

PUBLIC NOTICE

PUBLIC COMMENT PERIOD

Notice to Water Users

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

The following application has been submitted to change a water right in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION TO CHANGE A WATER RIGHT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE DRAFT PRELIMINARY DETERMINATION (PD) DOCUMENTING THE FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ANY CONDITIONS ATTACHED TO THE WATER RIGHT ARE AVAILABLE ON THE INTERNET AT <https://dnrc.mt.gov/Water-Resources/Water-Rights/application-status-environmental-assessments/>.

PUBLIC COMMENT DEADLINE: JUNE 20, 2026. PUBLIC COMMENTS MUST BE FILED ON A PUBLIC COMMENT FORM, FORM 654, AND MUST BE RECEIVED BY THE STATED DEADLINE. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE OR CAN BE OBTAINED FROM ANY WATER RESOURCES REGIONAL OFFICE. MAIL PAPER COPIES OF THE COMPLETED FORM TO: DNRC WATER RIGHTS BUREAU, PO BOX 201601, HELENA, MT 59620-1601. SUBMIT ELECTRONIC COPIES OF THE COMPLETED FORM TO: DNRCWATERRIGHTSCOMMENTOBJECTION@MT.GOV. PER 85-2-307(5)(C), MCA, IF NO PUBLIC COMMENTS ARE RECEIVED, THE DRAFT PD WILL BE ADOPTED AS FINAL AND THERE WILL BE NO OPPORTUNITY TO OBJECT TO THIS APPLICATION.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, OR REQUESTS TO OBTAIN THE DRAFT PD OR PUBLIC COMMENT FORM TO THE WATER RESOURCES OFFICE AT 2705 SPURGIN RD, BLDG C, PO BOX 5004, MISSOULA, MT 59804-5004 FAX: 406-542-5899 PHONE: 406-721-4284.

Application Number: 76H 30171086

Applicant: HARDI, DEAN E & RHONDA K LIVING TRUST
% HARDI, DEAN E & RHONDA K CO-TRUSTEES
1828 PLEASANT VIEW DR
VICTOR, MT 59875 9670

WATER RIGHT NUMBER(S) BEING CHANGED

<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
STATEMENT OF CLAIM	76H 108997-00	NOVEMBER 25, 1895
Historical Flow Rate: 180.53 GPM	Historical Consumptive Volume: 25.21 AC-FT	
	Historical Diverted Volume: 87.99 AC-FT	

PAST USE OF WATER

THE PAST USE OF WATER IS FOR IRRIGATION ON 16 ACRES IN THE E2NESW SECTION 3, T7N, R21W. STATEMENT OF CLAIM 76H 108997-00 DIVERTED WATER OUT OF GASH CREEK WITH A POINT OF DIVERSION IN THE SESWSW SECTION 33, T8N, R21W. THE HISTORICALLY CONSUMED VOLUME IS 25.21 AF, THE HISTORICALLY DIVERTED VOLUME IS 87.99 AF, AND THE HISTORICAL FLOW RATE IS 6.65 CFS. THE HISTORICAL PERIOD OF DIVERSION AND USE IS APRIL 15 TO OCTOBER 19.

PROPOSED CHANGE

THE PROPOSED CHANGE IS TO ADD A 3.38 AF PLACE OF STORAGE IN THE NENESW SECTION 3, T7N, R20W. THIS CHANGE WILL ALLOW THE APPLICANT TO STORE SURFACE WATER FROM GASH CREEK IN THE RESERVOIR FOR IRRIGATION. WATER WILL NOT BE STORED OUTSIDE OF THE HISTORICAL PERIOD OF USE; WATER WILL BE STORED FOR SHORT-TERM INTERVALS TO ALLOW THE APPLICANT FLEXIBILITY IN THE APPLICATION OF IRRIGATION WATER. THE PROPOSED RESERVOIR IS ALREADY AUTHORIZED UNDER GROUND WATER CERTIFICATE 76H 108650-00; EVAPORATIVE LOSSES ARE ALREADY COVERED UNDER THIS WATER RIGHT; THUS, NO RETIREMENT OF ACRES IS REQUIRED FOR THIS CHANGE. THE PROPOSED PLACE OF STORAGE BELONGS TO THE LAST WATER RIGHT ON THE HICKEY B DITCH SYSTEM.

PUBLISHED IN: RAVALLI REPUBLIC ON MAY 21, 2026.