

# 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 FEBRUARY 12, 2025. 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:** 43O 30163932  
**Applicant:** RANDALL S SHINN  
13683 LODGE GRASS CREEK RD  
LODGE GRASS, MT 59050  
DEBORAH G STEWARD  
13683 LODGE GRASS CREEK RD  
LODGE GRASS, MT 59050

**WATER RIGHT NUMBER(S) BEING CHANGED**

| <b>Water Right Type</b> | <b>Water Right Number</b> | <b>Priority Date</b> |
|-------------------------|---------------------------|----------------------|
| RESERVED CLAIM          | 43O-188069                | 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.

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