

# PUBLIC NOTICE

Notice to Water Users  
(Pursuant to Section 85-2-307, MCA)

The following application has been submitted to appropriate water in the State of Montana.

THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION PROPOSES TO GRANT AN APPLICATION FOR BENEFICIAL WATER USE PERMIT. DESCRIBED BELOW ARE THE PERTINENT FACTS WHICH SUMMARIZE THE APPLICATION. THE 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 <http://www.dnrc.mt.gov/wrd/>.

**OBJECTION DEADLINE: JANUARY 3, 2023.** THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 1371 RIMTOP DRIVE, BILLINGS, MT 59105-1978, PHONE: 406-247-4415, FAX: 406-247-4416.

IF ISSUED, THE RIGHT WILL BE SUBJECT TO PRIOR EXISTING WATER RIGHTS.

**Application Number:** 43Q 30154658

**Owners:** M & J LAND CO LLC  
5233 BLUE HERON DR  
BILLINGS, MT 59106 3309

**Priority Date:** APRIL 26, 2022 at 02:25 P.M.

**Purpose (Use):** LAWN AND GARDEN  
LAWN AND GARDEN  
MULTIPLE DOMESTIC

**Maximum Flow Rate:** 352.00 GPM

**Maximum Volume:** 97.60 AC-FT

**Maximum Acres:** 33.79

**Source Name:** GROUNDWATER

**Source Type:** GROUNDWATER

**Point of Diversion and Means of Diversion:**

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNESE	18	1S	25E	YELLOWSTONE
<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31					
<b>Diversion Means:</b>	WELL					
2		SWNESE	18	1S	25E	YELLOWSTONE
<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31					
<b>Diversion Means:</b>	WELL					
3		SWNESE	18	1S	25E	YELLOWSTONE
<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31					
<b>Diversion Means:</b>	WELL					
4		SENWSE	18	1S	25E	YELLOWSTONE
<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31					
<b>Diversion Means:</b>	WELL					
5		SENWSE	18	1S	25E	YELLOWSTONE
<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31					
<b>Diversion Means:</b>	WELL					
6		SENWSE	18	1S	25E	YELLOWSTONE
<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31					
<b>Diversion Means:</b>	WELL					
7		SENWSE	18	1S	25E	YELLOWSTONE
<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31					
<b>Diversion Means:</b>	WELL					

8		SWNWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
9		SWNWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
10		SWNWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
11		SWNWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
12		NESESE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
13		NESESE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
14		NESESE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
15		NESESE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
16		NESESE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
17		NESESE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
18		NESESE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
19		NESESE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	MAY 1 TO OCTOBER 31				
	<b>Diversion Means:</b>	WELL				
20		NWSESE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
21		NWSESE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
22		NWSESE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
23		NWSESE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
24		NWSESE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
25		NWSESE	18	1S	25E	YELLOWSTONE

	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
26		NWSESE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	MAY 1 TO OCTOBER 31				
	<b>Diversion Means:</b>	WELL				
27		NESWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
28		NESWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
29		NESWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
30		NESWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
31		NESWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
32		NESWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
33		NESWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
34		NESWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
35		NWSWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
36		NWSWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
37		NWSWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
38		NWSWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
39		NWSWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
40		NWSWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				
41		NWSWSE	18	1S	25E	YELLOWSTONE
	<b>Period of Diversion:</b>	JANUARY 1 TO DECEMBER 31				
	<b>Diversion Means:</b>	WELL				

THERE ARE 41 WELLS (PODS) TOTAL: 3 IN THE SWNESE, 4 IN THE SENWSE, 4 IN THE SWNWSE, 8 IN THE NESESE, 7 IN THE NWSESE, 7 IN THE NWSWSE, AND 8 IN THE NESWSE, ALL IN SECTION 18, T1S, R25E. POD #19 AND POD #26 ARE THE PARK WELLS SO THE PERIOD OF DIVERSION IS MAY 1 TO OCT 31.

**Purpose (Use):** LAWN AND GARDEN **Purpose Clarification:** PARK LAWN  
**Volume:** 4.00 AC-FT  
**Period of Use:** MAY 1 to OCTOBER 31  
**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	1.61		SE	18	1S	25E	YELLOWSTONE
<b>Total:</b>	1.61						

**Purpose (Use):** LAWN AND GARDEN **Purpose Clarification:** RESIDENTIAL LAWN AND GARDEN  
**Volume:** 80.50 AC-FT  
**Period of Use:** MAY 1 to OCTOBER 31  
**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1	32.18		SE	18	1S	25E	YELLOWSTONE
<b>Total:</b>	32.18						

**Purpose (Use):** MULTIPLE DOMESTIC  
**Household:** 39  
**Volume:** 13.10 AC-FT  
**Period of Use:** JANUARY 1 to DECEMBER 31  
**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			S2S2N2SE	18	1S	25E	YELLOWSTONE
2			S2SE	18	1S	25E	YELLOWSTONE

PLACE OF USE INCLUDES LOTS 1-39 AND TWO PARKS IN LACKMAN MEADOWS SUBDIVISION.

**Remarks:**

**IMPORTANT INFORMATION**

NOTIFICATION REQUIREMENT: THE APPROPRIATOR SHALL RECORD A DOCUMENT IN THE COURTHOUSE THAT SHALL NOTIFY ALL CURRENT AND FUTURE LANDOWNERS IN LACKMAN MEADOWS SUBDIVISION THAT 1) A WATER RIGHT CANNOT BE OWNED BY A PRIVATE INDIVIDUAL, BUT MUST BE HELD IN THE NAME OF THE HOME OWNERS ASSOCIATION (THE APPROPRIATOR); 2) A COPY OF THE WELL LOG MUST BE SUBMITTED TO THE APPROPRIATOR; AND 3) WATER USE MUST BE MEASURED AND RECORDED AS DESCRIBED IN THIS PERMIT. THE APPROPRIATOR SHALL PROVIDE A COPY OF THE RECORDED DOCUMENT IDENTIFYING THESE RESTRICTIONS TO EACH LANDOWNER.

**IMPORTANT INFORMATION**

WELL LOGS: THE APPROPRIATOR SHALL REQUIRE THE LANDOWNER TO PROVIDE A COPY OF THE WELL LOG TO THE APPROPRIATOR WITHIN 90 DAYS OF COMPLETION OF THE WELL. THE APPROPRIATOR SHALL PROVIDE A COPY OF WELL LOGS FOR ALL WELLS COMPLETED DURING THAT YEAR TO THE WATER RESOURCES REGIONAL OFFICE BY JANUARY 31 OF EACH YEAR.

**IMPORTANT INFORMATION**

THE APPROPRIATOR MUST PERFORM 8-HOUR DRAWDOWN AND YIELD TESTS ON EACH PRODUCTION WELL UNTIL THE REQUESTED FLOW RATE OF 352 GPM HAS BEEN ATTAINED. THE RESULTS OF THE 8-HOUR DRAWDOWN AND YIELD TESTS MUST BE SUBMITTED TO THE DEPARTMENT ON FORM 633 AS WELLS ARE COMPLETED.

**WATER MEASUREMENT INFORMATION**

THE APPROPRIATOR SHALL REQUIRE LANDOWNERS IN LACKMAN MEADOWS SUBDIVISION TO INSTALL A DEPARTMENT APPROVED WATER USE MEASURING DEVICE. WATER MUST NOT BE DIVERTED FROM THE WELLS UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING. THE APPROPRIATOR SHALL KEEP YEARLY WRITTEN RECORD OF THE FLOW RATE AND VOLUME OF ALL WATER DIVERTED FROM JANUARY 1 THROUGH DECEMBER 31 BY ALL WELLS. THE WATER USE RECORDS SHALL BE COMPILED AND SUBMITTED TO THE DEPARTMENT BY JANUARY 31 OF EACH YEAR AND UPON REQUEST AT OTHER TIMES DURING THE YEAR.

FAILURE TO SUBMIT REPORTS MAY BE CAUSE FOR REVOCATION OF THE PERMIT. THE RECORDS MUST BE SENT TO THE BILLINGS WATER RESOURCES REGIONAL OFFICE. THE APPROPRIATOR SHALL ENSURE EACH MEASURING DEVICE IS MAINTAINED SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.