

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 <https://dnrc.mt.gov/Water-Resources/Water-Rights/application-status-environmental-assessments/>.

OBJECTION DEADLINE: JULY 7, 2025. THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$50.00 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 2273 BOOT HILL COURT, SUITE 110, BOZEMAN, MT 59715-7249 FAX: 406-587-9726 PHONE: 406-586-3136.

Application Number: 41D 30162270

Applicant: ABCW LLC
7673 S CABALLERO DR
SANDY, UT 84093 6237

WATER RIGHT NUMBER(S) BEING CHANGED

<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
STATEMENT OF CLAIM	41D 191122-00	APRIL 10, 1900
Historical Flow Rate: 12.5 CFS	Historical Consumptive Volume: 117.70 AC-FT	
	Historical Diverted Volume: 382.60 AC-FT	

PAST USE OF WATER

WATER WAS HISTORICALLY DIVERTED FROM THE BIG HOLE RIVER BY A HEADGATE AND CONVEYED THROUGH THE LARSON-NARANCICH DITCH IN THE SESWNE SECTION 36, T4S, R8W, MADISON COUNTY FOR IRRIGATION AND WILDLIFE-WATERFOWL USES BY STATEMENT OF CLAIM 41D 191122-00. THE DEPARTMENT FOUND THE WATER RIGHT HISTORICALLY IRRIGATED 316.1 ACRES IN THE W2NWNW SECTION 28, SECTION 29, AND NE SECTION 31, T4S, R7W, MADISON COUNTY FROM 4/15-11/14. WATER WAS ALSO DIVERTED INTO THREE WILDLIFE-WATERFOWL PONDS FOR USE FROM 1/1-12/31. CLAIM 41D 191122-00 WAS HISTORICALLY DIVERTED AT A MAXIMUM FLOW RATE OF 12.5 CFS UP TO A MAXIMUM DIVERTED VOLUME OF 382.6 AF AND CONSUMED VOLUME OF 117.7 AF.

PROPOSED CHANGE

THE APPLICANT PROPOSES TO CHANGE THE PLACE OF USE OF STATEMENT OF CLAIM 41D 191122-00. THE PROPOSED PLACE OF USE IS 276.4 ACRES GENERALLY LOCATED IN THE SW SECTION 21, NW SECTION 28, SECTION 29, AND NE SECTION 31, ALL IN T4S, R7W, MADISON COUNTY. THE APPLICANT WILL RETIRE 72 ACRES FROM THE 316.1 HISTORICALLY IRRIGATED ACRES AND ADD 32.3 NEW ACRES TO THE PLACE OF USE. WATER WILL CONTINUE TO BE DIVERTED FROM THE BIG HOLE RIVER FROM APRIL 15 TO NOVEMBER 14. NO CHANGE IN POINT OF DIVERSION, PLACE OF STORAGE, OR PURPOSE IS PROPOSED. NO CHANGE TO THE WILDLIFE-WATERFOWL USE IS PROPOSED. UNDER CLAIM 41D 191122-00, THE APPLICANT PROPOSES TO DIVERT A MAXIMUM VOLUME OF 350.47 AF AND CONSUME A VOLUME OF 99.9 AF AT A FLOW RATE OF 12.5 CFS FROM 4/15 TO 11/14.

ADDITIONAL INFORMATION

THIS CHANGE APPLICATION WAS SUBMITTED CONCURRENTLY WITH CHANGE APPLICATION 41D 30162271 TO CHANGE CLAIM 41D 191123-00 FOR THE SAME PROJECT.

CLAIM 41D 191122-00 HAS HAD TWO PREVIOUS CHANGE AUTHORIZATIONS TO ADD WILDLIFE/WATERFOWL PONDS.

IF GRANTED, THIS CHANGE WILL BE SUBJECT TO THE FOLLOWING CONDITION: IRRIGATION USE ON THE 63.5-ACRE GOLF COURSE MAY ONLY OCCUR 4/15 TO 11/10.

PUBLISHED IN: MADISONIAN ON MAY 22, 2025.