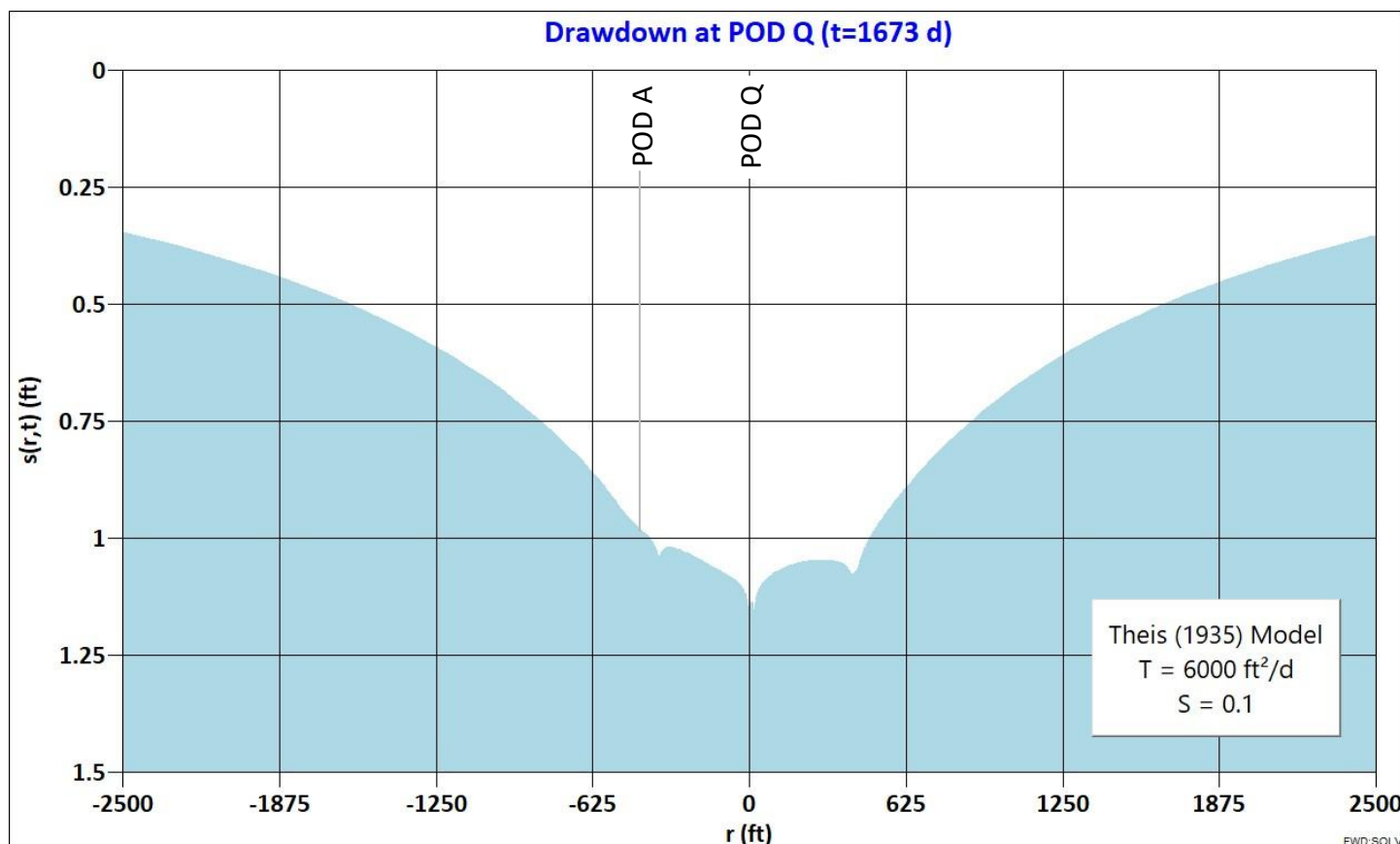


Figure 6: North-facing cross-section of the cone of depression at the end of July during the fifth year of proposed pumping. The x-axis shows distance from proposed well POD Q, which is near the center of the proposed subdivision and is at the location of greatest drawdown.

8.2 Surface Water - Net Depletions (Consumed Water)

Pursuant to *Montana Trout Unlimited v. DNRC*, 2006 MT 72, 331 Mont. 483, 133 P.3d 224, the DNRC recognizes the connection between surface water and groundwater and the effects of stream capture and induced infiltration on surface waters. Net depletion is defined in ARM 36.12.101 (37) as the calculated volume, rate, timing, and location of reductions to surface water resulting from a proposed groundwater appropriation that is not offset by return flows from non-consumed water.

Net depletions to surface water depend on propagation of drawdown to areas of the aquifer from which surface water can be captured. Surface water is captured in two ways: by decreasing the rate at which groundwater discharges to the surface (stream capture), and by increasing the rate at which water infiltrates to the aquifer from the surface (induced infiltration). According to Barlow and Leake (2012), “captured groundwater discharge is often the primary component of streamflow depletion, but if pumping rates are relatively large or the locations of withdrawal are relatively close to a stream, then induced infiltration may become an important component of streamflow depletion.”

Evaluation of net depletions assumes that depleted streams remain hydraulically connected to the underlying aquifer by a continuous saturated zone throughout the year and do not run dry. As such, net depletions are assigned only to hydraulically connected, perennial surface waters. Drawdown from pumping can propagate through or around confining units to overlying aquifers or surface waters (Konikow and Neuzil, 2007). The location and timing of net depletions are a function of aquifer properties, the distance from the pumped well, and the pumping schedule; they are *not* a function of the pre-pumping groundwater flow rate or direction (Theis, 1938; Leake, 2011).

The total volume of net depletions is equal to the total consumed volume for the proposed groundwater use. Net depletions are evaluated by 1) quantifying the consumed volume associated with a proposed use, 2) identifying hydraulically connected surface waters, and 3) calculating the monthly rate and timing at which water is depleted from each affected surface water.

1. Consumed Volume

Consumed groundwater does not return to the source aquifer. The volume of consumed groundwater depends on the proposed use and its percentage of consumption. Annual net depletion of surface waters is assumed to be equivalent to annual consumption unless return flows do not accrete to the depleted surface waters.

Monthly consumption for irrigation, not including turf grass, can be calculated in two ways: 1) using ARM 36.12.115 irrigation standards and associated efficiency values, or 2) using the net irrigation requirement for a dry year calculated using the NRCS IWR program (see Section 6.0) with inputs consistent with DNRC consumptive-use rules in ARM 36.12.1902. Monthly consumption for irrigation of turf grass (lawns) is calculated using either a minimum efficiency value of 70% and ARM 36.12.115 lawn and garden standards, or using the net irrigation requirement from IWR with inputs consistent with DNRC (2010) Consumptive Use Methodology for turf grass.

Consumption percentages for other purposes are listed in **Table 6** and are based on Kimsey and Flood (1987), Vanslyke and Simpson (1974), Paul et al. (2007), DNRC (2018), wastewater treatment method, operation of systems, and DNRC policy. Net evaporation is calculated using gridded monthly net evaporation values and methodologies associated with DNRC (2023). Municipal use for non-municipalities (e.g., water districts) may have variable rates of consumption.

Table 6: Percent consumption by use.

Purpose	Method of Treatment/Use	Consumed
Domestic/Municipal/Commercial/Institutional	Individual drainfields	10%
Domestic/Municipal/Commercial/Institutional	Central treatment facility with minimal consumption	5%
Domestic/Municipal/Commercial/Institutional	Evaporation basin or land application	100%
Municipal Use for Municipality	Variable	100%
Water Marketing (Water Depots)/Agriculture Spraying/Oil Well Flooding/Stock Water/some Industrial Uses	Variable	100%
Commercial/Industrial	Aggregate Washing – construction standard for moisture allowed in the finished aggregate product.	5%
Commercial	Snow Making – depends on time of day, machine, weather at time of operation, etc.	10-30%
Fisheries, Recreation, Storage for Irrigation	Net evaporation off reservoir surface, gridded monthly net evaporation values and methodologies	AF/acre
Geothermal	Closed loop systems	0%

WSB Findings

For the subject application, wastewater from multiple domestic use would be treated in individual drainfields, resulting in 10% consumption. The consumed volume for lawn and garden irrigation is 70% of the volume diverted for that purpose, based on an assumed efficiency of 70%. The monthly consumed volume for each proposed use is shown in **Table 7**.

Table 7: Monthly consumed volume for each of the proposed uses.

Month	Multiple Domestic Consumed Volume (AF)	Lawn and Garden Consumed Volume (AF)	Total Consumed Volume (AF)
January	0.12	0.00	0.12
February	0.11	0.00	0.11
March	0.12	0.00	0.12
April	0.12	0.80	0.91
May	0.12	3.38	3.50
June	0.12	5.47	5.59
July	0.12	7.38	7.50
August	0.12	6.55	6.67
September	0.12	3.37	3.48
October	0.12	1.05	1.18
November	0.12	0.00	0.12
December	0.12	0.00	0.12
Total	1.43	28.00	29.43

2. Hydraulically Connected Surface Water(s) and Location of Net Depletions

Potentially affected surface waters in a net-depletion analysis are identified by their hydraulic connection to the source aquifer of a proposed groundwater diversion. Hydraulic connection depends on the depth to groundwater beneath the beds of surface waters, connection between deep and overlying shallow aquifers, and vertical gradients. Connection can vary along a reach and with time of year.

Procedures for evaluating hydraulic connection and identifying one or more potentially affected surface-water sources for a proposed well in an alluvial aquifer or regional bedrock aquifer can be found in DNRC (2018) and DNRC (2019). Consumed volume is apportioned to multiple potentially depleted surface waters based on the inverse of the square of their distances from the proposed diversion, following Section 3.2 of Province of British Columbia (2016). Surface waters with an inverse distance weighting (IDW) factor of less than 10% are eliminated from consideration for net depletions.

The closest surface waters that are potentially connected to the Yellowstone River Terrace Level 3 aquifer are Danford Drain² and Canyon Creek. Following protocols in DNRC (2018), **Table 8** identifies published information used to assess hydraulic connection of each of these surface waters to the source aquifer for the proposed wells.

² The only canals, ditches, or drains the DNRC currently evaluates for hydraulic connection to groundwater are Danford Drain, Shiloh Drain, and Hogans Slough on Yellowstone River Terrace Level 3.



Table 8: Published information used to identify hydraulically connected surface waters.

Published Information	Danford Drain	Canyon Creek
USGS National Hydrographic Dataset (NHD) ¹	Canal/ditch	Perennial
USGS PROSPER Dataset ²	Downstream of SWSWNW Sec 30, T1S, R25S: SPP = 0.5-0.7 Upstream of SWSWNW Sec 30, T1S, R25S: SPP = 0.1-0.3	0.7-0.8
MBMG GWIC Wells ³	Many (see Figure 7)	Many (see Figure 7)
Published Water Table Maps, Publications, Previous Water Rights, etc. ⁴	Gosling and Pashley (1973); Olson (2005); Chandler and Reiten (2019)	Gosling and Pashley (1973); Olson (2005); Chandler and Reiten (2019)
Gridded National Soil Survey Geographic Database ⁵	No hydric soils or shallow water tables indicated along most of the channel.	No hydric soils or shallow water tables indicated along most of the channel.
Aerial imagery	Downstream of SWSWNW Sec 30, T1S, R25E: wet channel in NAIP imagery from 2009 to 2023. Upstream of SWSWNW Sec 30, T1S, R25E: dry channel in NAIP image from 2023, wet channel or unable to discern in other years.	NAIP and Google Earth imagery show water in the stream in all years from 2009 to 2023.
Affidavits, photographs, etc.	In a conversation with the staff at the Billings Regional Office on Jan. 12, 2026, a local landowner said the public portion of Danford Drain begins in the SESENE of Sec 25, T1S, R24E. He said upstream of location it was recently rerouted around a subdivision and dries up.	DNRC stream gage 43Q 05900 shows year-round flow.

¹ NHD classifies surface water as perennial, intermittent, ephemeral, or canal/ditch. The only canals or ditches the DNRC evaluates for hydraulic connection to groundwater are Danford Drain, Shiloh Drain, and Hogans Slough on Yellowstone River Terrace Level 3.

² USGS PROSPER Streamflow Permanence Probabilities (SPP). Higher values indicate higher probability of year-round flow. Streams with SPP greater than 0.5 are classified as perennial, though values near 0.5 have a high probability of classification error.

³ According to DNRC (2018), hydraulic connection of individual stream reaches, and groundwater is evaluated by identifying wells that are within 1,000 ft of surface waters, less than 50 ft deep, and have a static water level within 10 ft of the streambed elevation.

⁴ The Gridded National Soil Survey Geographic Database is used to identify hydric soils and shallow water tables near surface water sources.

WSB Findings

Based on a review of the published information in **Table 8**, Danford Drain and Canyon Creek are both hydraulically connected to the source aquifer for the proposed diversion. Danford Drain is the closest connected surface water. Depletions to Danford Drain would start at SWSWNW of Section 30, Township 1 South, Range 25 East, Yellowstone County, which is the beginning of the perennial reach (**Figure 7**). The next closest connected surface water is Canyon Creek. Because the distance from the proposed subdivision to Canyon Creek is greater than three times the distance to Danford Drain, Canyon Creek has an IDW factor of less than 10% and can be eliminated from consideration as a depleted surface water. The full volume of net depletions is therefore assigned to Danford Drain.

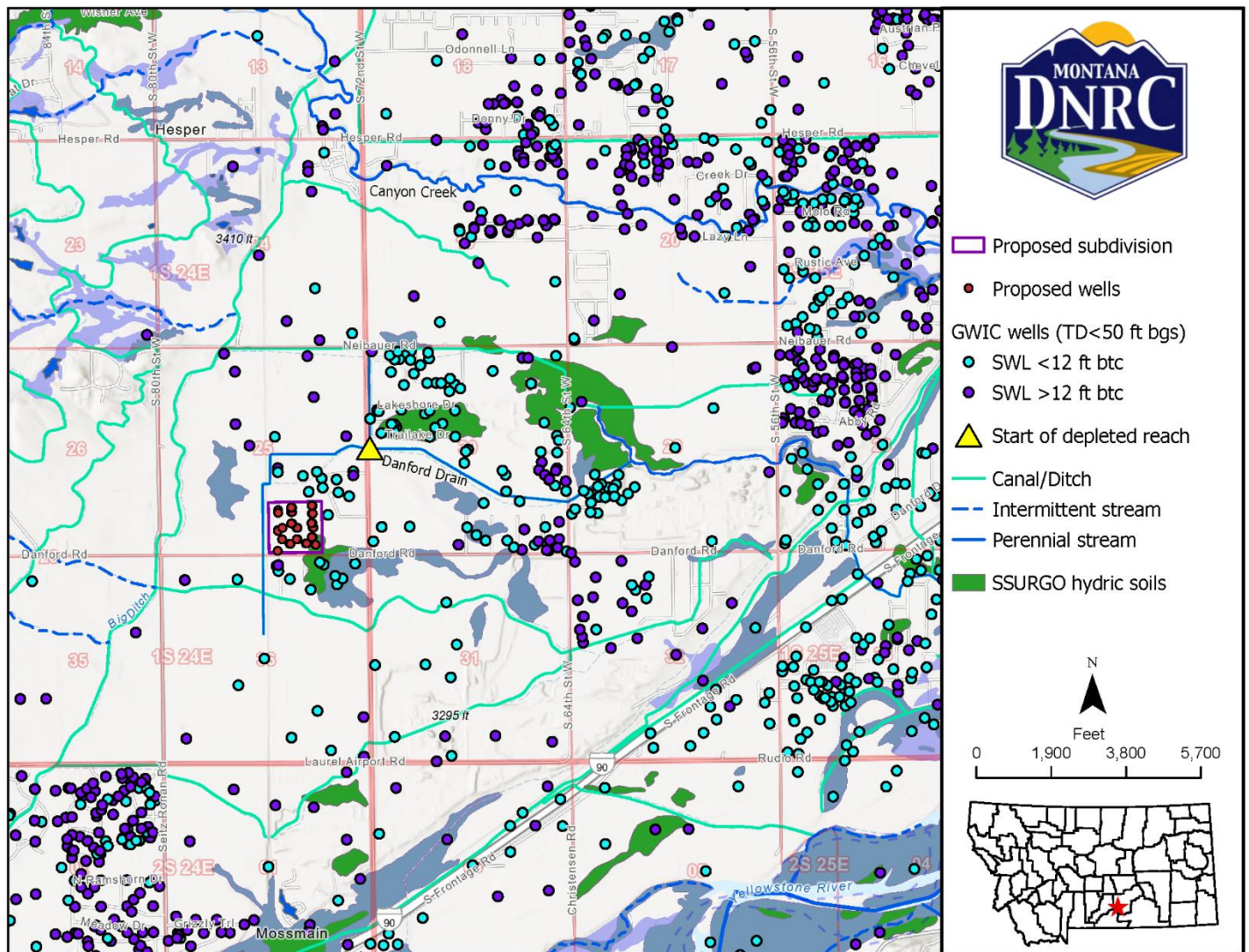


Figure 7: Locations of starting points of net depletions and wells used to assess hydraulic connection of surface water to groundwater. An average casing stickup of 2 ft above ground surface is assumed for GWIC wells.

3. Rate and Timing of Depletions

Evaluation of the rate and timing of depletions caused by pumping is based on the principle that groundwater pumping eventually is offset by an equivalent increase in recharge or decrease in discharge (Theis, 1940; Leake et al., 2008), a process defined by Lohman (1972) as capture. Capture occurs as drawdown propagates to surface water and to the roots of phreatophyte vegetation.³ Published estimates for conditions common in Montana alluvial valleys indicate capture of phreatophyte evapotranspiration (ET) generally is less than 10 percent of total capture (Xunhong, 2006). In the absence of credible evidence to the contrary, capture of

³ Phreatophytes are deep-rooted plants that obtain water from the shallow aquifer or from immediately above it.

phreatophyte ET is neglected here and net depletion is assumed to equal total capture. In ephemeral drainages, capture of ET may be significant and will be evaluated on an application-by-application basis.

The rate and timing of net depletion caused by pumping may be modeled using a variety of analytical and numerical models selected to fit site-specific conditions and needs. Simple models, including the Alluvial Water Accounting System (AWAS), the Well Pumping Depletion Model (WPDM), and FWD:SOLV (HydroSOLVE, 2024), are used by DNRC to model depletions to one source with simple aquifer boundaries. Adjustments may be made for more complex conditions or multiple sources by using methods like those described by Contor (2011), Hunt (2003), and Butler et al. (2001), or by using a superposition numerical groundwater flow model.

Modeling is not necessary to estimate the rate and timing of net depletions in some situations, such as when the proposed use is constant year-round, the source aquifer is deep and vertical hydraulic conductivity is low, or the distance between the proposed PODs and the affected stream reaches is large. In these cases, the rate of depletions is assumed to be constant throughout the year. When modeling is necessary, it can be simplified if the proposed place of use is located the same distance from the potentially affected surface water as the proposed wells and if all non-consumed water infiltrates the source aquifer and returns to the potentially affected surface water as return flows. Under those conditions, depletion can be modeled based on withdrawal of the monthly consumed amounts. Otherwise, depletion by the full withdrawals and return flows need to be modeled separately, with net depletion calculated as depletion minus return flows.

All return flows from the proposed use are assumed to flow to the depleted surface water; therefore, the volume of net depletions to Danford Drain is the same as the total consumed volume. Net depletion of Danford Drain due to the proposed diversion was modeled in FWD:SOLV (HydroSOLVE, 2024) using the inputs listed in Section 5.0 and the following:

- Theis (1941)/Glover and Balmer (1954) fully penetrating stream solution.
- A monthly pumping schedule for each well calculated by apportioning the monthly total consumed volumes in **Table 7** equally to each of the 32 proposed wells and converting to gpm.
- A simulation runtime of 100 years.
- A stream boundary 2,750 ft northeast of the center of the proposed subdivision to represent Danford Drain.

Monthly net depletion of Danford Drain due to the proposed diversion is shown in **Table 1**.

Review

This document has been reviewed on August 23, 2026 in accordance with Category 7 of DNRC's Water Sciences Bureau Minimum Standards of Review, Version 2, February 2024.

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Groundwater Permit Technical Analyses Report- Part B

Department of Natural Resources and Conservation (DNRC/ Department)

Water Resources Division

Christine Schweigert, Hydrologist, Billings Regional Office

Applicant	Lazy KU Estates LLC
Application No.	43Q 30173538
Proposed Point of Diversion (POD)	32 wells in Lazy KU Subdivision 3 rd Filing, in the S2SE Sec. 25, T1S, R24E, Yellowstone County

Overview

This report is Part B of a two-part publication which analyzes data submitted by the Applicant in support of the above-mentioned water right application. This report provides technical analyses as required under the Administrative Rules of Montana (ARM) 36.12.1303 in support of the water rights criteria assessment as required in § 85-2-311, Montana Code Annotated (MCA).

This Groundwater Permit Technical Analyses Report – Part B contains the following sections:

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Variances

A variance from the aquifer testing requirements found in ARM 36.12.121(3)(c), (3)(e), (3)(e)(i), (3)(e)(ii), and (3)(f) was requested on June 1, 2026. The request was to allow variance from the requirement for pumping of



all production wells as long as one well meets the 72-hour testing requirement and the remainder of the requested flow rate is demonstrated by 8-hour drawdown and yield tests. The Applicant also requested a variance from the requirement to have an observation well in the same aquifer. The proposed points of diversion (PODs) are within the Terrace 3 aquifer identified in the “Yellowstone River Terrace Level 3 Aquifer Properties” memo. The request was granted by the Billings regional office on July 10, 2026, because the proposed points of diversion are within the Terrace 3 aquifer identified in the “Yellowstone River Terrace Level 3 Aquifer Properties” memo.

1.0 Application Details

The Applicant proposes to divert groundwater January 1 through December 31 from the Yellowstone River Terrace Level 3 Aquifer at a rate of 218.8 GPM. The Applicant proposed to use 54.34 AF of water between January 1 through December 31 for Multiple Domestic use and from April 1 through October 31 for Lawn and Garden irrigation use on 16 acres (0.5 AC per lot on 32 lots) in the proposed Lazy KU Subdivision, Third Filing, generally located in the S2SE Sec. 25, T1S, R24E, Yellowstone County.

Table 1: Summary of the proposed use

Source	Flow Rate (GPM)	Diverted Volume (AF)	Purpose	Period of Use	Place of Use	Points of Diversion	Period of Diversion
Groundwater	218.8	54.34	Multiple Domestic & Lawn and Garden	1/1-12/31	32 Lots in the S2SE Sec. 25, T1S, R24E (Table 2)	32 wells in the S2SE Sec. 25, T1S, R24E (Table 3)	1/1-12/31

Table 2. Proposed place of use (POU) within the proposed Lazy KU Subdivision, third filing

Acres	Lot	Block	¼¼¼	Sec.	Twp	Rge	County
0.5	6	4	NWSWSE	25	1S	24E	Yellowstone
0.5	7	4	NWSWSE	25	1S	24E	Yellowstone
0.5	8	4	NWSWSE	25	1S	24E	Yellowstone
0.5	9	4	SWSWSE	25	1S	24E	Yellowstone
0.5	10	4	SWSWSE	25	1S	24E	Yellowstone
0.5	1	7	SWSWSE	25	1S	24E	Yellowstone
0.5	2	7	SESWSE	25	1S	24E	Yellowstone
0.5	3	7	SESWSE	25	1S	24E	Yellowstone
0.5	4	7	SESWSE	25	1S	24E	Yellowstone
0.5	5	7	SWSESE	25	1S	24E	Yellowstone



0.5	6	6	SWSESE	25	1S	24E	Yellowstone
0.5	7	6	SESWSE	25	1S	24E	Yellowstone
0.5	8	6	SESWSE	25	1S	24E	Yellowstone
0.5	9	6	SESWSE	25	1S	24E	Yellowstone
0.5	10	6	SWSWSE	25	1S	24E	Yellowstone
0.5	1	6	SWSWSE	25	1S	24E	Yellowstone
0.5	2	6	SESWSE	25	1S	24E	Yellowstone
0.5	3	6	SESWSE	25	1S	24E	Yellowstone
0.5	4	6	SESWSE	25	1S	24E	Yellowstone
0.5	5	6	SWSESE	25	1S	24E	Yellowstone
0.5	5	5	NWSESE	25	1S	24E	Yellowstone
0.5	6	5	NESWSE	25	1S	24E	Yellowstone
0.5	7	5	NESWSE	25	1S	24E	Yellowstone
0.5	8	5	NWSWSE	25	1S	24E	Yellowstone
0.5	1	5	NWSWSE	25	1S	24E	Yellowstone
0.5	2	5	NESWSE	25	1S	24E	Yellowstone
0.5	3	5	NESWSE	25	1S	24E	Yellowstone
0.5	4	5	NWSESE	25	1S	24E	Yellowstone
0.5	8	3	NWSESE	25	1S	24E	Yellowstone
0.5	9	3	NESWSE	25	1S	24E	Yellowstone
0.5	10	3	NESWSE	25	1S	24E	Yellowstone
0.5	11	3	NWSWSE	25	1S	24E	Yellowstone
16 ACRES							

Table 3. Proposed PODs within the proposed Lazy KU Subdivision, third filing

POD No.	Lot	Block	¼¼¼	Sec.	Twp	Rge	County
1	6	4	NWSWSE	25	1S	24E	Yellowstone
2	7	4	NWSWSE	25	1S	24E	Yellowstone
3	8	4	NWSWSE	25	1S	24E	Yellowstone
4	9	4	SWSWSE	25	1S	24E	Yellowstone
5	10	4	SWSWSE	25	1S	24E	Yellowstone
6	1	7	SWSWSE	25	1S	24E	Yellowstone
7	2	7	SESWSE	25	1S	24E	Yellowstone
8	3	7	SESWSE	25	1S	24E	Yellowstone
9	4	7	SESWSE	25	1S	24E	Yellowstone
10	5	7	SWSESE	25	1S	24E	Yellowstone
11	6	6	SWSESE	25	1S	24E	Yellowstone
12	7	6	SESWSE	25	1S	24E	Yellowstone



13	8	6	SESWSE	25	1S	24E	Yellowstone
14	9	6	SESWSE	25	1S	24E	Yellowstone
15	10	6	SWSWSE	25	1S	24E	Yellowstone
16	1	6	SWSWSE	25	1S	24E	Yellowstone
17	2	6	SESWSE	25	1S	24E	Yellowstone
18	3	6	SESWSE	25	1S	24E	Yellowstone
19	4	6	SESWSE	25	1S	24E	Yellowstone
20	5	6	SWSESE	25	1S	24E	Yellowstone
21	5	5	NWSESE	25	1S	24E	Yellowstone
22	6	5	NESWSE	25	1S	24E	Yellowstone
23	7	5	NESWSE	25	1S	24E	Yellowstone
24	8	5	NWSWSE	25	1S	24E	Yellowstone
25	1	5	NWSWSE	25	1S	24E	Yellowstone
26	2	5	NESWSE	25	1S	24E	Yellowstone
27	3	5	NESWSE	25	1S	24E	Yellowstone
28	4	5	NWSESE	25	1S	24E	Yellowstone
29	8	3	NWSESE	25	1S	24E	Yellowstone
30	9	3	NESWSE	25	1S	24E	Yellowstone
31	10	3	NESWSE	25	1S	24E	Yellowstone
32	11	3	NWSWSE	25	1S	24E	Yellowstone

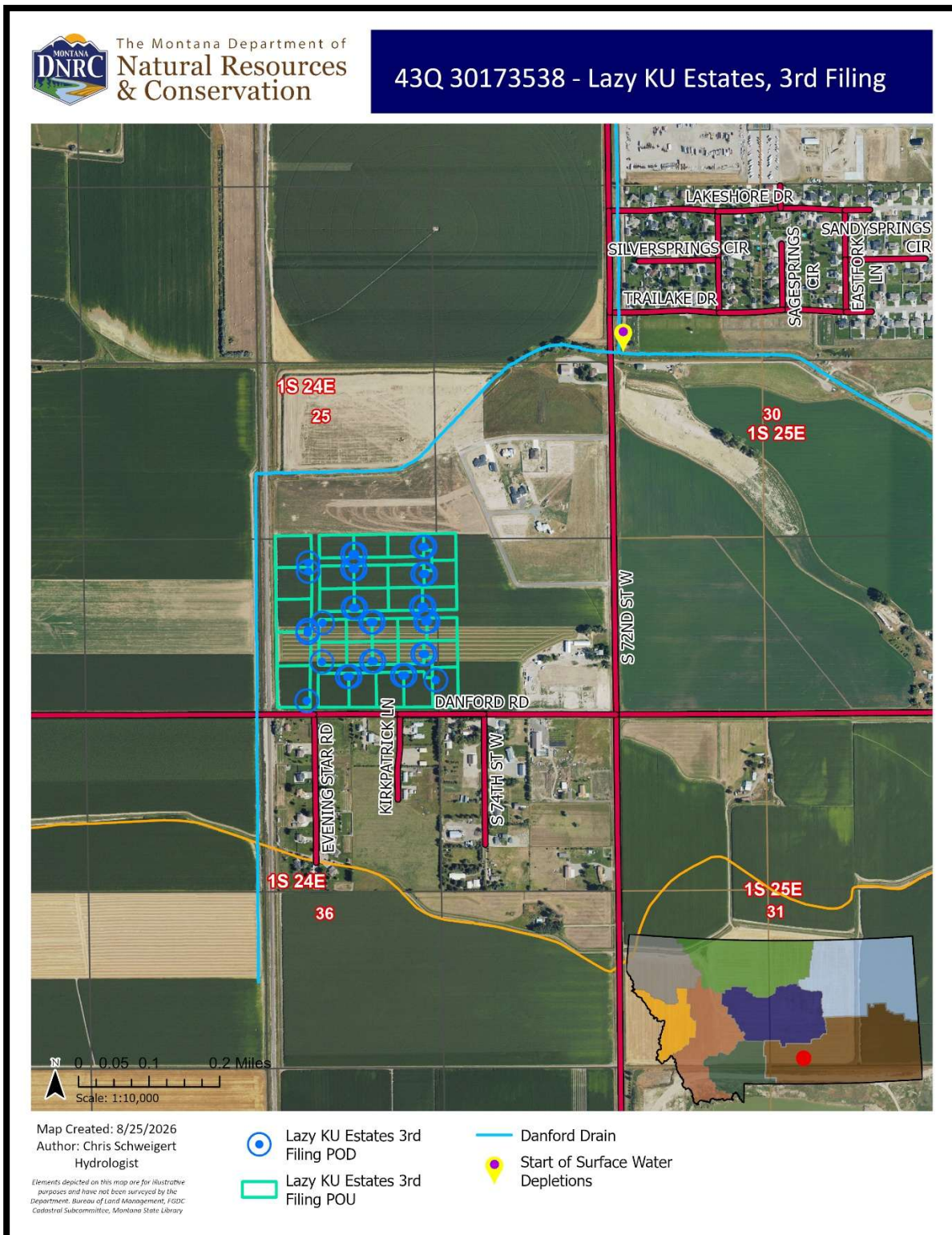


Figure 1: Map of the Applicant's proposed PODs, POUs, and impacted surface water source.

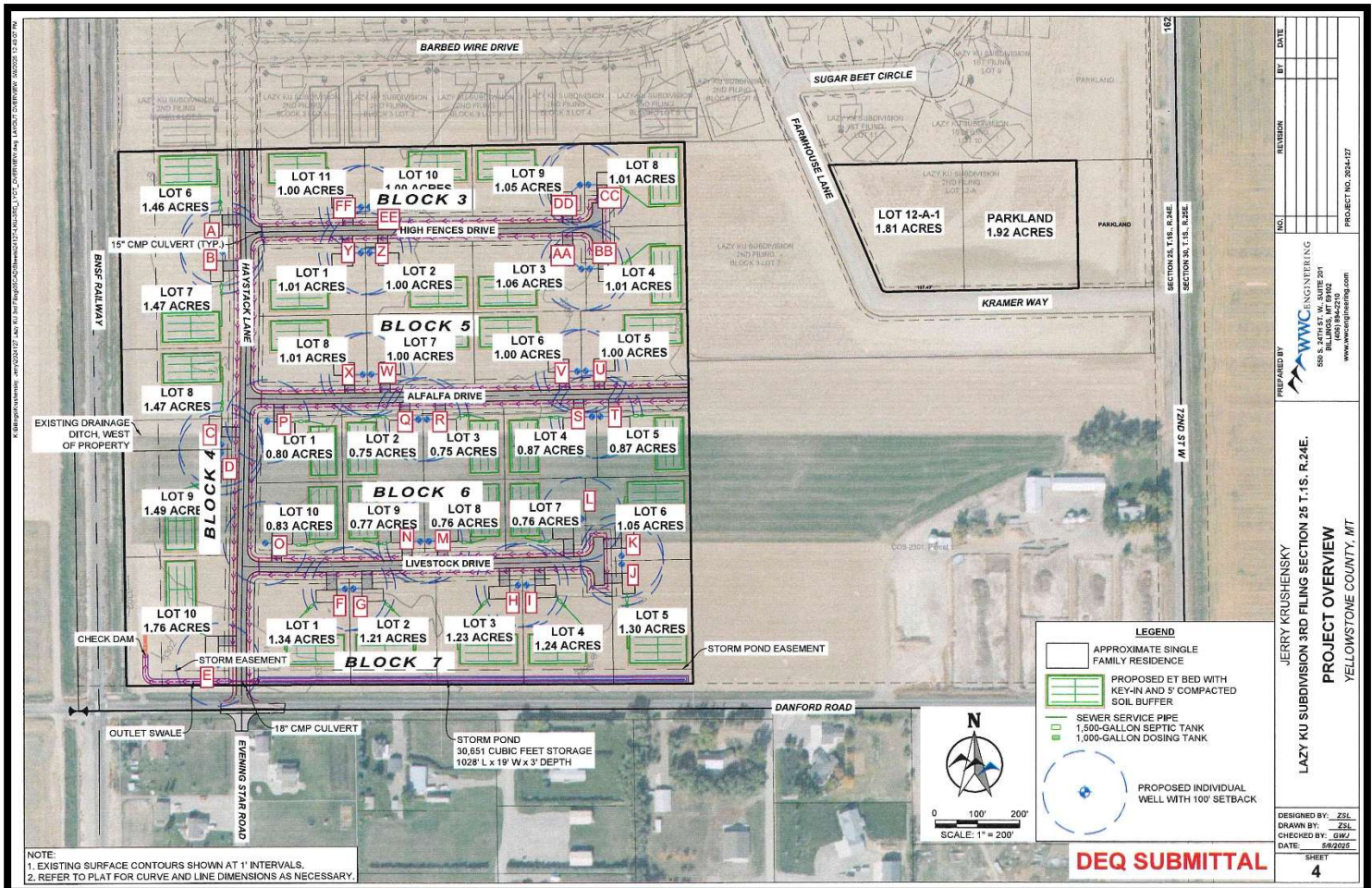


Figure 2: Applicant's project overview map.

2.0 Surface Water Analysis of Depleted Surface Water

2.1 Source Description

Part A of the Technical Analyses Report includes the Groundwater Analysis, which describes the methodologies used to identify the depleted surface water source(s) and the location of net depletions on said sources.

Depleted Source of Water: Danford Drain

Depleted Source Type: Perennial, human-impacted hydrograph. Source is a drain ditch with some input from groundwater and surface runoff

Location of Depletions: The point at which depletions accrue is in the Government Lot 2 (SWSWNW) Sec. 30, T1S, R25E, Yellowstone County



2.2 Method of Estimation

Method of Measurement Used: The Applicant provided flow measurements on Danford Drain that were collected by the Montana Bureau of Mines and Geology (MBMG). Flow in Danford Drain was measured and reported by the MBMG for a west Billings area study conducted from 1999-2000. The study results were published in MBMG Open-File Report 436 *Basic Hydrogeologic Data For: The West-Billings Area (1999-2000)*, Yellowstone, County, Montana, dated June 2001 (OFR 436), and in Report of Investigation 10 *Hydrogeology of the West Billings Area: Impacts of Land-Use Changes on Water Resources*, dated 2002 (RI 10). MBMG staff measured flow in Danford Drain at the Wise Lane crossing in the NWNWNW Sec. 35, T1S, R25E, Yellowstone County, on a monthly to bi-weekly basis in 1999, and from March through August, and October of 2000 (RI 10).

Method of Estimation Used: The Department estimated the available flow at the top of the depleted reach (ungaged site) using the measurements collected by MBMG on Danford Drain at Wise Lane. This data can be found in MBMG OFR 436. Flow measurements were taken using a wading rod and current velocity meter.

Why this method is considered appropriate: Danford Drain is a man-made drain ditch and a perennial stream which collects groundwater and surface runoff. Because the stream does not follow a natural hydrograph, there are no valid estimation techniques available for estimating monthly flow and volume. ARM 36.12.1702 (1)(a) says that if the source has been measured, or quantified, those measurement records will be used to quantify physical availability. The source has been measured but the data is not sufficient to calculate median of the mean monthly flow. Therefore, ARM 36.12.1702(4) requires once monthly measurements. The data collected by MBMG is sufficient to represent once monthly measurements throughout the period of diversion. DNRC *Technical Memorandum: Physical Availability of Surface Water Without Gage Data* dated April 18, 2019, under the header *Estimation of Flow Using only Measurements* instructs that if StreamStats and other estimation techniques cannot be used then monthly measurement can be used by themselves if the measurements are taken monthly during the proposed period of diversion, measurements are considered valid based on measurement techniques, and measurements are representative of typical conditions. The measurements taken by MBMG meet all of the required criteria.

2.3 Monthly Flow Rate and Volume

Methodology: The mean monthly flow rate in CFS was taken from the measurements collected by the MBMG. In months when only one measurement was performed the single measurement was taken as physical availability. In months when multiple measurements were performed, the average of the measurements were taken as physical availability. The monthly volume was calculated using the following equation found in the DNRC Water Calculation Guide: $\text{CFS} \times 1.98 (\text{AF/day}/1 \text{ CFS}) \times \text{days per month} = \text{AF/month}$.

Table 4. Monthly Flow Rate (CFS) and Volume (AF) Estimates for Danford Drain at Wise Lane



Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug*	Sep	Oct	Nov*	Dec*
Mean Monthly Flow Rate	4.1	4.2	3.4	3.8	4.4	30.0	50.2	59.0	64.9	23.9	13.0	6.9
Mean Monthly Volume	251.7	232.8	208.7	225.7	270.1	1782.0	3081.3	3621.4	3855.1	1467.0	772.2	423.5

*Flow rate is average of multiple measurements taken in the month

There are eight (8) water rights on Danford Drain between the top of the depleted reach and the location where MBMG collected flow measurements. Those water rights are listed in Table 5. To calculate the flow rate and volume of water physically available at the top of the depleted reach, the water rights between the top of the depleted reach and the location of the streamflow measurements are added to the flow measurements. Table 6 shows the estimated amount of water available at the top of the depleted reach.

Table 5. Water rights between the top of the depleted reach and the measurement location

Water Right No.	Owner(s)	Purpose	Flow Rate (CFS)	Volume (AF)	Period of diversion
43Q 102615 00	SAMM LLC	STOCK	0.17*	34.00*	01/01 to 12/31
43Q 14939 00	KEVIN D ANTHONY; DEANNA C BRUNN	IRRIGATION	0.09	7.58*	03/01 to 11/04
43Q 195891 00	DANIEL J HICKEY; JOSEPH D HICKEY; KELLY R HICKEY; LINDALEE E HICKEY; GENE J KLAMERT; RONNA J KLAMERT	IRRIGATION	5.00	319.37*	05/01 to 09/19
43Q 195892 00	DANIEL J HICKEY; JOSEPH D HICKEY; KELLY R HICKEY; LINDALEE E HICKEY; GENE J KLAMERT; RONNA J KLAMERT	STOCK	0.00*	5.10*	03/01 to 10/31
43Q 208801 00	JTL GROUP INC	IRRIGATION	1.69	138.15*	04/01 to 10/31
43Q 30107340	GENE J KLAMERT; RONNA J KLAMERT	STOCK	0.00*	17.00*	01/01 to 12/31
43Q 42699 00	SHIRLEY M WAGNER	IRRIGATION	0.33	32.00	05/01 to 10/15
43Q 45860 00	KYLE A KINDSFATHER; SARAH F KINDSFATHER; LORENZ CONSTRUCTION LLC; MARSICH INVESTMENTS INC	IRRIGATION	4.00	328.49*	04/01 to 10/19

*Calculated by DNRC standard practice



Where flow rate and/or volume were not identified on the water right, they were calculated using Department standard practices. The flow rate for livestock direct from source rights was calculated using the formula in the DNRC Permit Application Manual which is: number of animal units x 30 gallons per day (GPD)/animal unit (AU) x 1 yr/365 days x 1 day/1,440 minutes x 325,851 gallons/acre-foot. The Department then adds 35 GPM to the calculated flow rate to ensure adequate flow for stock to be able to drink from the source. Volume for livestock rights is calculated by multiplying the number of animal units by 30 GPD/AU and the number of days in the period of use.

Volume for irrigation rights is calculated by multiplying the max acres by the low end of the standard volume for 60% efficient irrigation in the appropriate climatic area. When the area of interest crosses a climatic area boundary the highest consumptive use climatic area is used. The irrigation volume standard was taken from ARM 36.12.115. There are 4 types of irrigation systems listed in the standard that are 60% efficient. For this application, the Department chose the most common low range value for 60% efficient systems in Climatic Area 1, which is 3.07 AF/AC.

Table 6. Estimated flow rate (CFS) at the top of the depleted reach

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Mean Monthly Flow Rate	4.1	4.2	3.4	3.8	4.4	30.0	50.2	59.0	64.9	23.9	13.0	6.9
Legal Demands	0.2	0.2	0.3	6.0	11.3	11.3	11.3	11.3	11.3	6.3	0.2	0.2
Flow Rate at Top of Depleted Reach	4.3	4.4	3.7	9.8	15.7	42.3	61.5	70.3	76.2	30.2	13.2	7.1

Table 7. Estimated volume (AF) at the top of the depleted reach

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Mean Monthly Volume	251.7	232.8	208.7	225.7	270.1	1782.0	3081.3	3621.4	3855.1	1467.0	772.2	423.5
Legal Demands	4.3	4.3	5.8	72.5	141.7	141.7	141.7	141.7	141.7	77.8	4.3	4.3
Volume at Top of	256	237.1	214.5	298.2	411.8	1923.7	3223.0	3763.1	3996.8	1544.8	776.5	427.8



Depleted Reach												
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3.0 Area of Potential Impact Analysis

3.1 Area of Potential Impact Analysis of Groundwater

The Area of Potential Impact for groundwater is considered to be the Zone of Influence (ZOI), or 0.01-foot drawdown contour surrounding the point(s) of diversion. The determination of the ZOI for this application is described in Part A of this report. The groundwater ZOI list of water rights includes active and severed water rights within the ZOI that are either completed in the source aquifer or have an unknown well depth. Groundwater rights within the ZOI are listed in Appendix A of Part B of this report.

Quantification Methodology: The Department identified 399 groundwater rights within the ZOI. All groundwater rights found within the ZOI will be considered for potential adverse effect as they are in the same source aquifer or have no well depth recorded with the Department, and will be considered in order to be conservative. Of the 399 groundwater rights, 367 are Ground Water Certificates, eight (8) are Provisional Permits, 20 are Statements of Claim, and four (4) are Exempt Notices. Of these 399 groundwater rights, 68 did not have a volume identified. The Department quantified these water rights using Department standard practice for the type of right and purpose. For the 60 Ground Water Certificates with no volume, the volume was calculated as the average of the Ground Water Certificates with a volume, which is 2.96 AF. For the eight (8) Statements of Claim with no volume, the volume was calculated using the Department standards for the purpose. The volume for the seven (7) stock claims was calculated by multiplying the number of animal units claimed by the Department standard of 30 GPD/AU. The volume for the one (1) domestic claim was assigned the Adjudication standard of 1.5 AF/household. The quantification of these rights is shown in Appendix A.

3.2 Area of Potential Impact Analysis of Depleted Surface Water

The surface water Area of Potential Impact for this application is: The Water Sciences Bureau identified Danford Drain as the surface water source that will be depleted by the proposed appropriation. The depleted reach begins in Government Lot 2 (SWSWNW) Sec. 30, T1S, R25E, Yellowstone County, where Danford Drain crosses 72nd St. W. The area of potential impact is from the top of the depleted reach to the confluence of Danford Drain at the Yellowstone River in Government Lot 1 (S2NESE) Sec. 26, T1S, R25E, Yellowstone County, approximately 7.8 river miles. There are 8 water rights in the area of potential impact which are shown in Table 5. The legal demands total 12.1 CFS and 141.71 AF per month at maximum.

Why this is an appropriate Area of Potential Impact: The area of potential impact includes the entire length of Danford Drain to the confluence with the Yellowstone River. The Department considered the basin closure status, existing source and tributary knowledge, and source type. Danford Drain is a man-made drain ditch



which collects irrigation return flow, wastewater, groundwater and surface runoff and conveys it to the Yellowstone River. The source is perennial and is within an open basin. There have been no calls made for water on Danford Drain in the knowledge of the Department. The confluence with the Yellowstone River is a significant hydrologic boundary. The measurements provided by the Applicant are the only known measurements on Danford Drain and they show a maximum contribution of 64.9 CFS and a minimum contribution of 2.5 CFS to the Yellowstone River. The proposed depletions to Danford Drain are an annual total of 29.43 AF with a maximum depletion rate of 29.9 GPM (0.67 CFS) in August.

Methodology: The Department used the DNRC Water Right Information System and ESRI ArcPro GIS to compile a list of water rights which divert water from Danford Drain between the top of the depleted reach and the confluence of Danford Drain at the Yellowstone River. The water rights in the area of potential impact are shown in Table 5. The Department analyzed the water rights in the area of potential impact and quantified them according to Department standard practice as explained in Section 2.3 and as shown in Table 6 and Table 7. Legal demands in the area of potential impact are the same as those between the top of the depleted reach and the location where measurements were collected. There are no water rights on Danford Drain below the Wise Lane crossing.

Review

This document has been reviewed by the Department on August 28, 2026.

References

Department Standard Practice for Area of Potential Impact Analysis

DNRC Permit Application Manual last updated February 14, 2025

Olson, J.L., and Reiten, J.C., 2001, *Basic Hydrogeologic Data For: The West-Billings Area (1999-2000)*, Yellowstone, County, Montana, Montana Bureau of Mines and Geology Open-File Report 436.

Olson, J.L., and Reiten, J.C., 2002, *Hydrogeology of the west Billings area: Impacts of land-use changes on water resources*: Montana Bureau of Mines and Geology Report of Investigation 10, 32 p., 2 sheets.



Appendix A: Groundwater Rights in the Zone of Influence



Table A. Water Rights within the Zone of Influence for Groundwater

Water Right Number	Water Right Type	Owners	Purpose	Volume (AF)
43Q 48592 00	EXEMPT RIGHT	JOHN J MCNEIL; SHIRLEY A MCNEIL	DOMESTIC; STOCK	2.00
43Q 91699 00	EXEMPT RIGHT	JUDY C MCNALLY	DOMESTIC; LAWN AND GARDEN; STOCK	2.93
43Q 43987 00	EXEMPT RIGHT	JERRY J O'DONNELL; SUSAN R O'DONNELL	DOMESTIC; STOCK	3.00
43Q 30022683	EXEMPT RIGHT	MELVIN L MILLER; SHARON L MILLER	DOMESTIC; LAWN AND GARDEN; STOCK	3.76
43Q 30115454	STATEMENT OF CLAIM	GEORDIE N STEILEN; SHERRI J STEILEN	DOMESTIC	1.00
43Q 30114359	STATEMENT OF CLAIM	MONTEXAS INVESTMENTS LLC	DOMESTIC	1.63
43Q 30144031	STATEMENT OF CLAIM	JUDY C MCNALLY	DOMESTIC	1.63
43Q 30144032	STATEMENT OF CLAIM	JUDY C MCNALLY	DOMESTIC	1.63
43Q 30116579	STATEMENT OF CLAIM	REGAL LAND DEVELOPMENT INC	DOMESTIC	1.63
43Q 30118849	STATEMENT OF CLAIM	ANITA AZAM; EARL J NICHOLS	DOMESTIC	2.00
43Q 30114314	STATEMENT OF CLAIM	JOHN L CHAFFEE; KATHLEEN CHAFFEE	DOMESTIC	2.00
43Q 30124949	STATEMENT OF CLAIM	GERALD V MILLER	DOMESTIC	2.30
43Q 30123366	STATEMENT OF CLAIM	DIANE R KRAFT; ROBERT R KRAFT	DOMESTIC	3.50
43Q 30144127	STATEMENT OF CLAIM	VANLUCHENE, RONALD & JENNIFER REVOCABLE LIVING TRT	DOMESTIC	3.50



43Q 30123364	STATEMENT OF CLAIM	ROBERT E KRAFT	DOMESTIC	6.00
43Q 30123365	STATEMENT OF CLAIM	ROBERT E KRAFT	STOCK	20.80
43Q 6278 00	STATEMENT OF CLAIM	DIANE R KRAFT; ROBERT R KRAFT	STOCK	26.04*
43Q 30144029	STATEMENT OF CLAIM	JUDY C MCNALLY	STOCK	3.40*
43Q 30144026	STATEMENT OF CLAIM	JUDY C MCNALLY	STOCK	2.55*
43Q 30116580	STATEMENT OF CLAIM	REGAL LAND DEVELOPMENT INC	STOCK	2.55*
43Q 30124950	STATEMENT OF CLAIM	GERALD V MILLER	STOCK	8.50*
43Q 30114315	STATEMENT OF CLAIM	JOHN L CHAFFEE; KATHLEEN CHAFFEE	STOCK	10.20*
43Q 30144058	STATEMENT OF CLAIM	SISTKO-TAYLOR TRUST	DOMESTIC	1.50*
43Q 30144061	STATEMENT OF CLAIM	SISTKO-TAYLOR TRUST	STOCK	1.36*
43Q 30152396	PROVISIONAL PERMIT	LAZY KU ESTATES LLC	LAWN AND GARDEN; MULTIPLE DOMESTIC	24.61
43Q 1545 00	PROVISIONAL PERMIT	YELLOWSTONE BOYS AND GIRLS RANCH INC	DOMESTIC	40.00
43Q 30164891	PROVISIONAL PERMIT	COUGAR INVESTMENTS LLC	LAWN AND GARDEN; COMMERCIAL	48.01
43Q 30150480	PROVISIONAL PERMIT	M & J LAND CO LLC	MULTIPLE DOMESTIC; LAWN AND GARDEN; OTHER PURPOSE	53.00
43Q 30157960	PROVISIONAL PERMIT	MAE INVESTMENTS LLC	MULTIPLE DOMESTIC; LAWN AND GARDEN	61.00
43Q 30162249	PROVISIONAL PERMIT	LAZY KU ESTATES LLC	MULTIPLE DOMESTIC; LAWN AND GARDEN	72.40



43Q 30158778	PROVISIONAL PERMIT	MYRON S GROSS; NANCY J GROSS	LAWN AND GARDEN; MULTIPLE DOMESTIC	79.10
43Q 30149895	PROVISIONAL PERMIT	REGAL LAND DEVELOPMENT INC	MULTIPLE DOMESTIC; LAWN AND GARDEN; OTHER PURPOSE	157.75
43Q 30173356	GROUND WATER CERTIFICATE	FRANK J GOSS	DOMESTIC	0.45
43Q 30067746	GROUND WATER CERTIFICATE	BRIAN P COOK; MICHELLE JONES	DOMESTIC	1.00
43Q 30066242	GROUND WATER CERTIFICATE	BENJAMIN J MILLER; CARRIE W MILLER	DOMESTIC	1.00
43Q 30161092	GROUND WATER CERTIFICATE	KELLY COMSTOCK; SANDEE-DEE COMSTOCK	DOMESTIC	1.00
43Q 30162227	GROUND WATER CERTIFICATE	ARLENE F ENTZEL	DOMESTIC	1.00
43Q 30163741	GROUND WATER CERTIFICATE	ASTRI M ZIDACK; MICHAEL T ZIDACK	DOMESTIC	1.00
43Q 30046161	GROUND WATER CERTIFICATE	AMY COLLINS; DUSTIN COLLINS	DOMESTIC	1.00
43Q 30069555	GROUND WATER CERTIFICATE	QUALITY HEATING AND AIR CONDITIONING	COMMERCIAL	1.34
43Q 28690 00	GROUND WATER CERTIFICATE	ASHLEY R DIMMICK; TRAVIS DIMMICK	DOMESTIC	1.50
43Q 110949 00	GROUND WATER CERTIFICATE	DANIEL QUENZER; LYNETTE D QUENZER	DOMESTIC	1.63
43Q 116137 00	GROUND WATER CERTIFICATE	ANNA M HOPKINS	DOMESTIC	1.63
43Q 108064 00	GROUND WATER CERTIFICATE	FRANK, PENNIE D TRUST; FRANK, RICHARD R TRUST	DOMESTIC; LAWN AND GARDEN; STOCK	1.88
43Q 30065858	GROUND WATER CERTIFICATE	JERI D LAMERTON; JOHN W LAMERTON	DOMESTIC; LAWN AND GARDEN	2.25



43Q 30045841	GROUND WATER CERTIFICATE	JASON MARES	DOMESTIC; LAWN AND GARDEN	2.25
43Q 30162226	GROUND WATER CERTIFICATE	ARLENE F ENTZEL	LAWN AND GARDEN	2.25
43Q 30171529	GROUND WATER CERTIFICATE	ROSANNE LOHOF; RUSSELL J LOHOF	DOMESTIC; LAWN AND GARDEN	2.63
43Q 30152986	GROUND WATER CERTIFICATE	NATALIE L DRAGOO	DOMESTIC; LAWN AND GARDEN; STOCK	2.78
43Q 113927 00	GROUND WATER CERTIFICATE	ANNA M HOPKINS	DOMESTIC; LAWN AND GARDEN	2.92
43Q 30161105	GROUND WATER CERTIFICATE	DOUGLAS CHAPMAN; BRANDY JONES	LAWN AND GARDEN	3.65
43Q 30161091	GROUND WATER CERTIFICATE	KELLY COMSTOCK; SANDEE-DEE COMSTOCK	LAWN AND GARDEN	3.75
43Q 30163087	GROUND WATER CERTIFICATE	HARDRIVES CONSTRUCTION INC	DOMESTIC	1.00
43Q 30107424	GROUND WATER CERTIFICATE	MARY D DEAN; RICK R DEAN	DOMESTIC	1.00
43Q 78088 00	GROUND WATER CERTIFICATE	DONALD W MACDONALD	DOMESTIC	1.00
43Q 62343 00	GROUND WATER CERTIFICATE	CHRISTINA B LANG; ROY A LANG	DOMESTIC	1.00
43Q 30114284	GROUND WATER CERTIFICATE	GARY G RAITT	DOMESTIC	1.00
43Q 30043866	GROUND WATER CERTIFICATE	HARDRIVES CONSTRUCTION INC	DOMESTIC	1.00
43Q 24850 00	GROUND WATER CERTIFICATE	KENDRA K DUKE; JOSHUA L SMITH	DOMESTIC	1.50
43Q 67157 00	GROUND WATER CERTIFICATE	ANGELA SMITH; LEGARE SMITH	DOMESTIC	1.50
43Q 18306 00	GROUND WATER CERTIFICATE	GEORGE E KEELER; LINDA D KEELER	DOMESTIC	1.50
43Q 24631 00	GROUND WATER CERTIFICATE	JOHN E BARTRAM	DOMESTIC	1.50



43Q 30047340	GROUND WATER CERTIFICATE	COLLEEN M BOESHANS; NATHAN P BOESHANS	DOMESTIC; LAWN AND GARDEN	1.53
43Q 87407 00	GROUND WATER CERTIFICATE	TIMOTHY J VECHES	DOMESTIC	1.63
43Q 94835 00	GROUND WATER CERTIFICATE	ANGELA B HUGHES	DOMESTIC	1.63
43Q 102095 00	GROUND WATER CERTIFICATE	JIM SKATTUM	DOMESTIC	1.63
43Q 30002318	GROUND WATER CERTIFICATE	KEITH HEIDECKER	DOMESTIC	1.63
43Q 113970 00	GROUND WATER CERTIFICATE	CONNIE JOHNSON; JERRY JOHNSON	DOMESTIC	1.63
43Q 20832 00	GROUND WATER CERTIFICATE	ALLEN J FISCHER	DOMESTIC; STOCK	2.00
43Q 30114285	GROUND WATER CERTIFICATE	GARY G RAITT	LAWN AND GARDEN	2.50
43Q 45828 00	GROUND WATER CERTIFICATE	BRENNTAG PACIFIC INC	DOMESTIC	3.00
43Q 43489 00	GROUND WATER CERTIFICATE	DIANE M ALBERS	DOMESTIC; STOCK	3.08
43Q 85402 00	GROUND WATER CERTIFICATE	LISA C TRACY; SHANE P TRACY	DOMESTIC; LAWN AND GARDEN	3.50
43Q 30116931	GROUND WATER CERTIFICATE	MATTHEW L RHEAUME	DOMESTIC; LAWN AND GARDEN	3.50
43Q 30063190	GROUND WATER CERTIFICATE	CHAD ROLISON; JESSICA ROLISON	DOMESTIC; LAWN AND GARDEN	3.63
43Q 62344 00	GROUND WATER CERTIFICATE	CHRISTINA B LANG; ROY A LANG	LAWN AND GARDEN	3.75
43Q 30112091	GROUND WATER CERTIFICATE	CORDELL ANTHONY; PRESLEY PAYNE	DOMESTIC; LAWN AND GARDEN	4.13
43Q 113999 00	GROUND WATER CERTIFICATE	CORDELL ANTHONY; PRESLEY PAYNE	DOMESTIC; IRRIGATION	4.13
43Q 10954 00	GROUND WATER CERTIFICATE	GARY E WADDELL; PAMELA C WADDELL	DOMESTIC	2.96*



43Q 5856 00	GROUND WATER CERTIFICATE	CHAD W LEHMAN; JANICE M LEHMAN; JEREMY T LEHMAN	DOMESTIC	2.96*
43Q 110973 00	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	COMMERCIAL	0.06
43Q 110972 00	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	COMMERCIAL	0.06
43Q 31216 00	GROUND WATER CERTIFICATE	THOMAS H DAVIS	DOMESTIC; STOCK	1.04
43Q 76308 00	GROUND WATER CERTIFICATE	MONTEXAS INVESTMENTS LLC	DOMESTIC	1.50
43Q 25944 00	GROUND WATER CERTIFICATE	STEVEN K COSNER	DOMESTIC	1.50
43Q 67199 00	GROUND WATER CERTIFICATE	BRAD STUART; KAY C STUART	DOMESTIC	1.50
43D 102179 00	GROUND WATER CERTIFICATE	ELMER E HAWKINSON; PEGGY A HAWKINSON	DOMESTIC; LAWN AND GARDEN	2.25
43Q 99289 00	GROUND WATER CERTIFICATE	BEVERLEY J MCNURLIN; JOE A MCNURLIN	DOMESTIC; LAWN AND GARDEN	2.25
43Q 73494 00	GROUND WATER CERTIFICATE	MONTEXAS INVESTMENTS LLC	DOMESTIC	2.50
43Q 87425 00	GROUND WATER CERTIFICATE	KRAFT, ROBERT & KAYRENE LIVING TRUST	INDUSTRIAL; STOCK	3.00
43Q 37877 00	GROUND WATER CERTIFICATE	ALEXA J TALKINGTON	DOMESTIC; STOCK	3.08
43Q 45082 00	GROUND WATER CERTIFICATE	JERRY J O'DONNELL; SUSAN R O'DONNELL	DOMESTIC; STOCK	3.08
43Q 38459 00	GROUND WATER CERTIFICATE	SCOTT SCHEETZ	DOMESTIC; STOCK	3.24
43Q 84434 00	GROUND WATER CERTIFICATE	CAROLYN J WEBB; RICHARD L WEBB	DOMESTIC; LAWN AND GARDEN	3.30
43Q 5534 00	GROUND WATER CERTIFICATE	CECIL C OLIVER	DOMESTIC	2.96*



43Q 6901 00	GROUND WATER CERTIFICATE	RITA M BAETEN; WILLIAM T BAETEN	DOMESTIC; STOCK	2.96*
43Q 9747 00	GROUND WATER CERTIFICATE	ELIZABETH J STREVER; RANDY R STREVER	DOMESTIC	2.96*
43Q 30043846	GROUND WATER CERTIFICATE	HARDRIVES CONSTRUCTION INC	LAWN AND GARDEN	0.15
43Q 62437 00	GROUND WATER CERTIFICATE	KRISTINA K STARNES; ZANE STARNES	LAWN AND GARDEN	0.50
43Q 30162445	GROUND WATER CERTIFICATE	KENNETH H BRANNON; LINDA L BRANNON	LAWN AND GARDEN	0.83
43Q 30045828	GROUND WATER CERTIFICATE	DUSTINE L ANKNEY; KIMBERLY E DARE	DOMESTIC	1.00
43Q 30160358	GROUND WATER CERTIFICATE	KARIN T KAUFMAN	DOMESTIC	1.00
43Q 30121098	GROUND WATER CERTIFICATE	HOLZHEIMER, DON AND SANDRA LIVING TRUST	DOMESTIC	1.00
43Q 107142 00	GROUND WATER CERTIFICATE	LON OISTAD	LAWN AND GARDEN	1.25
43Q 24148 00	GROUND WATER CERTIFICATE	C D HOOD; LORRAINE J HOOD	DOMESTIC	1.50
43Q 23511 00	GROUND WATER CERTIFICATE	TONY PLUHAR	DOMESTIC	1.50
43Q 60484 00	GROUND WATER CERTIFICATE	TYLER JUMPER	DOMESTIC	1.50
43Q 33976 00	GROUND WATER CERTIFICATE	KENNETH P HANIFY; MARLENE M HANIFY	DOMESTIC	1.50
43Q 30108010	GROUND WATER CERTIFICATE	NEHENIAH S GEBREEGZABEHER; SHANNA B GEBREEGZABEHER	LAWN AND GARDEN; DOMESTIC	1.58
43Q 113883 00	GROUND WATER CERTIFICATE	BECKY HERMAN; GLENN HERMAN	DOMESTIC	1.63



43Q 87396 00	GROUND WATER CERTIFICATE	JOEL S FACHNER; NICHOLE FACHNER	DOMESTIC	1.63
43Q 103459 00	GROUND WATER CERTIFICATE	FITTERER, RICK REVOCABLE TRUST	DOMESTIC	1.63
43Q 116210 00	GROUND WATER CERTIFICATE	SANDRA L SANDVIG; SCOTT D SANDVIG	DOMESTIC	1.63
43Q 77734 00	GROUND WATER CERTIFICATE	STALEY FAMILY TRUST	DOMESTIC	1.63
43Q 77130 00	GROUND WATER CERTIFICATE	CARRIE ROBERTS	DOMESTIC	1.63
43QJ 107024 00	GROUND WATER CERTIFICATE	DENNIS D LONSBERRY; LAURIE A LONSBERRY	LAWN AND GARDEN; DOMESTIC	1.65
43Q 30047388	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	1.70
43Q 30047392	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	1.70
43Q 30047394	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	1.70
43Q 30047410	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	1.70
43Q 30047411	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	1.70
43Q 30047393	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	1.70
43Q 30047387	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	1.70
43Q 114005 00	GROUND WATER CERTIFICATE	DAVID V HOBBS	DOMESTIC; STOCK	1.73
43Q 30050322	GROUND WATER CERTIFICATE	JEAN A GRENSTEN; JOHN J GRENSTEN	DOMESTIC; LAWN AND GARDEN	1.75
43Q 30131709	GROUND WATER CERTIFICATE	PENNY R KINDSFATER	DOMESTIC; LAWN AND GARDEN	1.85
43Q 94674 00	GROUND WATER CERTIFICATE	CHERYL R HEINS; JOSEPH M HEINS	LAWN AND GARDEN	1.88
43Q 88840 00	GROUND WATER CERTIFICATE	DAN KAUTZ	DOMESTIC; STOCK	1.94



43Q 85396 00	GROUND WATER CERTIFICATE	JOAN A DELAO- HUSCHKA; MELVIN HUSCHKA	DOMESTIC; LAWN AND GARDEN	2.25
43Q 30164103	GROUND WATER CERTIFICATE	DANIEL ALLEN; XIAOYI WANG	DOMESTIC; LAWN AND GARDEN	2.25
43Q 80859 00	GROUND WATER CERTIFICATE	ANGELA SMITH; LEGARE SMITH	LAWN AND GARDEN	2.50
43Q 30050951	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	MULTIPLE DOMESTIC; LAWN AND GARDEN	2.69
43Q 30047403	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047391	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047386	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047397	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047408	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047402	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047404	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047395	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047398	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047407	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047409	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047396	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047401	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047406	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047390	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70



43Q 30047405	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047399	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047389	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 30047400	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	DOMESTIC; LAWN AND GARDEN	2.70
43Q 101375 00	GROUND WATER CERTIFICATE	BRANDON A FORSBERG	DOMESTIC; LAWN AND GARDEN	2.88
43Q 35184 00	GROUND WATER CERTIFICATE	WAYNE G HOGAN	DOMESTIC	3.00
43Q 44459 00	GROUND WATER CERTIFICATE	JEFFREY L KRAFT	DOMESTIC; LAWN AND GARDEN	3.25
43Q 30123117	GROUND WATER CERTIFICATE	ESTELLA M CAMPISE; SEBASTIAN M CAMPISE	DOMESTIC; LAWN AND GARDEN	3.40
43Q 100123 00	GROUND WATER CERTIFICATE	MARITA GRAMMAR; TRAVIS GRAMMAR	DOMESTIC; LAWN AND GARDEN	3.50
43Q 101400 00	GROUND WATER CERTIFICATE	THOMAS G SCHWAB; TRACY SCHWAB	DOMESTIC; LAWN AND GARDEN	3.50
43Q 30113859	GROUND WATER CERTIFICATE	JONATHAN EASLEY	DOMESTIC; LAWN AND GARDEN	3.50
43Q 96548 00	GROUND WATER CERTIFICATE	ELIZABETH I WALTER; PAUL P WALTER	DOMESTIC; LAWN AND GARDEN	3.50
43Q 30109551	GROUND WATER CERTIFICATE	JAMES DORIGAN; MOLLIE DORIGAN; JOHN SCHLUNEGGER	DOMESTIC; LAWN AND GARDEN	3.50
43Q 30164635	GROUND WATER CERTIFICATE	KELLY L DUBBS; SHARON R DUBBS	LAWN AND GARDEN; DOMESTIC	3.50
43Q 30062923	GROUND WATER CERTIFICATE	DAN FEVOLD; STEVE E WILLIAMSON	DOMESTIC; LAWN AND GARDEN	3.68



43Q 22269 00	GROUND WATER CERTIFICATE	PHILLIP R DIETZ	DOMESTIC; IRRIGATION	4.20
43Q 102282 00	GROUND WATER CERTIFICATE	BRENT RENIER	DOMESTIC; LAWN AND GARDEN	4.25
43Q 92978 00	GROUND WATER CERTIFICATE	DANIEL QUENZER; LYNETTE D QUENZER	DOMESTIC; LAWN AND GARDEN	4.50
43Q 30107425	GROUND WATER CERTIFICATE	MARY D DEAN; RICK R DEAN	LAWN AND GARDEN	4.50
43Q 104991 00	GROUND WATER CERTIFICATE	KIRK BLEE	LAWN AND GARDEN; MULTIPLE DOMESTIC	4.50
43Q 103551 00	GROUND WATER CERTIFICATE	BRADLEY C CARSTENS; GREGORY C CARSTENS	DOMESTIC; LAWN AND GARDEN	4.75
43Q 77128 00	GROUND WATER CERTIFICATE	MIKOL HJELVIK	DOMESTIC; LAWN AND GARDEN	5.13
43Q 34671 00	GROUND WATER CERTIFICATE	KRAFT, ROBERT & KAYRENE LIVING TRUST	COMMERCIAL; STOCK	7.50
43Q 30066860	GROUND WATER CERTIFICATE	KNIFE RIVER	INDUSTRIAL	9.80
43Q 109827 00	GROUND WATER CERTIFICATE	PELICAN, CONSTANCE D TRUST	IRRIGATION	10.00
43Q 781 00	GROUND WATER CERTIFICATE	PHILLIP M ROTH	DOMESTIC	2.96*
43Q 8754 00	GROUND WATER CERTIFICATE	IAN P BLUMENSHINE	DOMESTIC	2.96*
43Q 30159049	GROUND WATER CERTIFICATE	DKSMITH HOLDINGS LLC	COMMERCIAL	0.11
43Q 30165392	GROUND WATER CERTIFICATE	CHRISTINE Y LEE; RICHARD A LEE	STOCK	0.34
43Q 28912 00	GROUND WATER CERTIFICATE	FORMENTO FAMILY TRUST	DOMESTIC	0.50
43Q 99320 00	GROUND WATER CERTIFICATE	JODI L ADKINS; KEVIN T ADKINS	DOMESTIC	1.00
43Q 30044801	GROUND WATER CERTIFICATE	DORIS WILTON; DUANE WILTON	DOMESTIC	1.00



43Q 30113203	GROUND WATER CERTIFICATE	BRUCE L TONN	DOMESTIC	1.00
43Q 30118638	GROUND WATER CERTIFICATE	MEGON KASTELITZ; RHETT KASTELITZ	DOMESTIC	1.00
43Q 30064903	GROUND WATER CERTIFICATE	KRISTIN J HERSEL; TERRY A HERSEL	DOMESTIC	1.00
43Q 30113206	GROUND WATER CERTIFICATE	BRUCE L TONN	LAWN AND GARDEN	1.25
43Q 30113205	GROUND WATER CERTIFICATE	BRUCE L TONN	LAWN AND GARDEN	1.25
43Q 30067705	GROUND WATER CERTIFICATE	CURTIS MOLT; STACY MOLT	DOMESTIC; LAWN AND GARDEN	1.43
43Q 60407 00	GROUND WATER CERTIFICATE	JANET N OISTAD; LON M OISTAD	DOMESTIC	1.50
43Q 58035 00	GROUND WATER CERTIFICATE	LYNNE M CEBUHAR; RONALD E CEBUHAR	DOMESTIC	1.50
43Q 57887 00	GROUND WATER CERTIFICATE	GLENA WAMBEKE; RON WAMBEKE	DOMESTIC	1.50
43Q 56203 00	GROUND WATER CERTIFICATE	DARBY L GERONDALE; PATRICK J GERONDALE	DOMESTIC	1.50
43Q 56199 00	GROUND WATER CERTIFICATE	ANDY D RACKI; KARIN L RACKI	DOMESTIC	1.50
43Q 68372 00	GROUND WATER CERTIFICATE	KAREN R TUMBERG	DOMESTIC	1.50
43Q 34713 00	GROUND WATER CERTIFICATE	BRIAN J HAUN	DOMESTIC; STOCK	1.52
43Q 30003490	GROUND WATER CERTIFICATE	JEFFREY D ROBERTS	DOMESTIC	1.63
43Q 113981 00	GROUND WATER CERTIFICATE	BRENDA RIDER; TERRY RIDER	DOMESTIC	1.63
43Q 35635 00	GROUND WATER CERTIFICATE	TAMARA L BELLINGER; BRUCE A YOUNG	DOMESTIC; STOCK	1.71
43Q 30051992	GROUND WATER CERTIFICATE	BRANDON A FORSBERG	LAWN AND GARDEN	1.88
43Q 30107043	GROUND WATER CERTIFICATE	RENEE M RAWHOUSER;	LAWN AND GARDEN	1.88



		WILLIAM L RAWHOUSER		
43Q 30001701	GROUND WATER CERTIFICATE	ROBERT ALLEN	LAWN AND GARDEN	1.88
43Q 40804 00	GROUND WATER CERTIFICATE	LOVELL WITTMAYER	DOMESTIC	2.00
43Q 68321 00	GROUND WATER CERTIFICATE	CARLA WALDEMER; JAMES WALDEMER	DOMESTIC; LAWN AND GARDEN	2.25
43Q 30046672	GROUND WATER CERTIFICATE	NATHAN P BEMER	LAWN AND GARDEN	2.50
43Q 105891 00	GROUND WATER CERTIFICATE	CHRISTINA LAKE; DAVID LAKE	LAWN AND GARDEN; DOMESTIC	2.88
43Q 84411 00	GROUND WATER CERTIFICATE	DAVID J VANEK; DENYSE M VANEK	DOMESTIC; LAWN AND GARDEN	3.50
43Q 77119 00	GROUND WATER CERTIFICATE	DAVID D SCHWRIGERT; LINDA M SCHWRIGERT	DOMESTIC; LAWN AND GARDEN	3.50
43Q 97556 00	GROUND WATER CERTIFICATE	BRANDON HOLMBERG	DOMESTIC; LAWN AND GARDEN	3.50
43Q 56209 00	GROUND WATER CERTIFICATE	JOSEPH M HEINS	DOMESTIC; LAWN AND GARDEN	3.50
43Q 30164116	GROUND WATER CERTIFICATE	BONNIE K JARES; JOHN E JARES	LAWN AND GARDEN	3.75
43Q 104993 00	GROUND WATER CERTIFICATE	SCOTT SCHEETZ	DOMESTIC; LAWN AND GARDEN	4.75
43Q 30151061	GROUND WATER CERTIFICATE	GOMEZ, CHRIS & CRYSTAL REVOCABLE TRUST	LAWN AND GARDEN	7.50
43Q 22599 00	GROUND WATER CERTIFICATE	MAKAYLA W SEGER; ORVILLE M SEGER	IRRIGATION; STOCK; DOMESTIC	24.24
43Q 30045738	GROUND WATER CERTIFICATE	JAMIE NEVIN; TODD E NEVIN	DOMESTIC	1.00
43Q 99200 00	GROUND WATER CERTIFICATE	DAVID D RAY; KAREN R RAY	DOMESTIC	1.00
43Q 30073037	GROUND WATER CERTIFICATE	LANA REINHARDT; WILMER A REINHARDT	DOMESTIC	1.00



43Q 11579 00	GROUND WATER CERTIFICATE	MAD LIVING TRUST	DOMESTIC; STOCK	1.08
43Q 30132260	GROUND WATER CERTIFICATE	JACK R BAKICH; LAURA M BAKICH	DOMESTIC; LAWN AND GARDEN	1.25
43Q 30158402	GROUND WATER CERTIFICATE	ALICE BRANSTETTER; GREG BRANSTETTER	LAWN AND GARDEN; DOMESTIC	1.30
43Q 25791 00	GROUND WATER CERTIFICATE	ARTHUR J WEBER; CONNIE J WEBER	DOMESTIC	1.50
43Q 23507 00	GROUND WATER CERTIFICATE	BECKY HERMAN; GLENN HERMAN	DOMESTIC	1.50
43Q 16259 00	GROUND WATER CERTIFICATE	RANDALL K SEYMOUR; VALERIE K SEYMOUR	DOMESTIC	1.50
43Q 32930 00	GROUND WATER CERTIFICATE	BRUCE J MACINTYRE	DOMESTIC	1.50
43Q 22050 00	GROUND WATER CERTIFICATE	DARCY E NESS	DOMESTIC	1.50
43Q 23760 00	GROUND WATER CERTIFICATE	HELENA AGRI- ENTERPRISES LLC	INDUSTRIAL	1.50
43Q 24536 00	GROUND WATER CERTIFICATE	PROUE FAMILY TRUST	DOMESTIC	1.50
43Q 96421 00	GROUND WATER CERTIFICATE	KIRK MELBY; MELISSA A MELBY	DOMESTIC	1.63
43Q 99217 00	GROUND WATER CERTIFICATE	DUANE F HONS; STEPHANIE S HONS	DOMESTIC	1.63
43Q 100064 00	GROUND WATER CERTIFICATE	DAVID D RAY; KAREN R RAY	LAWN AND GARDEN	1.88
43Q 106508 00	GROUND WATER CERTIFICATE	PROUE FAMILY TRUST	LAWN AND GARDEN	1.88
43Q 100083 00	GROUND WATER CERTIFICATE	KRAFT, EDWARD & ROXANA LIVING TRUST	LAWN AND GARDEN	1.88
43Q 96522 00	GROUND WATER CERTIFICATE	MAD LIVING TRUST	LAWN AND GARDEN; STOCK	2.01
43Q 30162119	GROUND WATER CERTIFICATE	DARCY FAMILY REVOCABLE TRUST	DOMESTIC; LAWN AND GARDEN	2.25
43Q 30070144	GROUND WATER CERTIFICATE	MARY E BURLEY; WESLEY D BURLEY	DOMESTIC; LAWN AND GARDEN	2.33



43Q 101411 00	GROUND WATER CERTIFICATE	JOSEPH R MOORE; NORMA J MOORE	DOMESTIC; LAWN AND GARDEN	3.15
43Q 30118850	GROUND WATER CERTIFICATE	ANITA AZAM; EARL J NICHOLS	LAWN AND GARDEN	3.25
43Q 30157878	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	MULTIPLE DOMESTIC; LAWN AND GARDEN	3.40
43Q 30157884	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	LAWN AND GARDEN; MULTIPLE DOMESTIC	3.40
43Q 30157886	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	LAWN AND GARDEN; MULTIPLE DOMESTIC	3.40
43Q 30157885	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	LAWN AND GARDEN; MULTIPLE DOMESTIC	3.40
43Q 30157880	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	LAWN AND GARDEN; MULTIPLE DOMESTIC	3.40
43Q 30157891	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	LAWN AND GARDEN; MULTIPLE DOMESTIC	3.40
43Q 30157889	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	MULTIPLE DOMESTIC; LAWN AND GARDEN	3.40
43Q 30157888	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	MULTIPLE DOMESTIC; LAWN AND GARDEN	3.40
43Q 30157887	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	LAWN AND GARDEN; MULTIPLE DOMESTIC	3.40
43Q 30157883	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	MULTIPLE DOMESTIC; LAWN AND GARDEN	3.40
43Q 30157892	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	MULTIPLE DOMESTIC; LAWN AND GARDEN	3.40
43Q 30157879	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	LAWN AND GARDEN; MULTIPLE DOMESTIC	3.40



43Q 30157882	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	MULTIPLE DOMESTIC; LAWN AND GARDEN	3.40
43Q 30157881	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	MULTIPLE DOMESTIC; LAWN AND GARDEN	3.40
43Q 30157877	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	LAWN AND GARDEN; MULTIPLE DOMESTIC	3.40
43Q 30157890	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	MULTIPLE DOMESTIC; LAWN AND GARDEN	3.40
43Q 100101 00	GROUND WATER CERTIFICATE	CARL D COUTTS; CHRIS COUTTS	DOMESTIC; LAWN AND GARDEN	3.50
43Q 30158528	GROUND WATER CERTIFICATE	SHERRY L WALKING EAGLE	DOMESTIC; LAWN AND GARDEN	3.50
43Q 30046139	GROUND WATER CERTIFICATE	JEREMIAH L WEBSTER; KAYSI WEBSTER	DOMESTIC; LAWN AND GARDEN	3.50
43Q 30067286	GROUND WATER CERTIFICATE	LORI HODGES; MIKE HODGES	DOMESTIC; LAWN AND GARDEN	3.50
43Q 30129890	GROUND WATER CERTIFICATE	GREGORY D SCHREINER; SARA SCHREINER	LAWN AND GARDEN; INSTITUTIONAL	3.53
43Q 103428 00	GROUND WATER CERTIFICATE	PELICAN, CONSTANCE D TRUST	DOMESTIC; LAWN AND GARDEN; STOCK	3.59
43Q 96573 00	GROUND WATER CERTIFICATE	CHRISTOPHER D ROGNRUD; TESIERY D ROGNRUD	DOMESTIC; LAWN AND GARDEN; STOCK	3.81
43Q 103429 00	GROUND WATER CERTIFICATE	PELICAN, CONSTANCE D TRUST	DOMESTIC; LAWN AND GARDEN; STOCK	3.84
43Q 30045207	GROUND WATER CERTIFICATE	DAVID S LORASH	DOMESTIC; LAWN AND GARDEN	4.25
43Q 30050934	GROUND WATER CERTIFICATE	JOEANN BLACK; JAMES E MOORE	DOMESTIC; LAWN AND GARDEN	4.30
43Q 24824 00	GROUND WATER CERTIFICATE	DARCY E NESS	DOMESTIC	4.50



43Q 103554 00	GROUND WATER CERTIFICATE	BONNIE K JARES; JOHN E JARES	DOMESTIC; LAWN AND GARDEN	4.75
43Q 103561 00	GROUND WATER CERTIFICATE	MADDOX VALLEY FARM CO	DOMESTIC; LAWN AND GARDEN	6.00
43Q 30063364	GROUND WATER CERTIFICATE	DARREN W MILLER	LAWN AND GARDEN; STOCK	9.92
43Q 12328 00	GROUND WATER CERTIFICATE	KRAFT, EDWARD & ROXANA LIVING TRUST	STOCK; DOMESTIC	12.00
43Q 30072278	GROUND WATER CERTIFICATE	LINDSEY A MONEY; MICHAEL A MONEY	DOMESTIC	1.00
43Q 30045650	GROUND WATER CERTIFICATE	CURTIS SCHELLE; SUSAN SCHELLE	DOMESTIC	1.00
43Q 30068711	GROUND WATER CERTIFICATE	RYAN J HOLTE; TIFFANY P HOLTE	DOMESTIC	1.00
43Q 30067462	GROUND WATER CERTIFICATE	DOUG GOODHEART; LORI GOODHEART	DOMESTIC	1.00
43Q 30109235	GROUND WATER CERTIFICATE	CANDICE NAASZ; MATTHEW NAASZ	DOMESTIC	1.00
43Q 30109408	GROUND WATER CERTIFICATE	KATIE SHELTON; LUKE SHELTON	DOMESTIC	1.00
43Q 30067247	GROUND WATER CERTIFICATE	BRIAN SHANKS; BRIANNE SHANKS	DOMESTIC	1.00
43Q 30109217	GROUND WATER CERTIFICATE	CRYSTAL L NAGEL; TRAVIS J NAGEL	DOMESTIC	1.00
43Q 30106602	GROUND WATER CERTIFICATE	JESSICA FELCHLE; SCOTT FELCHLE	DOMESTIC	1.00
43Q 30108133	GROUND WATER CERTIFICATE	JODY D EDWARDS; RODGER L EDWARDS	DOMESTIC	1.00
43Q 30110226	GROUND WATER CERTIFICATE	HOAGLAND, JOEL & KAMA LIVING TRUST	DOMESTIC	1.00
43Q 30050870	GROUND WATER CERTIFICATE	ANDREW J BROWN; SHEILA L BROWN	DOMESTIC	1.00
43Q 30068707	GROUND WATER CERTIFICATE	ANDREW J HANSON; EDIE R HANSON	DOMESTIC	1.00



43Q 30069768	GROUND WATER CERTIFICATE	JOSHUA C BUSENBARK; SAMMY A BUSENBARK	DOMESTIC	1.00
43Q 30105815	GROUND WATER CERTIFICATE	BARBARA L HOPE; WILLIAM H HOPE	LAWN AND GARDEN	1.25
43Q 54191 00	GROUND WATER CERTIFICATE	BOBBI JO WONDER; JOSEPH P WONDER	DOMESTIC	1.50
43Q 111991 00	GROUND WATER CERTIFICATE	JEFFREY HOBBS; MICHELLE HOBBS	DOMESTIC	1.63
43Q 105940 00	GROUND WATER CERTIFICATE	MONEEN D MEANS; SAM A MEANS	DOMESTIC	1.63
43Q 94699 00	GROUND WATER CERTIFICATE	LISA C TRACY; SHANE P TRACY	LAWN AND GARDEN	1.88
43Q 96556 00	GROUND WATER CERTIFICATE	CRAIG MARSCHALL	DOMESTIC; LAWN AND GARDEN	2.25
43Q 107109 00	GROUND WATER CERTIFICATE	CYNTHIA A STEPHENSON; WILLIAM D STEPHENSON	DOMESTIC; LAWN AND GARDEN	2.25
43Q 30158403	GROUND WATER CERTIFICATE	ALICE BRANSTETTER; GREG BRANSTETTER	DOMESTIC; LAWN AND GARDEN	2.25
43Q 30045644	GROUND WATER CERTIFICATE	KAREN C DOELY; MARK DOELY	DOMESTIC; LAWN AND GARDEN	2.38
43Q 99321 00	GROUND WATER CERTIFICATE	KENNEDY,DAN & DENISE TRUST	LAWN AND GARDEN	2.50
43Q 115249 00	GROUND WATER CERTIFICATE	CONNIE JOHNSON; JERRY JOHNSON	LAWN AND GARDEN	2.50
43Q 30003923	GROUND WATER CERTIFICATE	NONA L MONSON	LAWN AND GARDEN	2.57
43Q 30155967	GROUND WATER CERTIFICATE	ALVIN III PARKER; TISH PARKER	DOMESTIC; LAWN AND GARDEN	2.88
43Q 30067306	GROUND WATER CERTIFICATE	JEFFREY E MCNEISH	DOMESTIC; LAWN AND GARDEN	2.88
43Q 30148938	GROUND WATER CERTIFICATE	EDWARD G CODDEN	DOMESTIC; LAWN AND GARDEN	2.88



43Q 30067855	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	MULTIPLE DOMESTIC; LAWN AND GARDEN	3.15
43Q 30067856	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	MULTIPLE DOMESTIC; LAWN AND GARDEN	3.15
43Q 30067854	GROUND WATER CERTIFICATE	REGAL LAND DEVELOPMENT INC	MULTIPLE DOMESTIC; LAWN AND GARDEN	3.15
43Q 30163503	GROUND WATER CERTIFICATE	CHRISTINE Y LEE; RICHARD A LEE	DOMESTIC; LAWN AND GARDEN	3.50
43Q 104922 00	GROUND WATER CERTIFICATE	KAREN L ALLEN; ROBERT P ALLEN	DOMESTIC; LAWN AND GARDEN	3.50
43Q 30116391	GROUND WATER CERTIFICATE	STUARD, ROBERT M LIVING TRUST	DOMESTIC; LAWN AND GARDEN	3.50
43Q 30117888	GROUND WATER CERTIFICATE	KINSFATHER BARRY RUSSELL TRUST; KINSFATHER BONITA ANN TRUST	DOMESTIC; LAWN AND GARDEN	3.50
43Q 105941 00	GROUND WATER CERTIFICATE	MONEEN D MEANS; SAM A MEANS	LAWN AND GARDEN; STOCK	3.70
43Q 115250 00	GROUND WATER CERTIFICATE	CONNIE JOHNSON; JERRY JOHNSON	LAWN AND GARDEN	5.00
43Q 113980 00	GROUND WATER CERTIFICATE	BRENDA RIDER; TERRY RIDER	LAWN AND GARDEN; STOCK	5.05
43Q 30052530	GROUND WATER CERTIFICATE	BANGERT, LARRY & NANCY LIVING TRUST	DOMESTIC; LAWN AND GARDEN	6.00
43Q 92893 00	GROUND WATER CERTIFICATE	MAKAYLA W SEGER; ORVILLE M SEGER	LAWN AND GARDEN; STOCK	9.84
43Q 30066864	GROUND WATER CERTIFICATE	EDWARD G CODDEN	DOMESTIC; LAWN AND GARDEN	
43Q 43168 00	GROUND WATER CERTIFICATE	AMY R REITER; HAROLD J REITER	DOMESTIC; STOCK	1.58
43Q 58052 00	GROUND WATER CERTIFICATE	AMANDA M SWIFT; JAMES T SWIFT	DOMESTIC; STOCK; IRRIGATION	4.05



43Q 26190 00	GROUND WATER CERTIFICATE	TROY C MOORE	AGRICULTURAL SPRAYING; DOMESTIC; IRRIGATION; STOCK	5.81
43Q 62347 00	GROUND WATER CERTIFICATE	CATHY ONEIL; JOHN P ONEIL	LAWN AND GARDEN	2.50
43Q 67198 00	GROUND WATER CERTIFICATE	BRAD STUART; KAY C STUART	IRRIGATION; STOCK	13.25
43Q 22598 00	GROUND WATER CERTIFICATE	MAKAYLA W SEGER; ORVILLE M SEGER	DOMESTIC; IRRIGATION; STOCK	28.84
43Q 62359 00	GROUND WATER CERTIFICATE	DANNY L LOWELL; SHERRY A LOWELL	DOMESTIC	1.50
43Q 19955 00	GROUND WATER CERTIFICATE	DALE M DAHL; NOREEN H DAHL	DOMESTIC	1.50
43Q 24603 00	GROUND WATER CERTIFICATE	RITA M BAETEN; WILLIAM T BAETEN	IRRIGATION	37.00
43Q 68394 00	GROUND WATER CERTIFICATE	FRANK C WAGNER; PAULETTE R WAGNER	LAWN AND GARDEN	3.75
43Q 68395 00	GROUND WATER CERTIFICATE	FRANK C WAGNER; PAULETTE R WAGNER	DOMESTIC; LAWN AND GARDEN; STOCK	4.81
43Q 69467 00	GROUND WATER CERTIFICATE	TYLER JUMPER	IRRIGATION; STOCK	8.14
43Q 30147124	GROUND WATER CERTIFICATE	JOSH L WHALEY; MARGARET J WHALEY	DOMESTIC	1.00
43Q 30161069	GROUND WATER CERTIFICATE	JOSHUA BENZINGER; LINDSY BENZINGER	DOMESTIC	1.00
43Q 30161106	GROUND WATER CERTIFICATE	DOUGLAS CHAPMAN; BRANDY JONES	DOMESTIC	1.00
43Q 30066610	GROUND WATER CERTIFICATE	MARY E BAROVICH	DOMESTIC	1.00
43Q 30152774	GROUND WATER CERTIFICATE	DAVID BOATMAN; KRISTINE BOATMAN	DOMESTIC; LAWN AND GARDEN	1.63



43Q 30066380	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	WETLAND MITIGATION CREDIT	1.68
43Q 30066379	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	WETLAND MITIGATION CREDIT	2.18
43Q 30066377	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	WETLAND MITIGATION CREDIT	2.42
43Q 30066387	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	WETLAND MITIGATION CREDIT	3.05
43Q 30066389	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	WETLAND MITIGATION CREDIT	3.20
43Q 30066390	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	WETLAND MITIGATION CREDIT	3.74
43Q 30066385	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	WETLAND MITIGATION CREDIT	3.84
43Q 30066391	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	WETLAND MITIGATION CREDIT	3.87
43Q 30161071	GROUND WATER CERTIFICATE	JOSHUA BENZINGER; LINDSY BENZINGER	LAWN AND GARDEN	3.88
43Q 30066386	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	WETLAND MITIGATION CREDIT	4.10
43Q 30066393	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	WETLAND MITIGATION CREDIT	4.12
43Q 30066392	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	WETLAND MITIGATION CREDIT	4.77
43Q 30163139	GROUND WATER CERTIFICATE	DAN & JULANE FARMS, LLC	FISHERY	5.83



43Q 30066394	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	WETLAND MITIGATION CREDIT	5.89
43Q 30066381	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	WETLAND MITIGATION CREDIT	7.63
43Q 30066388	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	WETLAND MITIGATION CREDIT	7.95
43Q 30012538	GROUND WATER CERTIFICATE	NEHENIAH S GEBREEGZABEHER; SHANNA B GEBREEGZABEHER	IRRIGATION	2.96*
43Q 30027238	GROUND WATER CERTIFICATE	MACKENZIE SCHEIE; MATTHEW SCHEIE	DOMESTIC	2.96*
43Q 30023075	GROUND WATER CERTIFICATE	DELANEY FAMILY TRUST	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30042450	GROUND WATER CERTIFICATE	LOVELL WITTMAYER	LAWN AND GARDEN	2.96*
43Q 30022054	GROUND WATER CERTIFICATE	L & L MYERS TRUST	DOMESTIC	2.96*
43Q 30014193	GROUND WATER CERTIFICATE	MCVEE FAMILY TRUST	DOMESTIC	2.96*
43Q 30014288	GROUND WATER CERTIFICATE	DENNIS STEDMAN; KATHERINE A STEDMAN	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30019442	GROUND WATER CERTIFICATE	MARK CLOUD; SARAH CLOUD	DOMESTIC	2.96*
43Q 30010996	GROUND WATER CERTIFICATE	DUSTINE L ANKNEY; KIMBERLY E DARE	DOMESTIC	2.96*
43Q 30017348	GROUND WATER CERTIFICATE	PERZINSKI REVOCABLE TRUST	DOMESTIC	2.96*
43Q 30010172	GROUND WATER CERTIFICATE	MONTANA, STATE OF DEPT OF TRANSPORTATION	COMMERCIAL	2.96*
43Q 30014859	GROUND WATER CERTIFICATE	KRISTEN M CLARK; NICHOLAS L EICKHOFF	DOMESTIC; LAWN AND GARDEN	2.96*



43Q 30011997	GROUND WATER CERTIFICATE	JUANITA BLEE	DOMESTIC	2.96*
43Q 30011998	GROUND WATER CERTIFICATE	JUANITA BLEE	DOMESTIC	2.96*
43Q 30012185	GROUND WATER CERTIFICATE	NATHAN P BEMER	DOMESTIC	2.96*
43Q 30013959	GROUND WATER CERTIFICATE	CHENEY RAYMOND; LINDSAY RAYMOND	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30018739	GROUND WATER CERTIFICATE	DAVID M O'REAR; DIANA K O'REAR	DOMESTIC	2.96*
43Q 30042107	GROUND WATER CERTIFICATE	DEANNA J RUBIN; MARTY RUBIN	DOMESTIC	2.96*
43Q 30027149	GROUND WATER CERTIFICATE	STUDER PROPERTIES LLC	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30017018	GROUND WATER CERTIFICATE	JASON A COLE; MELISSA COLE	DOMESTIC	2.96*
43Q 30008222	GROUND WATER CERTIFICATE	CHAD REINTSMA; PENNY REINTSMA	DOMESTIC	2.96*
43Q 30027147	GROUND WATER CERTIFICATE	QUENTIN EGGART	STOCK	2.96*
43Q 30023426	GROUND WATER CERTIFICATE	PAUL J DUCHARME; CARLYN R FULTON	DOMESTIC	2.96*
43Q 30026293	GROUND WATER CERTIFICATE	LOWELL DUNNING	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30014525	GROUND WATER CERTIFICATE	LANE R CYPHERS	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30026947	GROUND WATER CERTIFICATE	JACKI L SHERMAN	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30021267	GROUND WATER CERTIFICATE	DOUGLAS E WILLIAMS	DOMESTIC; IRRIGATION	2.96*
43Q 30010015	GROUND WATER CERTIFICATE	GREG BLACK; KATHY BLACK	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30027362	GROUND WATER CERTIFICATE	JAMES M HEROLD	DOMESTIC	2.96*
43Q 30029636	GROUND WATER CERTIFICATE	CELESTINE WHEATCROFT	DOMESTIC	2.96*
43Q 30011999	GROUND WATER CERTIFICATE	JANIS T TAYLOR; MICHAEL D TAYLOR	DOMESTIC	2.96*



43Q 30013120	GROUND WATER CERTIFICATE	SMITH, BETH & DAN FAMILY TRUST	DOMESTIC	2.96*
43QJ 30007500	GROUND WATER CERTIFICATE	JEREMIAH TOAVS; KAITLYN TOAVS	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30027207	GROUND WATER CERTIFICATE	RICK KRAFT	DOMESTIC; STOCK	2.96*
43Q 30027121	GROUND WATER CERTIFICATE	RICK KRAFT	DOMESTIC; LAWN AND GARDEN; STOCK	2.96*
43Q 30007722	GROUND WATER CERTIFICATE	JONATHAN MYRUP; RYAN MYRUP	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30025473	GROUND WATER CERTIFICATE	MELODY J CANAK; STEVEN C CANAK	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30023553	GROUND WATER CERTIFICATE	STACY FOX; SUSAN FOX	DOMESTIC	2.96*
43Q 30029098	GROUND WATER CERTIFICATE	CARRIE OUKROP; WAYNE OUKROP	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30027210	GROUND WATER CERTIFICATE	GEORDIE N STEILEN; SHERRI J STEILEN	DOMESTIC	2.96*
43Q 30019369	GROUND WATER CERTIFICATE	DUSTIN P HART; JESSICA E HART	DOMESTIC; IRRIGATION	2.96*
43Q 30022846	GROUND WATER CERTIFICATE	DOLORES LIX	LAWN AND GARDEN	2.96*
43Q 30030051	GROUND WATER CERTIFICATE	LORRI SUTHERLAND; TODD SUTHERLAND	DOMESTIC	2.96*
43Q 30027203	GROUND WATER CERTIFICATE	D SCOTT ASAY; LEANN C ASAY	DOMESTIC	2.96*
43Q 30019363	GROUND WATER CERTIFICATE	ADAM G LAWRENCE; TERESA LAWRENCE	DOMESTIC	2.96*
43Q 30010011	GROUND WATER CERTIFICATE	RUSS WALTERS; TERRI WALTERS	DOMESTIC	2.96*
43Q 30017042	GROUND WATER CERTIFICATE	SHIRLEY RUFF	DOMESTIC; LAWN AND GARDEN; STOCK	2.96*
43Q 30022992	GROUND WATER CERTIFICATE	HICKS, SCOTT LIVING TRUST	DOMESTIC	2.96*



43Q 30017827	GROUND WATER CERTIFICATE	KAREN S MORALES; TIMOTHY G MORALES	DOMESTIC	2.96*
43Q 30022837	GROUND WATER CERTIFICATE	KIRK LIX	DOMESTIC	2.96*
43Q 30010146	GROUND WATER CERTIFICATE	RENEE M RAWHOUSER; WILLIAM L RAWHOUSER	DOMESTIC	2.96*
43Q 30023266	GROUND WATER CERTIFICATE	DOLORES LIX	DOMESTIC	2.96*
43Q 30009838	GROUND WATER CERTIFICATE	RON OHS	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30028846	GROUND WATER CERTIFICATE	RICK EDDY; VICKIE LAFURGE	DOMESTIC	2.96*
43Q 30009986	GROUND WATER CERTIFICATE	JASON GONZALES; ANDRENA R LEFDAHL	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30023035	GROUND WATER CERTIFICATE	HICKS, SCOTT LIVING TRUST	DOMESTIC	2.96*
43Q 30018625	GROUND WATER CERTIFICATE	JOHN JULIAN; RACHEL JULIAN	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30013853	GROUND WATER CERTIFICATE	ROBIN WHITE; SCOTT J WHITE	DOMESTIC; LAWN AND GARDEN	2.96*
43Q 30043011	GROUND WATER CERTIFICATE	JUDITH A STANNEBEIN; TYSON L STANNEBEIN	DOMESTIC	2.96*
43Q 30015434	GROUND WATER CERTIFICATE	KORA CONNOLLY; MICHAEL CONNOLLY	DOMESTIC; LAWN AND GARDEN	2.96*

*Calculated by DNRC using Department standard practice as described in Section 2.3

Physical Availability Estimate

Monthly Flow Rate (CFS) at the top of the Depleted Reach												
Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Mean Monthly Flow Rate	4.1	4.2	3.4	3.8	4.4	30.0	50.2	59.0	64.9	23.9	13.0	6.9
Legal Demands	0.2	0.2	0.3	6.0	11.3	11.3	11.3	11.3	11.3	6.3	0.2	0.2
Physically Available at Top of Depleted Reach	4.3	4.4	3.7	9.8	15.7	41.3	61.5	70.3	76.2	30.2	13.2	7.1

Monthly Volume (AF) at the top of the Depleted Reach												
Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Mean Monthly Volume	251.7	232.8	208.7	225.7	270.1	1782.0	3081.3	3621.4	3855.1	1467.0	772.2	423.5
Legal Demands	4.3	4.3	5.8	72.5	141.7	141.7	141.7	141.7	141.7	77.8	4.3	4.3
Physically Available at Top of Depleted Reach	255.9	237.1	214.5	298.2	411.8	1923.7	3223.0	3763.1	3996.8	1544.8	776.5	427.8

Monthly Flow Rate (CFS) and Volume (AF) Estimates for Danford Drain at Wise Lane												
Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug*	Sep	Oct	Nov*	Dec*
Mean Monthly Flow Rate	4.1	4.2	3.4	3.8	4.4	30.0	50.2	59.0	64.9	23.9	13.0	6.9
Mean Monthly Volume	251.7	232.8	208.7	225.7	270.1	1782.0	3081.3	3621.4	3855.1	1467.0	772.2	423.5

*Flow rate is average of multiple measurements taken in the month

MBMG Measurements	
Date	Flow Rate (CFS)
1/14/1999	4.1
2/12/1999	4.2
3/17/1999	3.4
4/6/1999	3.8
5/19/1999	4.4
6/14/1999	30.0
7/19/1999	50.2
8/18/1999	54.0
8/31/1999	64.0
9/27/1999	64.9
10/19/1999	23.9
11/8/1999	15.2
11/15/1999	13.7
11/24/1999	10.0
12/5/1999	8.4
12/15/1999	6.9
12/27/1999	5.5
3/1/2000	3.4
4/17/2000	3.3
4/19/2000	2.5
5/8/2000	4.6
5/26/2000	12.0
6/6/2000	20.9
7/7/2000	28.1
8/2/2000	23.9
10/8/2000	10.2

WR_NUMBER	WR_TYPE	WR_STATUS	ENF_PRTY_1	OWNERS	PURPOSES	SOURCE_TYP	SOURCE_NAM	MEANS_OF_D	PERIOD_OF_	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	No. Nos.	Vol/Mo	MAX_FLOW_C FS	MAX_VOL	TRS_QQQQ	MAX_ACRES	MAX_FLOW_R N	FLOW_RT_U N	MAX_FLOW_G	HIST_TYPE	AUM_SUM					
43Q 102615 00	STATEMENT OF CLAIM	ACTIVE	1928/12/04	SAMM LLC	STOCK	SURFACE	UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	LIVESTOCK DIRECT FROM SOURCE	01/01 to 12/31	0.17	0.17	0.17	0.17	0.17	0.17	0.17	0.17	0.17	0.17	0.17	0.17	12.00	2.83	0.17	34.00	T1S R25E Sec. 28 S2NW	0.00	0.00		0.00	USE	1000.00					
43Q 14939 00	STATEMENT OF CLAIM	ACTIVE	1925/12/31	KEVIN D ANTHONY; DEANNA C BRUNN	IRRIGATION	SURFACE	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	PUMP	03/01 to 11/04			0.09	0.09	0.09	0.09	0.09	0.09	0.09	0.09			8.00	0.95	0.09	7.58	T1S R25E Sec. 33 SENENE	2.47	41.99	GPM	41.99	USE	0.00					
43Q 195891 00	STATEMENT OF CLAIM	ACTIVE	1962/05/24	DANIEL J HICKEY; JOSEPH D HICKEY; KELLY R HICKEY; LINDALEE E HICKEY; GENE J KLAMERT; RONNA J KLAMERT	IRRIGATION	SURFACE	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	PUMP	05/01 to 09/19					5.00	5.00	5.00	5.00	5.00				5.00	63.87	5.00	319.37	T1S R25E Sec. 34 NWNWNE	104.03	5.00	CFS	2244.15	FILED	0.00					
43Q 195892 00	STATEMENT OF CLAIM	ACTIVE	1920/08/06	DANIEL J HICKEY; JOSEPH D HICKEY; KELLY R HICKEY; LINDALEE E HICKEY; GENE J KLAMERT; RONNA J KLAMERT	STOCK	SURFACE	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	LIVESTOCK DIRECT FROM SOURCE	03/01 to 10/31			0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00			8.00	0.64	0.00	5.10	T1S R25E Sec. 34 NE	0.00	0.00		0.00	USE	150.00					
43Q 208801 00	STATEMENT OF CLAIM	ACTIVE	1944/05/29	JTL GROUP INC	IRRIGATION	SURFACE	UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	PUMP	04/01 to 10/31				1.69	1.69	1.69	1.69	1.69	1.69	1.69			7.00	19.74	1.69	138.15	T1S R25E Sec. 29 NWNWSE	45.00	1.69	CFS	758.52	FILED	0.00					
43Q 30107340	STATEMENT OF CLAIM	ACTIVE	1895/01/01	GENE J KLAMERT; RONNA J KLAMERT	STOCK	SURFACE	UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	LIVESTOCK DIRECT FROM SOURCE	01/01 to 12/31	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	12.00	1.42	0.00	17.00	T1S R25E Sec. 34 N2NWNWNE	0.00	0.00		0.00	USE	500.00					
43Q 42699 00	PROVISIONAL PERMIT	ACTIVE	1982/03/12	SHIRLEY M WAGNER	IRRIGATION	SURFACE	DANFORD DRAIN	PUMP	05/01 to 10/15					0.33	0.33	0.33	0.33	0.33	0.33			6.00	5.33	0.33	32.00	T1S R25E Sec. 34 NWNENW	8.00	150.00	GPM	150.00		0.00					
43Q 45860 00	STATEMENT OF CLAIM	ACTIVE	1915/05/17	KYLE A KINDSFATHER; SARAH F KINDSFATHER; LORENZ CONSTRUCTION LLC; MARSICH INVESTMENTS INC	IRRIGATION	SURFACE	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	HEADGATE	04/01 to 10/19				4.00	4.00	4.00	4.00	4.00	4.00	4.00			7.00	46.93	4.00	328.49	T1S R25E Sec. 28 NENWSW	107.00	4.00	CFS	1795.32	FILED	0.00					
SUM ->										0.17	0.17	0.26	6.01	11.34	12.08	12.08	12.08	11.34	6.28	0.17	0.17																

Calculated by DNRC using standard practice. Flow rate for stock was calculated using 30 gpd/AU for Statements of Claim, and adding 35 GPM to the result. Irrigation volume was calculated using low end of standard for 60% irrigation efficiency in Climatic Area 1 (3.07 AF/AC)

WR_NUMBER	WR_TYPE	WR_STATUS	ENF_PRTY_1	OWNERS	PURPOSES	SOURCE_TYP	SOURCE_NAM	MEANS_OF_D	PERIOD_OF_	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	No. Nos.	Vol/Mo	MAX_FLOW_C FS	MAX_VOL	TRS_QQQQ	MAX_ACRES	MAX_FLOW_R N	FLOW_RT_U N	MAX_FLOW_G	HIST_TYPE	AUM_SUM					
43Q 102615 00	STATEMENT OF CLAIM	ACTIVE	1928/12/04	SAMM LLC	STOCK	SURFACE	UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	LIVESTOCK DIRECT FROM SOURCE	01/01 to 12/31	2.83	2.83	2.83	2.83	2.83	2.83	2.83	2.83	2.83	2.83	2.83	2.83	12.00	2.83	0.17	34.00	T1S R25E Sec. 28 S2NW	0.00	0.00		0.00	USE	1000.00					
43Q 14939 00	STATEMENT OF CLAIM	ACTIVE	1925/12/31	KEVIN D ANTHONY; DEANNA C BRUNN	IRRIGATION	SURFACE	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	PUMP	03/01 to 11/04			0.95	0.95	0.95	0.95	0.95	0.95	0.95	0.95			8.00	0.95	0.09	7.58	T1S R25E Sec. 33 SENENE	2.47	41.99	GPM	41.99	USE	0.00					
43Q 195891 00	STATEMENT OF CLAIM	ACTIVE	1962/05/24	DANIEL J HICKEY; JOSEPH D HICKEY; KELLY R HICKEY; LINDALEE E HICKEY; GENE J KLAMERT; RONNA J KLAMERT	IRRIGATION	SURFACE	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	PUMP	05/01 to 09/19					63.87	63.87	63.87	63.87	63.87				5.00	63.87	5.00	319.37	T1S R25E Sec. 34 NWNWNE	104.03	5.00	CFS	2244.15	FILED	0.00					
43Q 195892 00	STATEMENT OF CLAIM	ACTIVE	1920/08/06	DANIEL J HICKEY; JOSEPH D HICKEY; KELLY R HICKEY; LINDALEE E HICKEY; GENE J KLAMERT; RONNA J KLAMERT	STOCK	SURFACE	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	LIVESTOCK DIRECT FROM SOURCE	03/01 to 10/31			0.64	0.64	0.64	0.64	0.64	0.64	0.64	0.64			8.00	0.64	0.00	5.10	T1S R25E Sec. 34 NE	0.00	0.00		0.00	USE	150.00					
43Q 208801 00	STATEMENT OF CLAIM	ACTIVE	1944/05/29	JTL GROUP INC	IRRIGATION	SURFACE	UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	PUMP	04/01 to 10/31				19.74	19.74	19.74	19.74	19.74	19.74	19.74			7.00	19.74	1.69	138.15	T1S R25E Sec. 29 NWNWSE	45.00	1.69	CFS	758.52	FILED	0.00					
43Q 30107340	STATEMENT OF CLAIM	ACTIVE	1895/01/01	GENE J KLAMERT; RONNA J KLAMERT	STOCK	SURFACE	UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	LIVESTOCK DIRECT FROM SOURCE	01/01 to 12/31	1.42	1.42	1.42	1.42	1.42	1.42	1.42	1.42	1.42	1.42	1.42	1.42	12.00	1.42	0.00	17.00	T1S R25E Sec. 34 N2NWNWNE	0.00	0.00		0.00	USE	500.00					
43Q 42699 00	PROVISIONAL PERMIT	ACTIVE	1982/03/12	SHIRLEY M WAGNER	IRRIGATION	SURFACE	DANFORD DRAIN	PUMP	05/01 to 10/15					5.33	5.33	5.33	5.33	5.33	5.33			6.00	5.33	0.33	32.00	T1S R25E Sec. 34 NWNWENW	8.00	150.00	GPM	150.00		0.00					
43Q 45860 00	STATEMENT OF CLAIM	ACTIVE	1915/05/17	KYLE A KINDSFATHER; SARAH F KINDSFATHER; LORENZ CONSTRUCTION LLC; MARSICH INVESTMENTS INC	IRRIGATION	SURFACE	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF YELLOWSTONE RIVER	HEADGATE	04/01 to 10/19				46.93	46.93	46.93	46.93	46.93	46.93	46.93			7.00	46.93	4.00	328.49	T1S R25E Sec. 28 NENWSW	107.00	4.00	CFS	1795.32	FILED	0.00					
SUM ->										4.25	4.25	5.84	72.51	141.71	141.71	141.71	141.71	141.71	77.84	4.25	4.25																



Groundwater Permit Technical Analyses Checklist

Use this checklist for groundwater permit applications involving wells, pumping pits, or man-made ponds, in both open and closed basins. Applications with developed springs are not sent to WSB.

Complete this WSB checklist with values taken from the Permit Preapplication Meeting Form (600P) or Application for Beneficial Water Use Permit Form (600)/deficiency response if no pre-application meeting occurred. **Send the 606P or 606 and all attachments, electronic Form No. 633, and completed checklist to the WSB.**

Applicant	Lazy KU Estates LLC and Jerry Krushensky		
Pre-Application No. ☒ Application No. ☐	43Q 30173538	Preapplication Meeting Form Accepted Date	7/14/2026
Regional Office (RO)	Billings	RO Staff Name	Chris Schweigert

Check the Appropriate Box for Groundwater Permit:

☒ Form No. 633 and the aquifer testing addendum were reviewed by the WSB, and the regional office has received the two-page Aquifer Testing Requirements (ATR) Review document.

☐ Form No. 633 and the aquifer testing addendum need to be reviewed by the WSB.

Groundwater Permit Technical Analyses Inputs:

If the listed information is not applicable to the application, leave it blank. The WSB will complete technical analyses using the values provided below.

Means of Diversion	☒ Well ☐ Pumping Pit ☐ Pond (not natural)		
Number of Diversions	32		
Flow Rate (☐ CFS ☒ GPM)	218.8		
Acres Irrigated (<i>if applicable</i>)	16		
Purpose(s)	Multiple Domestic	Lawn & Garden	
Period of Diversion	1/1-12-31	04/1-10/31	
Diverted Volume (AF)	14.336	40	
Wastewater Disposal Method (<i>if applicable</i>)	drainfields		
Total Pond Capacity ~ 1 fill (AF)			
Total Surface Area of Pond (ac)			
Total Net Evaporation off Pond Surface (AF)			



Comment Section:

The documents referenced in the Follow-up Question responses are copied to the N:\HYDRO DOCS\APPLICATION MATERIALS\Billings\Lazy KU – one is the CCR doc which contains the flow rate and volume per well and the other is the 600P-B Lazy KU 3rd Supporting Documentation.

The shapefiles for the PODs and POUs are also there.



July 14, 2026

Lazy KU Estates, LLC
3116 S 72nd St. W.
Billings, MT 59106

Subject: Complete Preapplication Form for Beneficial Water Use Permit Application No. 43Q 30173538

Dear Applicant,

The Billings Regional Office of the Department of Natural Resources and Conservation (DNRC or Department) received your Preapplication Meeting Form and filing fee on July 10, 2026, and the Department deems the submitted Preapplication Meeting Form to be Successfully completed per ARM 36.12.1302 on July 14, 2026.

As designated on the submitted Preapplication Meeting Form per § 85-2-302(3)(b), MCA, the Department will produce the technical analyses based on the parameters included in the Preapplication Meeting Form (ARM 36.12.1302(4)) within 45 days of July 14, 2026.

Please let me know if you have any questions.

Sincerely,

Christine Schweigert
Hydrologist
Billings Regional Office
cschweigert@mt.gov
406-247-4419
1371 Rimtop Drive, Billings, MT 59105

Cc: WWC Engineering





**PREAPPLICATION MEETING
FORM: PART B
PERMIT**
§ 85-2-302, MCA
Form No. 600P-B (Revised 02/2025)

For Department Use Only

Application # 30173538 Basin 43Q
Form Received 7/10/2026
Fee Rec'd \$ 500⁰⁰ Check # CC 12302093997
Deposit Receipt # _____
Payor WNC Engineering - Greg Reid
Form Returned _____
Refund \$ _____ Date _____

PREAPPLICATION MEETING FEE

\$ 500

FILING FEE REDUCTION & EXPEDITED TIMELINE

An application will be eligible for a filing fee reduction and expedited timelines if the Applicant completes a preapplication meeting with the Department (ARM 36.12.1302(1)), which includes submitting any follow-up information identified by the Department (ARM 36.12.1302(3)(c)) and receiving either Department-completed technical analyses or Department review of Applicant-submitted technical analyses (ARM 36.12.1302(4) and (5)). An application for the proposed project also must be submitted within 180 days of delivery of Department technical analyses or scientific credibility review and no element on the submitted application can be changed from the completed preapplication meeting form (ARM 36.12.1302(6)).

RECEIVED**JUL 10 2026****DNRC-WRD-BILLINGS**

The Applicant is responsible for providing a "Follow-up Responses" document for all follow-up identified in Preapplication Meeting Form Part A (Form 600P-A). The Applicant may not alter Form 600P-A. If a response has changed to a question answered at the preapplication meeting, the Applicant can provide a new response in a separate document entitled "Amended Responses" with the question number labeled.

The following guidelines are applicable to both the "Follow-up Responses" and "Amended Responses" documents. Clearly label all question numbers. Answer questions in the same format as Form 600P-A. For responses in the form of checkboxes, write "Y", "N", or "S". Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative. Label units in narrative responses and tables. Tables must have the exact headings found on the form. Questions that require items to be submitted to the Department may be marked "S" when the required item is included with the document.

1. ☐ Y ☒ N Are you submitting this form in response to a determination by the Department that a previously submitted Form 600P-B was inadequately completed?

If yes,

- a. Date form was returned ("Form Returned" date found in "For Department Use Only" box on the previously submitted Form 600P-B): _____
- b. If a "Follow-up Responses" or "Amended Responses" document is required by questions 2 or 3, submit complete updated documents with responses that stand-alone. The Department will only use the most recently submitted "Follow-up Responses" and "Amended Responses" documents for departmental technical analyses or scientific credibility review; the Department will not use multiple versions of a document.

2. ☒ Y ☐ N Were any questions identified as requiring follow-up on Form 600P-A?

If yes,

- a. ☒ S Submit "Follow-up Responses" document for all questions requiring follow-up.



3. ☒ Y ☐ N Are you submitting amended responses to any questions from Form 600P-A?

If yes,

- a. **S** Submit “Amended Responses” document and record in the table below each question number with an amended response. The amended response will entirely replace the previous response; the amended response cannot build off the previous response.

[illegible]

FOLLOW-UP AND AMENDED RESPONSES AFFIDAVIT & CERTIFICATION

“I attest that this preapplication meeting form (Form 600P-A and Form 600P-B), follow-up, and amended responses accurately portray the proposed project. I am aware that my application for this project will not qualify for a discounted filing fee and expedited timelines if, upon submittal of the application to the department, I change any element of the proposed application from the preapplication meeting form, amended responses, or follow-up materials (ARM 36.12.1302(6)(a)).”

Digitally signed by


7/10/2026

Applicant Signature

Date

Applicant Signature

Date

“We confirm that the preapplication form (Form 600P-A and Form 600P-B), amended responses, and follow-up information are adequate for the Department to proceed with technical analyses in ARM 36.12.1303. Or, if the Applicant has elected to complete technical analyses, we confirm they have submitted each required element of technical analysis based on the proposed project and the Department is able to proceed with the scientific credibility review (ARM 36.12.1303(8)).”

Department Signature

Date

Department Signature

Date



Follow Up Questions

- *Question #5: Purpose volume - information in table as presented with volume per purpose*
 - **The beneficial use document provided following pre-application meeting provided flow rates and volume use per purpose.**
- *Question #7: All PODs in table shown*
 - **Updated table attached and site layout reference attached.**
- *Question #9: All POU with acreage in table shown*
 - **Updated table attached.**
- *Question #32: Variance Bundle - Form 633*
 - **Submitted previously.**
- *Question #33 Variance Bundle - Form 600-ATA*
 - **Submitted previously.**
- *Question #34: Variance Bundle - Variance Request*
 - **Submitted previously.**
- *Question #35.a.i: List of PODs and construction dates*
 - **Lot 6 POD ID A constructed for pump testing. All others to be constructed following lot sale and home construction.**
- *Question #35.a.iii: Flow rate & volume per POD*
 - **Refer to CCR for development that identifies flowrate and volume per POD.**
- *Question #42: All information in table shown*
 - **Updated table attached based on CCR allowances for all wells.**
- *Question #49.b.i: Submit Danford Drain measurements to the Department*
 - **Danford Drain had flow measurements completed in MBMG Open-File Report No. 436, which were previously used in application 43Q 30164891. Monthly average flow measurements in that report are listed below for reference.**
 - **January 4.1 cfs**
 - **February 4.2 cfs**
 - **March 3.4 cfs**
 - **April 3.8 cfs**
 - **May 4.4 cfs**
 - **June 30.0 cfs**
 - **July 50.2 cfs**
 - **August 59.0 cfs**
 - **September 64.9 cfs**
 - **October 23.9 cfs**
 - **November 13.0 cfs**

▪ **December 6.9 cfs**

- Submit Shape Files for POD and POU
 - **Shapefile for well locations and lots included with email response.**
- Submit Word Doc Version of POD and POU
 - **Word version of POD and POU table included with email response.**

Amended Responses

The following items were noted by DNRC as needing correction or clarification:

- The beneficial use calculation incorrectly labels the usage as 400 gpd per dwelling unit and then notes 400 gallons per day per person consistent with 4 persons per household in the Billings area.
 - **This reference was incorrect and should have only stated 400 gpd per dwelling unit. This domestic demand is consistent with the DEQ drainfield sizing utilized for the subdivision and approved by DEQ in the subdivision COSA, regardless of flow use per capita or capita per house. The flow estimate is based upon the number of bedrooms per house or dwelling unit.**
- The beneficial use calculation uses a population based estimate to determine a peaking factor. This estimate uses 2.27 capita per house rounded to 3 which is inconsistent with previous estimate listed of 4 per house for 400 gpd/dwelling unit and inconsistent with DEQ standards of 5 bedroom design per house.
 - **The equation used to determine a peaking factor utilizes an overall population to identify peak usage versus average day usage for typical domestic water flows. In selection of the population value to use for this equation, the consideration is made for the overall average number of residents per household in the development and not the maximum number of residents that may be in each residence. Therefore the use of the County average capita as a reference point for the overall development provides a reasonable assumption. Further, due to the limited size of the development, a slightly higher number of residents may occur per household resulting in a larger population and effect on the peaking factor and the use of a rounded up number of 3 per house is also reasonable. The results of the equation for 2.27 are a peaking factor of 4.28 and the result when using 3 is 4.25, showing a nominal change. Lastly, this assumption is conservative on the side of peaking factor consideration only and the domestic use assumption based on the DEQ standard 400 gpd per dwelling unit is also conservative per household.**

- Form 600P-A notes a potential irrigation period of April 1 to October 31 (214 days) and the beneficial use calculation notes are 150-day irrigation period. Clarify the difference.
 - **The potential irrigation period noted in Form 600 is the maximum extent that may have irrigation in the area of the development. However, for calculation purposes, the practical use timeframe of irrigation in this area is 150 watering days and therefore when calculating a peak instantaneous flow rate, the shorter duration is used to provide a more conservative estimate.**
- In the beneficial use form and the estimated peak instantaneous calculation of water, the lawn and garden flow calculation incorrectly used 60.3 acre-feet which should have been 40.0 acre-feet.
 - **The corrected use of 40.0 acre-feet converted into gallons per day is 86,887.68 gpd and that converted into gpm (8 hour watering time per day) equals 181.0 gpm. Therefore the final instantaneous flow rate is 218.8 gpm.**

Question 7 Table

POD	Qtr	Qtr	Qtr	Sec	Twp	Rge	County	Lot	Block	Tract	Subdivision	Gov Lot	SW or GW	Source Name	Means
A	NW	SW	SE	25	1S	24E	Yellowstone	6	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
B	NW	SW	SE	25	1S	24E	Yellowstone	7	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
C	NW	SW	SE	25	1S	24E	Yellowstone	8	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
D	SW	SW	SE	25	1S	24E	Yellowstone	9	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
E	SW	SW	SE	25	1S	24E	Yellowstone	10	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
F	SW	SW	SE	25	1S	24E	Yellowstone	1	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
G	SE	SW	SE	25	1S	24E	Yellowstone	2	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
H	SE	SW	SE	25	1S	24E	Yellowstone	3	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
I	SE	SW	SE	25	1S	24E	Yellowstone	4	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
J	SW	SE	SE	25	1S	24E	Yellowstone	5	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
K	SW	SE	SE	25	1S	24E	Yellowstone	6	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
L	SE	SW	SE	25	1S	24E	Yellowstone	7	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
M	SE	SW	SE	25	1S	24E	Yellowstone	8	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
N	SE	SW	SE	25	1S	24E	Yellowstone	9	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
O	SW	SW	SE	25	1S	24E	Yellowstone	10	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
P	SW	SW	SE	25	1S	24E	Yellowstone	1	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
Q	SE	SW	SE	25	1S	24E	Yellowstone	2	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
R	SE	SW	SE	25	1S	24E	Yellowstone	3	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
S	SE	SW	SE	25	1S	24E	Yellowstone	4	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
T	SW	SE	SE	25	1S	24E	Yellowstone	5	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
U	NW	SE	SE	25	1S	24E	Yellowstone	5	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
V	NE	SW	SE	25	1S	24E	Yellowstone	6	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
W	NE	SW	SE	25	1S	24E	Yellowstone	7	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
X	NW	SW	SE	25	1S	24E	Yellowstone	8	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
Y	NW	SW	SE	25	1S	24E	Yellowstone	1	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
Z	NE	SW	SE	25	1S	24E	Yellowstone	2	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
AA	NE	SW	SE	25	1S	24E	Yellowstone	3	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
BB	NW	SE	SE	25	1S	24E	Yellowstone	4	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
CC	NW	SE	SE	25	1S	24E	Yellowstone	8	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
D	NE	SW	SE	25	1S	24E	Yellowstone	9	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
EE	NE	SW	SE	25	1S	24E	Yellowstone	10	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
FF	NW	SW	SE	25	1S	24E	Yellowstone	11	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well

Question 9 Table

Acres	Lot	Block	Quarter	Quarter	Quarter	Sec	Twp	Rge	County
0.5	6	4	NW	SW	SE	25	1S	24E	Yellowstone
0.5	7	4	NW	SW	SE	25	1S	24E	Yellowstone
0.5	8	4	NW	SW	SE	25	1S	24E	Yellowstone
0.5	9	4	SW	SW	SE	25	1S	24E	Yellowstone
0.5	10	4	SW	SW	SE	25	1S	24E	Yellowstone
0.5	1	7	SW	SW	SE	25	1S	24E	Yellowstone
0.5	2	7	SE	SW	SE	25	1S	24E	Yellowstone
0.5	3	7	SE	SW	SE	25	1S	24E	Yellowstone
0.5	4	7	SE	SW	SE	25	1S	24E	Yellowstone
0.5	5	7	SW	SE	SE	25	1S	24E	Yellowstone
0.5	6	6	SW	SE	SE	25	1S	24E	Yellowstone
0.5	7	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	8	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	9	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	10	6	SW	SW	SE	25	1S	24E	Yellowstone
0.5	1	6	SW	SW	SE	25	1S	24E	Yellowstone
0.5	2	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	3	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	4	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	5	6	SW	SE	SE	25	1S	24E	Yellowstone
0.5	5	5	NW	SE	SE	25	1S	24E	Yellowstone
0.5	6	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	7	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	8	5	NW	SW	SE	25	1S	24E	Yellowstone
0.5	1	5	NW	SW	SE	25	1S	24E	Yellowstone
0.5	2	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	3	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	4	5	NW	SE	SE	25	1S	24E	Yellowstone
0.5	8	3	NW	SE	SE	25	1S	24E	Yellowstone
0.5	9	3	NE	SW	SE	25	1S	24E	Yellowstone
0.5	10	3	NE	SW	SE	25	1S	24E	Yellowstone
0.5	11	3	NW	SW	SE	25	1S	24E	Yellowstone
16 Total Acres									

Question 42 Table

POD	Flow Rate			Volume	Period of Diversion	Depth	Measured or Estimated
	Flow Rate	GPM	CFS	AF	MM/DD - MM/DD	FT	
A	25	X		1.698	01/01-12/31	37	Measured
B	25	X		1.698	01/01-12/31	37	Estimated
C	25	X		1.698	01/01-12/31	37	Estimated
D	25	X		1.698	01/01-12/31	37	Estimated
E	25	X		1.698	01/01-12/31	37	Estimated
F	25	X		1.698	01/01-12/31	37	Estimated
G	25	X		1.698	01/01-12/31	37	Estimated
H	25	X		1.698	01/01-12/31	37	Estimated
I	25	X		1.698	01/01-12/31	37	Estimated
J	25	X		1.698	01/01-12/31	37	Estimated
K	25	X		1.698	01/01-12/31	37	Estimated
L	25	X		1.698	01/01-12/31	37	Estimated
M	25	X		1.698	01/01-12/31	37	Estimated
N	25	X		1.698	01/01-12/31	37	Estimated
O	25	X		1.698	01/01-12/31	37	Estimated
P	25	X		1.698	01/01-12/31	37	Estimated
Q	25	X		1.698	01/01-12/31	37	Estimated
R	25	X		1.698	01/01-12/31	37	Estimated
S	25	X		1.698	01/01-12/31	37	Estimated
T	25	X		1.698	01/01-12/31	37	Estimated
U	25	X		1.698	01/01-12/31	37	Estimated
V	25	X		1.698	01/01-12/31	37	Estimated
W	25	X		1.698	01/01-12/31	37	Estimated
X	25	X		1.698	01/01-12/31	37	Estimated
Y	25	X		1.698	01/01-12/31	37	Estimated
Z	25	X		1.698	01/01-12/31	37	Estimated
AA	25	X		1.698	01/01-12/31	37	Estimated
BB	25	X		1.698	01/01-12/31	37	Estimated
CC	25	X		1.698	01/01-12/31	37	Estimated
D	25	X		1.698	01/01-12/31	37	Estimated
EE	25	X		1.698	01/01-12/31	37	Estimated
FF	25	X		1.698	01/01-12/31	37	Estimated

Question 42 Table

POD	Flow Rate			Volume	Period of Diversion	Depth	Measured or Estimated
	Flow Rate	GPM	CFS	AF	MM/DD - MM/DD	FT	
A	25	X		1.698	01/01-12/31	37	Measured
B	25	X		1.698	01/01-12/31	37	Estimated
C	25	X		1.698	01/01-12/31	37	Estimated
D	25	X		1.698	01/01-12/31	37	Estimated
E	25	X		1.698	01/01-12/31	37	Estimated
F	25	X		1.698	01/01-12/31	37	Estimated
G	25	X		1.698	01/01-12/31	37	Estimated
H	25	X		1.698	01/01-12/31	37	Estimated
I	25	X		1.698	01/01-12/31	37	Estimated
J	25	X		1.698	01/01-12/31	37	Estimated
K	25	X		1.698	01/01-12/31	37	Estimated
L	25	X		1.698	01/01-12/31	37	Estimated
M	25	X		1.698	01/01-12/31	37	Estimated
N	25	X		1.698	01/01-12/31	37	Estimated
O	25	X		1.698	01/01-12/31	37	Estimated
P	25	X		1.698	01/01-12/31	37	Estimated
Q	25	X		1.698	01/01-12/31	37	Estimated
R	25	X		1.698	01/01-12/31	37	Estimated
S	25	X		1.698	01/01-12/31	37	Estimated
T	25	X		1.698	01/01-12/31	37	Estimated
U	25	X		1.698	01/01-12/31	37	Estimated
V	25	X		1.698	01/01-12/31	37	Estimated
W	25	X		1.698	01/01-12/31	37	Estimated
X	25	X		1.698	01/01-12/31	37	Estimated
Y	25	X		1.698	01/01-12/31	37	Estimated
Z	25	X		1.698	01/01-12/31	37	Estimated
AA	25	X		1.698	01/01-12/31	37	Estimated
BB	25	X		1.698	01/01-12/31	37	Estimated
CC	25	X		1.698	01/01-12/31	37	Estimated
D	25	X		1.698	01/01-12/31	37	Estimated
EE	25	X		1.698	01/01-12/31	37	Estimated
FF	25	X		1.698	01/01-12/31	37	Estimated

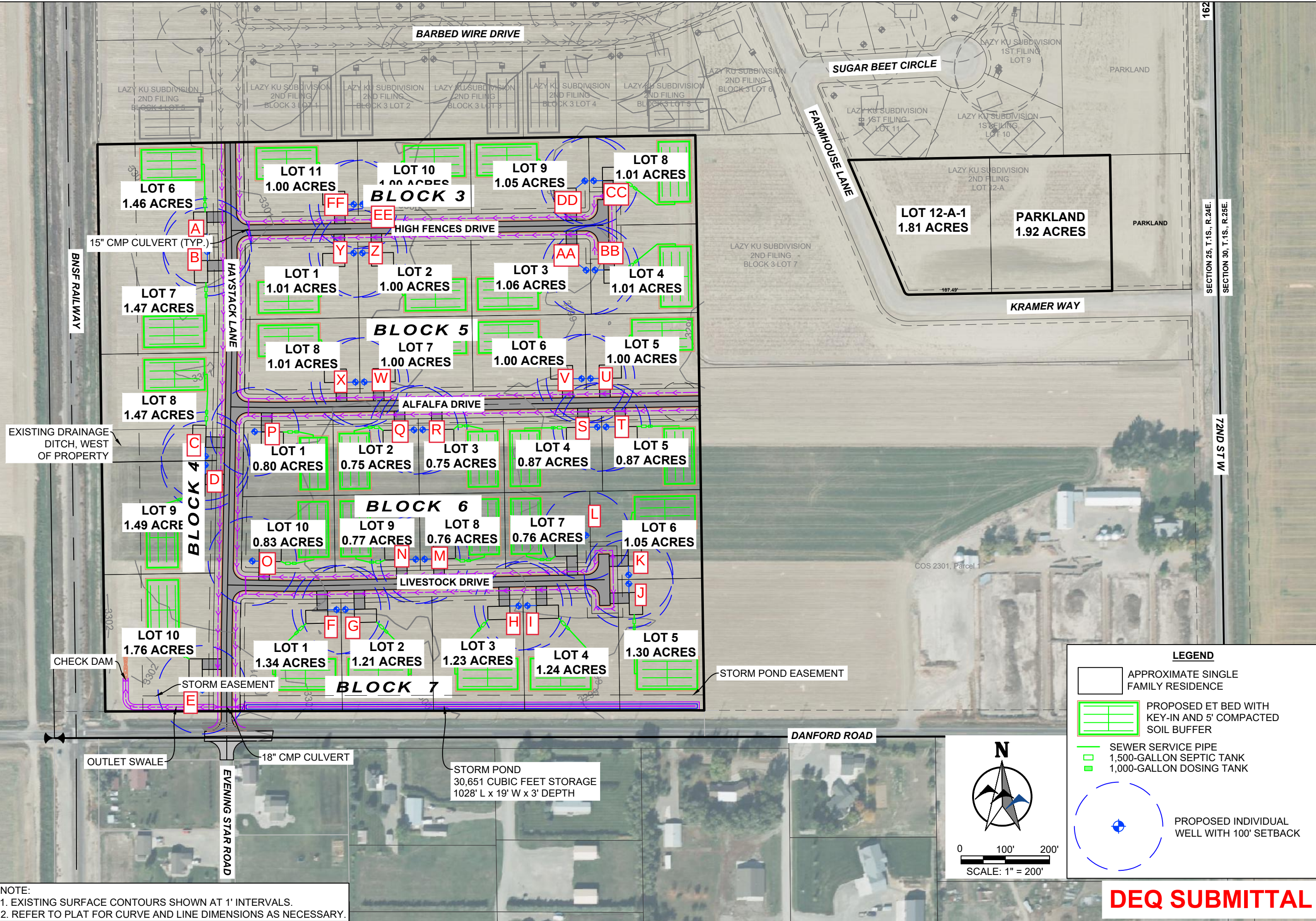
Question 9 Table

Acres	Lot	Block	Quarter	Quarter	Quarter	Sec	Twp	Rge	County
0.5	6	4	NW	SW	SE	25	1S	24E	Yellowstone
0.5	7	4	NW	SW	SE	25	1S	24E	Yellowstone
0.5	8	4	NW	SW	SE	25	1S	24E	Yellowstone
0.5	9	4	SW	SW	SE	25	1S	24E	Yellowstone
0.5	10	4	SW	SW	SE	25	1S	24E	Yellowstone
0.5	1	7	SW	SW	SE	25	1S	24E	Yellowstone
0.5	2	7	SE	SW	SE	25	1S	24E	Yellowstone
0.5	3	7	SE	SW	SE	25	1S	24E	Yellowstone
0.5	4	7	SE	SW	SE	25	1S	24E	Yellowstone
0.5	5	7	SW	SE	SE	25	1S	24E	Yellowstone
0.5	6	6	SW	SE	SE	25	1S	24E	Yellowstone
0.5	7	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	8	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	9	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	10	6	SW	SW	SE	25	1S	24E	Yellowstone
0.5	1	6	SW	SW	SE	25	1S	24E	Yellowstone
0.5	2	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	3	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	4	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	5	6	SW	SE	SE	25	1S	24E	Yellowstone
0.5	5	5	NW	SE	SE	25	1S	24E	Yellowstone
0.5	6	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	7	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	8	5	NW	SW	SE	25	1S	24E	Yellowstone
0.5	1	5	NW	SW	SE	25	1S	24E	Yellowstone
0.5	2	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	3	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	4	5	NW	SE	SE	25	1S	24E	Yellowstone
0.5	8	3	NW	SE	SE	25	1S	24E	Yellowstone
0.5	9	3	NE	SW	SE	25	1S	24E	Yellowstone
0.5	10	3	NE	SW	SE	25	1S	24E	Yellowstone
0.5	11	3	NW	SW	SE	25	1S	24E	Yellowstone
16 Total Acres									

Question 7 Table

POD	Qtr	Qtr	Qtr	Sec	Twp	Rge	County	Lot	Block	Tract	Subdivision	Gov Lot	SW or GW	Source Name	Means
A	NW	SW	SE	25	1S	24E	Yellowstone	6	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
B	NW	SW	SE	25	1S	24E	Yellowstone	7	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
C	NW	SW	SE	25	1S	24E	Yellowstone	8	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
D	SW	SW	SE	25	1S	24E	Yellowstone	9	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
E	SW	SW	SE	25	1S	24E	Yellowstone	10	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
F	SW	SW	SE	25	1S	24E	Yellowstone	1	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
G	SE	SW	SE	25	1S	24E	Yellowstone	2	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
H	SE	SW	SE	25	1S	24E	Yellowstone	3	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
I	SE	SW	SE	25	1S	24E	Yellowstone	4	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
J	SW	SE	SE	25	1S	24E	Yellowstone	5	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
K	SW	SE	SE	25	1S	24E	Yellowstone	6	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
L	SE	SW	SE	25	1S	24E	Yellowstone	7	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
M	SE	SW	SE	25	1S	24E	Yellowstone	8	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
N	SE	SW	SE	25	1S	24E	Yellowstone	9	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
O	SW	SW	SE	25	1S	24E	Yellowstone	10	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
P	SW	SW	SE	25	1S	24E	Yellowstone	1	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
Q	SE	SW	SE	25	1S	24E	Yellowstone	2	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
R	SE	SW	SE	25	1S	24E	Yellowstone	3	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
S	SE	SW	SE	25	1S	24E	Yellowstone	4	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
T	SW	SE	SE	25	1S	24E	Yellowstone	5	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
U	NW	SE	SE	25	1S	24E	Yellowstone	5	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
V	NE	SW	SE	25	1S	24E	Yellowstone	6	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
W	NE	SW	SE	25	1S	24E	Yellowstone	7	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
X	NW	SW	SE	25	1S	24E	Yellowstone	8	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
Y	NW	SW	SE	25	1S	24E	Yellowstone	1	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
Z	NE	SW	SE	25	1S	24E	Yellowstone	2	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
AA	NE	SW	SE	25	1S	24E	Yellowstone	3	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
BB	NW	SE	SE	25	1S	24E	Yellowstone	4	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well

CC	NW	SE	SE	25	1S	24E	Yellowstone	8	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
D	NE	SW	SE	25	1S	24E	Yellowstone	9	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
EE	NE	SW	SE	25	1S	24E	Yellowstone	10	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
FF	NW	SW	SE	25	1S	24E	Yellowstone	11	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well



JERRY KRUSHENSKY LAZY KU SUBDIVISION 3RD FILING SECTION 25 T.1S. R.24E. PROJECT OVERVIEW YELLOWSTONE COUNTY, MT	DESIGNED BY: <u>ZSL</u>		PREPARED BY  WWCENGINEERING 550 S. 24TH ST. W. SUITE 201 BILLINGS, MT 59102 (406) 894-2210 www.wwcengineering.com	NO.	REVISION	BY	DATE
	DRAWN BY: <u>ZSL</u>						
	CHECKED BY: <u>GWJ</u>						
	DATE: <u>5/8/2025</u>						
	SHEET						
	4						



DNRC Water Resources
Billings Regional Office
1371 Rimtop Dr.
Billings, MT 59105-1978

July 10, 2026

Lazy KU Estates, LLC
3116 S 72nd St W
Billings MT 59106-4136

Subject: Variance Request Dated June 1, 2026, for Lazy KU Estates, LLC– 43Q 30173538

The Department of Natural Resources and Conservation (Department or DNRC) has reviewed the June 1, 2026, request for a variance from the Aquifer Testing Requirements under ARM 36.12.121.

Variances requested from the Aquifer Testing Requirements found in ARM 36.12.121 are as follows:

- (3)(c): Allowing proposed pumping rate demonstration via multiple wells as long as one well meets the 72-hr requirement and the remainder is demonstrated by eight-hour drawdown and yield tests per (3)(e)(ii) and (3)(e)(iii).
- (3)(e): Requiring minimum test durations of 24 hours (≤ 150 GPM/50 acre-ft) or 72 hours (> 150 GPM/50 acre-ft).
- (i): Minimum eight-hour drawdown test for all new production wells,
- (ii): Eight-hour test for each subsequent proposed well if multiple wells are planned.
- (3)(f): One or more observation wells must be completed in the same source aquifer as the proposed production well and close enough to the production well so that drawdown is measurable and far enough that well hydraulics do not affect the observation well.

The submitted 72-hour aquifer test, along with an eight-hour drawdown and yield test on one production well, meets the standards set forth in ARM 36.12.121. The Terrace 3 aquifer is well-characterized, and test results show the existing test well comfortably exceeds the requested pumping rate with limited drawdown. Thus, all requested variances from subsections (3)(c), (3)(e), (3)(e)(i), (3)(e)(ii), and (3)(f) are valid and reasonable due to the following:

- The 72-hour test provides sufficient evidence of aquifer capacity and forward-modeling reliability;
- The existing eight-hour test demonstrates over ten times the requested flow rate per well with minimal drawdown;
- Remaining wells with similar construction are expected to behave comparably;
- Well logs must be submitted for each additional proposed production well upon completion, and no later than the project's completion, to verify source aquifer and confirm adequacy of diversion per ARM 36.12.121(3)(c);
- Additional eight-hour drawdown and yield tests must be completed on new wells as they are finished until cumulative tested flow equals or exceeds the requested 310.7 GPM.



Therefore, the Department **grants all variance requests** in the June 1, 2026, submittal from ARM 36.12.121 subsections (3)(c), (3)(e)(i-ii), and (3)(f).

Please note: approval of these variances does **not** guarantee the issuance of a water right. All statutory and regulatory criteria must still be satisfied before a water right can be granted.

If you have any questions, please feel free to call me anytime.

Sincerely,



Heidi Christison | Regional Manager
Water Resources Division
1371 Rimtop Dr | Billings, MT 59105
DESK: 406-247-4418 EMAIL: Heidi.christison@mt.gov

cc: WWC Engineering





ARM 36.12.121 - Aquifer Testing Addendum (ATA) - Review

The Montana Department of Natural Resources and Conservation (DNRC) Water Resources Division, Water Sciences Bureau (WSB)

Applicant	Lazy KU Estates, LLC		
Pre-Application/Application No.	43Q 30173538	Date Sent to RO	6/16/2026
Regional Office (RO)	Billings	WSB Staff Name	David Parmelee, Groundwater Hydrologist

This document outlines any deviations from Administrative Rules of Montana (ARM) 36.12.121 related to the submitted aquifer test(s) or drawdown and yield test(s). It also details any variance action and explains the rationale for allowing or denying each deviation. If the requirements of ARM 36.12.121 are satisfied for each item, the box will be checked next to that item indicating such.

Table 1: Identified deviations, variance action, and rationale for allowing/denying deviation(s).

☐ No Deviations Identified			
Test Duration	Deviations (ARM) (R=Requested; A=Additional)	Variance Action	Rationale:
72-hr	3(e), 3(f) ☒ R ☐ A	☒ Yes ☐ No	The source aquifer for the proposed diversion is the Terrace 3 aquifer. The Applicant has requested to use the transmissivity and specific yield values from the "Yellowstone River Terrace Level 3 Aquifer Properties" memo instead of completing an aquifer test. Aquifer properties from the Terrace 3 Aquifer memo are an acceptable alternative to test-derived properties for forward modeling in the Terrace 3 aquifer. The requested variance is therefore reasonable.
8-hr	3(c), 3(e)(i), 3(e)(ii) ☒ R ☐ A	☒ Yes ☐ No	The Applicant submitted data from an 8-hour drawdown-and-yield test from one of the proposed wells. The average discharge rate from this test was 108 gpm, and maximum drawdown during the test was 1.27 feet. The requested flow rate is 310.7 gpm, and the requested flow rate per well is 9.7 gpm. The other proposed wells have not yet been constructed. The Applicant seeks a variance that would allow 8-hour tests on additional wells to be postponed until after the wells have been completed.



			The Terrace 3 aquifer is well-characterized by previous studies, and the submitted test data demonstrate the ability of the existing proposed well to yield greater than 10 times the requested flow rate per well with limited drawdown. Given the very low level of uncertainty about the ability of the aquifer and wells with similar construction to the one tested to produce the requested flow rate, the requested variance is reasonable.
--	--	--	--

36.12.121 ☒ (1) ☐ NA Aquifer testing design and procedures must follow standards procedures that are discussed in hydrogeology textbooks and professional literature.

36.12.121(2): Minimum information that must be submitted with applications, check if provided:

- ☒ (a) Map with labeled location of production and observation wells; and
- ☒ (b) ☐ NA Well logs of the production and observation wells; and
- ☒ (c) ☐ NA Form No. 633, in electronic format, with all information and data provided.

36.12.121 (3): Minimum testing procedures are as follows, check if met:

- ☒ (a) ☐ NA Pumping must be maintained throughout the duration of the test. The rate may not depart from the average pumping rate by more than +/- 5%.
- ☐ (b) ☒ NA The average pumping rate must be equal to or greater than the proposed flow rate if the application is for one well or if the total proposed rate for multiple wells can be obtained from a single well.
- ☐ (c) ☐ NA The proposed pumping rate may be demonstrated by testing multiple wells as long as (e) is met by one well and the remaining flow rate is demonstrated by eight-hour drawdown and yield tests on additional production wells under (e)(ii) and e(iii).
- ☒ (d) ☐ NA Pumping rate must be measured with a reliable measuring device and recorded with clock time according to the schedule on Form No. 633.
- ☐ (e) ☐ NA Minimum duration of pumping during an aquifer test must be 24 hours for a proposed pumping rate and volume equal to or less than 150 GPM or 50 AF, or 72 hours for a proposed pumping rate and volume greater than 150 GPM or 50 AF.
- ☐ (e)(i) ☐ NA At a minimum an eight-hour drawdown and yield test is required on all new production wells.
- ☐ (e)(ii) ☐ NA In addition to (e), if more than one new production well is proposed, at a minimum an eight-hour drawdown and yield test is required on all subsequent new production wells.



- ☒ **(e)(iii)** ☐ **NA** The testing procedures for a minimum eight-hour drawdown and yield test performed on any production well must follow (a), (d), and (h).
- ☐ **(f)** ☐ **NA** One or more observation wells must be completed in the same source aquifer as the proposed production well and close enough to the production well so that drawdown is measurable and far enough that well hydraulics do not affect the observation well.
- ☒ **(g)** ☐ **NA** Background groundwater levels in the production well and observation well(s) must be monitored at frequent intervals for at least two days prior to beginning the aquifer test according to the Form No. 633.
- ☒ **(h)** ☐ **NA** Groundwater levels in the production and/or observation well(s) must be reported with 0.01-foot precision according to the schedule specified on Form No. 633.

STATE OF MONTANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
CERTIFICATE OF SUBDIVISION APPROVAL
(Section 76-4-101 et seq., MCA)

TO: County Clerk and Recorder
Yellowstone County
Billings, Montana

E.Q. #25-2125 (CS0775251)

THIS IS TO CERTIFY THAT the plans and supplemental information relating to the subdivision known as **Lazy KU Subdivision 3rd Filing**

Tracts 6 and 7 of Certificate of Survey No. 2301 and Lot 12A of Lazy KU Subdivision, 2nd Filing located in the SE ¼ of Section 25, T.1S., R.24E., P.M.,M., Yellowstone County, Montana,

consisting of 32 Lots (**Block 3, Lots 8-11, Block 4 Lots 6 – 10, Block 5 Lots 1 – 8, Block 6 Lots 1 - 10, Block 7 Lots 1-5**) have been reviewed by personnel of the Water Quality Division, and,

THAT the documents and data required by ARM Chapter 17 Section 36 have been submitted and found to be in compliance therewith, and,

THAT the lot sizes as indicated on the PLAT filed with the county clerk and recorder will not be further altered without approval, and,

THAT each lot shall be used for one (1) individual living unit, and,

THAT the proposed individual water systems serving each lot will consist of a well drilled to a minimum depth of 25 feet constructed in accordance with the criteria established in Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM and the most current standards of the Department of Environmental Quality, and,

THAT the proposed individual drinking water system for (**Block 3, Lots 8-11, Block 4 Lots 6 – 10, Block 5 Lots 1 – 8, Block 6 Lots 1 - 10, Block 7 Lots 1-5**) will consist of a well drilled to a minimum depth of 25- 49 feet to the top of the well screen or open bottom casing constructed in accordance with the criteria established in Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM, the most current standards of the Department of Environmental Quality, and that (**Block 3, Lots 8-11, Block 4 Lots 6 – 10, Block 5 Lots 1 – 8, Block 6 Lots 1 - 10, Block 7 Lots 1-5**) shall also be constructed in accordance with the standards on the Well Profile Exhibit of the plans provided by WWC Engineering in order to offer additional protection to the water supply due to the close proximity of surface water and shallow ground water, and,

THAT the individual sewage treatment systems on each lot will consist of a septic tank, effluent filter, and an evapotranspiration (ET) bed of such size and description as will comply with Title 17, Chapter 36, Sub - Chapters 1,3, and 6 of ARM and the most current standards of the Department of Environmental Quality, and,

THAT the replacement ET bed area shall be sized without reduction, and,

THAT the bottom of the ET bed shall be at least four feet above the water table, and,

THAT the evapotranspiration (ET) beds for the individual living units will have a maximum daily wastewater flow of 400 gpd, and,

THAT the evapotranspiration (ET) beds shall be constructed in accordance with the approved plans, and,

THAT the wastewater from each living unit on each lot will be treated onsite as specified in Table 1, and shall have an evapotranspiration area of sufficient size to provide for the following:

Table 1:

Lot and Block	Max Design Flow (gpd)	ET Bed Depth (ft)	ET BED SIZE (5-bedroom) (ft x ft)
Block 3 Lot 8	400	2.5	144 x 78
Block 3 Lot 9	400	2.5	144 x 78
Block 3 Lot 10	400	2.5	144 x 78
Block 3 Lot 11	400	2.5	144 x 78
Block 4 Lot 6	400	2.5	144 x 78
Block 4 Lot 7	400	2.5	144 x 78
Block 4 Lot 8	400	2.5	144 x 78
Block 4, Lot 9	400	2.5	144 x 78
Block 4 Lot 10	400	2.5	144 x 78
Block 5 Lot 1	400	2.5	144 x 78
Block 5 Lot 2	400	2.5	144 x 78
Block 5 Lot 3	400	2.5	144 x 78
Block 5 Lot 4	400	2.5	144 x 78
Block 5 Lot 5	400	2.5	144 x 78
Block 5 Lot 6	400	2.5	144 x 78
Block 5 Lot 7	400	2.5	144 x 78
Block 5 Lot 8	400	2.5	144 x 78
Block 6 Lot 1	400	2.5	125 x 70
Block 6 Lot 2	400	2.5	133 x 75

Block 6 Lot 3	400	2.5	133 x 75
Block 6 Lot 4	400	2.5	133 x 75
Block 6 Lot 5	400	2.5	133 x 75
Block 6 Lot 6	400	2.5	138 x 72
Block 6 Lot 7	400	2.5	133 x 75
Block 6 Lot 8	400	2.5	133 x 75
Block 6 Lot 9	400	2.5	133 x 75
Block 6 Lot 10	400	2.5	133 x 75
Block 7 Lot 1	400	2.5	144 x 78
Block 7 Lot 2	400	2.5	144 x 78
Block 7 Lot 3	400	2.5	144 x 78
Block 7 Lot 4	400	2.5	144 x 78
Block 7 Lot 5	400	2.5	144 x 78

THAT an operation and maintenance plan has been prepared for the ET systems are in accordance with Circular DEQ-4, sub-chapter 6.8 (2023 Edition), and,

THAT the evapotranspiration bed shall be constructed in accordance with the approved plans, and,

THAT the evapotranspiration bed shall be constructed with the liner no deeper than shown in the plans and specifications due to groundwater found within 7-feet to 4-feet below ground surface, and,

THAT the purchaser of each lot must be aware of the limited design capacity of the wastewater treatment system the sizeable footprint required for adequate treatment, and that the use of wastewater reduction strategies is encouraged to prevent hydraulic overloading, as in the event it should occur, would result in failure of the system, and,

THAT no permanent or temporary structures or deep rooting plants may be built top of the evapotranspiration bed including, but not limited to, garages, sheds, play structures, fences, trampolines with subsurface anchors, shrubs or trees, as these will compromise the integrity of the watertight liner including leakage and failure, causing raw septage to spill and creating a public and environmental health hazard, and,

THAT a copy of an operation and maintenance manual will be prepared and provided to the purchaser of the property for the evapotranspiration bed on each lot in accordance with the most current standards of the Department of Environmental Quality, and,

THAT a letter of certification that construction of the system was completed in accordance with plans and specifications approved by the reviewing authority shall be submitted, and within 90 days after the completion of construction of the wastewater system, a complete set of certified "as-built" drawings must be signed and submitted to the Local Health Department, and,

That the approved proposed locations of the individual drinking water supply wells, and individual evapotranspiration (ET) bed wastewater treatment systems areas shall be staked by the engineer or site evaluator prior to any construction on the lots, and,

THAT the stormwater conveyance and retention structures shall be constructed in accordance with the plans submitted by Greg Reid, PE#40921PE dated March 15, 2026, and included with this COSA, and,

THAT a letter of certification that construction of the system was completed in accordance with plans and specifications approved by the reviewing authority shall be submitted, and within 90 days after the completion of construction of the stormwater management facilities, a complete set of certified "as-built" drawings must be signed and submitted to the reviewing authority, and,

THAT the operation and maintenance of the individual water supply, and individual sewage treatment systems, shall be the responsibility of the individual lot owners, and,

THAT the operation and maintenance of the stormwater facilities shall be the responsibility of the Homeowners' Association, and

As a part of this project two deviations and two waivers were requested and granted from DEQ-4, 6.8.3.6 & 6.8.3.3 & ARM 17.36.325(3)(b) and ARM 17.36.323 to deviate from ET Bed design requirements, and to waiver from the number of test pit requirements and setback requirements for wastewater treatment systems, and,

THAT no sewage treatment system shall be constructed within 45 feet of the maximum highwater level of a 100-year flood of any watercourse, or irrigation ditch, and,

THAT no sewage treatment system shall be constructed within 100 feet of the maximum highwater level of a 100-year flood of any stream, lake, nor within 100 feet of any domestic water supply source, and,

THAT water supply systems, sewage treatment systems and storm drainage systems will be located as shown on the approved plans, and,

THAT all sanitary facilities must be located as shown on the attached lot layout, and,

THAT the developer and/or owner of record shall provide each purchaser of property with a copy of the PLAT, approved location of water supply and sewage treatment system as shown on the attached lot layout, and a copy of this document, and,

THAT instruments of transfer for this property shall contain reference to these conditions, and,

THAT plans and specifications for any proposed sewage treatment systems will be reviewed and approved by the county health department and will comply with local regulations and ARM, Title 17, Chapter 36, Subchapters 3 and 9, before construction is started.

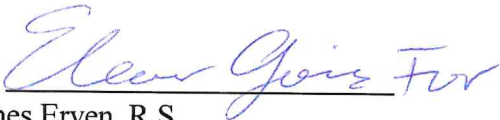
THAT departure from any criteria set forth in the approved plans and specifications and Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM when erecting a structure and appurtenant facilities in said subdivision without Department approval, is grounds for injunction by the Department of Environmental Quality.

THAT pursuant to Section 76-4-122 (2)(a), MCA, a person must obtain the approval of both the reviewing authority under Title 76, Chapter 4, MCA, and local board of health officer having jurisdiction, before filing a subdivision plat with the county clerk and recorder.

YOU ARE REQUESTED to record this certificate by attaching it to the PLAT filed in your office as required by law.

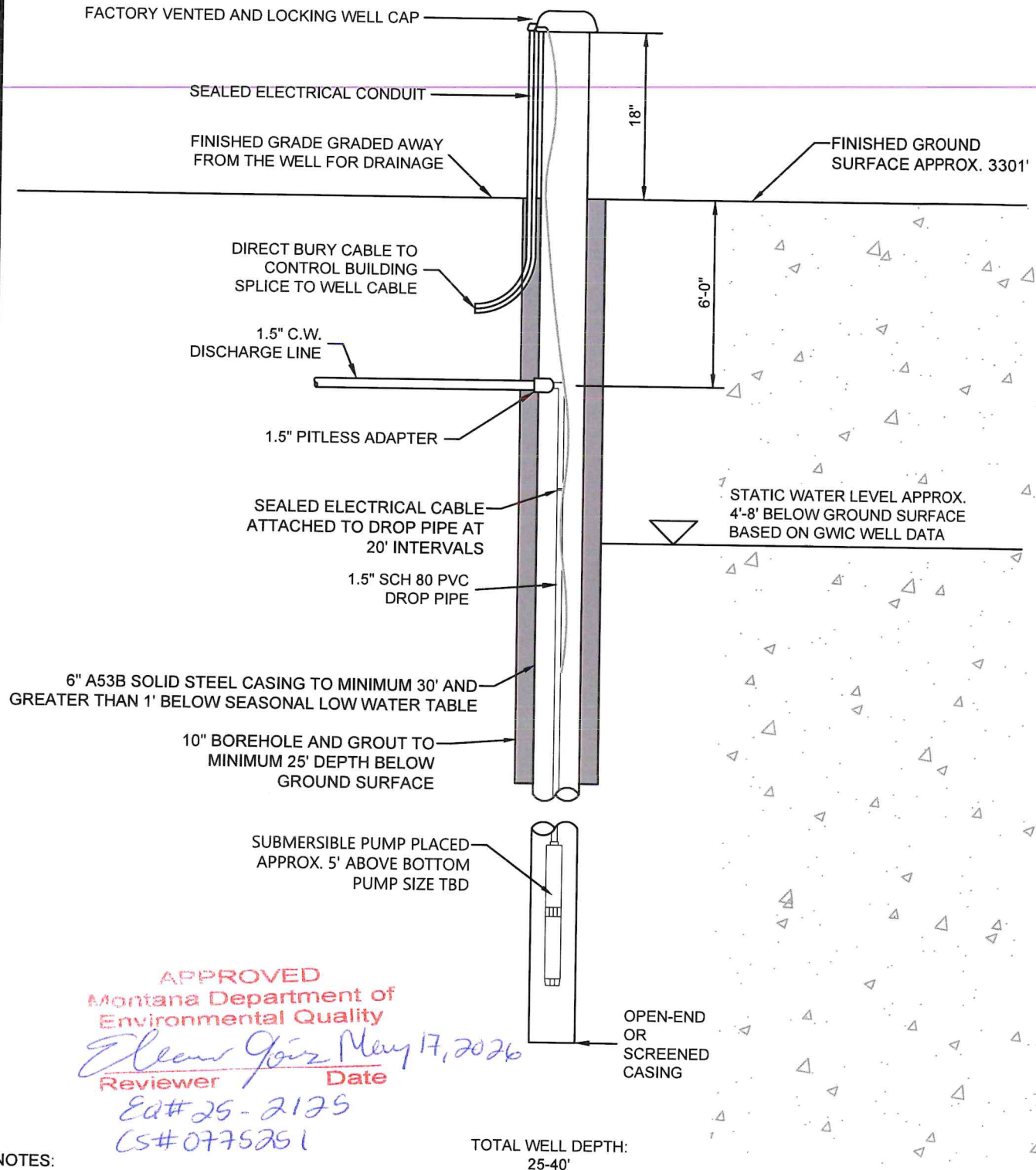
DATED this 17th day of May 2026.

SONJA NOWAKOWSKI
DIRECTOR

By: 

James Erven, R.S.
Subdivision Section Supervisor
Engineering Bureau - Water Quality Division
Department of Environmental Quality

Owner's Name: Jerry Krushensky



NOTES:

1. NOT TO SCALE
2. TO BE CONSTRUCTED TO STANDARD SET FORTH IN ARM 36.21.654

LAZY KU SUBDIVISION 3RD FILING SECTION 25
T.1S. R.24E.

WELL PROFILE EXHIBIT

YELLOWSTONE COUNTY, MT

PREPARED FOR

**JERRY
KRUSHENSKY**

PREPARED BY

WWC ENGINEERING

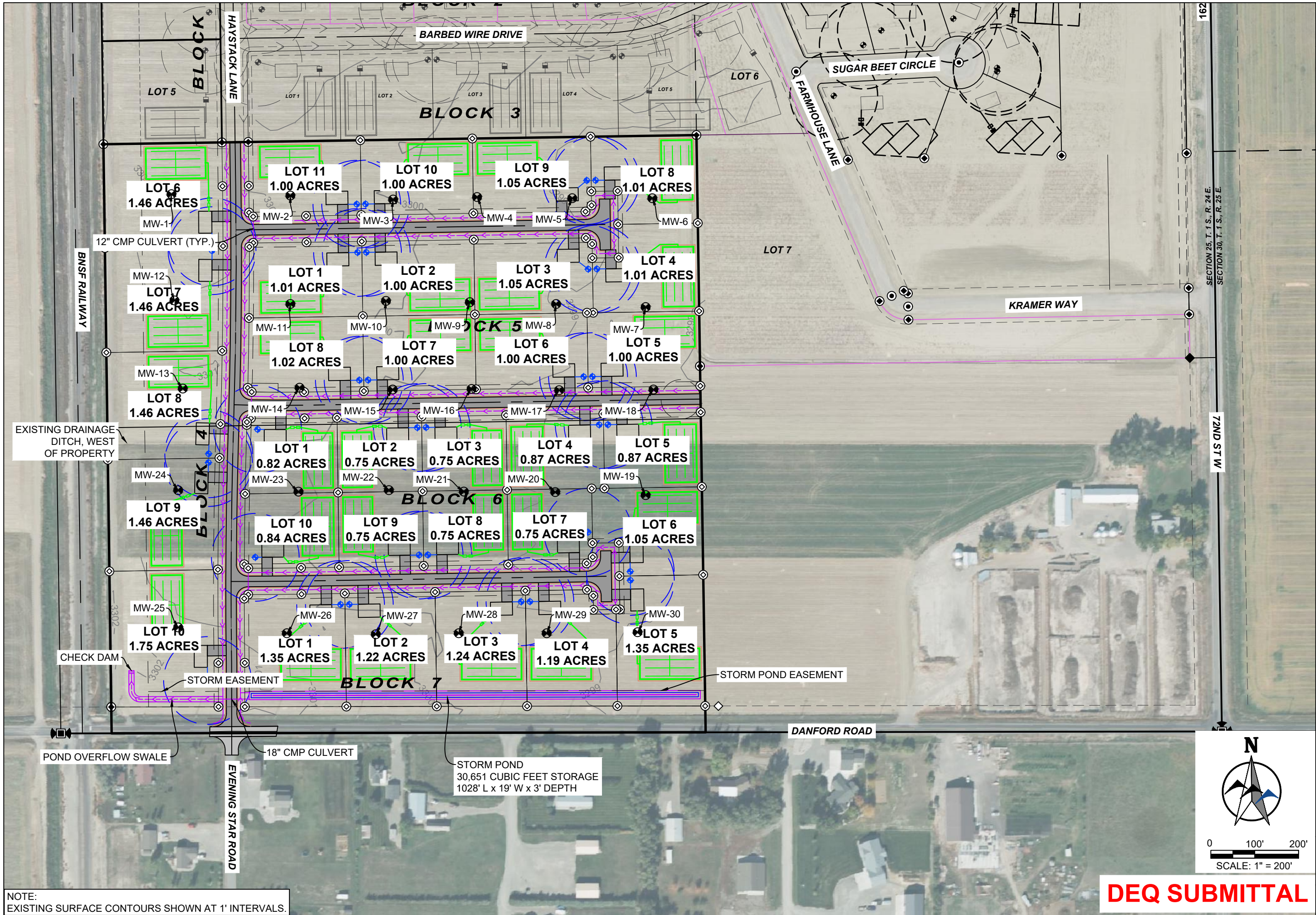
P.O. BOX 81508
BILLINGS, MT 59108
jdwineridge@aol.com

550 S. 24TH ST. W., SUITE 301
BILLINGS, MT 59102
(406) 894-2210
www.wwcengineering.com

DESIGNED BY: ZSL
DRAWN BY: ZSL
CHECKED BY: GTR
DATE: 4/2/2026

SHEET
EXHBT

K:\Billings\Krushensky, Jerry\2024\127 Lazy KU 3rd Filing\05\CAD\Sheets\24127-LKU-3RD_LYOT_CONCEPT.dwg LAYOUT OVERVIEW 2/27/2025 9:18:31 AM



NOTE:
EXISTING SURFACE CONTOURS SHOWN AT 1' INTERVALS.

DEQ SUBMITTAL

PREPARED BY

JERRY KRUSHENSKY

LAZY KU SUBDIVISION 3RD FILING SECTION 25 T.1S. R.24E.

PROJECT OVERVIEW

YELLOWSTONE COUNTY, MT

ENGINEERING

550 S. 24TH ST. W., SUITE 201
BILLINGS, MT 59102
(406) 894-2210
www.wvcengineering.com

DESIGNED BY: ZSL

DRAWN BY: ZSL

CHECKED BY: GWJ

DATE: 2/27/2025

SHEET

4

GW.9.A Beneficial Use

Introduction

This application is to apply for water rights to pump ground water to supply the domestic and lawn and garden irrigation demands for Lazy KU Subdivision, 3rd Filing, a residential subdivision with 32 lots. Each lot will have an individual well to provide water for both the domestic use and for lawn and garden watering for the yard areas on each lot.

Domestic Water Demand

Domestic water usage is based on the DEQ standard flow rate of 300 gallons per day per dwelling unit. This is consistent with water usage of 100 gallons per person per day times 3 people per household according to census data for the Billings area. This converts to an annual volume of:

$$(300 \text{ gallons/day}) \times (1 \text{ ft}^3/7.48 \text{ gallons}) \times (365 \text{ days/year}) \times (1 \text{ acre}/43,560 \text{ ft}^2)$$

$$= 0.336 \text{ acre-ft per dwelling unit.}$$

$$(0.336 \text{ acre-ft per dwelling unit}) \times (32 \text{ dwelling units}) = \underline{10.752 \text{ acre-ft}}$$

When this volume is averaged over the period of diversion/period of use of 365 days, it converts to an average flow rate of 6.7 gpm:

$$(10.752 \text{ ac-ft}) \times (43,560 \text{ ft}^2/\text{ac}) \times (7.48 \text{ gal}/\text{ft}^3) \times (1 \text{ year}/365 \text{ days}) \times (1 \text{ day}/1440 \text{ min}) \\ = \underline{6.7 \text{ gpm}}$$

Home Lawn / Garden Demand

The area dedicated to lawn and garden for the 32 lots is 25 acres. This represents 80-75% (see attached spreadsheet) of the lot areas upon which the 32 houses will be built (the lot sizes range from .075 acre to 1.7 acre, and from that, a portion of the property is un-irrigated because that space will be taken up by the home and garage

footprints and driveway. The DNRC standard for lawn and garden irrigation water is 2.50 acre-ft per irrigated acre of land. Therefore, the annual volume required for the private lawns/ gardens associated with the 32 lots is:

$$(25 \text{ irrigated acres}) \times (2.50 \text{ acre-ft per irrigated acre}) = \underline{62.5 \text{ acre-ft}}$$

When this volume is averaged over the period of diversion/ period of use of 180 days, it converts to an average flow rate of 79 gpm:

$$(62.5 \text{ ac-ft}) \times (43,560 \text{ ft}^2/\text{ac}) \times (7.48 \text{ gal/ft}^3) \times (1 \text{ season}/180 \text{ watering days}) \times (1 \text{ day}/1,440 \text{ min}) = \underline{78.6 \text{ gpm}}$$

The combined (domestic plus lawn / garden water on the lots) average flow rate during irrigation season is $6.7 + 79 = \underline{85.7 \text{ gpm}}$

Peak Flow Rates

The flow rate that must be applied for in the groundwater beneficial use permit is the peak flow rate or instantaneous demand. The peak instantaneous domestic demand is found by multiplying the average domestic demand by a peaking factor based on the population served. The peak instantaneous private lawn/ garden demand is found by making an assumption of how many hours each day the lawn/ garden areas will be watered during the 180-day irrigation season. This is also applied to the lawn areas to be watered in the parks. It has been assumed that lawn and garden watering will be over a period of 8 hours per day during the 180-day watering season.

Domestic peak instantaneous demand:

The domestic peaking factor is calculated according to the following equation:

$$\underline{\text{Instantaneous peak flow}} = \frac{(18 + \sqrt{P})}{(4 + \sqrt{P})} \text{ where } P = \text{population in thousands}$$

Design Average flow

Population = 32 dwelling units x 3 people per dwelling unit (rounded up from 2.27 people per household from 2015-2019 census data) = 96 people, so P = 0.096

$$\text{Peaking Factor} = \frac{(18 + \sqrt{0.096})}{(4 + \sqrt{0.096})} = 4.25$$

Domestic peak instantaneous demand:

$$= (4.25 \text{ peak factor}) \times (6.7 \text{ gpm design domestic average flow}) = \underline{28.5 \text{ gpm}}$$

Home lawn / garden peak instantaneous demand:

$$(79 \text{ ac-ft}) \times (43,560 \text{ ft}^2/\text{ac}) \times (7.48 \text{ gal/ft}^3) \times (1 \text{ season}/180 \text{ watering days})$$

$$= 142,988 \text{ gpd}$$

$$(142,988 \text{ gal/ day}) \times (1 \text{ day/ 8-hour watering time}) \times (1 \text{ hour/ 60 min}) = \underline{298 \text{ gpm}}$$

Total Peak Instantaneous Demand for the Subdivision

The total peak instantaneous demand for the subdivision is the combined domestic, home lawn/ garden water, and park lawn water peak flow rates from above:

$$28.5 \text{ gpm peak domestic flow rate} + 298 \text{ gpm peak home lawn/garden flow rate} = \underline{326.5 \text{ gpm}}$$

This is the peak flow rate being requested by this application.

The peak flow rate for each lot is:

$$(28.5 \text{ gpm peak domestic flow rate} + 298 \text{ gpm peak home lawn/ garden flow rate}) = 326.5 \text{ gpm} / 32 \text{ lots} = 10.2 \text{ gpm, which has been rounded to a peak flow rate of 10 gpm}$$

per lot.

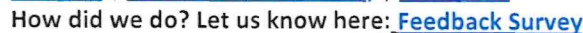
GW. 8. Adequate Diversion Means and Operation

GW.8.B

The individual lot owner(s) shall be responsible for installation of their private well in the location approved by Montana Department of Environmental Quality (MDEQ). The installation will include obtaining the proper permit through DNRC. Following the installation, the owner(s) will be responsible for properly maintaining and testing, if necessary, for proper use of the water well.

GW.8.D

The attached site layout labeled “DEQ SUBMITTAL” shows the proposed well locations in relation to the existing permitted well locations within Lazy KU Subdivision, Lazy KU Subdivision, 2nd Filing, and adjacent properties. The lot owner(s) within Lazy KU Subdivision, 3rd Filing shall be responsible for installation and proper connection to the well for domestic use according to the design and current regulations as well as the lawn and garden watering connection. The well logs of the wells installed in the area show a pump testing flow rate range of 35-100 gpm. Based on the aquifer testing completed in the summer of 2021 and February of 2024 along with results provided by surrounding development, there appears to be sufficient water supply and recharge capacity for this new development.



WARNING: This email originated from an external sender. Please use caution when clicking links or opening attachments.

Hi Jessica,

The preapplication meeting for Lazy KU 3rd filing expired on October 27th, 2025. You will have to request a new preapplication meeting. I've attached a copy of the preapplication meeting form so you can see what was listed for follow-up on page 39.

Chris



Christine Schweigert | Hydrologist

Billings Regional Office / Water Resources Division
Montana Department of Natural Resources and Conservation
1371 Rimtop Drive, Billings, MT 59105

PHONE: 406-247-4419 EMAIL: CSchweigert@mt.gov

[Website](#) | [Facebook](#) [facebook.com] | [X \(Twitter\)](#) [twitter.com] | [Instagram](#) [instagram.com]

How did we do? Let us know here: [Feedback Survey](#) [forms.office.com]

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From: Jessica M. Dais <jdais@wwcengineering.com>

Sent: Thursday, October 30, 2025 3:19 PM

To: Schweigert, Christine <CSchweigert@mt.gov>

Subject: [EXTERNAL] Lazy KU 3rd Filing DNRC Status

Hi Christine,

I am picking up the Lazy KU 3rd Filing project from an employee who is no longer with WWC. I was wondering if you could give me the status for this project with DNRC. I can see that a pre-application meeting was held on April 30, 2025 but beyond that, I don't see any notes from the meeting or what DNRC needed to complete a determination.

Thanks,
Jessica

The logo for WWC Engineering, featuring three stylized mountain peaks in blue and grey above the text "WWC ENGINEERING".
Jessica M. Dais, P.E. | Project Manager
550 S 24th St. W. Ste.201 | Billings, MT 59102
O: 406.894.2210 | C: 307.752.9424
www.wwcengineering.com [www.wwcengineering.com]



August 28, 2026

Lazy KU Estates LLC
%Jerry Krushensky
3116 S 72nd St. W.
Billings, MT 59106-4136

Subject: Completed Technical Analysis for Beneficial Water Use Permit Application No. 43Q 30173538

Dear Applicant,

As designated on the submitted Preapplication Meeting Form per §85-2-302(3)(b), MCA, the Department has completed the technical analyses for Beneficial Water Use Permit Preapplication No. 43Q 30173538 based on the information provided in your Preapplication Meeting Form accepted by the Department on 7/14/2026. The technical analysis can be found in the attached report.

The Technical Analyses Report **IS**: A collection of facts that the DNRC has gathered, including content provided in the Preapplication Meeting Form materials. The Department will use these data to analyze the criteria in §85-2-311, MCA if you submit an application for the project described in the completed Preapplication Meeting Form.

This Technical Analysis Report **IS NOT**: An analysis of discussion of whether the Preapplication Meeting Form as filed meets the criteria (§85-2-311, MCS).

You have 180 days to submit the Beneficial Water Use Permit Application Form 600 considering the information provided in the technical analyses and Preapplication Meeting Form. If the Application Form is not submitted to the Billings Regional Office by 2/24/2027, a new preapplication meeting will be required to process the Application with expedited timelines (ARM 36.12.1302(6)(b)). If any details described in the submitted Application are changed from that of the submitted Preapplication Meeting Form, the discounted filing fee and expedited timelines will not apply (ARM 36.12.1302(6)(a)). Please note that the technical analyses will expire one year from the date of this letter (ARM 36.12.1302(8)).

Please let me know if you have any questions.



Sincerely,

Christine Schweigert

Christine Schweigert

Hydrologist

Billings Regional Office

cschweigert@mt.gov

406-247-4419

1371 Rimtop Drive, Billings, MT 59105

Cc: WWC Engineering – Jessica Dais





August 28, 2026

Lazy KU Estates LLC
%Jerry Krushensky
3116 S 72nd St. W.
Billings, MT 59106-4136

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Please let me know if you have any questions.



Sincerely,

Christine Schweigert
Hydrologist
Billings Regional Office
cschweigert@mt.gov
406-247-4419
1371 Rintop Drive, Billings, MT 59105

Cc: WWC Engineering – Jessica Dais





Outlook

[EXTERNAL] RE: Lazy KU 3rd Pump Test

From Greg Reid <greid@wwcengineering.com>
Date Tue 7/14/2026 1:42 PM
To Schweigert, Christine <CSchweigert@mt.gov>

 1 attachment (479 KB)
4137000 CCR.pdf;

Christine,

Attached is the filed version of the CCRs for Lazy KU 3rd. This will be amended based on the updated gpm, but I believe the correct timing of that amendment would be when the water right is finalized, in the event that some other change happens that I do not foresee (e.g., technical analysis causes a revised amount?).

Greg



Greg Reid, P.E. | Branch Manager

550 S 24th St. W. Ste.201 | Billings, MT 59102
O: 406.894.2210 | D: 406.534.8158 | C: 406.799.1415
www.wwcengineering.com [www.wwcengineering.com]

From: Greg Reid
Sent: Wednesday, April 22, 2026 3:36 PM
To: 'Schweigert, Christine' <CSchweigert@mt.gov>; Brickl, Melissa <Melissa.Brickl@mt.gov>
Cc: Parmelee, David <David.Parmelee@mt.gov>; Bryce Mayn <bmayn@wwcengineering.com>
Subject: RE: Lazy KU 3rd Pump Test

Christine,

Attached is draft language for inclusion in the CCRs. Does this look like the correct direction for what you were expecting?

Greg



Greg Reid, P.E. | Branch Manager

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From: Schweigert, Christine <CSchweigert@mt.gov>
Sent: Friday, April 3, 2026 4:03 PM
To: Greg Reid <greid@wwcengineering.com>; Brickl, Melissa <Melissa.Brickl@mt.gov>
Cc: Parmelee, David <David.Parmelee@mt.gov>
Subject: Re: Lazy KU 3rd Pump Test

RES

4137000

06/23/2026 09:13 AM Pages: 1 of 10 Fees: 110.00
Jeff Martin Clerk & Recorder, Yellowstone MT



After Recording Return to:
Jerry Krushensky
PO Box 81508
Billings, MT 59108

**DECLARATION OF COVENANTS
FOR LAZY KU SUBDIVISION, 3RD FILING**

On this 14th day of JUNE, 2026, LAZY KU ESTATES LLC, (Developer) being the owner of the following described real property and all portions thereof, located in Yellowstone County, Montana, hereby subject said property to the Conditions, Covenants, and Restrictions herein, and declare the following building and use restrictions all of which shall be applicable to said real property:

Lots 8-11, Block 3, Lots 6-10, Block 4, Lots 1-8, Block 5, Lots 1-10, Block 6, Lots 1-5, Block 7, of Lazy KU Subdivision, 3rd Filing, Yellowstone County, Montana, according to the official plat thereof on file and of record in the office of said County, under Document No. 4136997.

These Conditions, Covenants and Restrictions will run with the land and shall be binding upon the present owners, and all subsequent grantees of any portion of any area included within the aforesaid legal description as set forth herein. The immediate grantors and all future grantees, (Owner), their heirs and assigns forever of any portion of said property, covenant and agree by the acceptance of a conveyance, to faithfully observe and comply with said Conditions, Covenants, and Restrictions.

RESIDENTIAL USE RESTRICTIONS AND EASEMENTS

All lots shall be improved and used solely for single-family residential use and shall have no more than one residential unit therein. This single-family residential use shall be understood to permit one (1) Accessory Dwelling Unit (ADU) per lot, provided the ADU is in accordance with all governing laws, regulations, and ordinances, and provided further that any detached ADU shall be no greater than 1,100 square feet, and otherwise conforms to all pertinent restrictions contained herein. No lot or dwelling shall be used or caused to be used or allowed or authorized to be used in any way, directly or indirectly, for any commercial, short-term rental (i.e. less than 30 days in length), manufacturing, mercantile, storage, vending, or other such non-residential purposes, except:

- (a) Developer and Participating Builder, their successors, and assigns, may use any portion of the development owned by them for a model home site, display and sales office



during the construction and sales period.

- (b) Also, the provisions of this section (Single Family Residential Use) shall not preclude professional, administrative occupations without external evidence thereof, and may have a home office so long as the use does not generate regular traffic and so long as such occupations are conducted in conformance with all applicable governmental ordinances and are merely incidental to the use of the lot as a residence.

Each primary dwelling shall be constructed so that the floor area enclosed within the perimeter of the exterior walls, exclusive of the basement, if any, shall not be less than:

1. 1,250 square feet on the main level of a one-story ranch style or split entry house.
2. 1,200 square feet on the main level and 500 square feet on the upper level of a two-story house.
3. 1,800 square feet on the lower 3 levels of a multi-level with a minimum cross-sectional area at ground level of 1,580 square feet including the garage.

Each primary dwelling shall have at least three gables and a double garage with an enclosed floor area within the perimeter of its exterior of not less than 480 square feet. Each lot may have one additional detached outbuilding, not to exceed 3000 square feet and one additional storage shed, not to exceed 200 square feet. The detached buildings shall not exceed fifteen (15) feet at the eaves. The detached structure shall be complimentary to the main structure. The detached structures shall not preclude the additional construction of a playhouse or play structure for children, or a garden greenhouse, so long as that each is constructed in such a manner as to reasonably conform with the house on the lot.

All structures shall have an exterior surface of natural wood, synthetic wood, stone, brick, stucco, or a combination thereof. Other materials may be used for exterior walls provided that such materials are designed and located in harmony with the surrounding structures and natural landscape. No building or structure shall be erected, placed, constructed, or remodeled so as to be less than twenty-five (25) feet from the front lot line, less than ten (10) feet from the side lot line or less than twenty (20) feet from the rear lot line, except that corner lots shall have a twenty (20) foot setback requirement from the side lot line contiguous to courts or roads.

The following must be reviewed and approved by an Architectural Review Committee, consisting of 3 or more persons appointed by the Developer prior to installation or construction:

- a. Plans for construction of new buildings, including homes, garages, and outbuildings.
- b. Plans for additions to or modifications of the exterior of any building.
- c. Plans for the erection of fences.
- d. Plans for exterior enclosures for animals

The committee shall review plans and specifications for new buildings and for modification or additions to existing buildings to determine if such plans conform to these restrictions, including size, color, and placement upon the lot. A review of exterior enclosures for animals, such as dog kennels or runs, shall include consideration of the impact of such enclosures on neighboring properties, including consideration of noise and odor created by the animals to be enclosed. Consent of the Architectural Review Committee shall not be required for interior remodeling, which does not affect the exterior of a building, or for construction of new homes and outbuildings.

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Jeff Martin Clerk & Recorder, Yellowstone MT

No residential lot shall be subdivided in any manner. Two (2) or more continuous lots, if owned by the same record owner, may be combined as one lot for the purpose of applying these Covenants by the record owner making such election in writing and duly recording the same with the Clerk and Recorder's Office, Yellowstone County, Montana, and thereafter such combined lots shall be treated as one for the purpose of applying these Covenants; any such combinations of lots shall have a lot line set-back requirement of thirty (30) feet from the side lines of the combined lot area.

Each lot owner is required to submit building plans to Developer or its successors as seller, for its review and approval solely as to compliance with these Covenants, which shall themselves be interpreted neutrally. Construction may not start until approval has been given in writing, and such decision may not be unreasonably withheld or delayed.

All construction on or in the premises shall be commenced within thirty (30) days after equipment and/or materials used in the construction thereof are moved onto the site and shall be diligently pursued to completion and shall in any event be completed within twelve (12) months of commencement.

The dwelling must be completed inside and outside before it can be occupied, and no structure shall be used as a temporary residence during construction.

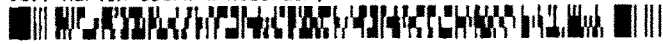
All primary dwellings on said lots shall be of new construction and of wood or steel frame constructed on site. No modular, manufactured, mobile, or otherwise pre-constructed homes will be permitted.

No projections of any type (excluding satellite or high-speed internet) shall be placed or permitted to remain above the roof of any building within the development, except chimneys or vent stacks. Satellite or internet projections shall be of a minimum height.

The exterior siding of all residential and outbuilding structures shall consist of wood, wood products, or wood look-alike products, cement board siding, brick, stone, simulated stone, or select vinyl building materials approved by the Architectural Review Committee. (Vinyl siding must be high-quality, thick-gage vinyl in order to be considered by the Architectural Review Committee for approval.) Sheet or panel metal siding is permitted. All facades of a building shall be made of the same materials and similarly detailed.

Roofs shall be covered with shakes, tiles, or shingles, and metal roofing shall be allowed. Exposed aluminum or silver flashing around chimneys or roof valleys shall not be allowed unless colored, textured, or pointed to match or complement the roof design and color.

The exterior colors of all structures shall be traditional colors, earth tones, white, or wood colors. No pastels, bright, or shiny colors on exterior siding shall be allowed. For example, bright oranges, royal blues, pinks, purple, and like bright colors are not allowed. Lot owners shall have written approval of the exterior color before the exterior siding material is installed on the dwelling unit.



No building shall be erected, placed, or altered on any lot until the construction plan, specifications, and site location plan have been approved by the Architectural Control Committee as to the quality of materials, harmony of external design with existing structures, and location of structures with respect to topography and finished grade elevations.

Fences shall be maintained so they will not be unsightly or detrimental in appearance and shall be not greater than six (6) feet in height. Fences may be constructed of metal, vinyl, or wood. Barbed wire fencing of any variety is not permitted.

Owners are required to establish lawn and other suitable landscaping for their Lot. They shall also mow, irrigate, control noxious weeds, and otherwise maintain their lot so that the landscaping does not detract from the general appearance of the Subdivision.

All utility cables and wires shall be installed underground and no radio, short wave, CB, or any other tower shall be erected on any lot. Each owner of a lot or lots shall, within a period of eighteen (18) months after the occupancy of a dwelling, provide grass and/or other appropriate landscape cover over all areas of the lot or lots and shall thereafter maintain the landscaping on his lot in a neat and attractive condition. This includes the removal of noxious weeds in accordance with county weed control standards and the proper disposal of trash and waste. Each owner of a lot or lots shall maintain unimproved lot areas such that the vegetation does not exceed a maximum height of twelve (12) inches.

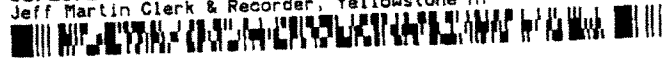
Reasonable steps shall be taken to conceal garbage containers from view except when garbage pickup is scheduled. No rubbish or debris of any kind shall be placed or permitted to accumulate anywhere within the development, and no odor shall be permitted to arise therefrom so as to render the development or any portion thereof unsanitary, unsightly, or offensive.

No motorcycles, dirt bikes, or other mechanized vehicles may be operated upon any trails or park areas. Nothing contained herein shall be deemed to prevent Developer or any participating builder from using heavy equipment, tools, or other devices for completion of the development.

No swine, horses, or cows shall be raised, bred, or kept on any lot within the development, with a maximum of six (6) laying hens allowed. Roosters are prohibited. A reasonable number of dogs, cats, or other household pets may be kept, provided that they are not bred and/or maintained for any commercial purpose and are not kept in unreasonable quantities so as to be in violation of any applicable local ordinance.

Burlington Northern Santa Fe Railroad (BNSF) Proximity: Land in proximity to the western boundary of the Lazy KU Subdivision, 3rd Filing, is a right of way owned by the railroad, upon which they actively operate a transportation business. The noise from moving trains is clearly audible in the LAZY KU Subdivision, 3rd Filing. This activity is protected by state law and can be expected to continue indefinitely.

Developer, for itself, and all successor owners of property within the Lazy KU Subdivision, 3rd Filing, hereby waives any right to object or else protest the noise created by the normal operation of trains running along the railway, acknowledges that the railroad right-of-way is private property, and further acknowledges that Lazy KU Subdivision, 3rd Filing, and successor owners of lots within said subdivision have an affirmative duty to stay clear of BNSF

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property, and to take reasonable steps to keep children, guests, invitees, and licensees clear of the property.

Each lot shall be subject to all easements and rights-of-way of record. Installation for all utility lines including, but not limited to water, sewer, power, cable television and telephone shall be underground.

No owner shall park or keep on any street within the development any large commercial-type vehicle or any recreational vehicle or equipment. All trailers, campers, motorhomes, yard equipment, and similar vehicles shall be stored behind the front elevation of the dwelling. The above restrictions exclude pickups, vans, and similar vehicles up to and including one and one-half ton trucks when used for everyday transportation.

No signs, billboards or advertising devices of any kind, except those used in the sale of the property, shall be placed or otherwise installed on any lot or other building.

Satellite dish receivers shall not exceed thirty-six (36) inches in diameter. No improvement anywhere within the development will be permitted to fall into disrepair, and each improvement shall at all times be kept in good condition and repair.

There shall be no interference with the established draining pattern over any lot as to affect any other lot, unless an adequate alternative provision is made for proper draining. For the purpose hereof, "established drainage" is defined as the drainage, which exists at the time the lot is conveyed to an owner or a participating builder.

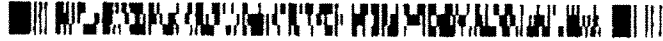
Once Developer has divested itself of ownership of all the lots within the subdivision, any provision herein may be amended or revoked at any time by written instrument duly signed and acknowledged by the owner of record of not less than eighty (80) percent of the parcels covered under these Conditions, Covenants and Restrictions as described in the legal description on page 1 herein. Prior to the sale or transfer of all lots by Developer, Developer reserves the right to amend this Declaration, and any subsequently recorded Declaration.

These Conditions, Covenants and Restrictions shall remain and exist on all the described real property for a period of not less than twenty (20) years and may be extended for another twenty (20) years by eighty (80) percent of the owners of record at that time.

ALLOCATION OF WATER TO LOTS

The total authorized volume and flow rate under the DNRC water right shall be allocated among the lots within the subdivision as follows:

- Each residential lot shall be entitled to a proportional share of the total permitted groundwater right. No more than one individual well may be drilled per lot.
- The allocation per lot shall not exceed:
 - Annual Volume: 1.698 acre-feet per year per lot or 553,257 gallons per year



- Instantaneous Flow Rate: 25 gallons per minute (gpm) per lot

Users should be aware that the full water right flowrate is 310.7 gpm and that the individual users are not anticipated to utilize a combined flow above that amount due to separation of peak use times by each residence.

The cumulative use of all lots shall not exceed the total volume (54.336 ac-ft) and flow rate (310.7 gpm) authorized under the DNRC permit.

Metering and Measurement Requirements

To ensure compliance with DNRC requirements, each lot shall include a meter at their well or connection to residence to measure total withdrawal and peak flowrate. This information is to be provided to DNRC by each individual homeowner. This information is required to be provided to DNRC to perfect the water right and if that does not occur, DNRC may revoke the water right from the subdivision and require the homeowners to request a new water. All water use shall be recorded and maintained as part of the homeowner's permanent records.

Reporting and Compliance

Each homeowner shall perform the following. As necessary, the subdivision residents may amend the requirements for reporting and compliance in these documents to comply with changes to applicable law.

- Maintain records of individual peak withdrawals and individual lot usage.
- Provide reporting to DNRC as required by the water right permit.
- Ensure that total withdrawals do not exceed permitted limits for:
 - Total annual volume
 - Instantaneous diversion rate

Enforcement and Use Restrictions

If necessary to maintain compliance with the DNRC water right the following may be enforced.

Homeowners may impose reasonable restrictions on water use on the Lazy KU 3rd Filing Subdivision, including:

- Outdoor irrigation limits
- Seasonal use restrictions
- Emergency curtailment



Any lot exceeding its allocated share may be subject to fines, flow restriction devices, and/or Suspension of service (as allowed by law).

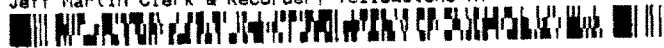
ARCHITECTURAL REVIEW

1. Appointment. The Developer shall have the responsibility of reviewing the architectural and other plans for the development of any Lot in the Subdivision.
2. Discretion. The Developer maintains full and complete discretion to interpret these Covenants and may, in its sole discretion, approve or deny any proposed design of projects proposed for property within the Subdivision. In reviewing the application and the materials submitted and in reaching a decision thereon, the Developer shall use its best efforts and judgment to assure that all improvements shall produce and contribute to an orderly and aesthetically complimentary design and appearance of a quality required to maintain the Subdivision as a first-class residential development. Approval or denial by the Developer shall be based, among other things, on a) the Design Standards, b) the conformity of Plans to these Covenants, c) conformity and harmony of external design with neighboring improvements, d) the effects of location and use of proposed improvements on neighbors and common area, e) relation of improvements and finished ground elevations to existing topography and grades, and, f) the overall aesthetics of the Subdivision. Because the review does include judgments about aesthetics by the Developer and because the aesthetic consideration cannot be clearly defined in these Covenants, the decisions of the Developer will be subjective in nature. Each Owner, by acceptance of a deed to any Lot subject hereto, agrees to accept the aesthetic decisions of the Developer as final and binding and waives any right to challenge those decisions through legal action.
3. Plan Review. Property owners within the Subdivision who desire to build or materially alter any building, shed, or fence, shall first submit all plans, specifications, and information for review and written approval by the Developer (individually, a "Submittal" and, collectively, the "Submittals"). The Developer must approve all development plans prior to construction.
4. Required Information for Plan Review. All owners intending to build or materially alter any building, structure, fence, or other improvement in the Subdivision shall submit the following information to the Developer. This information shall be provided in two steps:

First step: The first set of information will be provided on or before any work is commenced on the Lot:

(a) *Certification*: The application shall identify the name and address of the property owner and applicant and shall set forth the legal and general description of the tracts or lots proposed for development. The applicant shall certify that the proposed development is in compliance with this Declaration.

(b) *Building Plans*: Building Plans submitted shall be, at a minimum, similar to those submitted to Yellowstone County (hereafter, the "County").



Second Step: This information shall be provided prior to the commencement of any finish work on the exterior of any building and, in any event, within ten (10) days prior to the commencement of finish work on the exterior of the building:

(a) *Finishes:* Exterior finishes, colors, and materials shall be provided.

(b) *Other Information:* Additional materials and information may be required by the Developer. Upon notice to the applicant, the applicant shall provide any additional requested materials or information.

5. Review Process. The Developer shall review all submittals and issue a finding approving, conditionally approving, or denying each Submittal, either in whole or in part, within ten (10) days of official receipt of each Submittal. The Developer may refuse to approve or deny an application if it determines in its sole and exclusive discretion that the application is incomplete. The Developer shall approve, conditionally approve, or deny applications in its sole and exclusive discretion as discussed above. The Developer may deny any application that:

(a) Does not meet the design specifications set forth herein;

(b) Is incomplete; and/or

(c) Would be detrimental to surrounding properties and/or the Subdivision.

6. Construction Without Approval or in Violation of this Agreement. If any construction is completed, any improvement is erected or placed upon, or any new use is commenced upon any property in the Subdivision without prior approval from the Developer or in violation of this Agreement, other than as set forth herein, such alteration, construction, erection, placement, or use shall be deemed to have been undertaken in violation of this Agreement and, upon written notice by the Developer, any such alteration, construction, erection, placement, or use shall cease, be removed, or be amended so as to conform to this Agreement.

7. Construction After Approval. With the exception of the Developer, or its agents or representatives, no construction equipment or materials can be moved onto any property in the Subdivision prior to thirty (30) days before the start of construction. Similarly, with the exception of the Developer, or its agents or representatives, all exterior construction must be completed within twelve (12) months of the starting date of construction.

8. Liability. The Developer shall be liable to anyone submitting plans for approval, or to any owner of property within the Subdivision, by reason of a mistake in judgment, negligence, or nonfeasance arising out of or in connection with the approval or disapproval or failure to approve any plans or specifications. Every person who submits plans to the Developer for review agrees, by submission of such plans and specifications, and every Owner of property within the Subdivision agrees, that he will not bring any action or suit against the Developer to recover any such damages by reason of the action or inaction of the Developer in reviewing any plans and specifications. The Owner of each lot in the Subdivision hereby expressly consents to the Developer reviewing, approving, modifying, and denying all development applications. The Developer is expressly authorized, in its sole and exclusive discretion, to grant, approve, deny, or require modifications to any development proposal

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in the Subdivision. All decisions of the Developer shall be final and non-appealable.

9. Insurance. The Owner of the land on which any improvement is constructed shall maintain adequate insurance coverage for liability and casualty.

RIGHT TO ENFORCE

The Conditions, Covenants and Restrictions herein set forth shall run with the land and bind the present owners, their heirs, devisees, trustees, grantees, and all other parties claiming by, through, or under them, to conform and observe said restrictions as to the use of said lots, and the construction of improvements thereon. No Conditions, Covenants and Restrictions herein set forth shall be personally binding upon any corporation, person, or persons, except to breaches committed during its or their seizing of or title to said lands. The owner or owners of any of the above-described lands shall have the right to sue for breach of, or to enforce the observation of the Conditions, Covenants and Restrictions set forth above, in addition to ordinary legal action for damages. The failure of the present owners, or the owner of any other lot, in the above-described subdivision, to enforce the Conditions, Covenants and Restrictions herein set forth at the time of any violation thereof, shall in no event be deemed a waiver of the right to do so. The grantees of any lot by the acceptance of a conveyance, covenant and agree to faithfully observe, abide, and conform to all conditions. Covenants by judgment or court order shall not affect any of the other provisions, which shall remain in full force and effect. If litigation is commenced, the prevailing party shall, in addition to any other remedy applicable in law or equity, be entitled to an award of reasonable attorney fees and expenses.

DISPUTE RESOLUTION PROCESS

If there is a dispute between the Developer and any lot owner relating to anything concerning the Subdivision (the "Dispute"), the Dispute shall must be resolved in accordance herewith. The Dispute will be settled by arbitration before a single arbitrator within 45 days of the date of Dispute. Before pursuing arbitration, however, the parties must attempt negotiation and mediation. In that regard, the parties have 72 hours after the Dispute to reach a negotiated solution. If negotiation fails, the parties will proceed immediately to mediation which shall be done within five (5) business days after the Dispute before a mediator chosen by the parties. If the parties cannot agree on a mediator, then each side in the Dispute shall each choose a legal representative and the two representatives shall agree on a mediator. If the parties cannot resolve their Dispute by negotiation or mediation, within five business (5) days after the Dispute, they will proceed to arbitration. The arbitration must take place in Yellowstone County, Montana. The parties to the arbitration will be entitled to conduct expedited discovery, if necessary, in accordance with the Federal Rules of Civil Procedure, subject to limitation by the arbitrator to secure just and efficient resolution of the Dispute within 45 days of the date of the Dispute. The arbitration shall be done before a single arbitrator chosen by the parties. If the parties cannot agree on an arbitrator, then each side of the Dispute shall each choose a legal representative and the two representatives shall agree on an arbitrator. If the representatives cannot agree on an arbitrator then a judge of the Yellowstone County District Court shall choose an arbitrator. If the amount in controversy exceeds \$10,000, the arbitrator's decision must include a statement specifying in reasonable detail the basis for and computation of the amount of the award, if any. The company shall bear the costs and fees of each party to the Dispute as well as one-half of the cost of the mediator and/or arbitrator.

WARRANTY

Developer gives no warranty, express or implied, on any of the common area improvements, but will transfer to the initial owners and the Association all warranties received from the general contractor or subcontractors who construct common area improvements.

DEVELOPER SPECIFICALLY DISCLAIMS ANY LIABILITY FOR INCIDENTAL OR CONSEQUENTIAL DAMAGE TO ANY PERSON, THE UNITS AND COMMON ELEMENTS, OTHER COMPONENTS OR ANY OTHER REAL OR PERSONAL PROPERTY RESULTING FROM A DEFECT. ANY LIABILITY SHALL BE LIMITED FURTHER TO THE INSURANCE OF DEVELOPER AND DEVELOPER SHALL HAVE NO LIABILITY BEYOND THE AMOUNT OF SUCH INSURANCE. ALL IMPLIED WARRANTIES INCLUDING WARRANTIES OF MERCHANTABILITY, FITNESS, AND HABITABILITY, ARE EXPRESSLY DISCLAIMED AND DO NOT APPLY.

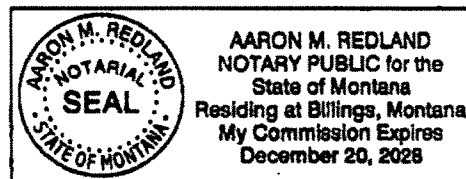
IN WITNESS WHEREOF, LAZY KU ESTATES LLC has executed this Declaration of Covenants the day and year first above written.

By: Cheryl A. Knepper
Its: MANAGER

STATE OF MONTANA)
 : ss
County of Yellowstone)

On this 4th day of JUNE, 2026, before me, a Notary Public in and for the State of Montana, personally appeared Cherryl Ann Kramer, known to me to be the Manager of *Lazy KU Estates LLC*, who executed the foregoing instrument and acknowledged to me that she executed the same.

ARON M REDLAND
Notary Public in and for the State of Montana
Printed Name: ARON M REDLAND
Residing at: BILLINGS, MT
My commission expires: DEC 20 2028



[EXTERNAL] RE: Form 600P-B

From Greg Reid <greid@wwcengineering.com>

Date Fri 7/10/2026 9:01 AM

To Schweigert, Christine <CSchweigert@mt.gov>

Cc jdwineridge@aol.com <jdwineridge@aol.com>; Jennie Bonner <jbonner@wwcengineering.com>

 4 attachments (1 MB)

Table Word Versions.docx; Property Boundaries Shape.zip; Well Locations Shape.zip; 600P-B Lazy KU 3rd Supporting Documents.pdf;

- NOT PRINTED

NOT PRINTED

Christine,

Attached are the form 600P-B supporting documents. We have the form to Jerry to get signed and then Jennie will get it sent to you here soon.

Greg



Greg Reid, P.E. | Branch Manager

550 S 24th St. W. Ste.201 | Billings, MT 59102

O: 406.894.2210 | D: 406.534.8158 | C: 406.799.1415

www.wwcengineering.com [www.wwcengineering.com]

From: Greg Reid

Sent: Friday, July 10, 2026 7:10 AM

To: Schweigert, Christine <cschweigert@mt.gov>

Subject: RE: Form 600P-B

Scratch that question on getting it to you this weekend, I think I got it all pretty close to together already, excepting the shapefiles just yet, but another staff member will help me with that when he gets in.



Greg Reid, P.E. | Branch Manager

550 S 24th St. W. Ste.201 | Billings, MT 59102

O: 406.894.2210 | D: 406.534.8158 | C: 406.799.1415

www.wwcengineering.com [www.wwcengineering.com]

From: Greg Reid

Sent: Thursday, July 9, 2026 5:31 PM

To: Schweigert, Christine <cschweigert@mt.gov>

Subject: Form 600P-B

Christine,

To confirm, I need to get the form at the link below filled out and signed by Jerry to return to DNRC and was it before July 13 or before end of day July 10? If it was July 13, then we could finalize it over the weekend and email it to you before Monday.

Question 42 Table

POD	Flow Rate			Volume	Period of Diversion	Depth	Measured or Estimated
	Flow Rate	GPM	CFS	AF	MM/DD - MM/DD	FT	
A	25	X		1.698	01/01-12/31	37	Measured
B	25	X		1.698	01/01-12/31	37	Estimated
C	25	X		1.698	01/01-12/31	37	Estimated
D	25	X		1.698	01/01-12/31	37	Estimated
E	25	X		1.698	01/01-12/31	37	Estimated
F	25	X		1.698	01/01-12/31	37	Estimated
G	25	X		1.698	01/01-12/31	37	Estimated
H	25	X		1.698	01/01-12/31	37	Estimated
I	25	X		1.698	01/01-12/31	37	Estimated
J	25	X		1.698	01/01-12/31	37	Estimated
K	25	X		1.698	01/01-12/31	37	Estimated
L	25	X		1.698	01/01-12/31	37	Estimated
M	25	X		1.698	01/01-12/31	37	Estimated
N	25	X		1.698	01/01-12/31	37	Estimated
O	25	X		1.698	01/01-12/31	37	Estimated
P	25	X		1.698	01/01-12/31	37	Estimated
Q	25	X		1.698	01/01-12/31	37	Estimated
R	25	X		1.698	01/01-12/31	37	Estimated
S	25	X		1.698	01/01-12/31	37	Estimated
T	25	X		1.698	01/01-12/31	37	Estimated
U	25	X		1.698	01/01-12/31	37	Estimated
V	25	X		1.698	01/01-12/31	37	Estimated
W	25	X		1.698	01/01-12/31	37	Estimated
X	25	X		1.698	01/01-12/31	37	Estimated
Y	25	X		1.698	01/01-12/31	37	Estimated
Z	25	X		1.698	01/01-12/31	37	Estimated
AA	25	X		1.698	01/01-12/31	37	Estimated
BB	25	X		1.698	01/01-12/31	37	Estimated
CC	25	X		1.698	01/01-12/31	37	Estimated
D	25	X		1.698	01/01-12/31	37	Estimated
EE	25	X		1.698	01/01-12/31	37	Estimated
FF	25	X		1.698	01/01-12/31	37	Estimated

Question 9 Table

Acres	Lot	Block	Quarter	Quarter	Quarter	Sec	Twp	Rge	County
0.5	6	4	NW	SW	SE	25	1S	24E	Yellowstone
0.5	7	4	NW	SW	SE	25	1S	24E	Yellowstone
0.5	8	4	NW	SW	SE	25	1S	24E	Yellowstone
0.5	9	4	SW	SW	SE	25	1S	24E	Yellowstone
0.5	10	4	SW	SW	SE	25	1S	24E	Yellowstone
0.5	1	7	SW	SW	SE	25	1S	24E	Yellowstone
0.5	2	7	SE	SW	SE	25	1S	24E	Yellowstone
0.5	3	7	SE	SW	SE	25	1S	24E	Yellowstone
0.5	4	7	SE	SW	SE	25	1S	24E	Yellowstone
0.5	5	7	SW	SE	SE	25	1S	24E	Yellowstone
0.5	6	6	SW	SE	SE	25	1S	24E	Yellowstone
0.5	7	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	8	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	9	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	10	6	SW	SW	SE	25	1S	24E	Yellowstone
0.5	1	6	SW	SW	SE	25	1S	24E	Yellowstone
0.5	2	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	3	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	4	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	5	6	SW	SE	SE	25	1S	24E	Yellowstone
0.5	5	5	NW	SE	SE	25	1S	24E	Yellowstone
0.5	6	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	7	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	8	5	NW	SW	SE	25	1S	24E	Yellowstone
0.5	1	5	NW	SW	SE	25	1S	24E	Yellowstone
0.5	2	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	3	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	4	5	NW	SE	SE	25	1S	24E	Yellowstone
0.5	8	3	NW	SE	SE	25	1S	24E	Yellowstone
0.5	9	3	NE	SW	SE	25	1S	24E	Yellowstone
0.5	10	3	NE	SW	SE	25	1S	24E	Yellowstone
0.5	11	3	NW	SW	SE	25	1S	24E	Yellowstone
16 Total Acres									

Question 7 Table

POD	Qtr	Qtr	Qtr	Sec	Twp	Rge	County	Lot	Block	Tract	Subdivision	Gov Lot	SW or GW	Source Name	Means
A	NW	SW	SE	25	1S	24E	Yellowstone	6	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
B	NW	SW	SE	25	1S	24E	Yellowstone	7	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
C	NW	SW	SE	25	1S	24E	Yellowstone	8	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
D	SW	SW	SE	25	1S	24E	Yellowstone	9	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
E	SW	SW	SE	25	1S	24E	Yellowstone	10	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
F	SW	SW	SE	25	1S	24E	Yellowstone	1	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
G	SE	SW	SE	25	1S	24E	Yellowstone	2	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
H	SE	SW	SE	25	1S	24E	Yellowstone	3	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
I	SE	SW	SE	25	1S	24E	Yellowstone	4	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
J	SW	SE	SE	25	1S	24E	Yellowstone	5	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
K	SW	SE	SE	25	1S	24E	Yellowstone	6	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
L	SE	SW	SE	25	1S	24E	Yellowstone	7	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
M	SE	SW	SE	25	1S	24E	Yellowstone	8	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
N	SE	SW	SE	25	1S	24E	Yellowstone	9	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
O	SW	SW	SE	25	1S	24E	Yellowstone	10	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
P	SW	SW	SE	25	1S	24E	Yellowstone	1	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
Q	SE	SW	SE	25	1S	24E	Yellowstone	2	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
R	SE	SW	SE	25	1S	24E	Yellowstone	3	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
S	SE	SW	SE	25	1S	24E	Yellowstone	4	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
T	SW	SE	SE	25	1S	24E	Yellowstone	5	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
U	NW	SE	SE	25	1S	24E	Yellowstone	5	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
V	NE	SW	SE	25	1S	24E	Yellowstone	6	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
W	NE	SW	SE	25	1S	24E	Yellowstone	7	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
X	NW	SW	SE	25	1S	24E	Yellowstone	8	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
Y	NW	SW	SE	25	1S	24E	Yellowstone	1	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
Z	NE	SW	SE	25	1S	24E	Yellowstone	2	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
AA	NE	SW	SE	25	1S	24E	Yellowstone	3	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
BB	NW	SE	SE	25	1S	24E	Yellowstone	4	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well

CC	NW	SE	SE	25	1S	24E	Yellowstone	8	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
D	NE	SW	SE	25	1S	24E	Yellowstone	9	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
EE	NE	SW	SE	25	1S	24E	Yellowstone	10	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
FF	NW	SW	SE	25	1S	24E	Yellowstone	11	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well

Follow Up Questions

- Question #5: Purpose volume - information in table as presented with volume per purpose
 - **The beneficial use document provided following pre-application meeting provided flow rates and volume use per purpose.**
- Question #7: All PODs in table shown
 - **Updated table attached and site layout reference attached.**
- Question #9: All POU with acreage in table shown
 - **Updated table attached.**
- Question #32: Variance Bundle - Form 633
 - **Submitted previously.**
- Question #33 Variance Bundle - Form 600-ATA
 - **Submitted previously.**
- Question #34: Variance Bundle - Variance Request
 - **Submitted previously.**
- Question #35.a.i: List of PODs and construction dates
 - **Lot 6 POD ID A constructed for pump testing. All others to be constructed following lot sale and home construction.**
- Question #35.a.iii: Flow rate & volume per POD
 - **Refer to CCR for development that identifies flowrate and volume per POD.**
- Question #42: All information in table shown
 - **Updated table attached based on CCR allowances for all wells.**
- Question #49.b.i: Submit Danford Drain measurements to the Department
 - **Danford Drain had flow measurements completed in MBMG Open-File Report No. 436, which were previously used in application 43Q 30164891. Monthly average flow measurements in that report are listed below for reference.**
 - **January 4.1 cfs**
 - **February 4.2 cfs**
 - **March 3.4 cfs**
 - **April 3.8 cfs**
 - **May 4.4 cfs**
 - **June 30.0 cfs**
 - **July 50.2 cfs**
 - **August 59.0 cfs**
 - **September 64.9 cfs**
 - **October 23.9 cfs**
 - **November 13.0 cfs**

▪ **December 6.9 cfs**

- Submit Shape Files for POD and POU
 - **Shapefile for well locations and lots included with email response.**
- Submit Word Doc Version of POD and POU
 - **Word version of POD and POU table included with email response.**

Amended Responses

The following items were noted by DNRC as needing correction or clarification:

- The beneficial use calculation incorrectly labels the usage as 400 gpd per dwelling unit and then notes 400 gallons per day per person consistent with 4 persons per household in the Billings area.
 - **This reference was incorrect and should have only stated 400 gpd per dwelling unit. This domestic demand is consistent with the DEQ drainfield sizing utilized for the subdivision and approved by DEQ in the subdivision COSA, regardless of flow use per capita or capita per house. The flow estimate is based upon the number of bedrooms per house or dwelling unit.**
- The beneficial use calculation uses a population based estimate to determine a peaking factor. This estimate uses 2.27 capita per house rounded to 3 which is inconsistent with previous estimate listed of 4 per house for 400 gpd/dwelling unit and inconsistent with DEQ standards of 5 bedroom design per house.
 - **The equation used to determine a peaking factor utilizes an overall population to identify peak usage versus average day usage for typical domestic water flows. In selection of the population value to use for this equation, the consideration is made for the overall average number of residents per household in the development and not the maximum number of residents that may be in each residence. Therefore the use of the County average capita as a reference point for the overall development provides a reasonable assumption. Further, due to the limited size of the development, a slightly higher number of residents may occur per household resulting in a larger population and effect on the peaking factor and the use of a rounded up number of 3 per house is also reasonable. The results of the equation for 2.27 are a peaking factor of 4.28 and the result when using 3 is 4.25, showing a nominal change. Lastly, this assumption is conservative on the side of peaking factor consideration only and the domestic use assumption based on the DEQ standard 400 gpd per dwelling unit is also conservative per household.**

- Form 600P-A notes a potential irrigation period of April 1 to October 31 (214 days) and the beneficial use calculation notes are 150-day irrigation period. Clarify the difference.
 - **The potential irrigation period noted in Form 600 is the maximum extent that may have irrigation in the area of the development. However, for calculation purposes, the practical use timeframe of irrigation in this area is 150 watering days and therefore when calculating a peak instantaneous flow rate, the shorter duration is used to provide a more conservative estimate.**
- In the beneficial use form and the estimated peak instantaneous calculation of water, the lawn and garden flow calculation incorrectly used 60.3 acre-feet which should have been 40.0 acre-feet.
 - **The corrected use of 40.0 acre-feet converted into gallons per day is 86,887.68 gpd and that converted into gpm (8 hour watering time per day) equals 181.0 gpm. Therefore the final instantaneous flow rate is 218.8 gpm.**

Question 7 Table

POD	Qtr	Qtr	Qtr	Sec	Twp	Rge	County	Lot	Block	Tract	Subdivision	Gov Lot	SW or GW	Source Name	Means
A	NW	SW	SE	25	1S	24E	Yellowstone	6	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
B	NW	SW	SE	25	1S	24E	Yellowstone	7	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
C	NW	SW	SE	25	1S	24E	Yellowstone	8	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
D	SW	SW	SE	25	1S	24E	Yellowstone	9	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
E	SW	SW	SE	25	1S	24E	Yellowstone	10	4	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
F	SW	SW	SE	25	1S	24E	Yellowstone	1	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
G	SE	SW	SE	25	1S	24E	Yellowstone	2	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
H	SE	SW	SE	25	1S	24E	Yellowstone	3	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
I	SE	SW	SE	25	1S	24E	Yellowstone	4	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
J	SW	SE	SE	25	1S	24E	Yellowstone	5	7	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
K	SW	SE	SE	25	1S	24E	Yellowstone	6	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
L	SE	SW	SE	25	1S	24E	Yellowstone	7	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
M	SE	SW	SE	25	1S	24E	Yellowstone	8	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
N	SE	SW	SE	25	1S	24E	Yellowstone	9	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
O	SW	SW	SE	25	1S	24E	Yellowstone	10	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
P	SW	SW	SE	25	1S	24E	Yellowstone	1	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
Q	SE	SW	SE	25	1S	24E	Yellowstone	2	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
R	SE	SW	SE	25	1S	24E	Yellowstone	3	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
S	SE	SW	SE	25	1S	24E	Yellowstone	4	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
T	SW	SE	SE	25	1S	24E	Yellowstone	5	6	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
U	NW	SE	SE	25	1S	24E	Yellowstone	5	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
V	NE	SW	SE	25	1S	24E	Yellowstone	6	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
W	NE	SW	SE	25	1S	24E	Yellowstone	7	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
X	NW	SW	SE	25	1S	24E	Yellowstone	8	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
Y	NW	SW	SE	25	1S	24E	Yellowstone	1	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
Z	NE	SW	SE	25	1S	24E	Yellowstone	2	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
AA	NE	SW	SE	25	1S	24E	Yellowstone	3	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
BB	NW	SE	SE	25	1S	24E	Yellowstone	4	5	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
CC	NW	SE	SE	25	1S	24E	Yellowstone	8	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
D	NE	SW	SE	25	1S	24E	Yellowstone	9	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
EE	NE	SW	SE	25	1S	24E	Yellowstone	10	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well
FF	NW	SW	SE	25	1S	24E	Yellowstone	11	3	NA	Lazy KU Subdivision, 3rd Filing	NA	GW	Groundwater	Well

Question 9 Table

Acres	Lot	Block	Quarter	Quarter	Quarter	Sec	Twp	Rge	County
0.5	6	4	NW	SW	SE	25	1S	24E	Yellowstone
0.5	7	4	NW	SW	SE	25	1S	24E	Yellowstone
0.5	8	4	NW	SW	SE	25	1S	24E	Yellowstone
0.5	9	4	SW	SW	SE	25	1S	24E	Yellowstone
0.5	10	4	SW	SW	SE	25	1S	24E	Yellowstone
0.5	1	7	SW	SW	SE	25	1S	24E	Yellowstone
0.5	2	7	SE	SW	SE	25	1S	24E	Yellowstone
0.5	3	7	SE	SW	SE	25	1S	24E	Yellowstone
0.5	4	7	SE	SW	SE	25	1S	24E	Yellowstone
0.5	5	7	SW	SE	SE	25	1S	24E	Yellowstone
0.5	6	6	SW	SE	SE	25	1S	24E	Yellowstone
0.5	7	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	8	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	9	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	10	6	SW	SW	SE	25	1S	24E	Yellowstone
0.5	1	6	SW	SW	SE	25	1S	24E	Yellowstone
0.5	2	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	3	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	4	6	SE	SW	SE	25	1S	24E	Yellowstone
0.5	5	6	SW	SE	SE	25	1S	24E	Yellowstone
0.5	5	5	NW	SE	SE	25	1S	24E	Yellowstone
0.5	6	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	7	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	8	5	NW	SW	SE	25	1S	24E	Yellowstone
0.5	1	5	NW	SW	SE	25	1S	24E	Yellowstone
0.5	2	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	3	5	NE	SW	SE	25	1S	24E	Yellowstone
0.5	4	5	NW	SE	SE	25	1S	24E	Yellowstone
0.5	8	3	NW	SE	SE	25	1S	24E	Yellowstone
0.5	9	3	NE	SW	SE	25	1S	24E	Yellowstone
0.5	10	3	NE	SW	SE	25	1S	24E	Yellowstone
0.5	11	3	NW	SW	SE	25	1S	24E	Yellowstone
16 Total Acres									

Question 42 Table

POD	Flow Rate			Volume	Period of Diversion	Depth	Measured or Estimated
	Flow Rate	GPM	CFS	AF	MM/DD - MM/DD	FT	
A	25	X		1.698	01/01-12/31	37	Measured
B	25	X		1.698	01/01-12/31	37	Estimated
C	25	X		1.698	01/01-12/31	37	Estimated
D	25	X		1.698	01/01-12/31	37	Estimated
E	25	X		1.698	01/01-12/31	37	Estimated
F	25	X		1.698	01/01-12/31	37	Estimated
G	25	X		1.698	01/01-12/31	37	Estimated
H	25	X		1.698	01/01-12/31	37	Estimated
I	25	X		1.698	01/01-12/31	37	Estimated
J	25	X		1.698	01/01-12/31	37	Estimated
K	25	X		1.698	01/01-12/31	37	Estimated
L	25	X		1.698	01/01-12/31	37	Estimated
M	25	X		1.698	01/01-12/31	37	Estimated
N	25	X		1.698	01/01-12/31	37	Estimated
O	25	X		1.698	01/01-12/31	37	Estimated
P	25	X		1.698	01/01-12/31	37	Estimated
Q	25	X		1.698	01/01-12/31	37	Estimated
R	25	X		1.698	01/01-12/31	37	Estimated
S	25	X		1.698	01/01-12/31	37	Estimated
T	25	X		1.698	01/01-12/31	37	Estimated
U	25	X		1.698	01/01-12/31	37	Estimated
V	25	X		1.698	01/01-12/31	37	Estimated
W	25	X		1.698	01/01-12/31	37	Estimated
X	25	X		1.698	01/01-12/31	37	Estimated
Y	25	X		1.698	01/01-12/31	37	Estimated
Z	25	X		1.698	01/01-12/31	37	Estimated
AA	25	X		1.698	01/01-12/31	37	Estimated
BB	25	X		1.698	01/01-12/31	37	Estimated
CC	25	X		1.698	01/01-12/31	37	Estimated
D	25	X		1.698	01/01-12/31	37	Estimated
EE	25	X		1.698	01/01-12/31	37	Estimated
FF	25	X		1.698	01/01-12/31	37	Estimated

[EXTERNAL] Lazy KU 3rd Filing Variance Forms

From Greg Reid <greid@wwcengineering.com>

Date Thu 5/14/2026 5:27 PM

To Parmelee, David <David.Parmelee@mt.gov>

Cc Schweigert, Christine <CSchweigert@mt.gov>; Bryce Mayn <bmayn@wwcengineering.com>

 6 attachments (4 MB)

600-ATA-Aquifer-Testing-Addendum.pdf; B4L6 Well Log.pdf; PROD-WELL LOCATION.pdf; Updated633.xlsx; Variance Request Form 653.pdf; LKU3 Beneficial Use Flow Rate_DNRC_11.07.2025.docx;

NOT PRINTED - will be scanned into the file separately
CS

David,

Attached is the variance bundle for Lazy KU 3rd Filling.

The owner intends to not create an HOA or WUA and rather have the individual owners be responsible for the reporting on this. We are updating the CCRs to reflect that, along with the specific allowance per lot for water use (flow and acre-feet). As part of that, the flowrate (310.7 gpm) and volume (54.336 ac-ft) amounts we want to use are per the attached GW.9A Beneficial Use document. Chris pulled preapp documents that we had turned in (three of them) and all appeared to have slightly different numbers in them or incomplete (i.e., just flow and no volume). Chris, let us know if the requested amount is not okay with your group as well.

Lastly, the GW.9A lists the direct amount of peak flow per lot assuming all happen at the same time essentially (10 gpm). For the purpose of the residential users, we intend to have a peak allowable flow of 25 gpm and include an explanation in the CCR that their pump can be sized for up to that flow rate but their volume use must remain below the allowable per year per lot (1.698 ac-feet).

Let us know if we missed anything!

Greg



Greg Reid, P.E. | Branch Manager

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O: 406.894.2210 | D: 406.534.8158 | C: 406.799.1415

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DNRC-WRD-BILLINGS

Form No. 600/606-ATA (02/2025)

Applicant Name Jerry Krushensky- Lazy Ku 3rd filing

**APPLICATION FOR BENEFICIAL WATER USE PERMIT OR
APPLICATION TO CHANGE A WATER RIGHT
AQUIFER TESTING ADDENDUM
ARM 36.12.121**

Complete this addendum if the source of water for a Beneficial Water Use Permit or Water Right Change application is groundwater. Do not use this form if the source is a developed spring. Check the box denoting the information is attached or data was collected following minimum testing procedures. On a separate document, address the required information. Attachments must be labeled as shown in the sections below (i.e., ATA.3.a).

Section 1. Attachments must make specific reference to the section item shown.

VARIANCE INFORMATION:

- ATA.1.a ☒ The Applicant submitted a variance request per ARM 36.12.123 for a variance from the requirements of ARM 36.12.121 and has provided a copy of the written request.

Section 2. Attachments must make specific reference to the section item shown.

MINIMUM INFORMATION THAT MUST BE SUBMITTED WITH APPLICATIONS:

- ATA.2.a ☒ Provide a map with labeled location of production and observation wells.
- ATA.2.b ☒ Provide well logs of production and observation wells.
- ATA.2.c ☒ Provide Form No. 633, in electronic format, with all information and data provided.
- ATA.2.d ☒ Provide a description of testing methods and quality of the aquifer test and data.

Section 3. Attachments must make specific reference to the section item shown.

MINIMUM TESTING PROCEDURES:

For any of the following, if the answer is "NO" or "NA", provide information explaining why on a separate attachment.

- ATA.3.a YES ☒ NO ☐ NA ☐ Pumping was maintained throughout the duration of the test and the rate did not depart from the average pumping rate by more than 5%.
- ATA.3.b YES ☐ NO ☒ NA ☐ The average pumping rate is equal to or greater than the proposed flow rate if the application is for one well or if the total proposed rate for multiple wells can be obtained from a single well.
- ATA.3.c YES ☐ NO ☒ NA ☐ The proposed pumping rate was demonstrated by testing multiple wells, and 3.e was met by one well and the remaining flow rate demonstrated by eight-hour drawdown and yield tests on additional production wells under 3.e.ii and 3.e.iii.
- ATA.3.d YES ☒ NO ☐ NA ☐ The pumping rate was measured with a reliable measuring device and recorded with clock time according to the schedule on Form No. 633.



1. **WELL OWNER:**
Name JERRY KRUSHENSKY
Mailing address P.O. Box 81508
Billings MT 59108

2. WELL LOCATION: List ¼ from smallest to largest

_____ ¼ _____ SW ¼ SE ¼ Section 25

Township 1 N/S Range 24 E/W County Yellowstone

Lot 6, Tract/Blk 4 Subdivision Name Lazy K U 300

Certificate of Survey _____ Filing _____

Well Address Haystack LN

GPS ☐ Yes ☐ No

Latitude 45° 42' 54" N Longitude 108° 42' 36" W

Error as reported by GPS locator (± feet) _____

Horizontal datum ☐ NAD27 ☒ WGS84

3. PROPOSED USE: ☒ Domestic ☐ Stock ☐ Irrigation
☐ Public water supply ☐ Monitoring Well
☐ Geothermal ☐ Closed System ☐ Open System ☐ Reinjection
☐ Extraction H₂O Temp _____ Number of Wells in System _____
☐ Other: _____

Method: ☒ Cable ☒ Rotary ☐ Other: _____

Borehole:
Dia. 9 in. from 0 ft. to 37 ft.
Dia. _____ in. from _____ ft. to _____ ft.
Dia. _____ in. from _____ ft. to _____ ft.

Casing:
Steel: Wall thickness 250 ☐ Threaded ☒ Welded
Dia. 6 5/8 in. from +2 ft. to 32 ft.
Dia. _____ in. from _____ ft. to _____ ft.
Casing Shoe: ☒ Yes ☐ No

Plastic: Pressure Rating _____ lbs. ☐ Threaded ☐ Welded
Dia. _____ in. from _____ ft. to _____ ft.

Perforations/Slotted Pipe:
Type of perforator used _____
Size of perforations/slots _____ in. by _____ in.
_____ no. of perforations/slots from _____ ft. to _____ ft.
_____ no. of perforations/slots from _____ ft. to _____ ft.

Screens: ☒ Yes ☐ No
Material stainless
Dia. 6 Slot size 60 from 32 ft. to 37 ft.
Dia. _____ Slot size _____ from _____ ft. to _____ ft.

Gravel Packed: ☐ Yes ☒ No
Size of gravel _____
Gravel placed from _____ ft. to _____ ft.

Packer: ☒ Yes ☐ No
Type Rubber K Depth(s) 31
Grout: Material used Bentonite
Depth from _____ ft. to _____ ft. OR ☒ Continuous feed

A well test is required for all wells. (See details on well log report cover.)

☐ Static water level 96' ft. below top of casing or

☐ Closed-in artesian pressure _____ psi.

How was test flow measured:

bucket/stopwatch, weir, flume, flowmeter, etc _____

Yellowstone Controlled Groundwater Area - Water Temperature _____ °F

☐ AQUIFER TEST DATA FORM ATTACHED

Drawdown is the amount water level is lowered below static level.
All depth measurements shall be from the top of the well casing.
Time of recovery is hours/minutes since pumping stopped.

120 gpm with drill stem set at 36 ft. for 8 hours
Time of recovery 12 hrs/min. Recovery water level 6" ft.

_____ gpm with _____ ft. of drawdown after _____ hours
Time of recovery _____ hrs/min. Recovery water level _____ ft.

Depth pump set for test _____ ft.
 _____ gpm pump rate with _____ ft. of drawdown after _____ hrs pumping
 Time of recovery _____ hrs/min. Recovery water level _____ ft.

_____ gpm for _____ hours
Flow controlled by _____

**During the well test the discharge rate shall be as uniform as possible. This rate may or may not be the sustainable yield of the well. Sustainable yield does not include the reservoir of the well casing.*

[illegible]

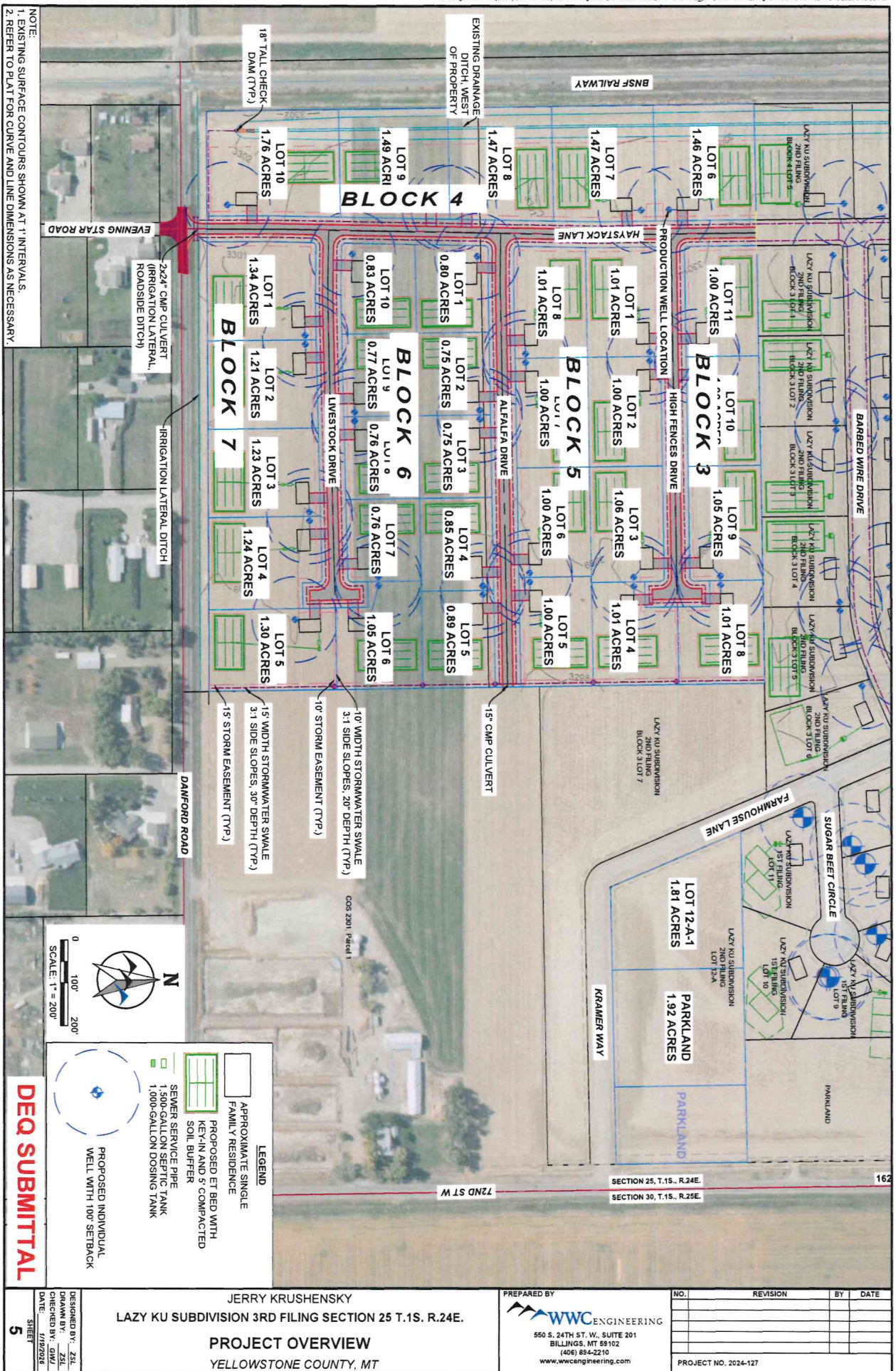
8. DATE WELL COMPLETED: 3-5-26

9. REMARKS: _____

All work performed and reported in this well log is in compliance with the Montana well construction standards. This report is true to the best of my knowledge.

Name, firm, or corporation (print) American Drilling
Address 7044 Nienke Bldg MT 59101
Signature _____
Date 3-6-26 License no. 659
License type: ☐ MWC ☒ WWC ☐ WWD

5/19/2026 email attachment TKOD-Well





VARIANCE REQUEST

ARM 36.12.123
Form No. 653 (Revised 11/2024)

For Department Use Only

RECEIVED

MAY 14 2026

DNRC-WRD-BILLINGS

INSTRUCTIONS

Use this form to request a variance from the requirements of ARM 36.12.121 or 36.12.1702, as provided for in ARM 36.12.123.

Submit this completed form to the appropriate regional office by the deadline established during the preapplication meeting or, if a preapplication meeting is not held, include this request with your filed application or as part of a deficiency response.

Application # 30173538 Basin 43Q
Received Date 5/14/2026
Received By [signature]

Applicant Name Jerry Krushensky - Lazy KU 3rd Filing

Mailing Address PO Box 81508

City Billings

State MT

Zip 59108

Home Phone 406-581-0658

Other Phone _____

Email: jdwineridge@aol.com

Representative Name (if other than Applicant) WWC Engineering - Greg Reid

☒ Representative is Consultant ☐ Representative is Attorney ☐ Representative is Other (describe) _____

Mailing Address 550 S. 24th Street W, Ste. 201

City Billings

State MT

Zip 59102

Home Phone _____

Other Phone 406-894-2210

Email: greid@wwcengineering.com

Identify from which section(s) of ARM 36.12.121 or 36.12.1702 you are requesting a variance. Refer to the rule for a full list of requirements in these sections.

☒ **ARM 36.12.121 Aquifer Testing Requirements**

☐ (2)(a) map with labeled location of production and observation wells

☐ (2)(b) well logs of the production and observation wells

☐ (2)(c) Form No. 633, in electronic format, with all information and data provided

☒ (3)(a) pumping rate may not depart from the average pumping rate by more than +/- 5%

☐ (3)(b) average pumping rate equal to or greater than the proposed flow rate if the application is for one well or if the total proposed rate for multiple wells can be obtained from a single well

☒ (3)(c) proposed pumping rate may be demonstrated by testing multiple wells as long as (e) is met by one well and the remaining flow rate is demonstrated by eight-hour drawdown and yield tests on additional production wells under (e)(i)(i)

☒ (3)(d) pumping rate must be measured with a reliable measuring device and recorded with clock time according to the schedule on Form No. 633

☒ (3)(e) minimum duration of pumping during an aquifer test must be 24 hours for a proposed pumping rate and volume equal to or less than 150 GPM or 50 AF, or 72 hours for a proposed pumping rate and volume greater than 150 GPM or 50 AF

☒ (3)(e)(i) at a minimum an eight-hour drawdown and yield test is required on all new production wells

☒ (3)(e)(ii) In addition to (e), if more than one new production well is proposed, at a minimum an eight-hour drawdown and yield test is required on all subsequent new production wells

☒ (3)(e)(iii) the testing procedures for a minimum eight-hour drawdown and yield test performed on any production well must follow (a), (d), and (h)

☒ (3)(f) one or more observation wells must be completed in the same source aquifer as the proposed production well and close enough to the production well so that drawdown is measurable and far enough that well hydraulics do not affect the observation well

☒ (3)(g) background groundwater levels in the production well and observation well(s) must be monitored at frequent intervals for at least two days prior to beginning the aquifer test according to the Form No. 633

☒ (3)(h) groundwater levels in the production and/or observation well(s) must be reported with 0.01-foot precision according to the schedule specified on Form No. 633



GW.9.A Beneficial Use

Introduction

This application is to apply for water rights to pump ground water to supply the domestic and lawn and garden irrigation demands for Lazy KU Subdivision, 3rd Filing, a residential subdivision with 32 lots. Each lot will have an individual well to provide water for both domestic use and for lawn and garden watering for the yard areas on each lot.

Domestic Water Demand

Domestic water usage is based on the DEQ standard flow rate of 400 gallons per day per dwelling unit. This is consistent with water usage of 400 gallons per person per day times 4 people per household according to census data for the Billings area. This converts to an annual volume of:

$$(400 \text{ gallons/day}) \times (1 \text{ ft}^3/7.48 \text{ gallons}) \times (365 \text{ days/year}) \times (1 \text{ acre}/43,560 \text{ ft}^2)$$

$$= 0.448 \text{ acre-ft per dwelling unit.}$$

$$(0.448 \text{ acre-ft per dwelling unit}) \times (32 \text{ dwelling units}) = \underline{14.336 \text{ acre-ft}}$$

When this volume is averaged over the period of diversion/period of use of 365 days, it converts to an average flow rate of 8.9 gpm:

$$(14.336 \text{ ac-ft}) \times (43,560 \text{ ft}^2/\text{ac}) \times (7.48 \text{ gal}/\text{ft}^3) \times (1 \text{ year}/365 \text{ days}) \times (1 \text{ day}/1440 \text{ min}) \\ = \underline{8.9 \text{ gpm}}$$

Home Lawn / Garden Demand

The area dedicated to lawn and garden for the 32 lots is 16 acres. This represents 0.50 acre of land per lot to be irrigated. The DNRC standard for lawn and garden irrigation water is 2.50 acre-ft per irrigated acre of land. Therefore, the annual volume required for the private lawns/ gardens associated with the 32 lots is:

Domestic peak instantaneous demand:

$$= (4.25 \text{ peak factor}) \times (8.9 \text{ gpm design domestic average flow}) = \underline{37.8 \text{ gpm}}$$

Home lawn / garden peak instantaneous demand:

$$(60.3 \text{ ac-ft}) \times (43,560 \text{ ft}^2/\text{ac}) \times (7.48 \text{ gal/ft}^3) \times (1 \text{ season}/150 \text{ watering days})$$

$$= 130,983.18 \text{ gpd}$$

$$(130,983.18 \text{ gal/ day}) \times (1 \text{ day/ 8-hour watering time}) \times (1 \text{ hour/ 60 min}) = \underline{272.9 \text{ gpm}}$$

Total Peak Instantaneous Demand for the Subdivision

The total peak instantaneous demand for the subdivision is the combined domestic and home lawn/ garden water peak flow rates from above:

$$37.8 \text{ gpm peak domestic flow rate} + 272.9 \text{ gpm peak home lawn/garden flow rate} = \underline{310.7 \text{ gpm}}$$

This is the peak flow rate being requested by this application.

The peak flow rate for each lot is:

$$(37.8 \text{ gpm peak domestic flow rate} + 272.9 \text{ gpm peak home lawn/ garden flow rate}) = 310.7 \text{ gpm}/32 \text{ lots} = 9.7 \text{ gpm, which has been rounded to a peak flow rate of 10 gpm per lot.}$$



Lazy KU 3rd 1/13/2026 @ 1pm

REQUEST FOR PREAPPLICATION MEETING

ARM 36.12.1302(2)
(Revised 02/2025)

For Department Use Only

RECEIVED

NOV 10 2025

DNRC-WRD-BILLINGS

Date Received

11/10/25

Received By

CS

Scheduled Meeting Date

1/13/2026 1pm

Instructions

Use this optional form to submit a written request for a preapplication meeting, as required in ARM 36.12.1302(2) for applicants electing to complete a preapplication meeting with the department prior to submitting an application for a beneficial water use permit or change in appropriation right pursuant to § 85-2-302, MCA. Use additional sheets as necessary.

Submit this form to the appropriate regional office; see contact information on the last page of this form.

1. Applicant Name Jerry Krushensky

Mailing Address PO Box 81508

City Billings

State MT

Zip 59108

Home Phone 406-581-0658

Other Phone _____

Email: jdwineridge@aol.com

2. Representative Name (if other than Applicant) WWC Engineering - Jessica Dais

☒ Representative is Consultant ☐ Representative is Attorney ☐ Representative is Other

Mailing Address 550 S 24th St W Suite 201

City Billings

State MT

Zip 59102

Home Phone 307-752-9424

Other Phone _____

Email: jdais@wwcengineering.com

3. Are you requesting a preapplication meeting for a permit or change application?

☒ Permit ☐ Change

4. Describe your project:

This subdivision will consist of 32 lots ranging from 0.75 to 1.76 acres. The lots will consist of septic sewer systems and individual water wells.



5. Identify the following elements of the proposed permit or change in appropriation.

a) The flow rate and volume of water required:

Flow Rate 301.4 ☒ GPM ☐ CFS Volume _____ Acre-Feet

b) The point of diversion:

Point of Diversion #1 _____ 1/4 SW 1/4 SE 1/4 Section 25, Township 1 ☐ N ☒ S, Range 24 ☒ E ☐ W
County Yellowstone

Lot/Tract _____ Block 3-7 Subdivision Name Lazy KU 3rd Filing

Point of Diversion #2 _____ 1/4 _____ 1/4 _____ 1/4 Section _____, Township _____ ☐ N ☐ S, Range _____ ☐ E ☐ W
County _____

Lot/Tract _____ Block _____ Subdivision Name _____

c) The place of use:

_____ Acres _____ Lot _____ Block _____ 1/4 SW 1/4 SE 1/4 Sec 25, Twp 1 ☒ N ☐ S, Rge 24 ☒ E ☐ W
_____ Acres _____ Lot _____ Block _____ 1/4 _____ 1/4 _____ 1/4 Sec _____, Twp _____ ☐ N ☐ S, Rge _____ ☐ E ☐ W
_____ Acres _____ Lot _____ Block _____ 1/4 _____ 1/4 _____ 1/4 Sec _____, Twp _____ ☐ N ☐ S, Rge _____ ☐ E ☐ W
_____ Acres _____ Lot _____ Block _____ 1/4 _____ 1/4 _____ 1/4 Sec _____, Twp _____ ☐ N ☐ S, Rge _____ ☐ E ☐ W
_____ Acres _____ Lot _____ Block _____ 1/4 _____ 1/4 _____ 1/4 Sec _____, Twp _____ ☐ N ☐ S, Rge _____ ☐ E ☐ W

d) The source of water: Groundwater

e) The proposed purpose: domestic, lawn/garden

f) For a change in appropriation right, the water right(s) proposed for change:

Type of water right _____ Basin _____ Water Right # _____

Type of water right _____ Basin _____ Water Right # _____

Type of water right _____ Basin _____ Water Right # _____

Identify the water right elements proposed for change, with a checkmark for each water right proposed for change.

Water Right #					
Point of diversion	☐	☐	☐	☐	☐
Place of use	☐	☐	☐	☐	☐
Purpose of use	☐	☐	☐	☐	☐
Place of storage	☐	☐	☐	☐	☐

g) For a change in appropriation right, an explanation of historical use of the right(s) proposed for change:

h) Any proposed place of storage, if applicable (only if storage capacity is greater than 0.1 acre-feet):

#1 Capacity: Surface Acres _____ x Max Depth (feet) _____ x (.4 for dams/.5 for pits) = _____ Acre-Feet

Location: _____ 1/4 _____ 1/4 _____ 1/4 Section _____, Township _____ ☐ N ☐ S, Range _____ ☐ E ☐ W

#2 Capacity: Surface Acres _____ x Max Depth (feet) _____ x (.4 for dams/.5 for pits) = _____ Acre-Feet

Location: _____ 1/4 _____ 1/4 _____ 1/4 Section _____, Township _____ ☐ N ☐ S, Range _____ ☐ E ☐ W

#3 Capacity: Surface Acres _____ x Max Depth (feet) _____ x (.4 for dams/.5 for pits) = _____ Acre-Feet

Location: _____ 1/4 _____ 1/4 _____ 1/4 Section _____, Township _____ ☐ N ☐ S, Range _____ ☐ E ☐ W

i) For applications proposing a well or wells, the well depth(s) and location. If more than two wells, attach a separate sheet to this request:

[See attached well location figure.](#)

Well #1 ☐ New Well ☐ Existing Well

For existing well, if available, Water Right # _____ GWIC ID _____

1/4 _____ 1/4 SE 1/4 Section 25, Township 1 ☐ N ☐ S, Range 24 ☐ E ☐ W

County Yellowstone

Lot/Tract _____ Block 3-7 Subdivision Name Lazy KU 3rd

Estimated Well Depth 40 Feet

Well #2 ☐ New Well ☐ Existing Well

For existing well, if available, Water Right # _____ GWIC ID _____

_____ 1/4 _____ 1/4 _____ 1/4 Section _____, Township _____ ☐ N ☐ S, Range _____ ☐ E ☐ W

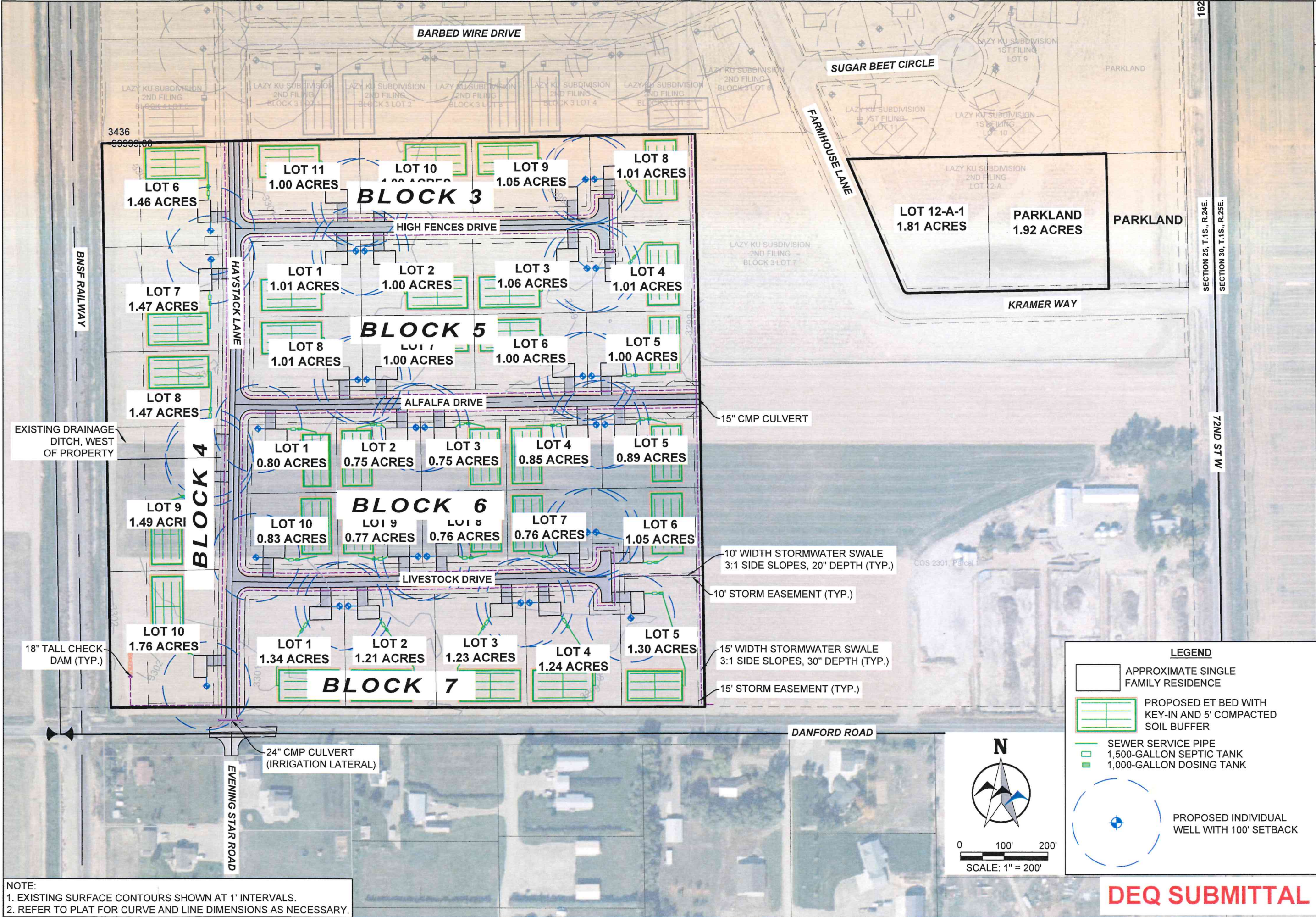
County _____

Lot/Tract _____ Block _____ Subdivision Name _____

Estimated Well Depth _____ Feet



K:\Billings\Krushensky, Jerry\2024\127 Lazy KU 3rd Filing\05CAD\Sheets\24127-LKU-3RD_LYOT_OVERVIEW.dwg LAYOUT OVERVIEW 9/22/2025 1:45:58 PM



PREPARED BY JERRY KRUSHENSKY LAZY KU SUBDIVISION 3RD FILING SECTION 25 T.1S. R.24E. PROJECT OVERVIEW YELLOWSTONE COUNTY, MT	NO.	REVISION	BY	DATE	PROJECT NO. 2024-127
DESIGNED BY: <u>ZSL</u> DRAWN BY: <u>ZSL</u> CHECKED BY: <u>GWJ</u> DATE: <u>9/22/2025</u>	NO.	REVISION	BY	DATE	PROJECT NO. 2024-127

PREPARED BY
WWC ENGINEERING
550 S. 24TH ST. W., SUITE 201
BILLINGS, MT 59102
(406) 894-2210
www.wwcengineering.com

LAZY KU SUBDIVISION 3RD FILING SECTION 25 T.1S. R.24E.
PROJECT OVERVIEW
YELLOWSTONE COUNTY, MT

DESIGNED BY: ZSL
DRAWN BY: ZSL
CHECKED BY: GWJ
DATE: 9/22/2025
SHEET
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