

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 JANUARY 30, 2015. 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 : 41H 30070964

Applicant : NANCY C BARBER
3599 SOURDOUGH RD
BOZEMAN, MT 59715 8009

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WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	41H-117326	DECEMBER 31, 1872
STATEMENT OF CLAIM	41H-117327	DECEMBER 31, 1865

PAST USE OF WATER

HISTORICALLY, STATEMENTS OF CLAIM NOS. 41H 117326-00 AND 41H 117327-00 WERE USED IN CONJUNCTION TO FLOOD IRRIGATE 120 ACRES IN THE SE OF SECTION 19, T02 S, R06 E, GALLATIN COUNTY. THE SOURCE OF WATER WAS A COMBINED 3.35 CUBIC FEET PER SECOND UP TO 360 ACRE-FEET PER YEAR FROM SOURDOUGH CREEK (A.K.A., BOZEMAN CREEK).

PROPOSED CHANGE

FLOW RATE: 3.35 CFS **VOLUME:** 360.00 AC-FT

THE APPLICANT PROPOSES TO TEMPORARILY CHANGE THE PURPOSE, POINT OF DIVERSION (POD), AND PLACE OF USE (POU) FOR STATEMENTS OF CLAIM NOS. 41H 117326-00 AND 41H 117327-00 IN GALLATIN COUNTY. THE PROPOSED NEW PURPOSE IS INSTREAM FLOW FOR THE BENEFIT OF FISHERIES IN SOURDOUGH CREEK (A.K.A., BOZEMAN CREEK). WATER WOULD NO LONGER BE DIVERTED AND WOULD INSTEAD BE LEFT INSTREAM. THE NEW POD AND POU WOULD BE THE REACH OF SOURDOUGH CREEK FROM A POINT IN THE SWSWNE OF SECTION 30, T02 S, R06 E TO A POINT IN THE NENWNE OF SECTION 6, T02 S, R06 E.

ADDITIONALLY, THE APPLICANT PROPOSES TO PERMANENTLY CHANGE THE POD OF THE UNDERLYING IRRIGATION RIGHTS IN CASE THE INSTREAM FLOW LEASE EXPIRES OR IS TERMINATED. THE CURRENT POD IS LOCATED IN THE NWNWNE OF SECTION 30, T02 S, R06 E. THE NEW POD WOULD BE LOCATED IN THE NENWSE OF SECTION 19, T02 S, R06 E. HISTORICALLY, WATER WAS DIVERTED VIA HEADGATE INTO A DITCH, BUT IF THIS CHANGE IS AUTHORIZED, THE DITCH WOULD BE DECOMMISSIONED. WATER WOULD THEN BE DIVERTED VIA A PUMP AND PIPELINE SYSTEM.

In general, the department will make a preliminary determination to grant or deny this application within 120 days of the date the application is deemed correct and complete. That date is currently unknown. If the 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 45 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, 2273 BOOT HILL COURT, SUITE 110, BOZEMAN, MT 59715-7249 FAX: 406-587-9726 PHONE: 406-586-3136