

Environmental Assessment & Public Notice for Public Comment

- **Environmental Assessment &
supporting documents**
- **Public Notice for Public Comment
package**
 - Notice Area List
 - Notice Area Map
 - Form Checklist
 - PN- Letter to applicant
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**Environmental Assessment &
Public Notice for Public
Comment**

NOTICE AREA

Application No. 76H 30171086

Regional Office # 09

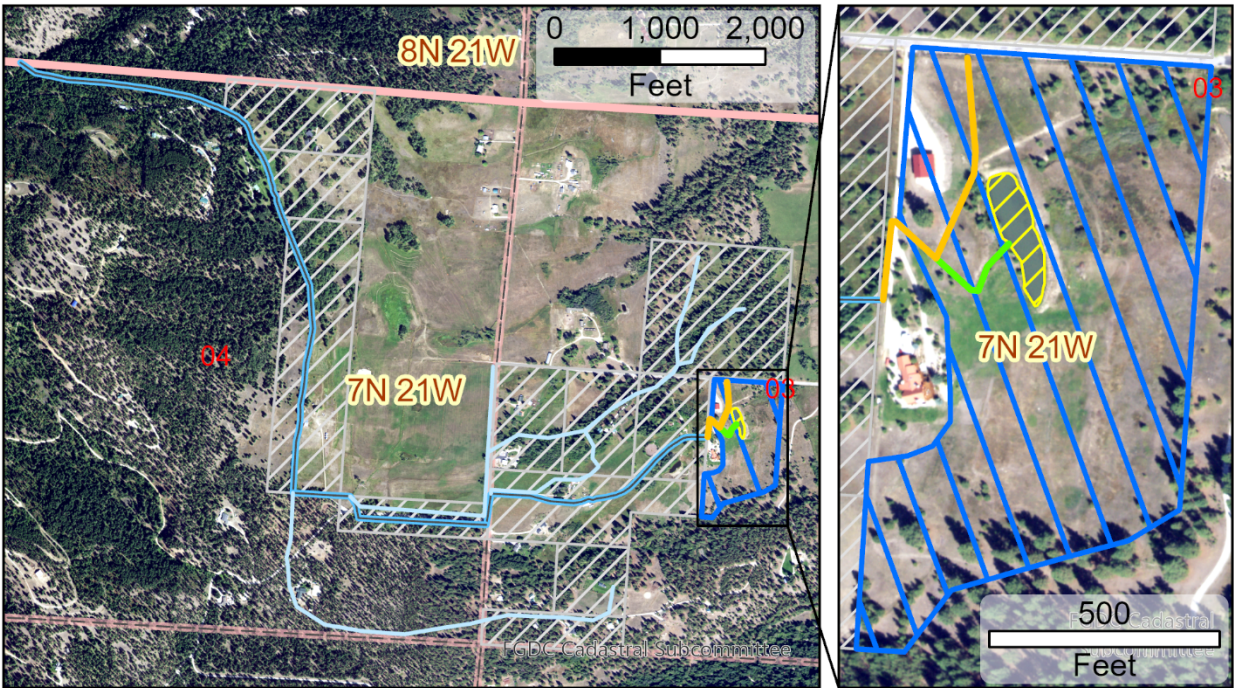
Applicant's Name Dean E Hardi & Rhonda K Hardi Living Trust

Indian Reservation Yes No If yes, Reservation _____

Irrigation District Yes No If yes, District _____

Specialist Benjamin Thomas Date 5/11/2026

Change Application 76H 30171086 – Dean E Hardi & Rhonda K Hardi Living Trust



Legend	
— Hickey B Ditch	 Proposed Reservoir
— Hickey B Branch	 Hardy POU
— Proposed Diversion Ditch	 Other Hickey B POUs
— Historical Irrigation Ditch	 Township/Range
	 Section



Map of proposed change. Other water users on the Hickey B ditch system will be given opportunity for public comment.

Interested Party	
Applicant: Dean E Hardi & Rhonda K Hardi Living Trust	
Avista Corporation	
Bitterroot Conservation District	
Bitterroot National Forest	
Bureau of Indian Affairs	
Clark Fork Coalition	
Department of Environmental Quality	
Department of Fish, Wildlife and Parks	
Lolo National Forest	
Montana Board of Land Commissioners	
Montana Trout Unlimited	
Northwestern Energy	
PPL Montana LLC	
Ravalli County Clerk of Court	
Ravalli County Commissioners	
Ravalli Republic	
U.S. Forest Service	
Water Right Owner	Water Right #
DIANE M HARAF; STEVEN H HARAF	76H 2504 00
HENDERSON CYDNEY S TRUST	76H 9853 00
HENDERSON CYDNEY S TRUST	76H 9854 00
MARTIN R COOK; LITTLE B LLC	76H 99707 00
JOHN J HOTALING; ANNA M MITCHELL; OEL G WINGO	76H 99710 00
MAURICE D VEERKAMP; SHEILA L VEERKAMP	76H 103790 00
MAURICE D VEERKAMP; SHEILA L VEERKAMP	76H 103791 00
HELMUT E MEYER; PATTY R MEYER	76H 105206 00
HELMUT E MEYER; PATTY R MEYER	76H 105207 00
DANIEL CLYDE ROY	76H 105320 00
DOYLE D PATTERSON	76H 107855 00
DOYLE D PATTERSON	76H 107856 00
DOYLE D PATTERSON	76H 107857 00
HARDI, DEAN E & RHONDA K LIVING TRUST	76H 108997 00
STEVEN B MOORE; BRYCE NUCKOLS	76H 149557 00
ANNA M KAZANDJIAN; VAHE Y KAZANDJIAN; EILEEN LAMMIE; SAMUEL LAMMIE; GEORGE E SCHLICE; PAMELA S SCHLICE	76H 150105 00
DEBORAH A JOHNSON; MICHAEL D JOHNSON	76H 151398 00
DOYLE D PATTERSON	76H 215669 00

**If owner listed twice, only one notice sent*

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

- 1. Applicant/Contact name and address:**
Dean E. Hardi & Rhonda K. Hardi Living Trust
1828 Pleasant View Dr
Victor, MT 59875
- 2. Type of action:** Change Application 76H 30171086
- 3. Water source name:** Gash Creek
- 4. Location affected by project:** NENESW Section 3, Township 7 North, Range 21 West, Ravalli County.
- 5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:** The Applicant proposes to add an extant reservoir as a place of storage for their irrigation water sourced from Gash Creek. The DNRC shall issue a permit if an applicant proves the criteria in 85-2-402 MCA are met.
- 6. Agencies consulted during preparation of the Environmental Assessment:**
Montana Department of Fish, Wildlife & Parks (DFWP)
Montana Department of Environmental Quality (DEQ)
Montana Natural Heritage Program Species of Concern Report
U.S. Fish & Wildlife Service (USFWS) National Wetlands Inventory
USDA Natural Resources Conservation Service (NRCS) Web Soil Survey

Part II. Environmental Review

Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

Gash Creek is not identified as a chronically or periodically dewatered stream by DFWP.

Determination: No significant impact

Water quality - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

Gash creek was not evaluated by DEQ for water quality. No effect on water quality is anticipated as a result of the proposed change.

Determination: No significant impact

Groundwater - Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

The proposed change does not involve groundwater.

Determination: No significant impact

DIVERSION WORKS - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

All the diversion and conveyance works for the proposed change have already been constructed. The diversion of water at the end of the Hickey B ditch into a small reservoir will not affect the source of supply, Gash Creek.

Determination: No significant impacts.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."

The Montana Natural Heritage Program website was reviewed to determine if there are any “threatened” or “endangered” fish, wildlife, plants, or aquatic species that could potentially be impacted by this project. “Species of special concern” were also included in this search.

According to the Montana Natural Heritage Program, observations from the past 50 years indicate that 10 animal species of concern and 1 plant species of concern may be found in the area of potential impact. Of these, 2 species are listed as threatened by the USFWS in this area: the Grizzly Bear (*Ursus arctos*) and the Bull Trout (*Salvelinus confluentus*).

Animal species of concern include:

Black-backed Woodpecker (*Picoides arcticus*)
Brown Creeper (*Certhia americana*)
Bull Trout (*Salvelinus confluentus*)
Great Blue Heron (*Ardea herodias*)
Grizzly Bear (*Ursus arctos*)
Little Brown Myotis (*Myotis lucifugus*)
Long-eared Myotis (*Myotis evotis*)
Long-legged Myotis (*Myotis volans*)
Townsend’s Big-eared Bat (*Corynorhinus townsendii*)
Pacific Wren (*Troglodytes pacificus*)
Pileated Woodpecker (*Dryocopus pileatus*)
Westslope Cutthroat Trout (*Oncorhynchus lewisi*)

This change is store irrigation water in an existing reservoir. No impact to any species of concern is anticipated as a result of this change.

Determination: No significant impact.

Wetlands - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

N/A – This project does not involve wetlands.

Determination: No significant impact.

Ponds - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

The proposed place of storage is an already-existing man-made pond. No impacts to existing wildlife, waterfowl, or fisheries are anticipated.

Determination: No significant impact.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.

The proposed project is to allow the applicant to have short-term storage of irrigation water. Soils in the project area are non-saline. No impacts to soil quality, health, stability, or moisture content are anticipated.

Determination: No significant impact

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - *Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.*

No change in irrigated area is proposed, and no establishment or spread of noxious weeds is anticipated.

Determination: No significant impact

AIR QUALITY - *Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.*

No negative effects to air quality are expected as a result of this proposal.

Determination: No significant impact

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project if it is on State or Federal Lands. If it is not on State or Federal Lands simply state NA-project not located on State or Federal Lands.*

Determination: N/A – Project not located on State or Federal Lands

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

No additional impacts to land, water, or energy are anticipated.

Determination: No significant impact

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

This project does not violate any known locally adopted environmental plans or regulations.

Determination: No significant impact

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

The proposed project will not inhibit, alter, or impair access to present recreational opportunities in the area. The project is not expected to create any significant pollution, noise, or traffic congestion in the area that may alter the quality of recreational opportunities. The proposed place of use and diversion do not exist on land designated as wilderness.

Determination: No significant impact

HUMAN HEALTH - *Assess whether the proposed project impacts on human health.*

No impacts on human health are anticipated as a result of this project.

Determination: No significant impact

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*

Yes ___ No X *If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.*

Determination: No significant impact

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

Impacts on:

- (a) Cultural uniqueness and diversity? None identified
- (b) Local and state tax base and tax revenues? None identified
- (c) Existing land uses? None identified
- (d) Quantity and distribution of employment? None identified
- (e) Distribution and density of population and housing? None identified
- (f) Demands for government services? None identified
- (g) Industrial and commercial activity? None identified
- (h) Utilities? None identified
- (i) Transportation? None identified
- (j) Safety? None identified

(k) Other appropriate social and economic circumstances? None identified

2. *Secondary and cumulative impacts on the physical environment and human population:*

Secondary Impacts: None identified

Cumulative Impacts: None identified

3. *Describe any mitigation/stipulation measures:* None

4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:* None identified

PART III. Conclusion

1. *Preferred Alternative*

Issue a water use permit if the Applicant proves the criteria in 85-2-402 MCA are met.

2 *Comments and Responses*

None.

3. *Finding:*

Yes___ No_X Based on the significance criteria evaluated in this EA, is an EIS required?

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

No significant environmental impacts were identified as a result of the EA.

Name of person(s) responsible for preparation of EA:

Name: Benjamin Thomas

Title: Water Conservation Specialist

Date: 4/15/2026

Preliminary Determination

- PD
- PD cover letter

Preliminary Determination



Missoula Water Resources Regional Office
PO Box 5004
2705 Spurgin Road, Bldg. C
Missoula, MT 59806-5004
(406) 721-4284

April 16, 2026

Dean E. Hardi & Rhonda K. Hardi Living Trust
1828 Pleasant View Dr
Victor, MT 59875-9670

Subject: Draft Preliminary Determination to Grant Water Right Change Application No. 76H
30171086

Dear Applicant,

The Department of Natural Resources and Conservation (Department or DNRC) has completed a preliminary review of your application. This review consists of an evaluation of the criteria for issuance of a change authorization found in §85-2-402, MCA. The Department has preliminarily determined that the criteria are met, and this application should be granted. A copy of the Draft Preliminary Determination to Grant your application is attached.

You have the opportunity to request an extension of time to submit additional information for the Department to consider in the decision, within 15 business days of the date of this letter. If no written request for an extension is received by May 7, 2026, the Department will prepare a notice of opportunity to provide public comment per §85-2-307(4), MCA.

Sincerely,


Benjamin Thomas

Water Conservation Specialist II

Missoula Regional Office

benjamin.thomas@mt.gov | (406) 542-5883



Application Materials

- Application
- Any information submitted with Application including maps

Application Materials



Missoula Water Resources Regional Office
PO Box 5004
2705 Spurgin Road, Bldg. C
Missoula, MT 59806-5004
(406) 721-4284

February 19, 2026

Dean E Hardi & Rhonda K Hardi Living Trust

1828 Pleasant View Dr

Victor, MT 59875-9670

Subject: Correct & Complete Application for Change No. 76H 30171086

Dear Applicant,

The Department of Natural Resources and Conservation (Department) 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,



Benjamin Thomas

Water Conservation Specialist II

Missoula Regional Office

benjamin.thomas@mt.gov | (406) 542-5883





**APPLICATION TO
CHANGE A WATER RIGHT**
§ 85-2-302, MCA
Form No. 606 (Revised 10/2025)

For Department Use Only
RECEIVED

JAN 28 2026

MONTANA D.N.R.C
MISSOULA REGIONAL OFFICE

FILING FEE

\$2500/\$1500 – Without/with filing fee reduction.
\$400 – (The following types do not qualify for a filing fee reduction)

- Replacement well greater than 200 feet from original
- Replacement reservoir on the same source

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 606P-B will be credited toward filing fees shown above.

Application # 36171086 Basin 76H
Priority Date 1-28-2026 Time 11:25 (AM/PM)
Rec'd By TS
Fee Rec'd \$ 1500.00 Check # 1646
Deposit Receipt # MSS 2616068
Payor Hardi, Dean & Rhonda
Refund \$ _____ Date _____

Applicant Information: Add more as necessary.

Applicant Name Dean E. Hardi & Rhonda K. Hardi Living Trust
Mailing Address 1828 Pleasant View Dr City Victor State MT Zip 509875
Phone Numbers: Home _____ Work _____ Cell (406)802-4409
Email Address dhardi@msn.com

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

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 correspondence 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 Change Preapplication Meeting Form Part A and Part B (Form 606P-A and 606P-B)?

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

2.a. S Submit the Technical Analyses Addendum (Form 606-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 606P? **If yes,**

2.c.i. Please explain.

2.c.ii. S Submit the Technical Analyses Addendum (Form 606-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 606-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 the proposed change involves one or more places of storage, submit a Change Storage Addendum (Form 606-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)).
- 4. S NA If the project involves an appropriation that is greater than 5.5 CFS and 4,000 acre-feet, submit a Reasonable Use Addendum (Form 606-B).
- 5. S NA If the project involves out-of-state water use, submit an Out-of-State Use Addendum (Form 600/606-OSA).
- 6. S NA If the proposed purposes include marketing or selling water, submit a Water Marketing Purpose Addendum (Form 600/606-WMA). This doesn't include marketing for mitigation/aquifer recharge.
- 7. S NA If the proposed purpose includes instream flow, submit a Change to Instream Flow Addendum (Form 606-IFA).
- 8. S NA If the proposed purposes include mitigation, aquifer recharge, or marketing for mitigation/aquifer recharge, submit a Mitigation Purpose Addendum (Form 606/606-MIT).
- 9. S NA If the project is in designated sage grouse habitat, submit a review letter from the Montana Sage Grouse Habitat Conservation Program.
- 10. S NA If you propose to add a point of diversion or place of use on State of Montana Trust Land, submit documentation of consent from DRNC Trust Lands Management Division. If you propose to add a place of use on Trust Land with all points of diversion on private land, then, at a minimum, that component of the change authorization will be temporary for the duration of the lease term (§ 85-2-441, MCA).
- 11. Y 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.

APPLICATION DETAILS

12. How many change applications will be needed for this project? Refer to ARM 36.12.1305 for more information. one

13. Fill out the table below for the water rights proposed for change.

Water Right No.	Current Authorized Flow Rate			Flow Rate Needed for Project			Means of Diversion
	Flow	GPM	CFS	Flow	GPM	CFS	
76H108997-00	180.5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	180.5	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Existing Hickey B Ditch
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	

14. Is the source surface water or groundwater? Surface

15. What is the source name? Gash Creek, Hickey B Ditch

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

Water Right No.	76H108997-00				
Point of Diversion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Place of Use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Purpose of Use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Place of Storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

17. **S** Submit a historical use map created on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, north arrow, all historical points of diversion (POD) labeled with a unique POD ID ("H" followed by a number), all historical places of use (POU), all historical conveyance structures, all historical places of storage, and historical place of use for all overlapping water rights. More than one map may be submitted, if necessary, to clearly convey all required information.

18. **S** Submit a proposed use map created on an aerial photograph or topographic map that shows section corners, township and range, scale bar, north arrow, and the following elements: points of diversion labeled with a unique POD ID ("P" followed by a number), places of use, conveyance structures, places of storage, and place of use for all overlapping water rights. Include all elements that will be on the water rights after the proposed change, regardless of whether the element will be modified by the change. The map should fully depict the water rights, as proposed, after the change. More than one map may be submitted, if necessary, to clearly convey all required information.

19. **Y** **N** Does the proposed change involve a change in point of diversion?

IF YES,

19.a. Describe the location for all *new* and *unchanged* points of diversion to the nearest 10 acres. Label POD ID with the same POD ID number assigned for the proposed use map (question 18).

POD ID	¼	¼	¼	Sec.	Twp.	Rge.	County	Lot	Block	Tract	Subdivision	Gov. Lot	New or Unchanged



19.b. NA Describe the location of all historical PODs you propose to *retire*. Label POD ID with the same POD ID assigned for the historical use map (question 17). If none are proposed for retirement, select "NA" checkbox.

POD ID	¼	¼	¼	Sec.	Twp.	Rge.	County	Lot	Block	Tract	Subdivision	Gov. Lot

19.c. What is the means of diversion for all *new* PODs? 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.

20. Y N Does the proposed change involve a change in place of use?

IF YES,

20.a. What are the geocodes of the proposed place of use?

20.b. Describe the legal land description of the proposed place of use, and if the water rights being changed will have an irrigation or lawn and garden purpose, list the number of irrigated acres.

Acres	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County
Total								



21. Y N Does the proposed change involve a change in place of use or purpose?

IF YES,

21.a. Y N Do other water rights supplement or overlap the proposed place of use?

IF YES,

21.a.i. How will the water rights be operated to serve the proposed purposes?

21.a.ii. For each supplemental or overlapping water right, please list the average period of diversion and use (MM/DD-MM/DD), flow rate (GPM or CFS), and the volume of water (AF) contributed.

Water Right No.	Avg. Period of Diversion	Avg. Period of Use	Flow Rate			Volume Contributed
	MM/DD-MM/DD	MM/DD-MM/DD	Flow	GPM	CFS	AF
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	

22. Y N Are you filing on behalf of another entity? If yes, describe.

23. Y N Do you own the entire historical place of use for all water rights proposed for change?

IF QUESTION 23 IS NO,

23.a. Y N Was the water historically used for sale, rental, distribution, municipal use, or any other context in which water is being supplied to another and it is clear that the ultimate user would not accept the supply without consenting to the use of water on the user's place of use?

IF QUESTION 23.a IS NO,

23.a.i. Y N List the water rights for which you do not own the entire historical place of use.

23.a.ii. Y N Are the water rights listed in question 23.a.i severed from the historical place of use?

IF QUESTION 23.a.ii IS YES,

23.a.ii.1. Y N Do you own the entirety of the severed water rights proposed for change? If yes, skip to question 24. If no, answer question 23.a.iii.

IF QUESTION 23.a.ii OR 23.a.ii.1 IS NO,

23.a.iii. Y N NA Are all owners of the historical place of use or, if applicable, owners of the severed water rights, willing to sign the application?



IF QUESTION 23.a.iii IS NO,

23.a.iii.1. S Submit a Form 641 or 642 to split the water rights being changed for which all owners will not sign.

ADVERSE EFFECT

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

During a call, or during times of water shortage, flows at the Hickey Ditch headgate are controlled by the Ditch Commissioner for Gash and Sweathouse Creek.

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

The Place of Storage, and Place of Use for water right 76H108997-00 is at the end of Hickey B Ditch, so all other existing water rights are upstream and would be satisfied prior to reaching the Place of Storage.

26. 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?

26.a. If yes, explain.

27. Describe how the proposed change will or will not affect your ability to make call.

The Place of Storage, and Place of Use for water right 76H108997-00 is at the end of Hickey B Ditch, so all other existing water rights are upstream, so adding a Place of Storage on the water right will not affect my (or others) ability to make a call.



28. Y N Does a water commissioner distribute water or oversee water distribution on your proposed source, or if groundwater, on nearby surface water sources?

28.a. If yes, list the sources.

Gash Creek, and Sweathouse Creek

29. When was the last time each water right proposed for change was appropriated and used beneficially?
The water right 76H108997-00 was used beneficially in the most recent season, 2025.

IF THERE HAS BEEN A PERIOD OF NONUSE,

29.a. Why was the water right not used?

29.b. Why will a resumption of use not adversely affect other water users?

29.c. Y N Is the period of nonuse greater than 10 years for any of the water rights proposed for change? If yes, list which water rights.

29.d. Y N Have new water rights been authorized to use the source during the period of nonuse for any of the water rights proposed for change? If yes, explain.



30. Y N Do you propose to add one or more points of diversion or use new or existing conveyance infrastructure that will be shared with one or more existing water rights?

30.a. If yes, describe how the capacity of the shared points of diversion and/or conveyance infrastructure is sufficient for all water rights and how the proposed project will not adversely affect these water rights.

31. NA Answer questions 31.a to 31.b for point of diversion changes. If you do not propose a point of diversion change, mark "NA" instead.

31.a. Are the proposed points of diversion upstream or downstream of the historical points of diversion?

31.b. Y N Are there intervening water users between the historical and proposed points of diversion?

31.b.i. If yes, list the 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.

See Attached "Proposed Use Map 1"



30. Y N Do you propose to add one or more points of diversion or use new or existing conveyance infrastructure that will be shared with one or more existing water rights?

30.a. If yes, describe how the capacity of the shared points of diversion and/or conveyance infrastructure is sufficient for all water rights and how the proposed project will not adversely affect these water rights.

No change to historical diverted volume is proposed; the conveyance ditches will continue to carry the same amount of water as they historically did. Sufficient capacity is proved by historical use.

Per phone call with Dean Hard: 2-19-26

31. NA Answer questions 31.a to 31.b for point of diversion changes. If you do not propose a point of diversion change, mark "NA" instead.

31.a. Are the proposed points of diversion upstream or downstream of the historical points of diversion?

31.b. Y N Are there intervening water users between the historical and proposed points of diversion?

31.b.i. If yes, list the 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.

See Attached "Proposed Use Map 1"



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.

The point of diversion is the existing Hickey B/C Ditch Headgate and flume. The Headgate is an Iron headgate imbedded in an existing concrete Dam on Gash Creek. The Headgate has a width of approx 29", and can be raised up to 1 foot in height.

The Flume at the mouth of the headgate is approximately 75' long, is 29" wide, and is a foot deep.

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.

See Attached "Proposed Map 1". After the flume, the ditch enters a 24" diameter concrete culvert for approx 300'. At the exit of the concrete culvert is a concrete weir that splits B and C ditches. C ditch enters a culvert toward the North, B ditch continues east.

B ditch continues through multiple properties for more than 2 miles. Throughout the upper section, B ditch is a minimum of 30" wide and 1 foot deep. DNRC Technical Analysis describes the ground conditions on the upper portion of the ditch through non-irrigated properties as gravely/sandy loam. The ditch in this upper section hits capacity at around 7CFS, which is slightly more than the aggregate allocation of all B ditch water rights.

The lower portion of B ditch splits into three branches distributing to various properties. There are two 19" Parshall Flumes used to measure the water distributions. All of these lower sections have been shown to hold their respective aggregated demand.

35. Y N Does the proposed conveyance require easements?

35.a. If yes, explain.

There is no proposed change to the conveyance. The current conveyance has an easement with USFS for the point of diversion. The ditch has easement through 4 properties that do not have a water right to the ditch.



36. Describe your plan of operations, including 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. Water is currently delivered to the existing POU via Hickey B Ditch as outlined in the attachments. No changes to delivery method are required as this change only adds a new Place of Storage using an existing pond, on the existing POU.

37. Y N NA If you propose to add one or more points of diversion, do you own the land where all proposed points of diversion are located? If you do not propose to add one or more points of diversion, mark "NA" instead.

37.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.

38. Y N Will your system be designed to discharge water from the project?

38.a. If yes, explain the wastewater disposal method.

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

39. Y N Is the means of diversion for any proposed point of diversion a well?

IF YES,

39.a. Y N Have all wells been drilled?

39.b. For all wells that have been drilled, what is the name of the well driller and, if available, what is their license number?

39.c. Y N NA For all wells yet to be drilled, will a licensed well driller construct the wells? If no wells are yet to be drilled, mark "NA" instead.

39.d. S NA Submit any well logs not yet submitted to the Department, such as for wells drilled after submittal of Form 606P. If all well logs have been submitted to the Department, mark "NA."



POSSESSORY INTEREST

43. Y N Do you meet one of the exceptions to possessory interest requirements, pursuant to ARM 36.12.1802 and § 85-2-402(2)(d), MCA? 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, and applications for the purposes of instream flow, mitigation, and marketing for mitigation.

43.a. If yes, explain.

44. 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.

44.a. S If no, explain and submit documentation that shows you either have possessory interest or written permission of the parties with possessory interest of the proposed place of use.

PROPOSED COMPLETION PERIOD

45. How many years will be needed to complete this project and to submit to the DNRC a Project Completion Notice (Form 618)? less than one

46. Describe why this amount of time is needed to complete this project.

Project is short as no new points of diversion, distribution ditches, or other infrastructure is required.



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 Dean E. Hardi

Applicant Signature Dean E Hardi Date: 1/28/26

Printed Name Rhonda Hardi

Applicant Signature Rhonda Hardi Date: 1/28/2026

Printed Name _____

Applicant Signature _____ Date: _____





APPLICATION FOR TO CHANGE A WATER RIGHT
CHANGE STORAGE ADDENDUM
§ 85-2-402, MCA

Complete this addendum one time for each place of storage and attach the required information. *A place of storage 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)). Use the checkboxes to denote yes ("Y") or no ("N"). Questions that require Applicant to submit items to the Department have a submitted ("S") checkbox, which is marked when the required item is attached to the Storage Addendum. Label all submitted items with the question number for which they were submitted. 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. Label all attachments with the question number.

- 1. [] Y [x] N Does the proposal include more than one place of storage?
a. If yes, for what place of storage are you filling out this addendum? Use the unique Storage ID number assigned on the project map submitted with Form 606. When referencing question numbers in attachments or submittals, use the following format: Question number – Storage ID number. For example, "1.b-S1":
2. [] Y [x] N Do you propose to enlarge an existing reservoir?
a. If yes, list all water right numbers associated with the existing reservoir.
3. [x] S Submit preliminary design specifications.
4. [] Y [x] N Will a drainage device be installed in the place of storage?
a. If yes, explain.
5. [] Y [x] N Is the place of storage capacity calculated to be greater than 50 acre-feet?
a. [] S If yes, submit proof of an application to the DNRC Water Operations Bureau for a determination of whether the dam or reservoir is a high-hazard dam and, if available, the classification assigned by the DNRC Water Operations Bureau.



Attachments:

- 1) Form 606-SA**
- 2) Form 606-SA Preliminary Specification Attachment**
- 3) Historical Use Aerial Photograph**
- 4) Proposed Use Map**
- 5) Notification Letter to other water right holders**
- 6) List of other water right holders**

Form 606-SA Attachment

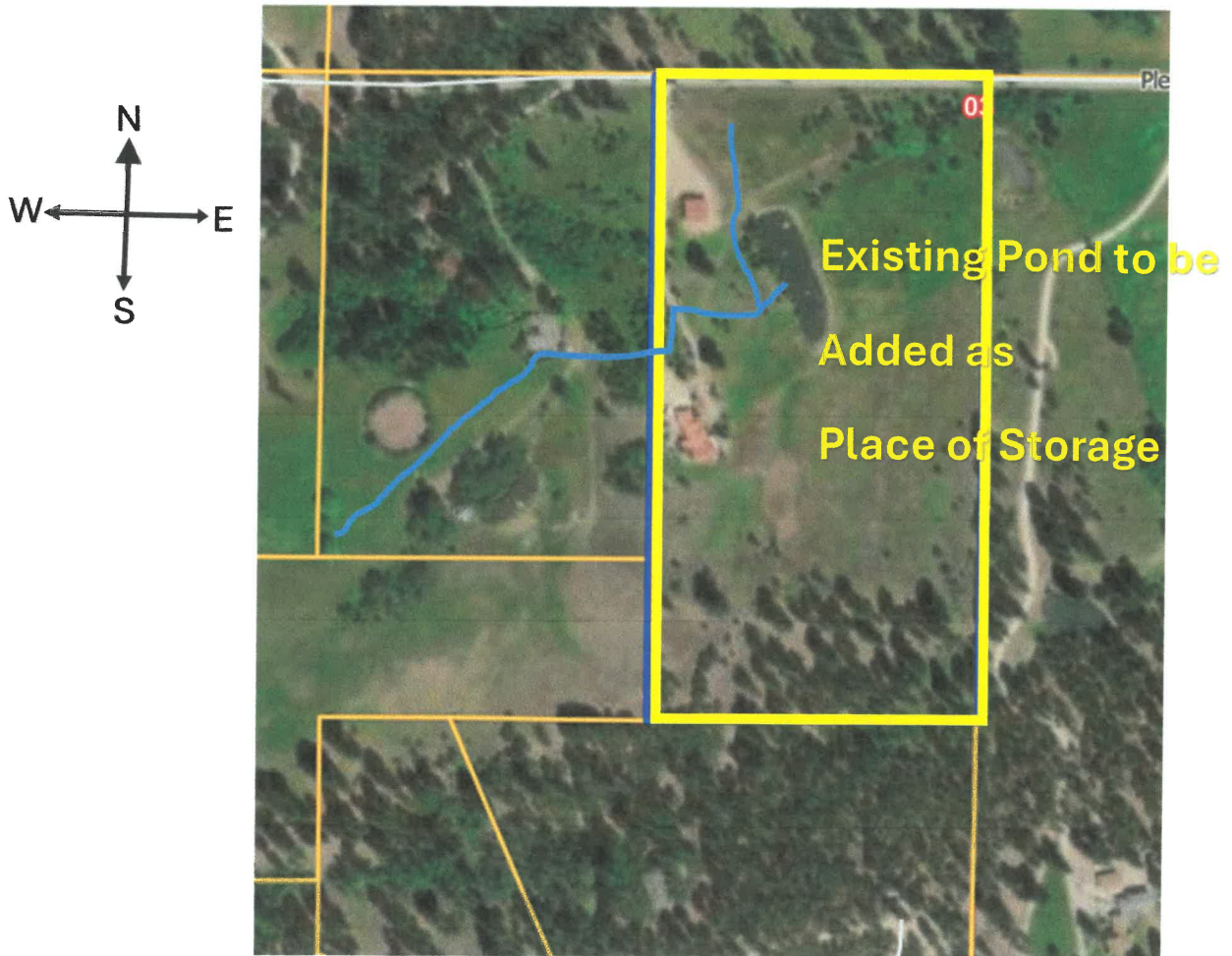
Preliminary Design Specifications for

Place of Storage Addition to Water Right 76H 108997-00

Water will be stored in an existing pond, covered under Ground Water Certificate 76H108650-00. This pond has an existing surface area of .45 acres, and an estimated 2.7 acre-feet of capacity.

The size of the pond is not being changed. Therefore, per DNRC technical analysis, evaporation losses are already accounted for in the existing Ground Water Certificate.

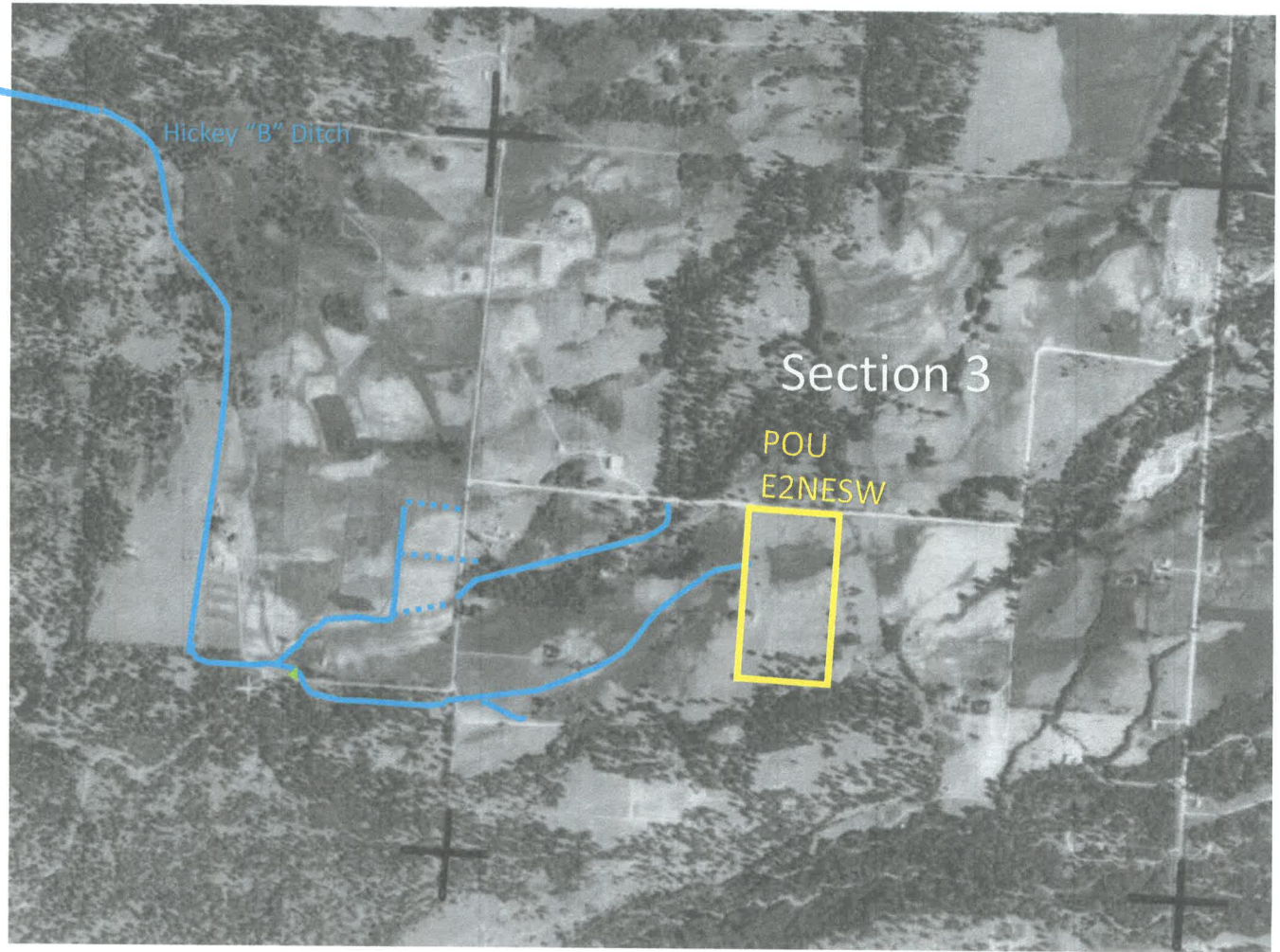
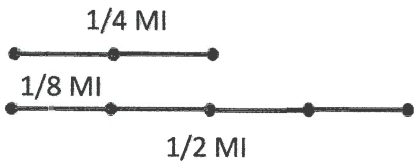
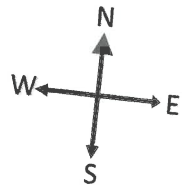
The pond is at the end of the existing Hickey B Ditch, so no other active water rights on Hickey Ditch are affected.



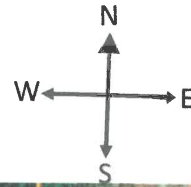
Historical 1979 Aerial Photo

Township 7N
Range 21W
County Ravalli

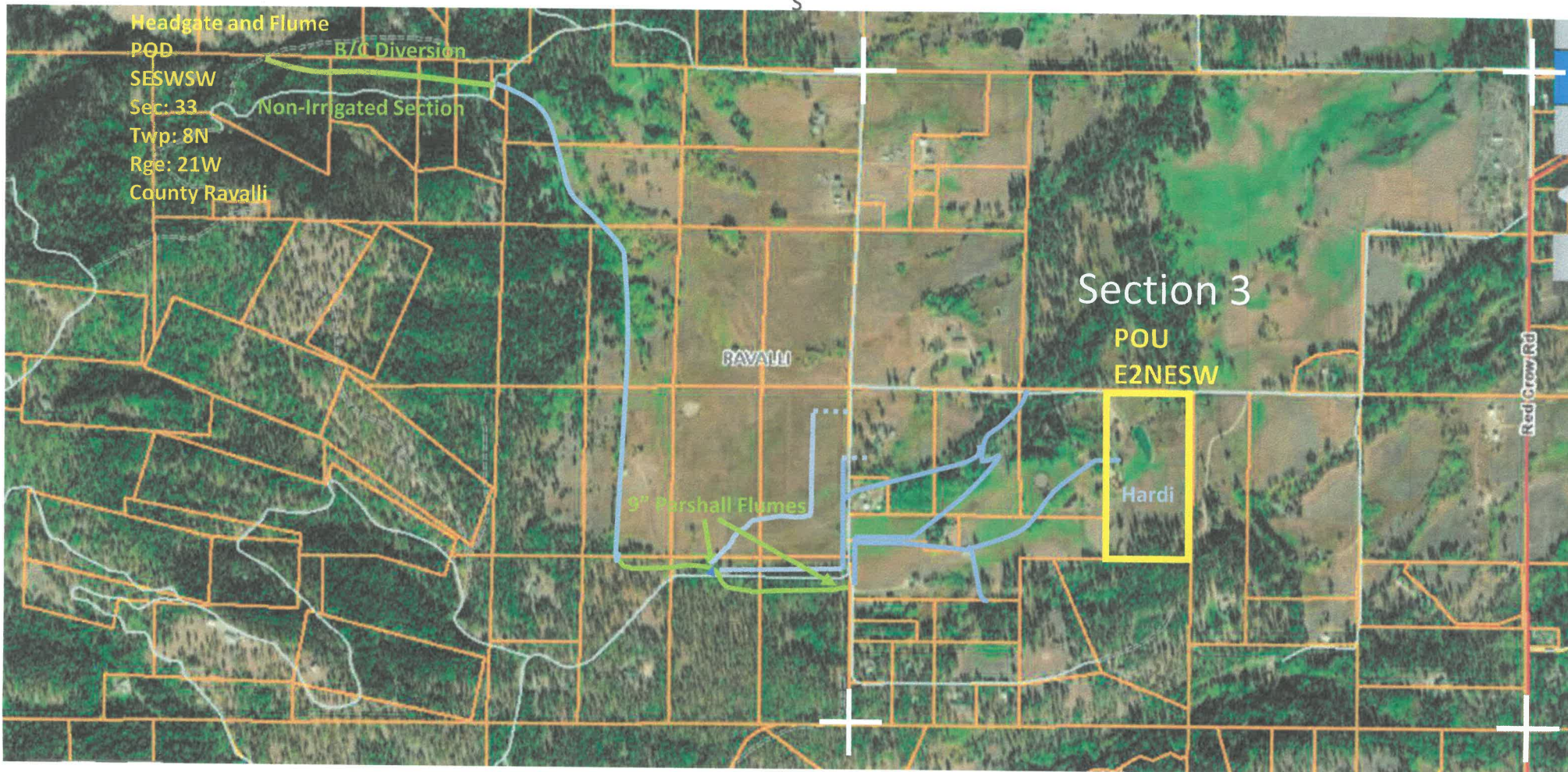
Historical POD
Headgate
SESWW
Section: 33
Twp: 8N
Rge: 21W
County: Ravalli



Proposed Use Map 1

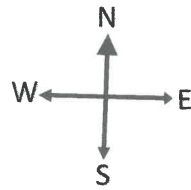


Township 7N
Range 21W
County Ravalli



Proposed Use Map 2

Township 7N
Range 21W
County Ravalli



Written Notice of Application to Change Water Right 76H108997-00

Submitted by Dean E. Hardi and Rhonda K. Hardi Living Trust

This notice is to inform all active water right holders on Hickey Ditch B & C Association of the submission of an application form 606 to the Missoula office of DNRC Water Division, to request the addition of a Place of Storage to Water Right 76H108997-00 by Dean Hardi and Rhonda Hardi. According to policy, all active water right holders that share the place of diversion or means of distribution must be informed of the request.

The water right change requests the addition of their existing pond located on the property as a Place of Storage for the water right. No changes will be made to the Point of Diversion, Place of Use, or volume. The request requires no changes to any distribution ditches on the Hickey Ditch B & C.

DNRC has completed a Technical Analysis of the request for change, and has concluded that since the place of storage is at the end of Hickey Ditch B, it will have no negative effect on any other water right holders on the ditch. Additionally, since the Pond already exists and is certified under Ground Water Certificate 76H108650-00, there will be no additional impacts such as evaporative loss, etc. than what are already accounted for in certification 76H108650-00.

Justification for the request is to mitigate the irregularity of water delivery to the property due to inherent aspects of flood irrigation practices upstream on the ditch. With 7 direct upstream users actively flood irrigating, weekly/daily changes to a single upstream diversion will frequently induce cascading effects resulting in complete shutdown of water at the end of the ditch. Current mitigation requires daily monitoring and coordination with all upstream users. Adding the pond as a Place of Storage, will better tolerate these irregularities without requiring such frequent monitoring and coordination.

If you have any questions or follow-up, feel free to contact Dean Hardi at (406)802-4409, or the Missoula DNRC Water Division at (406)721-4284.

Water Right #	Owner(s)
76H 9853 00	Henderson, Cydney S Trust
76H 9854 00	Henderson, Cydney S Trust
76H 105320 00	Daniel Clyde Roy (deceased) C/O Susan Roy
76H 149557 00	Steven B Moore Bryce Nuckols
76H 150105 00	Anna M Kazandjian Vahe Y Kazandjian Eileen Lammie Samuel Lammie George E Schlice Pamela S Schlice
76H 105206 00	Helmut E Meyer Patty R Meyer (deceased)
76H 108997 00	Hardi, Dean E & Rhonda K Living Trust
76H 2504 00	Dennis L Dunning Steven H Haraf
76H 105207 00	Helmut E Meyer Patty R Meyer (deceased)
76H 151398 00	Deborah A Johnson Michael D Johnson
76H 103791 00	Maurice D Veerkamp Sheila L Veerkamp
76H 215669 00	Doyle D Patterson
76H 99710 00	John J Hotaling Anna M Mitchell Oel G Wingo
76H 99707 00	Martin R Cook Little B LLC
76H 103790 00	Maurice D Veerkamp Sheila L Veerkamp
76H 107857 00	Doyle D Patterson – C/O Sean Patterson
76H 107856 00	Doyle D Patterson– C/O Sean Patterson
76H 107855 00	Doyle D Patterson– C/O Sean Patterson

Technical Analyses Report/ Scientific Credibility Review

- Departmental Technical Analyses Report/ Scientific Credibility Review
- Any correspondence relating to the Technical Analyses Report

Technical Analyses Report / Scientific Credibility Review



Surface Water Change Technical Analyses Report – Notice of Errata
Department of Natural Resources and Conservation (DNRC/ Department)
Water Resources Division

Benjamin Thomas, Water Conservation Specialist II, Missoula Regional Office

Applicant	Dean E Hardi & Rhonda K Hardi Living Trust
Application No.	76H 30171086
Proposed Point of Diversion	SESWW Section 33, T8N, R21W, Ravalli County

Overview

This Notice of Errata documents corrections to the Surface Water Change Technical Analyses Report prepared for the above-mentioned change application. Two errors were found in the calculation of conveyance losses: the ditch wetted perimeter was not calculated correctly, and evaporation values were not converted from inches to feet. These errors have been corrected, resulting in changes in the body text of Section 2.2 and to Tables 3 - 6. Other minor corrections, including the calculated flow percentage of Statement of Claim 76H 9853-00 have also been made.

Deletions are notated as bold, crossed out text, and insertions are notated as bold, underlined text.

2.0 Historical Use Technical Analysis

2.2 Historical Conveyance Losses

Per ARM 36.12.1902(10), the historical conveyance loss volume is equal to the sum of the historical seepage loss, vegetation loss, and ditch evaporation volumes.

Water for Statement of Claim 76H 108997-00 is diverted from Gash Creek by a headgate in the SESWSW Section 33, T8N, R21W, Ravalli County. After this diversion, water enters into a wooden flume approximately 70 feet in length, then passes into a concrete culvert which extends approximately 300 feet, after which it flows into the Hickey B ditch which carries water to the place of use. The Applicant is the last water user on the Hickey B ditch. There are no water rights which utilize water below the Applicant, but there are 17 upgradient rights.

It is the Department’s standard practice only to consider conveyance losses in places where a ditch does *not* run through or adjacent to the place of use of a water right which it supplies;



losses in these areas are considered as contributing to the beneficial use of those rights (e.g. through subirrigation).

Water runs approximately 2,000 ft from the headgate to the first place of use; of this, 1,700 ft are considered for evaporation losses (as no evaporation is considered to occur in the 300 ft concrete culvert), and 1,630 ft are considered for seepage and vegetative losses (as these are not considered to occur in either the culvert or the flume). The flume is 29 inches wide, and Hickey B ditch after the culvert is 30 inches wide and 12 inches deep. The USDA National Cooperative Soil Survey (NCSS) indicates that the soils in this area belong to the Macmeal-Kadygulch-~~Tolamn~~**Tolman** families, described as being very gravelly sandy loam. The Department estimates the seepage rate for these soils to be 2.2 ft³ / ft² / day.

The sum of the flow rates of water rights on the Hickey B ditch is 6.65 CFS (6.57 CFS for irrigation + 0.08 for stock rights per Department standard). The slope of this reach of the ditch is 0.037, and a reasonable Manning’s number for an earthen ditch is 0.025. Using the Manning’s equation with these values, we can calculate a water depth of approximately 6 inches, resulting in a wetted perimeter of **24.42** inches for this leg of the conveyance. The first leg of conveyance losses are calculated in Table 3:

Table 3: First Leg Conveyance Losses

^A Seepage Loss	Ditch Wetted Perimeter (ft)	Ditch Length (ft)	Ditch Loss Rate (ft ³ /ft ² /day)	Days Irrigated	Seepage Loss (AF)
	23.5	1630	2.2	187	30.79 53.88
^B Vegetation Loss	% Loss/Mile	Historic Flow Rate (CFS)	Days Irrigated	Ditch Length (mi)	Vegetation Loss (x2) (AF)
	0.75	6.65	187	0.31	5.76
^C Ditch Evaporation	Ditch Width (ft)	Ditch Length (ft)	Ditch Evaporation Rate (ft)	Ditch Evaporation (AF)	Seasonal Conveyance Loss (AF) (A+B+C)
	2.5	1700	22.67 1.89	2.21 0.18	

After the first leg described above, the Hickey B ditch runs along the place of use of four water rights which have claim to 1.2 CFS. Following this, the ditch runs for 140 ft through land where water is not put to use. The USDA NCSS indicates that soils in this area are of the Chereete-Sheafman complex, and composed of coarse sandy loam or coarse gravelly sandy loam. A seepage rate of 2.0 ft³ / ft² / day was used. As above, we can use the Manning’s equation to



calculate the depth of water in the ditch, now 5 inches. Conveyance losses on this leg of the ditch are shown in Table 4.

Table 4: Second Leg Conveyance Losses

A Seepage Loss	Ditch Wetted Perimeter (ft)	Ditch Length (ft)	Ditch Loss Rate (ft ³ /ft ² /day)	Days Irrigated	Seepage Loss (AF)
	1.83 3.33	140	2.0	187	2.20 4.00
B Vegetation Loss	% Loss/Mile	Historic Flow Rate (CFS)	Days Irrigated	Ditch Length (mi)	Vegetation Loss (x2) (AF)
	0.75	5.45	187	0.03	0.41
C Ditch Evaporation	Ditch Width (ft)	Ditch Length (ft)	Ditch Evaporation Rate (ft)	Ditch Evaporation (AF)	Seasonal Conveyance Loss (AF) (A+B+C)
	2.5	140	22.67 1.89	0.18 0.02	
					2.79 4.43

Following this, the Hickey B ditch always runs along or through the place of use of water rights which draw from it, meaning there are no further conveyance losses to be calculated. The volume of conveyance losses attributable to each water right can be calculated by their share of the flow rate in the ditch. Table 5 shows this calculation for each water right on the Hickey B ditch system, and yields a total volume of ~~2.55~~ **3.95** AF of conveyance losses attributable to Statement of Claim 76H 108997-00.

Table 5: Conveyance Loss Volumes of Water Rights on Hickey B Ditch

Water Right Number	Flow Rate (CFS)	Conveyance Loss Leg 1 (AF)	% Flow Leg 1 (CFS)	Apportioned Loss Leg 1 (AF)	Conveyance Loss Leg 2 (AF)	% Flow Leg 2 (CFS)	Apportioned Loss Leg 2 (AF)
76H 2504 00	0.39	38.76 59.82	5.86	2.27 3.50	2.79 4.43	7.15	0.20 0.32
76H 9853 00	0.02		0.3	0.12 0.18		0.85 0.73	0.02 0.03
76H 9854 00	0.58		8.64	3.35 5.17		10.55	0.29 0.47
76H 99707 00	2.00		30.06	11.65 17.98		36.70	1.02 1.63



Water Right Number	Flow Rate (CFS)	Conveyance Loss Leg 1 (AF)	% Flow Leg 1 (CFS)	Apportioned Loss Leg 1 (AF)	Conveyance Loss Leg 2 (AF)	% Flow Leg 2 (CFS)	Apportioned Loss Leg 2 (AF)
76H 99710 00	0.12	38.76 59.82	1.8	0.70 <u>1.08</u>	2.79 4.43	2.20	0.06 <u>0.10</u>
76H 103790 00	0.02		0.3	0.12 <u>0.18</u>			
76H 103791 00	0.38		5.64	2.18 <u>3.37</u>			
76H 105206 00	0.02		0.3	0.12 <u>0.18</u>		0.73	0.02 <u>0.03</u>
76H 105207 00	0.30		4.53	1.76 <u>2.71</u>		5.53	0.15 <u>0.25</u>
76H 105320 00	0.75		11.27	4.37 <u>6.74</u>		13.76	0.38 <u>0.61</u>
76H 107855 00	0.02		0.3	0.12 <u>0.18</u>			
76H 107856 00	0.38		5.64	2.18 <u>3.37</u>			
76H 107857 00	0.08		1.17	0.45 <u>0.70</u>			
76H 108997 00	0.40		6.05	2.34 <u>3.62</u>		7.38	0.21 <u>0.33</u>
76H 149557 00	0.33		4.95	1.92 <u>2.96</u>		6.04	0.17 <u>0.27</u>
76H 150105 00	0.25		3.78	1.46 <u>2.26</u>		4.61	0.13 <u>0.20</u>
76H 151398 00	0.25		3.78	1.46 <u>2.26</u>		4.61	0.13 <u>0.20</u>
76H 215669 00	0.38		5.64	2.18 <u>3.37</u>			

2.3 Historical Diverted Volume

Per ARM 36.12.1902(10), the historically diverted volume is equal to the sum of the historical field application volume and historical conveyance loss volume. The historical diverted volume of Statement of Claim 76H 108997-00 is ~~86.59~~ **87.99** AF (84.04 AF field applied + ~~2.55~~ **3.95** AF conveyance losses).



2.4 Summary of Historical Use

The Department will consider the following values when evaluating the historical use of Statement of Claim 76H 108997-00 for the adverse effect criterion:

Table 6: Summary of historical use of Statement of Claim 76H 108997-00

Water Right No.	Historical Purpose	Maximum Historical Acres	Historical Place of Use	Historical Point of Diversion	Maximum Historical Flow Rate	Historically Consumed Volume	Historically Diverted Volume
76H 108998-00	Irrigation	16	E2NESW Sec. 3 T7N, R20W	SESWSW Sec. 33, T8N, R21W	180.53 GPM	25.21 AF	86.59 AF <u>87.99 AF</u>



Missoula Water Resources Regional Office
PO Box 5004
2705 Spurgin Road, Bldg. C
Missoula, MT 59806-5004
(406) 721-4284

January 12, 2026

Dean E Hardi & Rhonda K Hardi Living Trust

1828 Pleasant View Dr

Victor, MT 59875-9670

Subject: Completed Technical Analysis for Change Preapplication No. 76H 30171086

Dear Applicant,

As designated on the submitted Preapplication Meeting Form per §85-2-302(3)(b), MCA, the Department of Natural Resources and Conservation (DNRC or Department) has completed the technical analyses for Change Preapplication No. 76H 30171086 based on the information provided in your Preapplication Meeting Form accepted by the Department on December 3, 2025. The technical analyses can be found in the attached report.

This 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 §85-2-402, MCA if you submit an application for the project described in the completed Preapplication Meeting Form.

This Technical Analyses Report **IS NOT**: An analysis or discussion of whether the Preapplication Meeting Form as filed meets the criteria (§85-2-402, MCA).

You have 180 days to submit the Water Right Change Application Form 606 considering the information provided in the technical analyses and Preapplication Meeting Form. If the Application Form is not submitted to the Missoula Regional Office by July 11, 2026, 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)).

Sincerely,



Benjamin Thomas

Water Conservation Specialist II

Missoula Regional Office

(406) 542-5883





Surface Water Change Technical Analyses Report
Department of Natural Resources and Conservation (DNRC/ Department)
Water Resources Division

Benjamin Thomas, Water Conservation Specialist II, Missoula Regional Office

Applicant	Dean E Hardi & Rhonda K Hardi Living Trust
Application No.	76H 30171086
Proposed Point of Diversion	SESWSW Section 33, T8N, R21W, Ravalli County

Overview

This report analyzes data submitted by the Applicant in support of the above-mentioned water right change 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 report was completed by regional office staff.

This Surface Water Change Technical Analyses Report contains the following sections:

Surface Water Change Technical Analyses Report 1

Overview 1

1.0 Application Details 2

2.0 Historical Use Technical Analysis 3

 2.1 Historical Field Consumed and Applied Volumes 3

 2.2 Historical Conveyance Losses 4

 2.3 Historical Diverted Volume 6

 2.4 Summary of Historical Use 7

3.0 Analysis of Impacted Surface Water Sources 7

 3.1 Summary of Proposed Use 7

 3.2 Area of Potential Adverse Effect 7

Review 8

References 8



1.0 Application Details

The Applicant proposes to add a place of storage to Statement of Claim 76H 108997-00. The proposed place of use is located in the E2NESW Section 3, T7N, R21W. The project is in Ravalli County and the source is Gash Creek.

Table 1: Water Right(s) Proposed for Change

Water Right Number	Flow Rate	Volume	Purpose	Period Of Use	Place Of Use	Point(s) Of Diversion	Priority Date
76H 108997-00	180.53 GPM	86.59 ¹	Irrigation	4/15 - 10/19	E2NESW Sec. 3, T7N, R21W	SESWSW Sec. 33, T8N, R21W	11/25/1895

¹Volume not quantified in original claim; diverted volume of 86.59 AF is calculated below.

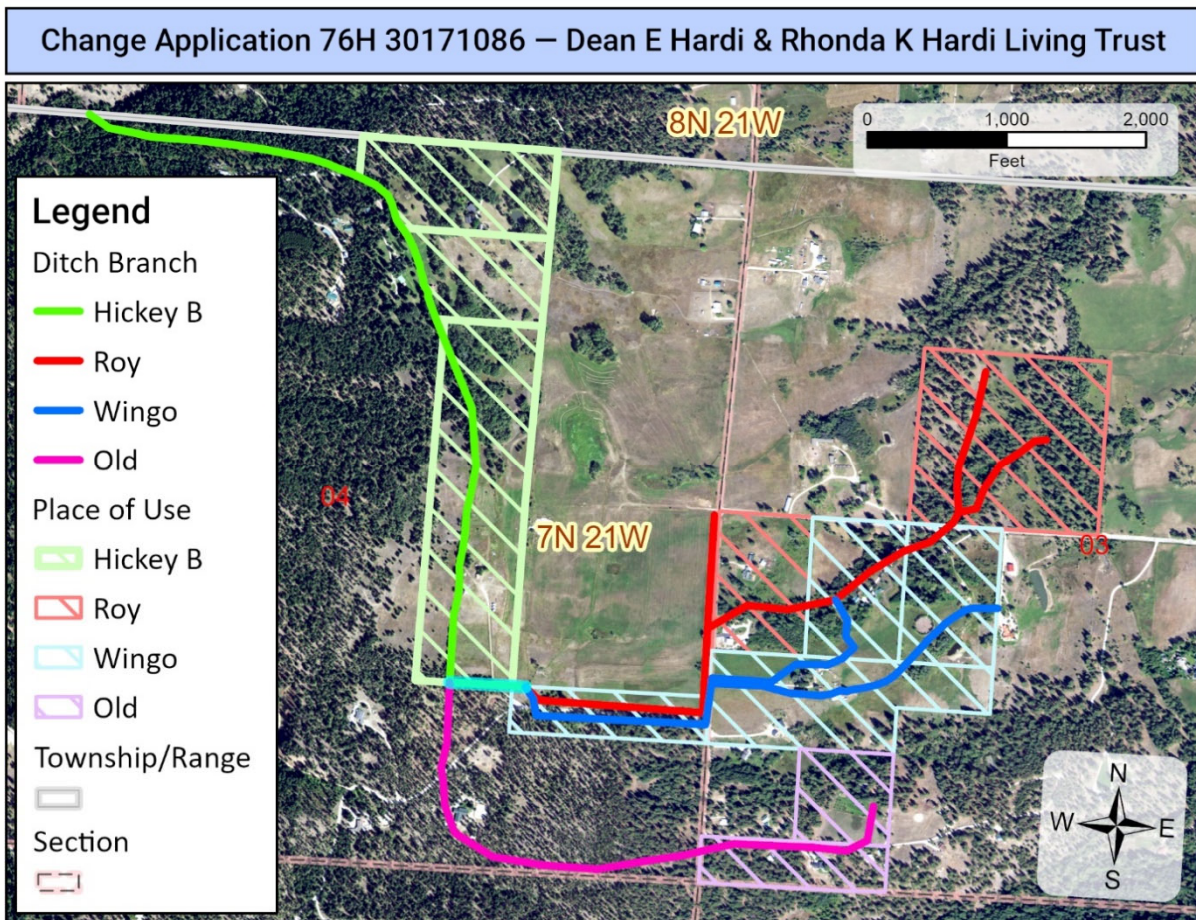


Figure 1: Map of the Applicant’s proposed POD on the source and proposed place of use.



2.0 Historical Use Technical Analysis

2.1 Historical Field Consumed and Applied Volumes

The consumed volume for irrigation is based on the net irrigation requirement (NIR) from USDA Natural Resources Conservation Service Irrigation Water Requirements (IWR) at a representative weather station. The NIR is multiplied by a county-wide management factor (from ARM 36.12.1902) to produce an adjusted NIR representative of actual crop yields in Montana. Crop consumption is determined by multiplying the adjusted NIR by the number of acres of irrigation. Crop consumption is then divided by the field efficiency identified from the irrigation method and ARM 36.12.115 to determine the field applied volume. Irrecoverable losses (IL) are 5% of the field applied volume for flood irrigation or 10% for sprinkler irrigation. The total consumed volume for irrigation is the crop consumption plus irrecoverable losses. The total non-consumed volume is the field applied volume minus the total consumed volume.

Statement of Claim 76H 108997-00 was filed for a 16-acre place of use in the E2NESW Section 3, T7N, R21W, Ravalli County. The Water Resource Survey field notes for Ravalli County from 1957 indicate that 65 acres were irrigated in the SW of Section 3, T7N, R21W, with maps from the Water Resource Survey showing much of the Applicant's property irrigated. The portion of the Applicant's property covered by a digitized polygon of the WRS map was measured in ArcGIS to be approximately 14 acres. It should be noted, however, that the WRS digitized map has only coarse precision at the $\frac{1}{4}$ $\frac{1}{4}$ scale. The mylar of verified claims on the 1979 USDA aerial photo 179-68 delineates approximately 18 acres as irrigated; all but the southeast corner of the Applicant's property. However, a residence and driveway are visible in the 1979 photo in the area marked as irrigated; these also lie in the area delineated as unirrigated in the WRS map. A closer examination of the 1979 aerial photo, taken in conjunction with the WRS information, suggests that the place of use should be reckoned at 16 acres.

According to the claim filing, the historical method of irrigation was flood irrigation. Evidence in support of this can clearly be seen in the 1979 aerial photograph.

There are no supplemental water rights. The Applicant has petitioned the Water Court to withdraw Statement of Claim 76H 108998-00.

The historical consumed and field applied volumes have been calculated with the inputs shown in **Table 2** following the methods described above and in ARM 36.12.1902.



Table 2: Historical use.

Irrigation Method	Acres	IWR (in) ¹	Mgmt. Factor ²	Field Efficiency	Crop Consumption (AF)	Field Applied Volume (AF)	IL (AF)	Total Consumed Volume (AF)
Flood	16	19.82	79.5%	25%	21.01	84.04	4.20	25.21

¹Western Ag Research IWR Weather Station

²Ravalli County Historical Use Management Factor (1964-1973)

2.2 Historical Conveyance Losses

Per ARM 36.12.1902(10), the historical conveyance loss volume is equal to the sum of the historical seepage loss, vegetation loss, and ditch evaporation volumes.

Water for Statement of Claim 76H 108997-00 is diverted from Gash Creek by a headgate in the SESWSW Section 33, T8N, R21W, Ravalli County. After this diversion, water enters into a wooden flume approximately 70 feet in length, then passes into a concrete culvert which extends approximately 300 feet, after which it flows into the Hickey B ditch which carries water to the place of use. The Applicant is the last water user on the Hickey B ditch. There are no water rights which utilize water below the Applicant, but there are 17 upgradient rights.

It is the Department’s standard practice only to consider conveyance losses in places where a ditch does *not* run through or adjacent to the place of use of a water right which it supplies; losses in these areas are considered as contributing to the beneficial use of those rights (e.g. through subirrigation).

Water runs approximately 2,000 ft from the headgate to the first place of use; of this, 1,700 ft are considered for evaporation losses (as no evaporation is considered to occur in the 300 ft concrete culvert), and 1,630 ft are considered for seepage and vegetative losses (as these are not considered to occur in either the culvert or the flume). The flume is 29 inches wide, and Hickey B ditch after the culvert is 30 inches wide and 12 inches deep. The USDA National Cooperative Soil Survey (NCSS) indicates that the soils in this area belong to the Macmeal-Kadygulch-Tolamn families, described as being very gravelly sandy loam. The Department estimates the seepage rate for these soils to be 2.2 ft³ / ft² / day.

The sum of the flow rates of water rights on the Hickey B ditch is 6.65 CFS (6.57 CFS for irrigation + 0.08 for stock rights per Department standard). The slope of this reach of the ditch is 0.037, and a reasonable Manning’s number for an earthen ditch is 0.025. Using the Manning’s



equation with these values, we can calculate a water depth of approximately 6 inches, resulting in a wetted perimeter of 24 inches for this leg of the conveyance. The first leg of conveyance losses are calculated in Table 3:

Table 3: First Leg Conveyance Losses

^A Seepage Loss	Ditch Wetted Perimeter (ft)	Ditch Length (ft)	Ditch Loss Rate (ft ³ /ft ² /day)	Days Irrigated	Seepage Loss (AF)
	2	1630	2.2	187	30.79
^B Vegetation Loss	% Loss/Mile	Historic Flow Rate (CFS)	Days Irrigated	Ditch Length (mi)	Vegetation Loss (×2) (AF)
	0.75	6.65	187	0.31	5.76
^C Ditch Evaporation	Ditch Width (ft)	Ditch Length (ft)	Ditch Evaporation Rate (ft)	Ditch Evaporation (AF)	Seasonal Conveyance Loss (AF) (A+B+C)
	2.5	1700	22.67	2.21	

After the first leg described above, the Hickey B ditch runs along the place of use of four water rights which have claim to 1.2 CFS. Following this, the ditch runs for 140 ft through land where water is not put to use. The USDA NCSS indicates that soils in this area are of the Chereete-Sheafman complex, and composed of coarse sandy loam or coarse gravelly sandy loam. A seepage rate of 2.0 ft³ / ft² / day was used. As above, we can use the Manning’s equation to calculate the depth of water in the ditch, now 5 inches. Conveyance losses on this leg of the ditch are shown in Table 4.

Table 4: Second Leg Conveyance Losses

^A Seepage Loss	Ditch Wetted Perimeter (ft)	Ditch Length (ft)	Ditch Loss Rate (ft ³ /ft ² /day)	Days Irrigated	Seepage Loss (AF)
	1.83	140	2.0	187	2.20
^B Vegetation Loss	% Loss/Mile	Historic Flow Rate (CFS)	Days Irrigated	Ditch Length (mi)	Vegetation Loss (×2) (AF)
	0.75	5.45	187	0.03	0.41



^c Ditch Evaporation	Ditch Width (ft)	Ditch Length (ft)	Ditch Evaporation Rate (ft)	Ditch Evaporation (AF)	Seasonal Conveyance Loss (AF) (A+B+C)
	2.5	140	22.67	0.18	2.79

Following this, the Hickey B ditch always runs along or through the place of use of water rights which draw from it, meaning there are no further conveyance losses to be calculated. The volume of conveyance losses attributable to each water right can be calculated by their share of the flow rate in the ditch. Table 5 shows this calculation for each water right on the Hickey B ditch system, and yields a total volume of 2.55 AF of conveyance losses attributable to Statement of Claim 76H 108997-00.

Table 5: Conveyance Loss Volumes of Water Rights on Hickey B Ditch

Water Right Number	Flow Rate (CFS)	Conveyance Loss Leg 1 (AF)	% Flow Leg 1 (CFS)	Apportioned Loss Leg 1 (AF)	Conveyance Loss Leg 2 (AF)	% Flow Leg 2 (CFS)	Apportioned Loss Leg 2 (AF)
76H 2504 00	0.39	38.76	5.86	2.27	2.79	7.15	0.2
76H 9853 00	0.02		0.3	0.12		0.85	0.02
76H 9854 00	0.58		8.64	3.35		10.55	0.29
76H 99707 00	2.00		30.06	11.65		36.70	1.02
76H 99710 00	0.12		1.8	0.7		2.20	0.06
76H 103790 00	0.02		0.3	0.12		--	--
76H 103791 00	0.38		5.64	2.18		--	--
76H 105206 00	0.02		0.3	0.12		0.73	0.02
76H 105207 00	0.30		4.53	1.76		5.53	0.15
76H 105320 00	0.75		11.27	4.37		13.76	0.38
76H 107855 00	0.02		0.3	0.12		--	--
76H 107856 00	0.38		5.64	2.18		--	--
76H 107857 00	0.08		1.17	0.45		--	--
76H 108997 00	0.40		6.05	2.34		7.38	0.21
76H 149557 00	0.33		4.95	1.92		6.04	0.17
76H 150105 00	0.25		3.78	1.46		4.61	0.13
76H 151398 00	0.25		3.78	1.46		4.61	0.13
76H 215669 00	0.38		5.64	2.18		7.15	0.2

2.3 Historical Diverted Volume

Per ARM 36.12.1902(10), the historically diverted volume is equal to the sum of the historical field application volume and historical conveyance loss volume. The historical diverted volume



of Statement of Claim 76H 108997-00 is 86.59 AF (84.04 AF field applied + 2.55 AF conveyance losses).

2.4 Summary of Historical Use

The Department will consider the following values when evaluating the historical use of Statement of Claim 76H 108997-00 for the adverse effect criterion:

Table 6: Summary of historical use of Statement of Claim 76H 108997-00

Water Right No.	Historical Purpose	Maximum Historical Acres	Historical Place of Use	Historical Point of Diversion	Maximum Historical Flow Rate	Historically Consumed Volume	Historically Diverted Volume
76H 108998-00	Irrigation	16	E2NESW Sec. 3 T7N, R20W	SESWSW Sec. 33, T8N, R21W	180.53 GPM	25.21 AF	86.59 AF

3.0 Analysis of Impacted Surface Water Sources

3.1 Summary of Proposed Use

The Applicant does not propose any change to the historical point of diversion, means of conveyance, place of use, or purpose of use. The only change the Applicant seeks is the addition of a place of storage which falls within the legal land description of the historical place of use. The evaporative losses from the proposed reservoir are covered under Ground Water Certificate 76H 108650-00. As a result, the proposal does not result in any change to the diverted or consumed volume of this water right.

3.2 Area of Potential Adverse Effect

Because the proposed change will not result in a change to diverted or consumed volume or to the timing of appropriation, the Department determines that there will be no adverse effect to surface water.



Review

This document has been reviewed by the Department on January 11, 2026.

References

Department Standard Practice for Determining Historical Use

Department Standard Practice for Analyzing Area of Potential Adverse Effect

Technical Memorandum: Distributing Conveyance Loss on Multiple User Ditches

Memorandum Re: Development of standardized methodologies to determine Historic Diverted Volume

Preapplication Materials

- **Preapplication Meeting Request**
- **Preapplication Meeting Form**
- **All attachments**
- **All correspondence prior to application receipt**

Preapplication Materials

REQUEST TO WITHDRAW STATEMENT OF CLAIM OR INTEREST IN STATEMENT OF CLAIM

I/We, Dean E Hardi and Rhonda Hardi hereby request the withdrawal or withdrawal of interest of Statement of Claim Number 76H 108998-00.

The reason for this request is:

I/We have an existing right which is exempt from filing.

This claim was for a use of water after July 1, 1973.

I/We have no existing water right to claim.

I/We have no interest in said Statement of Claim

Other/Comments:

Residential Development in the Branch creek area has caused this source to be dry, and inaccessible

Statement Signed by Owner:

I declare under penalty of perjury (§ 45-7-201, MCA) under the laws of the state of Montana that the foregoing content of this form is true and correct. I further declare that I have the authority to sign this document for myself as an individual or in representational capacity as an officer of a corporation, member of a limited liability company, general partner of a limited partnership, trustee for a trust or other official capacity for an entity as defined under "person" in §85-2-102, MCA. (All current owners of the right as listed in the DNRC centralized record system are required to sign. Please attach DNRC's Withdrawal Agreement form if additional owner signatures are needed.)

8/25/25
(Date Signed)

Dean E Hardi
(Signature of Claimant)

owner
(Office or Title)

8/25/25
(Date Signed)

Rhonda Hardi
(Signature of Claimant)

Owner
(Office or Title)

(Date Signed)

(Signature of Claimant)

(Office or Title)

(Date Signed)

(Signature of Claimant)

(Office or Title)



Missoula Water Resources Regional Office
PO Box 5004
2705 Spurgin Road, Bldg. C
Missoula, MT 59806-5004
(406) 721-4284

December 3, 2025

Dean E Hardi & Rhonda K Hardi Living Trust

1828 Pleasant View Dr

Victor, MT 59875-9670

Subject: Complete Preapplication Form for Change Application No. 76H 30171086

Dear Applicant,

The Missoula Regional Office of the Department of Natural Resources and Conservation (DNRC or Department) received your Preapplication Meeting Form and preapplication meeting fee on November 25, 2025, and the Department deemed the submitted Preapplication Meeting Form to be successfully completed per ARM 36.12.1302 on December 3, 2025.

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 December 3, 2025.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "Benjamin Thomas". The signature is fluid and cursive, with a long horizontal stroke at the end.

Benjamin Thomas

Water Conservation Specialist II

Missoula Regional Office

benjamin.thomas@mt.gov | (406) 542-5883





**PREAPPLICATION MEETING
FORM: PART B
CHANGE**
§ 85-2-302(3)(b), MCA
Form No. 606P-B (Revised 02/2025)

For Department Use Only

Application # 30171086 Basin 76H
 Form Received 11/25/25
 Fee Rec'd \$ 500 Check # 1627
 Deposit Receipt # MSS7610227
 Payor Hardy, Dean / Rhonda
 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

NOV 25 2025

MONTANA D.N.R.C
MISSOULA REGIONAL OFFICE

The Applicant is responsible for providing a "Follow-up Responses" document for all follow-up identified in Preapplication Meeting Form Part A (Form 606P-A). The Applicant may not alter Form 606P-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 606P-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 606P-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 606P-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 606P-A?

If yes,

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



FOLLOW-UP AND AMENDED RESPONSES AFFIDAVIT & CERTIFICATION

"I attest that this preapplication meeting form (Form 606P-A and Form 606P-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))."

Dean S Hardy
Applicant Signature 11/25/25
Date

Shonda Lardi
Applicant Signature 11/25/25
Date

"We confirm that the preapplication form (Form 606P-A and Form 606P-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))."

Benjamin Thomas
Department Signature 12-3-2025
Date

Department Signature Date



DNRC form 606-P-B Follow Up Responses:

Application: 30171086

Applicant(s): Dean and Rhonda Hardi Living Trust

The original 606P-A requests the addition of existing .4 acre pond as place of storage for irrigation water right 76H 108997 00.

At the initial Preapplication Meeting, follow up was requested on the following 606P-A questions:

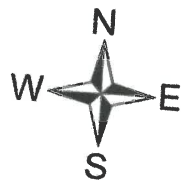
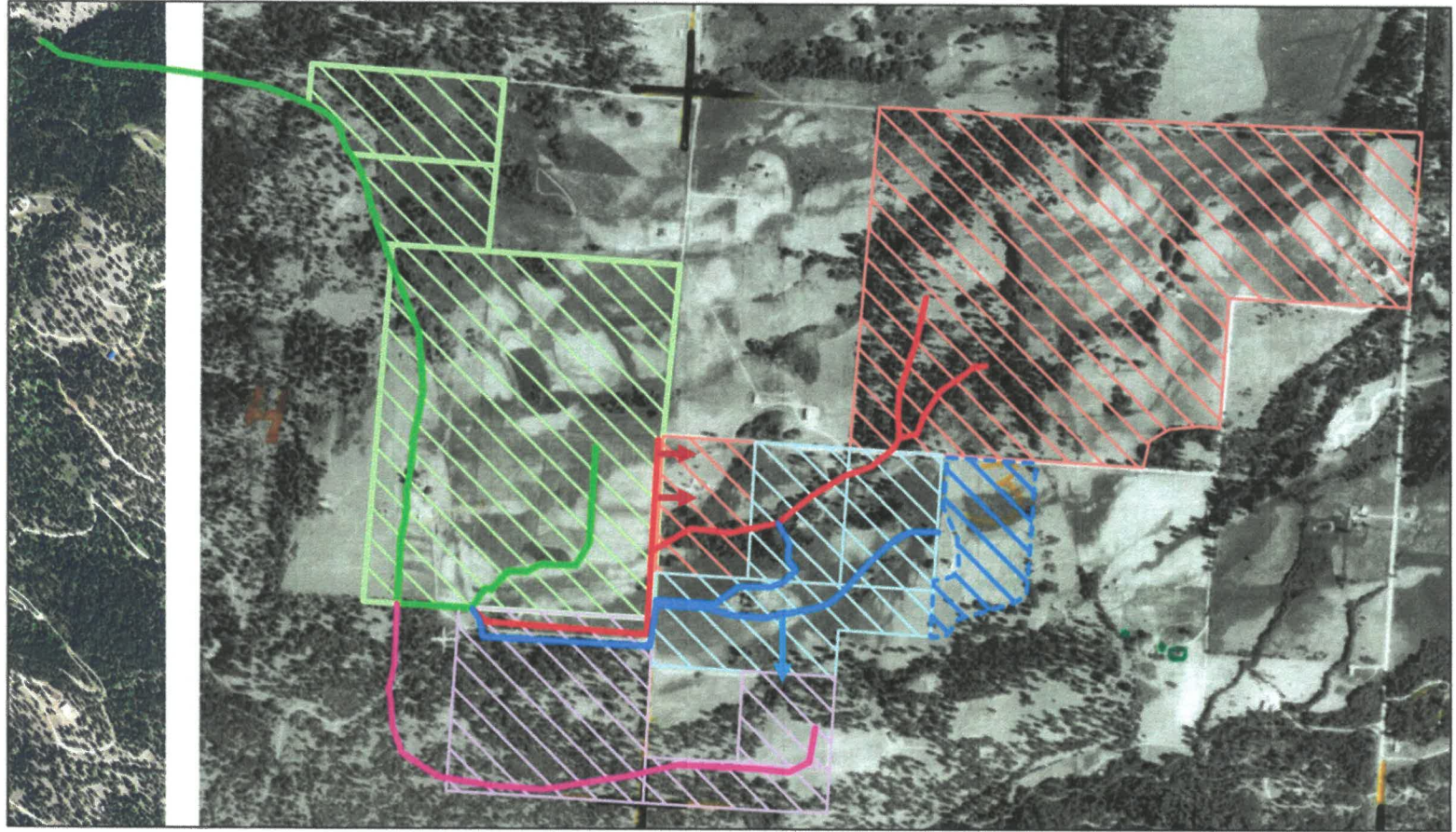
8, 9, 37, 110, 111c, d, f, g(3),113.

General Note:

The application should be updated to show the applicant(s) as “Dean and Rhonda Hardi Living Trust”, the updated holder of water right.

Follow Up Responses:

Q 8 – Submit a Historical Use Map created with an aerial photo or topographic showing section markers, township and range, scale bar, north arrow all historical POD, and historical POU, historical conveyance structures, and place of use with overlapping water rights.

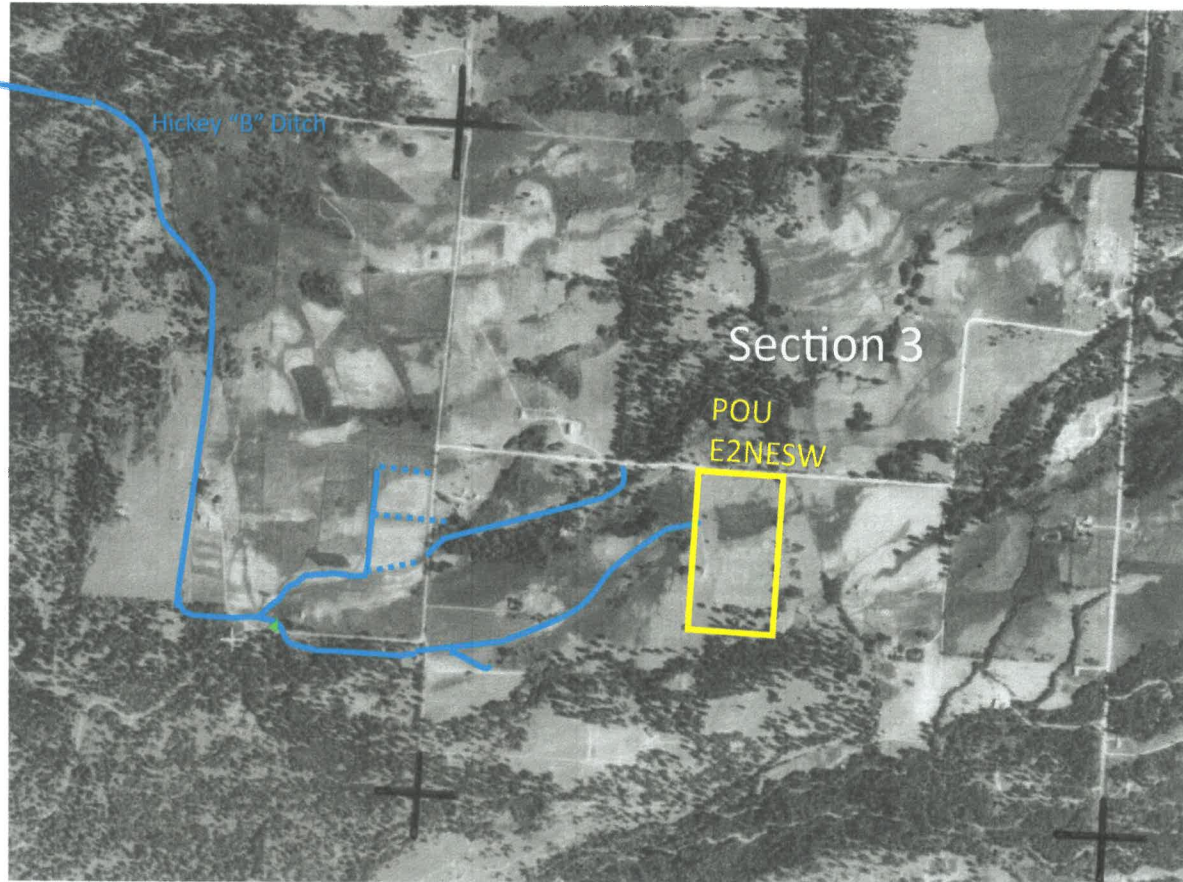
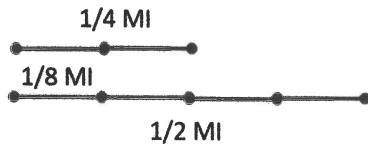
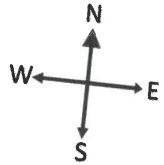


Ditch Branch	Place of Use
Upper Hickey B	Upper Hickey B
Roy, Moore	Roy, Moore
Mitchell, Wingo, Meyer Henderson, Haraf, Johnson, Hardi	Meyer, Henderson, Haraf
Old	Mitchell, Wingo, Johnson
	Hardi Historical POU

Historical 1973 Aerial Photo

Township Range County
7N 21W Ravalli Ravalli

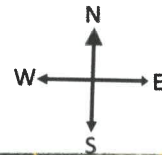
Historical POD
Headgate
SESWW
Section: 33
Twp: 8N
Rge: 21W
County: Ravalli



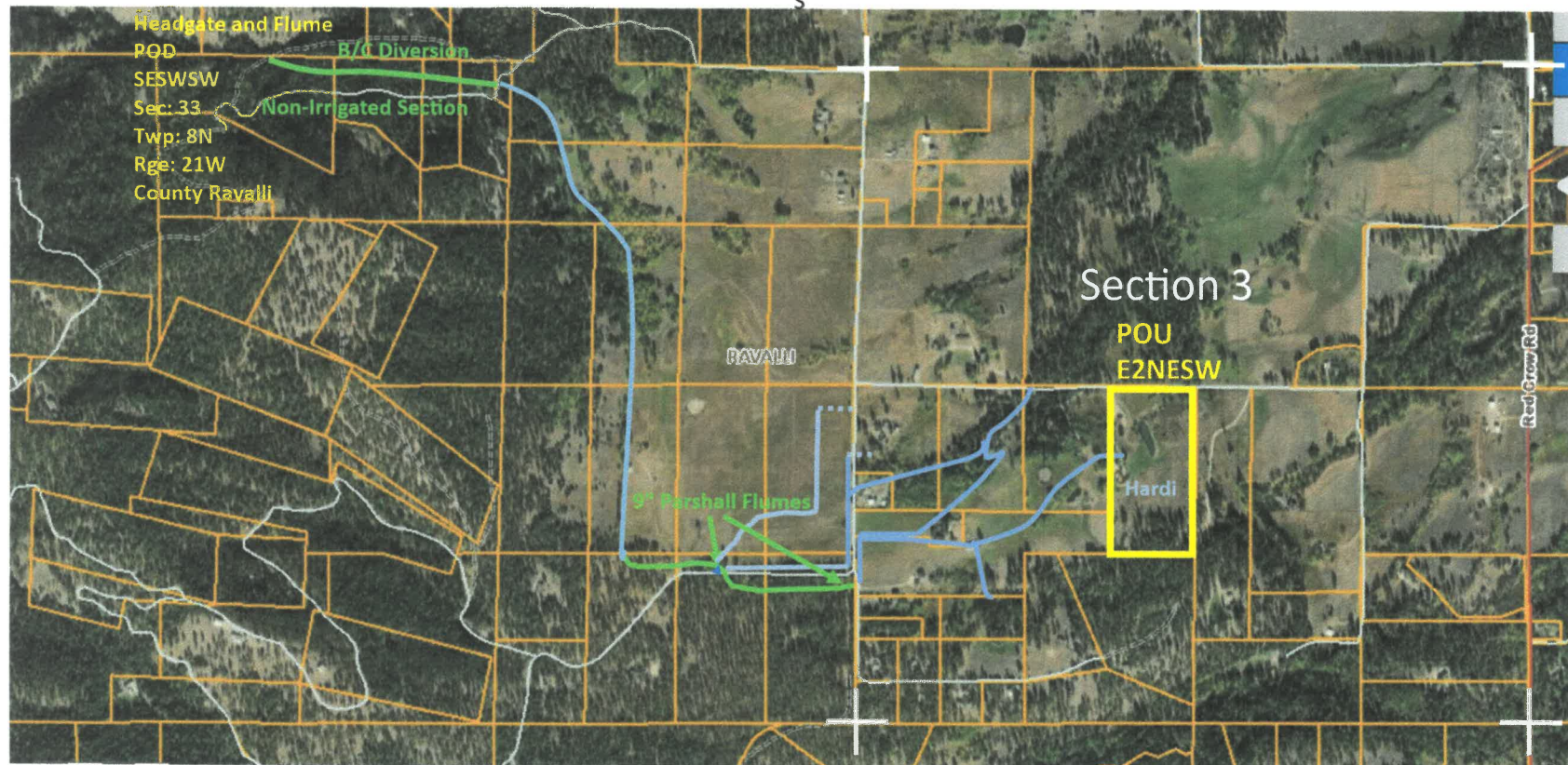
Q 9 – Submit a proposed use map...

Note: The proposal seeks no changes to any points of diversion, conveyance structures, or places of use, of any water rights on the Hickey Ditch system.

Proposed Use Map 1

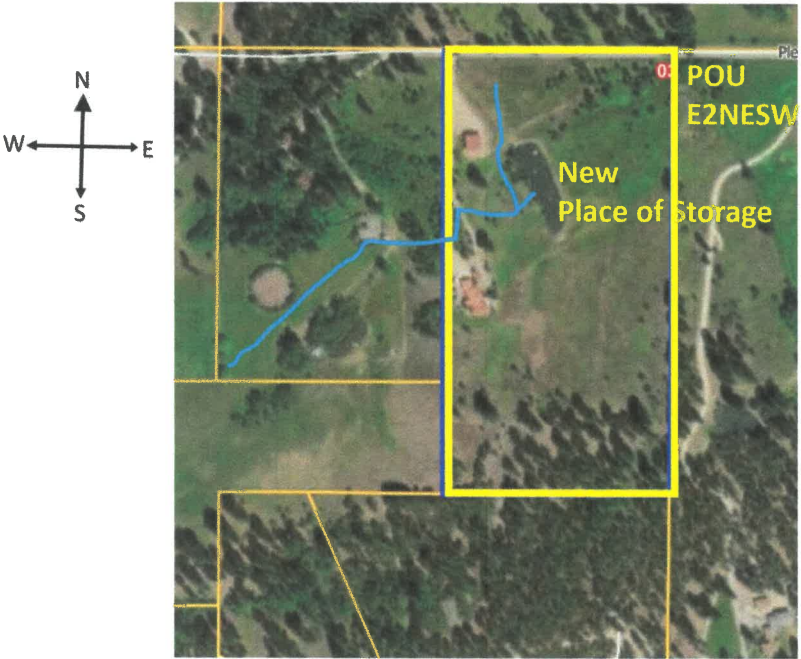


Township Range County
7N 21W Ravalli Ravalli



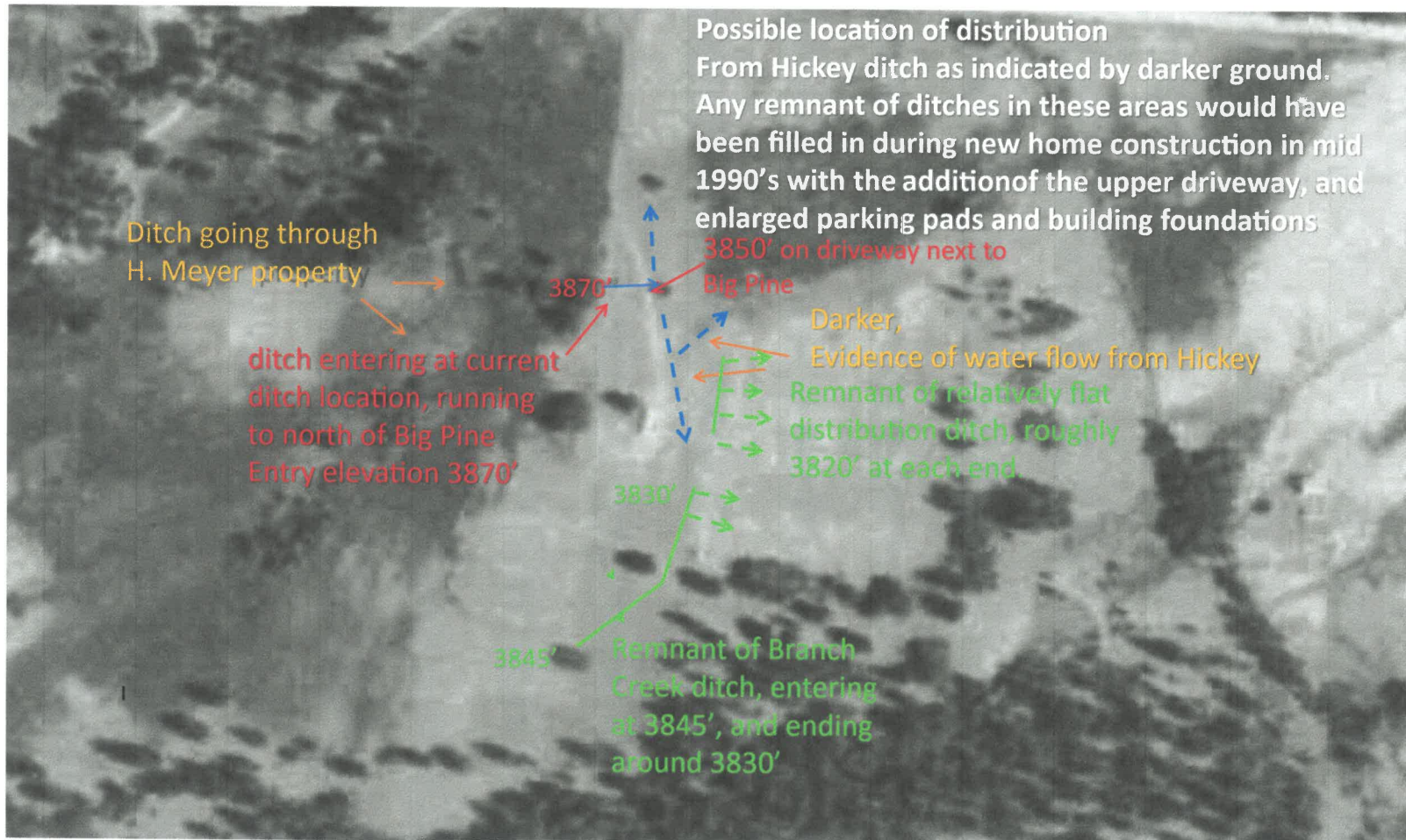
Proposed Use Map 2

Township Range County
7N 21W Ravalli Ravalli



Q. 37: The historical Use Map submitted for question 8 must clearly identify the entire place of use for each overlapping water right that intersects the historical place of use.

Detailed Examination of 1973 Historical Use Photo on POU: Hickey Ditch and Abandoned Branch Creek Ditch

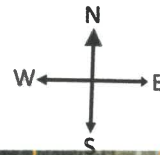


The Historical photo show no use of Branch Creek ditch as of 1973. It is possible there was an overlap of historical Hickey and Branch Creek ditches prior to 1973, but the Branch Creek ditch appears inactive as of 1973.

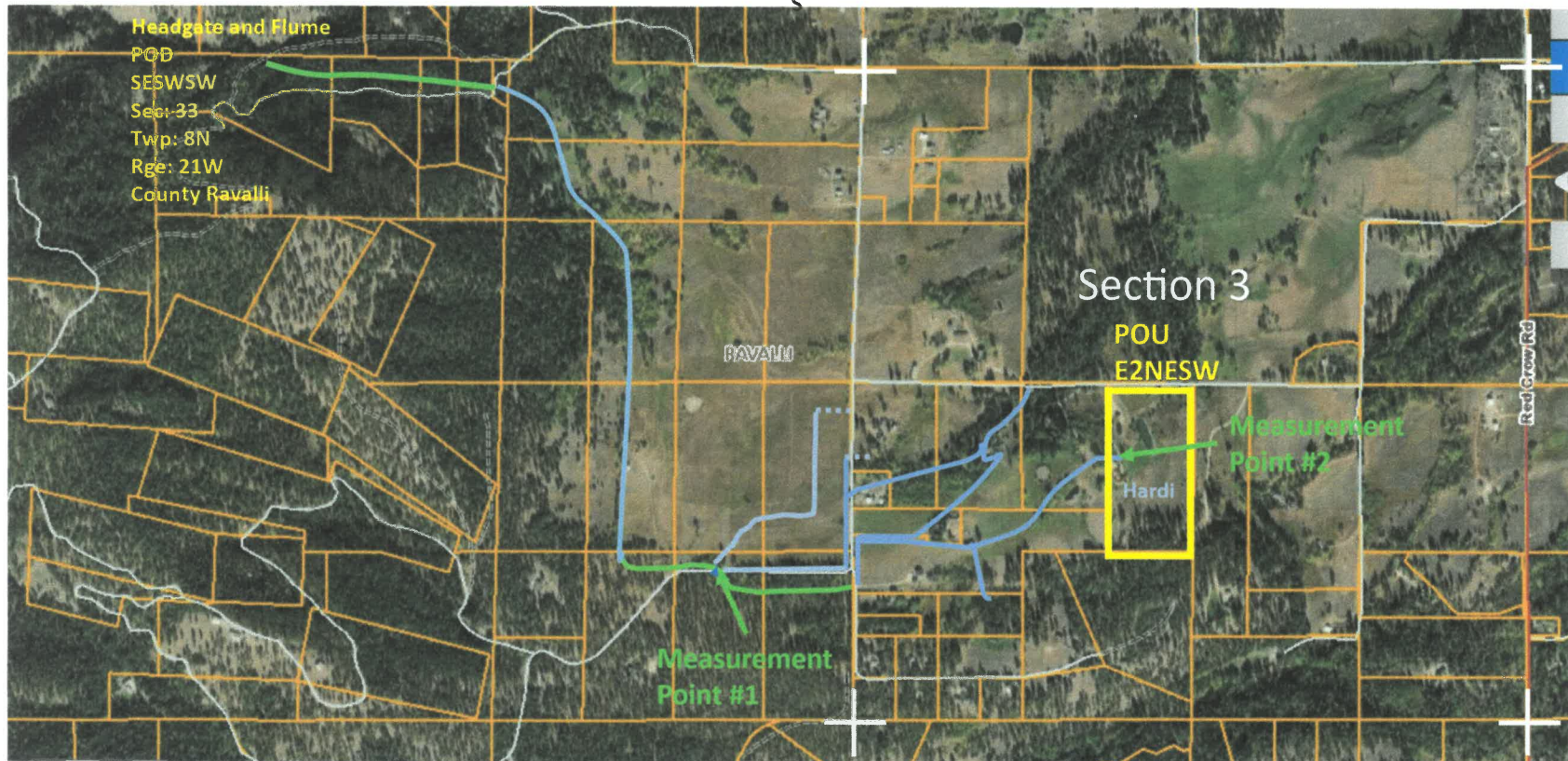
Accordingly, Branch Creek water right has been Abandoned.

Q. 110 & 113: Submit a Historical and Proposed Use Ditch Map showing ditch measurement locations

Measurement Points



Township Range County
7N 21W Ravalli Ravalli



Note: No changes are proposed to any distribution ditches, so no changes for Historical (Q110) and Proposed (Q113) maps.

Q. 111.c: The distance from the diversion to POU property is approximately 2.9 miles

Q. 111.d: Measurements:

1) Measurement Point 1, after last diversion to M. Cook property: 14" wide by 12" deep.

2) Measurement Point 2, at entry to Hardi Property (POU): 16" wide by 12" deep.

Q. 111.f: The soil units are: Macmeal-Kadygulch-Tolman families, Poverty, Chereete-Sheafman, Chereete-Losthorse, Losthorse, Losthorse-Repkie, Roaringlion-Clasoil. Dominant composition: very coarse sandy loam. (Source: B. Thomas, DNRC)

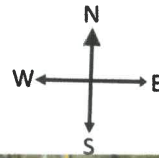
Q. 111.g: The following table lists all the rights out of Hickey B, and their flow rates. (Source B. Thomas, DNRC) Three of these without flow rates assigned are stock rights. 76H 108997 00 is the water right being requested to add the place of storage. All other water rights are upstream from 76H 108997 00, and thus are not affected by the storage request.

Water Right #	Flow Rate (CFS)
76H 9853 00	
76H 9854 00	0.58
76H 105320 00	0.75
76H 149557 00	0.33
76H 150105 00	0.25
76H 105206 00	
76H 108997 00	0.40
76H 2504 00	0.39
76H 105207 00	0.30
76H 151398 00	0.25
76H 103791 00	0.38
76H 215669 00	0.38
76H 99710 00	0.12
76H 99707 00	2.00
76H 103790 00	

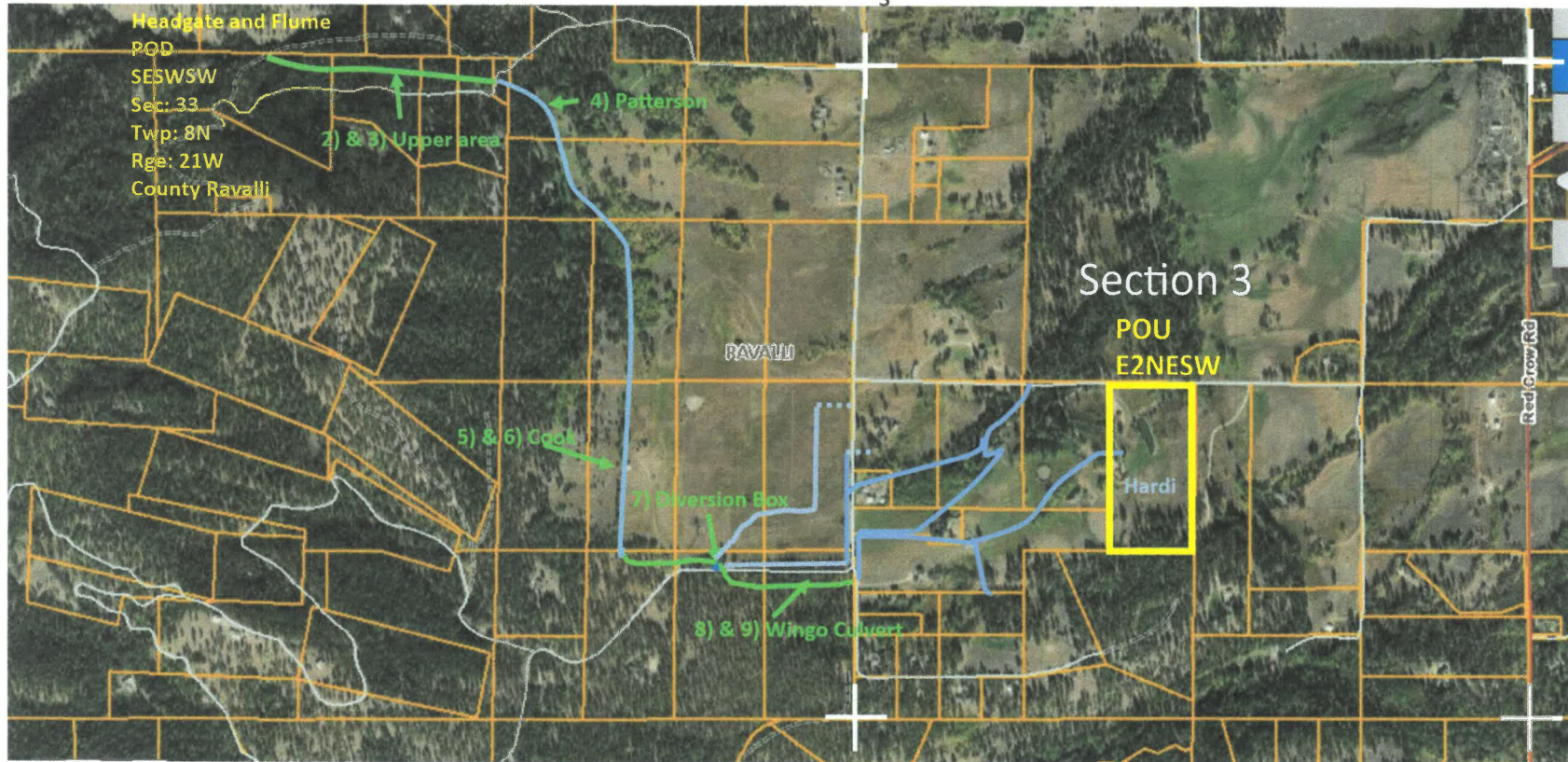
76H 107857 00	0.08
76H 107856 00	0.38
76H 107855 00	

Additional Ditch Photos, with Map detailing photo locations:

Map with Photo Locations



Township Range County
7N 21W Ravalli Ravalli



Ditch Photos



1) Flume



2) Upper Section



3) Upper Section 2

B-Ditch Photos 2



4) B-Ditch, Patterson



5) B-Ditch Cook



6) B-Ditch Cook 2

Ditch Photos 3



7) Diversion Box Mitchell



8) Wingo Culvert



9) Wingo Culvert 2

Thomas, Benjamin

From: Dean Hardi <dhardi@msn.com>
Sent: Sunday, July 20, 2025 10:47 PM
To: Thomas, Benjamin
Subject: [EXTERNAL] Re: Historical Use Map

Hello Ben,

Just checking in to see how things are going on the historical use analysis.

Also, was wondering if you wanted me to remove all the other water users off the slides I sent over to you, or if you had already done that.

Lastly, I recall our in our conversation at the office you all wanted to know the size/depth/slope of various items on the ditch.

Flume Measurements:

- Length - approx 70 ft.
- Width - 29"
- Height - 9.5"
- Slope 2.75" drop every 48", or 0.57
- At the end of the 70' flume, the ditch goes into a concrete culvert that is 24" in diameter and approx 300' long.
- After exiting the concrete culvert, there is a concrete weir that historically split the water between Hickey B and C ditches. Hickey C then goes into another concrete culvert that is at least 300' or more, and is clogged. I've viewed the other end of this culvert, and there is standing water from seepage in it, but it has no flow exiting the culvert.
- Hickey B ditch, on the upper end after exiting the culvert averages 28 - 32" wide, and about a foot or more deep, pretty much all the way down to the split where it exits the Cook property.
- After Hickey B ditch exits the Cook property, it splits three ways, 1) back onto the south end of Cook property, 2) Down the North side of Pleasant View / Gash Road toward the Roy Ranch, and 3) across Pleasant View/Gash Road and on to the Mitchell, Wingo, Henderson, etc. properties. The two branches toward the Roy Ranch and to the other properties are maintained to be at least 12-18" wide by 1' deep in order to hold the capacity required for their distribution.

Let me know if there is anything other info you all require.

Thanks,

Dean

From: Dean Hardi <dhardi@msn.com>
Sent: Tuesday, July 1, 2025 5:43 PM
To: Thomas, Benjamin <Benjamin.Thomas@mt.gov>
Subject: Re: Historical Use Map

It was the distribution out of Gash creek. There has not been any Branch Creek water running here as long as he's been here.

From: Thomas, Benjamin <Benjamin.Thomas@mt.gov>
Sent: Tuesday, July 1, 2025 8:50 AM
To: Dean Hardi <dhardi@msn.com>
Subject: RE: Historical Use Map

Good morning, Dean,

This is helpful, thank you. To confirm the last point, the distribution ditch that Helmut helped to move in the 90's was for irrigation out of Branch Creek, correct? Or was that the distribution out of Gash?

Benjamin



Benjamin Thomas | Water Conservation Specialist II
Water Resources Division, Missoula Regional Office
Montana Department of Natural Resources and Conservation
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How did we do? Let us know here: [forms.office.com] **Feedback Survey**
[\[forms.office.com\]](https://forms.office.com)

From: Dean Hardi <dhardi@msn.com>
Sent: Monday, June 30, 2025 5:06 PM
To: Thomas, Benjamin <Benjamin.Thomas@mt.gov>
Subject: [EXTERNAL] Re: Historical Use Map

Hi Ben,

Thanks for the check-in.

In checking on the history of Hickey A ditch, I've done a search on the DNRC database, as well as talked with Helmut Meyer, who has lived on the property next door since the late '70s, and was the Hickey Ditches B/C coordinator for decades prior to me.

Per DNRC the only Hickey A ditch water rights were withdrawn in 2001 (irrigation water rite), and 2008 (stock water right). Both held by the same owner. (Mazade).

Per Helmut, he cannot recall there being water running in A ditch during his tenure. He did remember that Mazade had a water right there, but said there has not been water in that ditch as long as he's lived here.

I asked him about Branch Creek, and if he ever new of any water running from Branch Creek to my property.

He told me historically, when a gentleman last named Wolf owned the property I now own, he used to irrigate in the spring, and graze sheep/goats. The water would feed into the property to the north of where it feeds in now. The previous owners (Jacobsen) worked with Helmut to move the distribution ditch to where it is now. That would have been in the late '90s.

Hope that helps.

- Dean

From: Thomas, Benjamin <Benjamin.Thomas@mt.gov>

Sent: Monday, June 30, 2025 10:15 AM

To: dhardi@msn.com <dhardi@msn.com>

Subject: RE: Historical Use Map

Good morning, Dean,

I've done some looking into this, and it seems like I'll be able to map out where the Branch Creek water right was historically used without much difficulty. However, if I recall correctly from our scoping meeting, you were going to look into getting information on when the Hickey A ditch went out of service, as that could be an indicator of when Branch Creek went dry. Depending on if this happened before or after 1973, this would affect how we consider the historical use of the Branch Creek right. Have you been able to find any information?

Benjamin



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Instagram [[instagram.com](https://www.instagram.com)]

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From: Thomas, Benjamin

Sent: Friday, June 27, 2025 9:36 AM

To: Dean Hardi <dhardi@msn.com>

Subject: RE: Historical Use Map

Good morning, Dean,

Sorry for getting back to you so late on this; I dropped the ball here.

The questions are asking for all the PODs, conveyances, etc. that belong to your right, not everyone's rights on the ditch. It isn't necessary to include the names/information for the other irrigation rights; the only thing we're interested in are this right and the Branch Creek water right on your property. Figuring out how best to map out the

Branch Creek right will be a priority for me next week; I'll send you what I find, and we'll add that in and make some other improvements to your maps then.

Benjamin



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Instagram [[instagram.com](https://www.instagram.com)]

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

From: Dean Hardi <dhardi@msn.com>

Sent: Monday, June 9, 2025 8:21 AM

To: Thomas, Benjamin <Benjamin.Thomas@mt.gov>

Subject: [EXTERNAL] Re: Historical Use Map

Good Morning Ben,

Thanks for sending over the historical photo.

I know we will be iterating on this a bit, but I wanted you to review my work over the weekend to make sure I'm on the right track.

Attached is my first draft of maps to address questions 8 and 9 (Historical and Proposed Use maps).

I think I have everything on them except the overlapping Branch Creek right, and rulers on the last two slides. Let me know if I'm off on anything. Also, It was not clear when the questions ask for "all" points of diversion, means of conveyance, place of storage, place of use... if it is asking only for ones relating to "my" right, or "all" on the ditch. On the Proposed slide, I have all the conveyance ditches, and cadastral plots for everyone else's use, and listed all their water rights, but if that is not necessary I can clean that off of the slide.

The attachment is in PDF (to conserve size in emailing), but was created in Power Point and I can provide the original if you need that to add anything.

Let me know if this is what you are looking for.

- Dean

From: Thomas, Benjamin <Benjamin.Thomas@mt.gov>

Sent: Friday, June 6, 2025 7:06 AM

To: Dean Hardi <dhardi@msn.com>

Subject: RE: Historical Use Map

Good morning, Dean,

This would be the 1979 aerial.

Benjamin



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Instagram [[instagram.com](https://www.instagram.com)]
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From: Dean Hardi <dhardi@msn.com>
Sent: Thursday, June 5, 2025 9:32 PM
To: Thomas, Benjamin <Benjamin.Thomas@mt.gov>
Subject: [EXTERNAL] Re: Historical Use Map

Thx Ben,

I can make out my property boundaries on this photo.

What was the date of this photo?

- Dean

From: Thomas, Benjamin <Benjamin.Thomas@mt.gov>
Sent: Thursday, June 5, 2025 3:16 PM
To: dhardi@msn.com <dhardi@msn.com>
Subject: Historical Use Map



Benjamin Thomas | Water Conservation Specialist II
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From: DoNotReply@mt.gov <DoNotReply@mt.gov>
Sent: Thursday, June 5, 2025 2:21 PM
To: Thomas, Benjamin <Benjamin.Thomas@mt.gov>
Subject: Message from KM_C368



**PREAPPLICATION MEETING FORM:
PART A
CHANGE**
§ 85-2-302(3)(b)
Form No. 606P-A (Revised 02/2025)

For Department Use Only

Application # 30171086 Basin 764
Meeting Date 6-5-25 Time 1:30 pm
Variance Request Deadline _____
Completed Form Deadline 12-2-2025

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

JUN - 5 2025

MONTANA D.N.R.C
MISSOULA REGIONAL OFFICE

The Department will fill out Form 606P-A and will identify items for follow-up during the preapplication meeting. The Department and Applicant will sign the Preapplication Meeting Affidavit and Certification within 10 business days. Within 180 days of the preapplication meeting, the Applicant will complete Preapplication Meeting Form Part B (Form 606P-B), including identified follow-up, any amended responses, and the Follow-up and Amended Responses Affidavit & Certification.

Applicant Information: Add more as necessary.

Applicant Name Dean & Rhonda Hardi
Mailing Address 1828 Pleasant View City Victor State MT Zip 59875
Phone Numbers: Home 406-802-4409 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 (describe) _____
Contact/Representative Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone Numbers: Home _____ Work _____ Cell _____
Email Address _____

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. 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 correspondence and a copy may be sent to the contact person. (ARM 36.12.122)

Meeting Attendees: Add more as necessary.

Name	Organization	Position
<u>Dean Hardi</u>		<u>land owner</u>
<u>Jim Nave</u>	<u>DNRC</u>	<u>Regional Manager</u>
<u>Alex Dalgleish</u>	<u>DNRC</u>	<u>Water Conservation Specialist</u>



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Application Details

The following questions are mandatory and must be filled out before the Preapplication Meeting Form is determined to be complete. Narrative responses that are larger than the space provided can be answered in an attachment. If an attachment is used, mark the see attachment ("A") checkbox 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 the see attachment ("A") checkbox must be marked. Label units in narrative responses and tables. Questions that require Applicant to submit items to the Department have a submitted ("S") checkbox, which is marked when the required item is attached to the Preapplication Meeting Form. Label all submitted items with the question number for which they were submitted. For all questions where follow-up is necessary, mark the "F" checkbox in the "Follow-Up" column and write the question number on the "Follow-Up Page".

S = Submitted. Use when required item is included with form.

A = See attachment. Use when additional space is needed to answer a question.

F = Follow-up. Use when follow-up is necessary.

<u>Questions, Narrative Responses, and Tables</u>								<u>Check-boxes</u>	<u>Follow-Up</u>
1. Do you elect to have DNRC conduct technical analyses?								<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
2. How many change applications will be needed for this project? Please refer to ARM 36.12.1305 for more information. <u>One</u>									<input type="checkbox"/> F
3. Which water right(s) are proposed for change? <u>76H 108997-00</u>								<input checked="" type="checkbox"/> A	<input type="checkbox"/> F
Water Right No.	Current Authorized Flow Rate			Flow Rate Needed for Project			Means of Diversion		
	Flow	GPM	CFS	Flow	GPM	CFS			
<u>76H 108997</u>	<u>180.53</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>180.53</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<u>Headgate</u>		
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>			
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>			
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>			
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>			
4. Is the proposed change on a non-filed water project?								<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, please submit a Non-Filed Water Project Addendum (Form 606/634-NFWPA). The project must meet the requirements of the addendum. The addendum is required before the Preapplication Meeting Form is completed.								<input type="checkbox"/> S	<input type="checkbox"/> F



5. Is the source surface water or groundwater? <u>surface</u>		
6. What is the source name? <u>Gosh Creek</u>		
7. Identify the water right elements proposed for change, with a checkmark, for each water right proposed for change.	<input type="checkbox"/> A	<input type="checkbox"/> F

Water Right #	<u>76H 108997</u>					
Point of diversion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Place of use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Purpose of use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Place of storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

8. Submit a historical use map created on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, north arrow, all historical points of diversion (POD) labeled with a unique POD ID ("H" followed by a number), all historical places of use (POU), all historical conveyance structures, all historical places of storage, and historical place of use for all overlapping water rights. More than one map may be submitted, if necessary to clearly convey all required information.	<input type="checkbox"/> S	<input type="checkbox"/> F
9. Submit a proposed use map created on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, north arrow, all proposed points of diversion labeled with a unique POD ID ("P" followed by a number), all proposed places of use, all proposed conveyance structures, all proposed places of storage, and proposed place of use for all overlapping water rights. More than one map may be submitted, if necessary to clearly convey all required information.	<input type="checkbox"/> S	<input type="checkbox"/> F
10. Does the change involve a change in point of diversion?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, describe the location for all <i>new</i> and <i>unchanged</i> points of diversion to the nearest 10 acres. Label POD ID with the POD ID assigned for the proposed use map (question 9).	<input type="checkbox"/> A	<input type="checkbox"/> F

POD ID	1/4	1/4	1/4	Sec	Twp	Rge	County	Lot	Block	Tract	Subdivision	Gov. Lot	New or Unchanged

iii. Do other water rights supplement or overlap the historical and/or proposed place of use?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes,		
a. How were the water rights operated to serve the historical purposes and how will they be operated to serve the proposed purposes? <u>76H 108998 00 from Branch creek provided additional irrigation on the 16 acres under Gash creek right</u> <u>76M 108997 00.</u>	<input type="checkbox"/> A	<input type="checkbox"/> F
b. For each supplemental or overlapping water right, please list whether they contribute water for historical use, proposed use, or both; the average period of contribution (MM/DD-MM/DD); flow rate contributed (GPM or CFS); and, if known, the volume of water contributed (AF) contributed (otherwise write "unknown").	<input type="checkbox"/> A	<input type="checkbox"/> F

Water Right No.	Contributions to Use			Average Period of Contribution MM/DD-MM/DD	Flow Rate Contributed			Volume Contributed AF
	Hist.	Prop.	Both		Flow	GPM	CFS	
76M 108998 00	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	04/15-10/19	179.52	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Unknown
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			<input type="checkbox"/>	<input type="checkbox"/>	

14. Does the proposed change include a change in purpose of use? If yes, answer questions 101 to 108 for change in purpose of use and question 13.a.iii for supplemental or overlapping water rights.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
15. Are conveyance ditches used for historical or proposed uses? If yes, answer ditch-specific questions 109 to 115.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
16. Do you propose to add or modify one or more places of storage? 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)). If yes, answer mandatory questions 116 to 123. Additionally, you may choose to answer non-mandatory questions 175 to 179. A Change Storage Addendum (Form 606-SA) will be required at application submittal.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
17. Is the proposed use temporary? If yes, answer questions 94 to 100 for temporary changes.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
18. Are you filing on behalf of another entity? If yes, describe. _____ _____	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F



19. Do you own the entire historical place of use for all water rights proposed for change?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, was the water historically used for sale, rental, distribution, municipal use, or any other context in which water is being supplied to another and it is clear that the ultimate user would not accept the supply without consenting to the use of water on the user's place of use?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/> F
i. If no,		
1. List the water rights for which you do not own the entire historical place of use. _____	<input type="checkbox"/> A	<input type="checkbox"/> F
2. Are the water rights listed in question 19.a.i.1 severed from the historical POU?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, do you own the entirety of the severed water rights proposed for change?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, skip to question 20. If no, answer question 19.a.i.3.		
b. If no, answer question 19.a.i.3.		
3. Are all owners of the historical place of use or, if applicable, owners of the severed water rights, willing to sign the application?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no,		
i. A Form 641 or 642 to split the water rights being changed must be received and processed by the Department prior to application submittal.		
ii. Describe how the water rights will be split, and which part of the split water rights will be proposed for change. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
20. Are you proposing to add a point of diversion or place of use on State of Montana Trust Land?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. Documentation of consent from the DNRC Trust Lands Management Division will be required at application submittal.		
ii. Do you propose to add a place of use on Trust Land with all points of diversion on private land? If yes, the change authorization will be temporary for the duration of the lease term (§85-2-441, MCA); answer temporary change project-specific questions 94 to 100.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F



21. Will your system be designed to discharge water from the project?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, explain the wastewater disposal method. A discharge permit may be required to comply with §§ 75-5-410 and 85-2-364, MCA. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
22. Is the application to change the purpose of use or place of use of an appropriation of 4,000 or more acre-feet (AF) of water a year and 5.5 or more cubic feet per second (CFS)? If yes, you must submit a Reasonable Use Addendum (Form 606-B) with the application. The reasonable use criteria are found in §85-2-402(4-5), MCA.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
23. Will you be transporting water for use outside of Montana? If yes, you will need to submit an Out-of-State Use Addendum (Form 600/606-OSA) with the application. The out-of-state use criteria are outlined in §85-2-402(6), MCA.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
24. Is the project located in designated sage grouse habitat? If yes, a review letter from the Montana Sage Grouse Habitat Conservation Program will be required at application submittal.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
25. Does the application include a mitigation, aquifer recharge, or marketing for mitigation/aquifer recharge purpose? If yes, answer mandatory questions 124 to 129. Additionally, you may choose to answer non-mandatory questions 185 to 190. A Mitigation Addendum (Form 600/606-MIT) will be required with application submittal.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
26. Does the application include the water marketing purpose? This does not include marketing for mitigation/aquifer recharge. If yes, answer the following question. Additionally, you may choose to answer non-mandatory questions 191 to 195. A Water Marketing Purpose Addendum (Form 600/606-WMA) will be required with application submittal.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
a. For what purposes will the marketed water be used? _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
27. Does the proposed purpose include instream flow? If yes, answer mandatory questions for instream flow changes 130 to 136. Additionally, you may choose to answer non-mandatory questions 180 to 184. A Change to Instream Flow Addendum (Form 606-IFA) will be required with application submittal.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
28. Will the proposed use include water made available through creation of a "water saving method" (i.e., salvage water) as defined in ARM 36.12.101? If yes, answer questions 137 to 141 for Salvage Water.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F



Historical Use

The following questions are mandatory and must be filled out for both Surface Water and Groundwater Applications before the Preapplication Meeting Form is determined to be complete.

<u>Questions, Narrative Responses, and Tables</u>				<u>Check-boxes</u>	<u>Follow-Up</u>
29. What is the water right type for each water right proposed for change? Answer question 30 for each Statement of Claim, question 31 for each Provisional Permit, and question 32 for water right that is not a Statement of Claim or Provisional Permit. <div style="text-align: center; margin-top: 10px;"> <u>Statement of claim</u> </div>				<input type="checkbox"/> A	<input type="checkbox"/> F
30. In the table below, write the water right number for each Statement of Claim proposed for change in the "Statement of Claim Number" column. If there is one or more previous change authorizations, write the application numbers for the change authorizations in the "Previous Change Authorization Number" column. If there are no previous change authorizations, write "none" in the "Previous Change Authorization Number" column and "N/A" in all the remaining columns. Write the date of the Project Completion Notice for each previous change authorization in the "Project Completion Notice Date" column and if no Project Completion Notice has been submitted, write "none" instead. In the "Previous Historical Use Analysis Quality" column, describe the quality of the previous historical use analysis.				<input type="checkbox"/> A	<input type="checkbox"/> F
Statement of Claim Number	Previous Change Authorization Number	Project Completion Notice Date	Previous Historical Use Analysis Quality		
76H 108997 00	none	N/A	N/A		



31. In the table below, write the water right number for each Provisional Permit proposed for change in the “Provisional Permit Number” column. In the “Project Completion Notice Date” column, write the date of the Project Completion Notice and if no Project Completion Notice has been submitted, write “none” instead. Write the application number for each previous change authorization in the “Previous Change Authorization Number” column. If there are no previous change authorizations, write “none” in the “Previous Change Authorization Number” column and “N/A” in all the remaining columns. Write the date of the Project Completion Notice for each previous change authorization in the “Previous Change Project Completion Notice” column and if no Project Completion Notice has been submitted, write “none” instead. In the “Previous Change Historical Use Analysis Quality” column, describe the quality of the previous historical use analysis.

A F

Provisional Permit Number	Project Completion Notice Date	Previous Change Authorization Number	Previous Change Project Completion Notice Date	Previous Historical Use Analysis Quality

32. In the table below, write the water right number for each water right proposed for change that is not a Statement of Claim or Provisional Permit, the type of water right, and the completion date. If a Groundwater Certificate, the completion date will be the date of filing. If an exempt or non-filed water right, the completion date will be July 1, 1973. If there are one or more previous change authorizations, write the application number for each change authorization in the “Previous Change Authorization Number” column. If there are no previous change authorizations, write “none” in the “Previous Change Authorization Number” column and “N/A” in all the remaining columns. Write the date of the Project Completion Notice for each previous change authorization in the “Previous Change Project Completion Notice Date” column and if the previous change authorization does not have a Project Completion Notice, write “none” instead. In the “Previous Historical Use Analysis Quality” column, describe the quality of the previous historical use analysis.

A F

Water Right Number	Water Right Type	Completion Date	Previous Change Authorization Number	Previous Change Project Completion Notice Date	Previous Historical Use Analysis Quality



33. Are there previous Montana Water Court approved stipulations, Water Master reports, or prior Montana Water Court or Department decisions related to the water right(s) being changed?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, explain. <u>Water Court case 76HF-213. Masters report adopted on 7/29/01. Decree exceedence.</u> <hr/> <hr/> <hr/> <hr/>	<input type="checkbox"/> A	<input type="checkbox"/> F
34. Fill in the table below based on ARM 36.12.1902(1) and the information provided in questions 29 to 33. In column "Water Right Number", list all water rights proposed for change. Select one of the three historical use analysis options and fill in the required information associated with that option. Select "Full Historical Use Analysis N/A" only if an unperfected Provisional Permit will be used to serve as historical use in lieu of analysis. If the "Existing Historical Use Analysis" or "Full Historical Use Analysis N/A" option is selected, skip to question 57 because this section is complete.	<input type="checkbox"/> A	<input type="checkbox"/> F

Water Right No. Proposed for Change	Historical Use Analysis Options
76H 108997 ∞	<input checked="" type="checkbox"/> New Historical Use Analysis. Date for which historical use will be analyzed: <u>July 1, 1973</u> <hr/> <input type="checkbox"/> Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: _____ <hr/> <input type="checkbox"/> Full Historical Use Analysis N/A. Water right number serving as historical use in lieu of analysis: _____



	<input type="checkbox"/> New Historical Use Analysis. Date for which historical use will be analyzed: _____
	<input type="checkbox"/> Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: _____
	<input type="checkbox"/> Full Historical Use Analysis N/A. Water right number serving as historical use in lieu of analysis: _____
	<input type="checkbox"/> New Historical Use Analysis. Date for which historical use will be analyzed: _____
	<input type="checkbox"/> Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: _____
	<input type="checkbox"/> Full Historical Use Analysis N/A. Water right number serving as historical use in lieu of analysis: _____

35. Do you have knowledge of historical use?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. Is this firsthand knowledge?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
ii. Who has this knowledge and what was their role? _____	<input type="checkbox"/> A	<input type="checkbox"/> F
b. If no, where will the historical use data be derived? <u>WRS, WRS notes, 1979 historical photos</u> _____	<input type="checkbox"/> A	<input type="checkbox"/> F



Fill out the remaining Historical Use questions (questions 37 to 56) **one time for each** water right proposed for change. Use the "Additional Water Right Historical Use (606P)" sheet for each additional water right. You may answer **one time for all** water rights proposed for change that have the same purposes, place of use, supplemental water rights, points of diversion, period of use, conveyance, diverted volume parameters, and consumptive volume parameters.

36. What is the water right number for which questions 37 to 56 will be answered? <u>76H 108997 00</u>		<input type="checkbox"/> F
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Historical Use: Place of Use

37. The historical use map submitted for question 8 must clearly identify the entire place of use for each overlapping water right that intersects the historical place of use. Does your historical use map meet this requirement?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input checked="" type="checkbox"/> F
38. Are you proposing to change all water rights associated with the historical place of use?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
a. If no, identify the water rights associated with the historical place of use that are not included in this application. Provide the priority date for each water right and explain why all overlapping water rights are not included in the application. Include water received via contract from a company, district, or water users' association.	<input type="checkbox"/> A	<input type="checkbox"/> F

Water Right No.	Priority Date	Reason Not Included in Change
76H 108998 00	01/01/1897	Branch creek availability not what it use to be and Branch creek water will not make it upgradient to the pond proposed.



39. Answer the section of this question relevant to the historical purpose. If there is more than one purpose, then answer all relevant parts of this question.		
a. All purposes		
i. Does the legal land description from the abstract encompass the actual location of the historical place of use?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If no, explain the discrepancy and submit historical aerial photographs and/or other data sources to corroborate the location of these historical places of use, and, if a Statement of Claim, submit documentation of a written request submitted to the Water Court for amendment of the Claim. _____	<input type="checkbox"/> S	<input type="checkbox"/> F
b. Irrigation		
i. Is the water right being changed a Statement of Claim?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, does the Water Resources Survey corroborate the acres irrigated listed on the abstract?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, submit evidence that can corroborate the historical place of use, including the number of irrigated acres. This includes, but is not limited to, aerial photographs, irrigation journals, or logs.	<input type="checkbox"/> S	<input type="checkbox"/> F
2. If no, submit one or more aerial photographs that can corroborate the historical place of use, including the number of irrigated acres.	<input type="checkbox"/> S	<input type="checkbox"/> F
c. Lawn and garden		
i. Submit aerial photographs that can corroborate the historical place of use, including the number of irrigated acres.	<input type="checkbox"/> S	<input type="checkbox"/> F
d. Stock		
i. Submit aerial photographs, grazing records, or other records to corroborate the historical place of use.	<input type="checkbox"/> S	<input type="checkbox"/> F
ii. Did the stock drink direct from source or direct from ditch?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If no, submit data sources that make clear the location of the stock watering infrastructure.	<input type="checkbox"/> S	<input type="checkbox"/> F
e. Multiple domestic, domestic, municipal, mining, commercial, and other purposes		
i. Submit aerial photographs, deeds, other recorded documents or records, affidavits, or other published documents, such as magazine articles, to corroborate the historical place of use.	<input type="checkbox"/> S	<input type="checkbox"/> F



Historical Use: Point of Diversion

Continue to answer questions for water right(s) identified in question 36. Applications corroborating historical flow rate with the Historical Use Addendum (Form 606-HUA) may be eligible to skip question 42; see the Form 606-HUA for more information.

40. For all historical points of diversion, identify the means, location (¼ ¼ ¼ section), and if they are proposed for change. Label using the same POD ID letter as for the Historical Use Map (question 8).			<input type="checkbox"/> A	<input type="checkbox"/> F
POD ID	Means	Location (¼ ¼ ¼ Section)	Proposed for Change?	
1	Headgate/ditch	SESWSW, sec. 33	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	
			<input type="checkbox"/> Y <input type="checkbox"/> N	
			<input type="checkbox"/> Y <input type="checkbox"/> N	
			<input type="checkbox"/> Y <input type="checkbox"/> N	

41. Do the legal land descriptions from the abstract encompass the actual locations of all historical points of diversion?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, explain the discrepancy and submit historical aerial photographs and/or other data sources to corroborate the location of these historical points of diversion, and, if a Statement of Claim, submit documentation of a written request submitted to the Water Court for amendment of the Claim.	<input type="checkbox"/> S	<input type="checkbox"/> F

42. Answer questions below related to the diversion means for each of the historical points of diversion.		
a. Headgate		
i. For each headgate, provide dimensions in feet (FT), slope of the channel at the headgate (%), material of the headgate, estimated historical capacity in gallons per minute (GPM) or cubic feet per second (CFS) and the method used to estimate historical capacity. Label using the same POD ID letter as for the Historical Use Map (question 8).	<input type="checkbox"/> A	<input checked="" type="checkbox"/> F

No follow up.

POD ID	Dimensions	Slope	Material	Estimated Capacity			Method
	FT	%		Cap.	GPM	CFS	
1	29 in wide 1ft deep and 8 cfs est.		metal headgate		<input type="checkbox"/>	<input type="checkbox"/>	measured 6-7 cfs capacity in ditch and the flume capacity is greater.
					<input type="checkbox"/>	<input type="checkbox"/>	
					<input type="checkbox"/>	<input type="checkbox"/>	
					<input type="checkbox"/>	<input type="checkbox"/>	
					<input type="checkbox"/>	<input type="checkbox"/>	

and



b. Pump, dike, dam, or other surface water point of diversion			<input type="checkbox"/> A	<input type="checkbox"/> F
i. For each pump, dike, dam, or other surface water point of diversion, provide an estimate of the historical capacity (GPM or CFS) and the method used to estimate the historical capacity. Label using the same POD ID letter as for the Historical Use Map (question 8).				

POD ID	Estimated Capacity			Method
	Cap.	GPM	CFS	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	

c. Well, pit, or other groundwater point of diversion			<input type="checkbox"/> A	<input type="checkbox"/> F
i. For each well, pit, or other groundwater point of diversion, provide an estimate of the historical capacity (GPM or CFS) and the method used to estimate the historical capacity. Label using the same POD ID letter as for the Historical Use Map (question 8).				

POD ID	Estimated Capacity			Method
	Cap.	GPM	CFS	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	



43. Do other water rights share any of the points of diversion?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, list the water rights, their flow rates (GPM or CFS), and the nature of the relationship. Label using the same POD ID letter as for the Historical Use Map (question 8).	<input checked="" type="checkbox"/> A	<input type="checkbox"/> F

POD ID	Water Right No.	Flow Rate			Relationship
		Flow	GPM	CFS	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	
			<input type="checkbox"/>	<input type="checkbox"/>	

Historical Use: Period of Diversion

(Continue to answer questions for water right(s) identified in question 36.)

44. Are the period of diversion and the period of use the same?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no,		
i. Why are they different?	<input type="checkbox"/> A	<input type="checkbox"/> F

ii. Is there a place of storage?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
45. When was water diverted for the purposes of the water rights being changed?	<input type="checkbox"/> A	<input type="checkbox"/> F
Start Date (Month (MM)/Day (DD))	End Date (MM/DD)	
04/15	10/19	



46. Does the Department have a standard, found in ARM 36.12.112, for the period of diversion for all purposes for which water is used?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, does the period of diversion for all purposes fall within Department standards?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
b. If no, or if any period of diversion falls outside Department standards, explain how the period of diversion is reasonable for the purpose. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F

Historical Use: Historical Diverted Volume

Continue to answer questions for water right(s) identified in question 36. Applications corroborating historical diverted volume with the Historical Use Addendum (Form 606-HUA) may be eligible to skip question parts of question 47; see the Form 606-HUA for more information.

47. Answer all relevant sections of this question based on whether the historical purpose was irrigation, non-irrigation, or both.		
a. Irrigation		
i. Do you want ARM 36.12.1902(10) to be used to calculate historical diverted volume?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If no, submit a Historical Water Use Addendum (Form 606-HUA). Form 606-HUA must be submitted to the Department before the Preapplication Meeting Form is completed.	<input type="checkbox"/> S	<input type="checkbox"/> F
ii. What were the crop(s) grown? _____ <i>pasture grass and hay</i> _____		<input type="checkbox"/> F
1. For hay, how many cuttings were there per season and how many days did cuttings last? Did irrigation cease throughout the place of use for cuttings? For other crops, explain whether irrigation regularly ceased within the irrigation season. For all crops, explain whether diversions ceased during times irrigation did not occur. _____ <i>pasture grass, no haying. Ditch not shut off for right.</i> _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F



b. Non-irrigation			
i. Explain your historical diversion schedule, with sufficient detail to estimate the volume of water historically diverted. This may include, but is not limited to, days per year water was historically diverted or the number of diversions per year and the duration of each diversion. <hr/> <hr/> <hr/> <hr/>		<input type="checkbox"/> A	<input type="checkbox"/> F
ii. Explain water diverted but not consumed by the non-irrigation purpose(s). This includes, but is not limited to, wastewater discharge and conveyance loss. Ditch-Specific Questions (questions 110 to 111) will gather information necessary for estimating losses from conveyance ditches. <hr/> <hr/> <hr/> <hr/>		<input type="checkbox"/> A	<input type="checkbox"/> F
iii. Did historical diversions serve more than one non-irrigation purpose?		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, how much of the diversions served each non-irrigation purpose and how did you determine this? <hr/> <hr/> <hr/> <hr/>		<input type="checkbox"/> A	<input type="checkbox"/> F
48. Did diversions ever regularly cease within the period of use due to insufficient water in source or calls based on priority date?		<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, please explain. <i>On good years, no reduction. In 6 years, there have been 2 yrs where diversions were reduced.</i> <hr/> <hr/>		<input type="checkbox"/> A	<input type="checkbox"/> F



Historical Use: Historical Consumed Volume

Continue to answer questions for water right(s) identified in question 36. Applications corroborating historical consumptive volume with the Historical Use Addendum (Form 606-HUA) may be eligible to skip parts of question 50; see the Form 606-HUA for more information.

49. What are the historical purposes? Mark each purpose and answer the applicable questions below. <input checked="" type="checkbox"/> Irrigation. Answer question 50. <input type="checkbox"/> Lawn and garden. Answer question 51. <input type="checkbox"/> Stock. Answer question 52. <input type="checkbox"/> Domestic and multiple domestic. Answer question 53. <input type="checkbox"/> Municipal. Answer question 54. <input type="checkbox"/> Other. Answer question 55.		
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50. Irrigation		
a. Will you use Department standards for historical consumptive use as defined in ARM 36.12.1902?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If no,		
1. What method will you use to determine historical consumptive use? <u>Flood</u>	<input type="checkbox"/> A	<input type="checkbox"/> F
2. Submit a Historical Water Use Addendum (Form 606-HUA) to the Department. Form 606-HUA must be submitted to the Department before the Preapplication Meeting Form is completed.	<input type="checkbox"/> S	<input type="checkbox"/> F
ii. If yes,		
1. What is the historical irrigation method type and subtype? Irrigation method types include flood and sprinkler. Flood irrigation subtypes include level border, graded border, furrow, contour ditch, or wild flood. Sprinkler subtypes include wheel line and center pivot. <u>Flood and wild flood subtype</u>	<input type="checkbox"/> A	<input type="checkbox"/> F
2. What was the slope (%) of the historical place of use? <u>approx 0.12</u>		<input type="checkbox"/> F



3. Are there any factors beyond irrigation method type/subtype and place of use slope that may influence percent efficiency of irrigation?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, submit evidence to support the modified percent efficiency of irrigation in the Historical Water Use Addendum (Form 606-HUA). These factors may include infrastructure age, soil characteristics, or field improvements. Form 606-HUA must be submitted to the Department before the Preapplication Meeting Form is completed.	<input type="checkbox"/> S	<input type="checkbox"/> F
4. Based on answers to the above questions, what is the percent efficiency of irrigation? <u>wild flood is 25%</u>		<input type="checkbox"/> F
5. What is the County Management Factor? <u>79.5%</u>		<input type="checkbox"/> F
6. What is evapotranspiration (ET) based on the irrigation method and county? <u>19.82 western Ag research station</u>		<input type="checkbox"/> F
7. What percent of applied water are irrecoverable losses per ARM 36.12.1902(17)? <u>5% for flood</u>		<input type="checkbox"/> F



51. Lawn and garden			
a. Will you use a Department standard for historical consumptive use volume for lawn and garden? Department standards include 2.5 acre-feet per acre, or a calculated volume based on Irrigation Water Requirements for turf grass.		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, which standard? _____			<input type="checkbox"/> F
ii. If no, please provide an estimate of historical water use based on expert analysis and methods used to determine this estimate. _____ _____		<input type="checkbox"/> A	<input type="checkbox"/> F

52. Stock			
a. Which volume standard for animal units applies to historical use and why? The standards are either 15 gallons per animal unit per day for new appropriations or 30 gallons per animal unit per day for claims. _____		<input type="checkbox"/> A	<input type="checkbox"/> F
b. How many animal units were historically served? _____			<input type="checkbox"/> F
c. Did these animal units rely entirely on the water right(s) proposed for change for their full water demand?		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If no, explain. _____ _____		<input type="checkbox"/> A	<input type="checkbox"/> F



53. Domestic and multiple domestic		
a. How many households were served? _____		<input type="checkbox"/> F
b. Will the Department standard of 1 acre-foot per household be used? The same standard shall be applied to historical and proposed uses.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If no, what standard will be used? _____		<input type="checkbox"/> F
c. Did the historical use include wastewater disposal and treatment?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, which of the following best describes the wastewater disposal and treatment system? Individual drain fields, central treatment facility with minimal consumption, or evaporation basin or land application? _____	<input type="checkbox"/> A	<input type="checkbox"/> F

54. Municipal		
a. What is the volume of water (AF) historically consumed for municipal purposes? _____		<input type="checkbox"/> F
b. Submit evidence to support historical municipal use. The data sources may include records that tie water use to the U.S Census, estimates of historical system capacity and estimates of leakage.	<input type="checkbox"/> S	<input type="checkbox"/> F

55. Other		
a. Specify the other purposes. _____		<input type="checkbox"/> F
b. What is the volume of water (AF) historically consumed for other purposes? _____		<input type="checkbox"/> F
c. Submit evidence to support the volume of water historically consumed.	<input type="checkbox"/> S	<input type="checkbox"/> F



Historical Use: Historical Places of Storage

(Continue to answer questions for water right(s) identified in question 36.)

56. Did the historical use include one or more places of storage? 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)).					<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, for each historical place of storage please provide the surface area in acres (AC), capacity (AF), annual net evaporation (FT/YR), and number of times per year the place of storage was filled.					<input type="checkbox"/> A	<input type="checkbox"/> F
ID	Surface Area (AC)	Capacity (AF)	Annual Net Evaporation (FT/YR)	# of Annual Fillings		

Surface Water

Applicable, move on to question 57. **Not Applicable**, skip to question 66.

The following questions are mandatory for changes to surface water rights and must be filled out before the Preapplication Meeting Form is determined to be complete.

Return Flow Analysis

<u>Questions, Narrative Responses, and Tables</u>	<u>Check-boxes</u>	<u>Follow-Up</u>
57. Do the purposes of the water rights proposed for change include irrigation?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, does the proposed change include a change in place of use <i>and/or</i> a change in purpose? If you propose to retire acres in the historical place of use and/or add new acres outside the historical place of use, this constitutes a change in place of use.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, a return flow analysis is required. Move on to answer question 58.		
ii. If no, this section is complete, and you may skip to question 94.		
58. Does the proposed change include a change in purpose?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, consumptive use information is collected in the Change in Purpose section (questions 101 to 108), skip to question 59.		
b. If no, go to question 59.		
59. Does the proposed change include a change in place of use? If yes, move on to question 60. If no, skip to question 63.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F



60. Submit a map showing the new, unchanged historical, and retired historical places of use. Create map on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, and north arrow. If you have shapefiles associated with this map, in addition to submitting an image of the map, please submit electronic copies of the shapefiles to the Department.	<input type="checkbox"/> S	<input type="checkbox"/> F
61. How many acres, if any, will be retired from the historical place of use? _____		<input type="checkbox"/> F
62. Are irrigated acres proposed that are outside the historical place of use?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. How many acres? _____		<input type="checkbox"/> F
ii. What is the proposed irrigation method type (e.g., flood or sprinkler) and subtype (e.g., level border, graded border, furrow, contour ditch, wild flood, center pivot, or wheel line) for the new acres? _____		<input type="checkbox"/> F
iii. What is the slope (%) of the new place of use? _____		<input type="checkbox"/> F
iv. Based on 62.a.ii to 62.a.iii, what is the percent efficiency of irrigation for the new acres? _____		<input type="checkbox"/> F
v. What is the County Management Factor for the new acres? _____		<input type="checkbox"/> F
vi. What is the ET based on the irrigation method and county for the new acres? _____		<input type="checkbox"/> F
vii. What percent of applied water are irrecoverable losses for new acres? _____		<input type="checkbox"/> F
63. Do you have information for the Department to consider about the source and location where return flows historically accrued?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, submit this information to the Department.	<input type="checkbox"/> S	<input type="checkbox"/> F



Extended Return Flow Analysis

<p>64. Based on the preliminary data provided by the Department at this preapplication meeting, to what surface water sources do return flows accrue before and after the proposed change? <i>*Return flow data provided by the Department at the preapplication meeting is preliminary and is subject to change during technical analyses. If the source or location of return flow data changes during technical analyses, then the analysis of impacts to identified surface water rights will reflect the technical analyses; this will not constitute a change of any element to the proposed application pursuant to ARM 36.12.1302(6)(a).</i></p> <hr/> <hr/>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>65. If an extended return flow analysis is necessary to analyze impacts to identified surface water rights for the purpose of evaluating adverse effect, do you elect to answer non-mandatory questions 149 to 154 to provide information required for this extended analysis?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>a. If yes, go to question 149. This information will be used if an extended return flow analysis is necessary to analyze impacts to identified surface water rights for the purpose of evaluating adverse effect.</p>		
<p>b. If no, did you elect in question 1 for the Department to conduct technical analyses?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>i. If yes, do you elect for the Department to use publicly available water quantity data for the extended return flow analysis? If the extended return flow analysis is needed and sufficient publicly available water quantity data are not available, then the Department will not be able to conduct the extended analysis. You will still have to prove a lack of adverse effect from the proposed change.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>ii. If no, you may still include the extended return flow analysis with your technical analyses. The Department will include the extended analysis in its scientific credibility review of your technical analyses. You will still need to prove a lack of adverse effect from the proposed change.</p>		



GROUNDWATER

Applicable, move on to question 66. **Not Applicable**, skip to question 94.

The following questions are mandatory for changes to groundwater rights and must be filled out before the Preapplication Meeting Form is determined to be complete.

Groundwater Analysis for Changes

<u>Questions, Narrative Responses, and Tables</u>					<u>Check-boxes</u>	<u>Follow-Up</u>
66. Does the proposed change include a change in point of diversion?					<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, this section is complete; skip to question 77.						
b. If yes, a groundwater analysis for changes is required; answer questions specific to the groundwater diversion type.						
i. What is the groundwater diversion type? _____						<input type="checkbox"/> F
Well/Pumping Pit	Answer questions 67 to 72	Developed Spring	Answer question 73	Pond	Answer questions 74 to 76	

Groundwater Analysis: Well/Pumping Pit

Applicable Not Applicable

67. Per ARM 36.12.121 a 24- or 72-hour aquifer test is required; do you propose not to conduct the test? An 8-hour test will be required, if no aquifer test is completed.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, explain. The Department will let you know if the request is reasonable and identify additional data needs. _____ _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F



<p>68. Submit Aquifer Test Data Form (Form 633) for each <i>new</i> well/pumping pit that will be constructed prior to technical analyses or <i>existing</i> well/pumping pit that is added by the change. If an aquifer test was already conducted for an <i>existing</i> well/pumping pit, and you would like to use that instead of conducting a new aquifer test, describe this in question 67.a.</p> <p>If a variance is requested, Form 633 must be submitted on or before the Variance Request Deadline. If no variance is requested, Form 633 is due by the time the preapplication meeting form is complete but may be submitted earlier. However, if the Department determines a variance is needed and the Variance Request Deadline has passed, to submit the Form 653 you must reschedule the preapplication meeting or submit the application without expedited fees and timelines (ARM 36.12.1302(6)).</p>	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>69. Submit the Aquifer Testing Addendum (Form 600/606-ATA) and associated materials (e.g., well logs). If you request a variance, Form 600/606-ATA must be submitted on or before the Variance Request Deadline. If no variance is requested, Form 600/606-ATA is due by the time the preapplication meeting form is complete but may be submitted earlier. However, if the Department determines a variance is needed and the Variance Request Deadline has passed, to submit the Form 653 you must reschedule the preapplication meeting or submit the application without expedited fees and timelines (ARM 36.12.1302(6)).</p>	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>70. Are you requesting a variance from ARM 36.12.121? If you are unsure if a variance request will be needed, mark follow-up and answer this question once Form 600/606-ATA and Form 633 are complete. A variance must be requested by the Variance Request Deadline.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>a. If yes, submit Form 653, Form 600/606-ATA, and Form 633 together on or before the Variance Request Deadline.</p>	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>b. If no, you may choose to submit Form 600/606-ATA and Form 633 before the Variance Request Deadline, and the Department will review these two forms. If the Department determines a variance is needed after the Variance Request Deadline, to submit the Form 653 you must reschedule the preapplication meeting or submit the application without expedited fees and timelines (ARM 36.12.1302(6)).</p>		
<p>71. Have all the wells/pumping pits been constructed?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>a. If no,</p>		
<p>i. Submit a list of the POD IDs for all wells/pumping pits and mark whether they have or have not been constructed.</p>	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>ii. When will the proposed wells/pumping pits be constructed? _____</p>		<input type="checkbox"/> F



iii. Is the requested volume for each proposed well/pumping pit known?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, list the flow rate and volume requested for each proposed well/pumping pit. Label with POD ID. _____	<input type="checkbox"/> A	<input type="checkbox"/> F
2. If no, what is the total requested volume (AF) and the number of proposed PODs? _____		<input type="checkbox"/> F
72. What is the flow rate (GPM or CFS), volume (AF), and period of diversion (MM/DD-MM/DD) required at each new well/pumping pit ("new") or existing well/pumping pit that is added by the change ("existing")? If the well/pumping pit is not yet constructed, use the estimated volume based on question 71.a.iii.2. What is the well/pumping pit depth (FT), if available, or estimated well/pumping pit depth (FT)? Label using the same POD ID number as the Proposed Use Map (question 9) and, if available, GWIC ID. List whether the POD is <i>new</i> or an <i>existing</i> well added by the change.	<input type="checkbox"/> A	<input type="checkbox"/> F

POD ID	GWIC ID <i>(if available)</i>	Flow Rate			Volume <i>AF</i>	Period of Diversion <i>MM/DD-MM/DD</i>	Depth <i>FT</i>	Measured or Estimated	New or Existing
		<i>Flow</i>	<i>GPM</i>	<i>CFS</i>					
			<input type="checkbox"/>	<input type="checkbox"/>					
			<input type="checkbox"/>	<input type="checkbox"/>					
			<input type="checkbox"/>	<input type="checkbox"/>					
			<input type="checkbox"/>	<input type="checkbox"/>					
			<input type="checkbox"/>	<input type="checkbox"/>					

Groundwater Analysis: Developed Spring

Applicable Not Applicable

73. Have you measured each <i>new</i> developed spring or <i>existing</i> developed spring that will be added by the change?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, submit the measurements to the Department and answer the following questions:	<input type="checkbox"/> S	<input type="checkbox"/> F
i. Do you have flow rate (GPM or CFS) and volume measurements?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
ii. With what method were measurements collected? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F



iii. What is the interval of measurements? _____		<input type="checkbox"/> F
iv. Is the interval of measurements sufficient to comply with the Department standard of monthly flow measurements taken at regular intervals or at department-approved intervals during the proposed period of diversion?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
b. If no, or if measurements do not comply with the Department standard, answer the following questions. The Department cannot deem the preapplication meeting form adequately completed until the Department receives measurements that meet the Department standard.		
i. When do you plan to measure? _____	<input type="checkbox"/> A	<input type="checkbox"/> F
ii. With what method and at what interval will measurements be collected? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F

Groundwater Analysis: Pond

Applicable Not Applicable

74. Submit Form 653 to apply for a variance from ARM 36.12.121 for the Aquifer Test on or before the Variance Request Deadline.	<input type="checkbox"/> S	<input type="checkbox"/> F
75. Submit bathymetry data, survey, or engineering plans for each <i>new</i> pond added or <i>existing</i> pond added or modified by the proposed change. Label using the same POD ID number as the Proposed Use Map (question 9). List whether the pond is <i>new</i> or an <i>existing</i> pond.	<input type="checkbox"/> S	<input type="checkbox"/> F
76. Are any of the <i>new</i> ponds, or <i>existing</i> ponds added or modified by the proposed change the pond, fed or drained by surface water in addition to groundwater?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. Explain. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
ii. Submit measurements of the connected surface water source. These may include inflow and outflow measurements.	<input type="checkbox"/> S	<input type="checkbox"/> F



106. Domestic and multiple domestic		
a. How many households will be served? _____		<input type="checkbox"/> F
b. Will the Department standard of 1 acre-foot per household be used to determine consumptive use?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If no, what standard will be used? _____	<input type="checkbox"/> A	<input type="checkbox"/> F
c. Will the proposed use include wastewater disposal and treatment?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, which of the following best describes the wastewater disposal and treatment system? Individual drain fields, central treatment facility with minimal consumption, or evaporation basin or land application? _____		<input type="checkbox"/> F
107. Other purpose		
a. What is the other purpose (e.g., municipal, commercial)? _____		<input type="checkbox"/> F
b. What is the percentage of consumption for the proposed use? Please explain. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
108. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 14 and if you are answering in consecutive order, go to question 109.		

Ditch-Specific Questions

Applications corroborating historical diverted volume with the Historical Use Addendum (Form 606-HUA) may be eligible to skip one or more questions in this section; see the Form 606-HUA for more information.

109. Does the historical use of water include at least one conveyance ditch? If yes, answer questions 110 to 111. If no, skip to question 112.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
110. Submit a Historical Use Ditch Map that shows every ditch conveying water for the historical use of all water rights proposed for change. Label the ditch names, PODs, the POU's, and the ditch measurement locations (requested in question 111.d). The map should be created on a historical image or topographic map with the following: section corners, township and range, scale bar, and north arrow.	<input type="checkbox"/> S	<input checked="" type="checkbox"/> F



111. Answer question 111.a to 111.h one time for each historical conveyance ditch. If there is more than one historical conveyance ditch, use an "Additional Historical Ditch (606P)" sheet for each additional ditch.			
a. What is the ditch name? _____ <u>Hickey Ditch B</u> _____			<input type="checkbox"/> F
b. List the water rights proposed for change that were conveyed by the ditch. _____ <u>76# 108997 00</u> _____			<input type="checkbox"/> F
c. What is the distance water was historically carried by the conveyance ditch? Only include segments between the POD and start of the POU; do not include segments within the POU. _____	<input type="checkbox"/> A		<input checked="" type="checkbox"/> F
d. Provide at least one set of ditch measurements, which include width (FT), depth (FT), and slope (%). Discuss ditch characteristics with DNRC to determine the minimum number of ditch measurements. Include the location of each measurement, labeled with the 2-digit measurement ID number, used on the map submitted for question 110.	<input type="checkbox"/> S		<input checked="" type="checkbox"/> F

ID #	Width (FT)	Depth (FT)	Slope (%)	Date of Measurement

e. What is a reasonable Manning's n value? List the factors used for estimation. If you do not know this value, please work through estimation with the Department. _____ <u>0.025 .025 gravel beds, straight</u> _____	<input type="checkbox"/> A		<input type="checkbox"/> F
f. What type of soils compose the historical conveyance ditch? For lined ditches, write "lined" instead. _____ _____	<input type="checkbox"/> A		<input checked="" type="checkbox"/> F



g. Are other water rights conveyed by the historical conveyance ditch?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes,		
1. List the water right numbers and their flow rates. <i>See attached</i>	<input checked="" type="checkbox"/> A	<input type="checkbox"/> F
2. What is the sum of the flow rates, including the water rights proposed for change?	<input checked="" type="checkbox"/> A	<input type="checkbox"/> F
3. Submit a map with your best estimate of the historical POUs for the other water rights conveyed by the historical conveyance ditch. Include only POUs between the historical POD and your historical POU. If you do not know this information, the Department can help you create the map. The map should be created on an aerial photograph or topographic map and show the following: section corners, township and range, scale bar, and north arrow.	<input type="checkbox"/> S	<input checked="" type="checkbox"/> F
h. Were any water rights proposed for change part of one historical water right that was split?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, were all split water rights split in such a way to ensure each post-split water right could stand alone and not be reliant on the others for carriage water?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If no, do any of the water rights proposed for change have a carriage water requirement?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. List the water rights with a carriage water requirement		<input type="checkbox"/> F
ii. Update your Historical Use Ditch Map (question 110) to label the ditch segments where a carriage water requirement exists for a water right proposed for change. Also, use your best estimate to label the POUs for all water rights included in the carriage water requirement. If you do not know this information, the Department can help you update the map.	<input type="checkbox"/> S	<input type="checkbox"/> F
112. Does the proposed use include at least one existing or new conveyance ditch? If yes, answer questions 113 to 114. If no, or if you answered these questions earlier in the preapplication meeting, this section is complete; skip to question 115.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F



113. Submit a Proposed Use Ditch Map that shows every ditch conveying the water rights proposed for change, including any unchanged portions. Label all unchanged and proposed PODs, all unchanged and proposed POUs, and additional ditch measurement locations (requested in question 114.e). The map should be created on an aerial photograph or topographic map with the following: section corners, township and range, scale bar, and north arrow.	<input type="checkbox"/> S	<input checked="" type="checkbox"/> F
114. Answer the questions 114.a to 114.i one time for each proposed use conveyance ditch. Use an "Additional Proposed Use Ditch (606P)" sheet for each additional ditch.		
a. What is the ditch name? <u>Hickey Ditch B</u>		<input type="checkbox"/> F
b. Is this ditch a historical conveyance ditch detailed in questions 110 to 111?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, have any of the following details changed, to the best of your knowledge, from historical conditions: ditch length, distance water conveyed, ditch lining, or water rights conveyed by the ditch?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, answer questions 114.c to 114.i using current data.		
2. If no, do not answer questions 114.c to 114.i for this ditch because the information remains unchanged. Move on to the next proposed use conveyance ditch, or if none remain, skip to question 115.		
c. List the water rights proposed for change that are going to be conveyed by the ditch. _____		<input type="checkbox"/> F
d. What is the distance water will be carried by the conveyance ditch? Only include segments between the POD and start of the POU; do not include segments within the POU. _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
e. Provide at least one set of ditch measurements, which include width (FT), depth (FT), and slope (%). Discuss ditch characteristics with DNRC to determine the minimum number of ditch measurements. Include the location of each measurement, labeled with the 2-digit measurement ID number, used on the map submitted for question 113.	<input type="checkbox"/> S	<input type="checkbox"/> F

ID #	Width (FT)	Depth (FT)	Slope (%)	Date of Measurement



<p>f. What is a reasonable Manning's n value? List the factors used for estimation. If you do not know this value, please work through estimation with the Department.</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>g. What type of soils compose the proposed conveyance ditch? For lined ditches, write "lined" instead.</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>h. Are other water rights conveyed by the proposed conveyance ditch?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>i. If yes,</p>		
<p>1. List the water right numbers and their flow rates.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>2. What is the sum of the flow rates, including the water rights proposed for change?</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>3. Submit a map with your best estimate of the location of current POUs for the other water rights conveyed by the proposed conveyance ditch. Include only POUs between the POD and your proposed POU. If you do not know this information, the Department can help you create the map. The map should be created on an aerial photograph or topographic map and show the following: section corners, township and range, scale bar, and north arrow.</p>	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>i. Were any water right(s) proposed for change identified as having a carriage water requirement in question 111.h.i.1.a.i?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>i. If yes, update your Proposed Use Ditch Map (question 113) to label the ditch segments where a carriage water requirement exists for a water right proposed for change. Also, use your best estimate to label the POUs for all water rights included in the carriage water requirement. If you do not know this information, the Department can help you update the map.</p>	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>115. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 15 and if you are answering in consecutive order, go to question 116.</p>		



FOLLOW-UP

The table below will identify all questions marked for follow-up. Applicant follow-up will be submitted with the completed Preapplication Meeting Form: Part B (Form 606P-B). Applicant will provide all responses to questions marked for follow-up on a separate document entitled "Follow-up Responses." At the preapplication meeting, the Department may offer to provide the Applicant with information pertinent to identified follow-up. In this case, record in the notes column what information the Department will provide and the date by which the Department will email this information to the Applicant. This information will supplement but not replace Applicant follow-up. It is the responsibility of the Applicant to provide all follow-up, including questions supplemented by Department information, in the "Follow-up Responses" document.

The "Follow-up Responses" document must conform to the following standards. Label all responses with the question number. Answer questions in the same format as the form. For responses in the form of checkboxes, write "Y", "N", "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 attached to the Preapplication Meeting Form. Label all submitted items with the question number for which they were submitted.

The Applicant may not alter the Preapplication Meeting Form: Part A (Form 606P-A) signed at the Preapplication Meeting. Instead, the Applicant must use the Amended Responses procedure defined in Form 606P-B. Do not include additional information for questions that were not marked for follow-up on this table; instead include any additional information pursuant to the process for amending responses defined in Form 606P-B.

QUESTION #	NOTES
8, 9, 110, 37, 113	Will need maps submitted
11 c, d, f, g, h, i	Department assistance



PREAPPLICATION MEETING AFFIDAVIT & CERTIFICATION

"We attest that the information on this form accurately describes the proposed project discussed during the preapplication meeting and that the items marked for follow-up will require the applicant to provide additional information before the form is deemed complete."

"Applicant acknowledges that any information provided by the Department during the preapplication meeting is preliminary and subject to change."

"Applicant acknowledges that if the follow-up information provided to the Department substantially changes the proposed project, for example in a way that alters which sections of the form are applicable or which technical analyses are required, or who is to complete the technical analyses, the applicant will need to schedule a new preapplication meeting so that the Department can identify any additional information necessary for completion of the technical analyses (ARM 36.12.1302(3)(c))."

Upon Department receipt of the completed form (within 180 days following the meeting), the Department reserves five business days to return the form to the applicant if:

- 1 – the completed form does not include all necessary follow-up information identified in the meeting, OR
- 2 – the completed form is not adequate for the Department to proceed with technical analyses, OR
- 3 – the applicant has elected to complete technical analyses and has not submitted each piece of technical analysis required, OR
- 4 – the applicant has substantially changed the details of the proposed project, such as in a way that alters which sections of the form are applicable, which technical analyses are required, or who is to complete the technical analyses.

If the Department returns the form to the Applicant within these five days due to reasons 1-3 above, the Applicant can use the balance of their 180-day period in ARM 36.12.1302(4) or (5) to gather the remaining follow-up information needed. If there is no time remaining in the 180-day period, the Applicant can submit a written request for a new preapplication meeting, pursuant to ARM 36.12.1302(2). Even if there is still time remaining, the Applicant can choose to schedule a new preapplication meeting. The Department shall transfer the \$500 payment received to the new preapplication meeting, or refund the payment to the Applicant if the Applicant desires. If the Department returns the form to the Applicant within these five days due to reason (4) above, the Applicant must submit a written request for a new preapplication meeting, pursuant to ARM 36.12.1302(2). The Department shall transfer the \$500 payment received to the new preapplication meeting, or refund the payment to the Applicant if the Applicant desires.

Dean E. Fandi
Applicant Signature 6/5/25
Date

[Signature]
Applicant Signature Date
[Signature]
Department Signature 6/5/25
Date





**REQUEST FOR
PREAPPLICATION MEETING**
ARM 36.12.1302(2)
(Revised 02/2025)

For Department Use Only

RECEIVED

JUN - 5 2025

MONTANA D.N.R.C
MISSOULA REGIONAL OFFICE

Date Received 6-5-2025
Received By JN
Scheduled Meeting Date 6-5-2025

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 Dean Hardi
Mailing Address 1828 Pleasant View Dr
City Victor MT State MT Zip 59875
Home Phone 406-802-4409 Other Phone _____
Email: dhardi@msn.com

2. Representative Name (if other than Applicant) _____
 Representative is Consultant Representative is Attorney Representative is Other
Mailing Address _____
City _____ State _____ Zip _____
Home Phone _____ Other Phone _____
Email: _____

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

4. Describe your project:
Requesting to add a place of storage to water right 76H 108997, Gush Creek, Hickey Ditch B, Irrigation water right for 190.53 GPM.
Requested place of storage is an existing pond, ~~4.4~~^{4.5} acres, with existing water right 76H 108650, Recreation.
The project will not increase the footprint of the existing pond.



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

a) The flow rate and volume of water required:

Flow Rate 180.53 GPM CFS Volume _____ Acre-Feet

b) The point of diversion:

Point of Diversion #1 SE 1/4 SW 1/4 SW 1/4 Section 33, Township 8 N S, Range 21 E W
County Ravalli

Lot/Tract _____ Block _____ Subdivision Name _____

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:

16 Acres _____ Lot _____ Block E2 1/4 NE 1/4 SW 1/4 Sec 3, Twp 7 N S, Rge 21 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: Gush Creek

e) The proposed purpose: Add place of storage

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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Place of use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Purpose of use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Place of storage	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



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 ~~4.14~~⁴⁵ x Max Depth (feet) 15 x (.4 for dams/.5 for pits) = 2.7 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:

Well #1 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

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

