

PUBLIC NOTICE

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 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: DECEMBER 16, 2022. 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 1424 9TH AVENUE, PO BOX 201601, HELENA, MT 59620-1601 FAX: 406-444-9317 PHONE: 406-444-6999.

Application Number: 411 30066425

Applicant: ROBERT S UTICK
PO BOX 598
EAST HELENA, MT 59635 0598

WATER RIGHT NUMBER(S) BEING CHANGED

<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
STATEMENT OF CLAIM	411 38502-00	OCTOBER 15, 1867
STATEMENT OF CLAIM	411 89688-00	OCTOBER 15, 1867

PAST USE OF WATER

CLAIM NO. 411 89688-00 HAS A FLOW RATE OF 2.31 CFS DIVERTED FROM PRICKLY PEAR CREEK AND CONVEYED TO THE PLACE OF USE IN THE HELENA VALLEY FOR THE PURPOSE OF IRRIGATION.

PROPOSED CHANGE

APPLICANT HAS CHANGED THE PURPOSE AND PLACE OF USE OF CLAIM NO. 411 89688-00 TO THE PURPOSE OF MARKETING FOR MITIGATION OR AQUIFER RECHARGE FOR 2.31 CFS UP TO 75.2 AF. THIS CHANGE WILL EFFECTIVELY MITIGATE DEPLETIONS IN THE REACH FROM THE HISTORICAL POD ON PRICKLY PEAR CREEK TO LAKE HELENA AND WILL ONLY EFFECTIVELY MITIGATE ADVERSE EFFECTS TO WATER RIGHTS THAT UTILIZE STORAGE FOR THEIR APPROPRIATION FROM LAKE HELENA BELOW HAUSER DAM TO BLACK EAGLE DAM ON THE MISSOURI RIVER.

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