

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: APRIL 2, 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 30171414

Applicant: PEAK HEALTH MANAGEMENT COMPANY LLC
3565 PATTEE CANYON RD
MISSOULA, MT 59803 1826

WATER RIGHT NUMBER(S) BEING CHANGED

<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
PROVISIONAL PERMIT	76H 62593-00	MAY 5, 1986
Historical Flow Rate: 120. GPM	Historical Consumptive Volume: 2.45 AC-FT	
	Historical Diverted Volume: 3.50 AC-FT	

PAST USE OF WATER

THE PAST USE OF WATER UNDER THIS PERMIT IS FOR COMMERCIAL USE AND IRRIGATION OF LAWN AND GARDEN. WATER WAS DIVERTED FROM THE GROUNDWATER AQUIFER BY TWO WELLS IN THE SWNWSE & NWNWSE SECTION 2, T12N, R20W, MISSOULA COUNTY. THE HISTORICAL FLOW RATE WAS 120 GPM, THE HISTORICALLY DIVERTED VOLUME WAS 3.5 AF, AND THE HISTORICALLY CONSUMED VOLUME WAS 2.45 AF. THE PERIOD OF USE WAS YEAR-ROUND FOR THE COMMERCIAL PURPOSE AND FROM APRIL 15 TO OCTOBER 15 FOR THE IRRIGATION OF LAWN AND GARDEN.

PROPOSED CHANGE

THE PROPOSED CHANGE IS TO RETIRE 0.46 ACRES OF IRRIGATED LAWN AND GARDEN AREA HISTORICALLY SERVICED BY A GROUNDWATER WELL. THE HISTORICALLY CONSUMED VOLUME MADE AVAILABLE BY THIS RETIREMENT WILL BE USED FOR MITIGATION FOR DEPLETIONS ASSOCIATED WITH PERMIT APPLICATION 76H 30150412.

ADDITIONAL INFORMATION

WATER MEASUREMENT-INLINE FLOW METER REQUIRED: THE APPROPRIATOR SHALL INSTALL A DEPARTMENT APPROVED IN-LINE FLOW METER AT A POINT IN THE DELIVERY LINE APPROVED BY THE DEPARTMENT. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. ON A FORM PROVIDED BY THE DEPARTMENT, THE APPROPRIATOR SHALL KEEP A WRITTEN MONTHLY RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED, INCLUDING THE PERIOD OF TIME. RECORDS SHALL BE SUBMITTED BY NOVEMBER 30 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR. IN THE EVENT THAT AUTHORIZED FLOW RATES AND/OR VOLUMES HAVE BEEN EXCEEDED DURING PERFECTION OF THE CHANGE AUTHORIZATION OR THE APPROPRIATOR FAILS TO SUBMIT ANNUAL REPORTS, THE DEPARTMENT MAY CONTINUE TO REQUIRE ANNUAL SUBMISSIONS OF MONTHLY FLOW RATE AND VOLUME RECORDS. FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF A PERMIT OR CHANGE. THE RECORDS MUST BE SENT TO THE MISSOULA WATER RESOURCES REGIONAL OFFICE. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

THIS CHANGE AUTHORIZATION PROVIDES MITIGATION WATER FOR BENEFICIAL WATER USE PERMIT NO. 76H 30150412 IN CONJUNCTION WITH CHANGE AUTHORIZATION NO. 76H 30150414. THE BENEFICIAL USE CRITERION OF THIS CHANGE AUTHORIZATION IS CONDITIONED UPON THE AUTHORIZATION OF BENEFICIAL WATER USE PERMIT AUTHORIZATION NO. 76H 30150412 AND CHANGE AUTHORIZATION NO. 76H 30150414.

PUBLISHED IN: MISSOULIAN ON MARCH 3, 2026.