

NOTICE OF RECEIPT WATER RIGHT APPLICATION

(Pursuant to Section § 85-2-307(1), MCA)

Summarized below are the application details as described in an Application to Change of Appropriation Water Right received by the Department of Natural Resources & Conservation on SEPTEMBER 16, 2024. This notice reflects the application details only as originally submitted. The notice does not reflect changes to the application details made during the review process.

Application Number: 42J 30165246
Applicant: DEBRA L HAYES
1093 THREE RUNS PLANTATION DR
AIKEN, SC 29803 1237

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
POWDER RIVER DECLARATION	42J-772	DECEMBER 31, 1943

PAST USE OF WATER

HISTORICALLY, POWDER RIVER DECLARATION 42J 772-00 IS FOR STOCK USE AT 1 TANK FROM A WELL LOCATED IN THE SWSNW SEC 2, T8S, R50E, POWDER RIVER COUNTY. APPROPRIATED AT A FLOW RATE OF 15GPM, UP TO 1.5 AF/YR.

POWDER RIVER DECLARATION 42J 772-00 ADDED 6 PERMANENT STOCK TANKS THROUGH CHANGE APPLICATION 42J 30164475, MAKING A TOTAL OF 7 PERMANENT STOCK TANKS.

PROPOSED CHANGE

THE APPLICANT PROPOSES TO ADD 7 STOCK TANKS CONNECTED BY TWO PIPELINES FROM THE POINT OF DIVERSION LOCATED AT SWSNW SEC 2, T8S, R50E, POWDER RIVER COUNTY TO POWDER RIVER DECLARATION 42J 772-00.

OF THESE 7 STOCK TANKS, THE APPLICANT PROPOSES TO PERMANENTLY ADD 6 STOCK TANKS ASSOCIATED WITH 6 PLACES OF USE ON PRIVATE PROPERTY TO WATER RIGHT 42J 772-00. THE PROPOSED PERMANENT CHANGE TO THE PLACE OF USE IS LOCATED IN THE NESENE OF SECTION 9, T8S, R50E; THE NENENW AND SESENW OF SECTION 10, T8S, R50E; THE NWSWSW AND SESWNE OF SECTION 2, T8S, R50E; AND THE NW OF LOT 1 (NWNENE), SECTION 1, T8S, R50E. THE HISTORICAL PLACE OF USE IN SWSNW SEC 2, T8S, R50E WILL REMAIN.

IN ADDITION, THE APPLICANT PROPOSES TO TEMPORARILY ADD 1 STOCK TANK IN THE NESESW SEC 36, T7S, R50E, POWDER RIVER COUNTY ON LAND OWNED BY THE STATE OF MONTANA, SCHOOL TRUST LANDS THROUGH CHANGE APPLICATION 42J 30165246.

THERE WILL BE A TOTAL OF 8 STOCK TANKS ON POWDER RIVER DECLARATION 42J 772-00: 7 PERMANENT AND 1 TEMPORARY, DEFINED BY THE LEASE AGREEMENT BETWEEN THE OWNER AND THE STATE.

ADDITIONAL INFORMATION

THE PROPOSED TANK IN THE NESESW SEC 36, T7S, R50E IS ON PROPERTY OWNED BY THE STATE OF MONTANA - TRUST LANDS MANAGEMENT DIVISION AND LEASED BY THE APPLICANT. THE TEMPORARY CHANGE TO ADD THIS PLACE OF USE TO WATER RIGHT 42J 772-00 WILL BE FOR THE TERM OF THIS LEASE AND MUST BE RENEWED WHEN THE LEASE EXPIRES IN ORDER FOR THE APPLICANT TO CONTINUE USING THIS PLACE OF USE. THE PROPOSED CHANGES ON LAND OWNED BY THE STATE OF MONTANA, SCHOOL TRUST LANDS, WILL BE TEMPORARY, UNTIL FEBRUARY 28, 2031, IN CONJUNCTION WITH TEMPORARY STATE LANDS LEASE NO. 827 (MCA 85-2-407; 85-2-441). THERE WILL BE A TOTAL OF 8 STOCK TANKS ON WATER RIGHT 42J 772-00.

IN THE INSTANCE THIS TEMPORARY CHANGE AUTHORIZATION (42J 30165246) IS NOT RENEWED, EXPIRES, OR IS TERMINATED, POWDER RIVER DECLARATION 42J 772-00 WILL BE USED IN ACCORDANCE WITH THE TERMS SET FORTH IN PERMANENT CHANGE AUTHORIZATION NO. 42J 30164475.

THE PROPOSED PERMANENT CHANGES ON PRIVATE LAND WILL REMAIN IN EFFECT UNTIL OTHERWISE REQUESTED BY THE WATER RIGHT OWNER.

In general, the Department will make a draft preliminary determination to grant or deny this application within 60 or 120 days of the date the application is deemed and correct and complete (60 days if a preapplication meeting was held, 120 days if a preapplication meeting was not held). That date is currently unknown as the application has not yet been determined to be correct and complete. If the draft preliminary determination is to grant the application, the application will be published in the local newspaper and a notice will be sent to appropriators who, according to the department records, may be affected by the proposed appropriation. Individuals will have 30 days to submit a public comment about this application under §85-2-307, MCA, after the application has been published in the newspaper. If public comments are received, the Department will consider the public comments and update the preliminary determination. If the preliminary determination is to grant the application, the application will again be published in a local newspaper and a notice will be sent to anyone who submitted a public comment, along with appropriators who, according to the department records may be affected by the proposed

appropriation. Individuals will have 30 days to submit an objection under §85-2-308, MCA, after the application has been published in the newspaper.

Direct questions regarding this application to the Water Resources Regional Office, 1371 RIMTOP DRIVE, BILLINGS, MT 59105-1978 FAX: 406-247-4416 PHONE: 406-247-4419