

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 6, 2025.** THE DEPARTMENT CAN ONLY ACCEPT PUBLIC COMMENTS FILED ON A PUBLIC COMMENT FORM, FORM 654. MAIL THE COMPLETED FORM TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE. 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 1371 RIMTOP DRIVE, BILLINGS, MT 59105-1978 FAX: 406-247-4416 PHONE: 406-247-4415.

**Application Number:** 43O 30163932

**Applicant:** RANDALL S SHINN  
13683 LODGE GRASS CREEK RD  
LODGE GRASS, MT 59050 7862  
  
DEBORAH G STEWARD  
13683 LODGE GRASS CREEK RD  
LODGE GRASS, MT 59050 7862

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
RESERVED CLAIM	43O 188069-00	MAY 7, 1868

PAST USE OF WATER

THE 116.8 ACRES WITHIN THE PLACE OF USE FOR THIS WATER RIGHT WERE HISTORICALLY WILD FLOOD-IRRIGATED USING THE WILLIAM MILLER DITCH DIVERTED FROM LODGE GRASS CREEK, VIA A HEADGATE LOCATED AT NWNENW SEC 32, T7S, R34E.

PROPOSED CHANGE

THE APPLICANT PROPOSES TO CHANGE THE POINT OF DIVERSION (POD) TO A LOCATION DOWNSTREAM ON LODGE GRASS CREEK, IN THE NENENE SEC 29, T7S, R34E. THE APPLICANT WILL PUMP WATER TO TWO PIPELINES THAT WILL SUPPLY 2 PIVOTS IN THE NORTHERN PORTION OF THE APPLICANT'S PLACE OF USE, IRRIGATING 37 ACRES WITH THE NORTH PIVOT, UP TO 300 GPM; AND 64 ACRES WITH THE SOUTH PIVOT, UP TO 520 GPM. OTHER IRRIGABLE ACRES NOT COVERED BY THE PIVOTS WILL BE FLOOD IRRIGATED.

THE APPLICANT PROPOSES 820 GPM TO SUPPLY TWO PIVOTS: (1) 300 GPM TO PIVOT IRRIGATE 37 ACRES (NORTH PIVOT). (2) 520 GPM TO PIVOT IRRIGATE 64 ACRES (SOUTH PIVOT). THE APPLICANT PROPOSES TO FLOOD IRRIGATE THE REMAINING 15.8 ACRES USING THE FLOW THROUGH THE SOUTHERN PIVOT. THEREFORE, NO ADDITIONAL FLOW RATE WILL BE CALCULATED FOR THESE FLOOD-IRRIGATED ACRES BECAUSE THE FLOW IS NOT ADDITIVE BUT INTERCHANGEABLE WITH THE PIVOT.

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