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: NOVEMBER 27, 2026. PUBLIC COMMENTS MUST BE FILED ON A PUBLIC COMMENT FORM, FORM 654, AND MUST BE RECEIVED BY THE STATED DEADLINE. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE OR CAN BE OBTAINED FROM ANY WATER RESOURCES REGIONAL OFFICE. MAIL PAPER COPIES OF THE COMPLETED FORM TO: DNRC WATER RIGHTS BUREAU, PO BOX 201601, HELENA, MT 59620-1601. SUBMIT ELECTRONIC COPIES OF THE COMPLETED FORM TO: DNRCWATERRIGHTSCOMMENTOBJECTION@MT.GOV. 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: 42K 30172434

Applicant: SWOPE RANCH LLC
1110 KINSEY RD
MILES CITY, MT 59301 8740

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	42K 175169-00	MAY 1, 1910

Historical Flow Rate: 6.68 CFS
Historical Consumptive Volume: 129.70 AC-FT
Historical Diverted Volume: 199.50 AC-FT

PAST USE OF WATER

WATER WAS HISTORICALLY PUMPED FROM A SIDE CHANNEL OF THE YELLOWSTONE RIVER FROM A POD LOCATED IN THE SWSWSW SEC. 14, T8N, R47E, CUSTER COUNTY AND PIPED TO THE PLACE OF USE TO IRRIGATE 98.8 ACRES.

PROPOSED CHANGE

THE APPLICANT PROPOSES TO CHANGE THE POINT OF DIVERSION (POD) TO A LOCATION DOWNSTREAM ON THE MAINSTEM OF THE YELLOWSTONE RIVER, IN GOVERNMENT LOT 6 (SWNWSE) SEC. 14, T8N, 47E, CUSTER COUNTY. WATER WILL BE PUMPED AND PIPED TO THE PLACE OF USE TO IRRIGATE 98.8 ACRES. THE APPLICANT WILL RETIRE THE HISTORICAL POD LOCATED IN THE SWSWSW SEC. 14, T8N, R47E, CUSTER COUNTY. THE DEPARTMENT HAS MODIFIED THE FLOW RATE FROM 6.68 CFS TO 6.02 CFS, AND THE VOLUME FROM 395.2 AF TO 199.5 AF.

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