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 12, 2018. 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 : 43B 30119489

Applicant : MONTANA, STATE OF DEPT OF FISH WILDLIFE & PARKS
PO BOX 200701
HELENA, MT 59620 0701

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	43B-134019	JULY 24, 1903
STATEMENT OF CLAIM	43B-194641	DECEMBER 31, 1876

PAST USE OF WATER

AN AMOUNT OF 2.5 CFS UP TO 907.22 AF OF WATER WAS HISTORICALLY DIVERTED FROM PINE CREEK UNDER 43B 134019-00. AN AMOUNT OF 22.5 CFS UP TO 8,165 AF OF WATER WAS HISTORICALLY DIVERTED FROM BEAR CREEK UNDER 43B 194641-00. BOTH OF THESE WATER RIGHTS WERE EMPLOYED FOR MINING USE IN SECTIONS 4 AND 9 OF T9 S, R9 E, PARK COUNTY, NEAR THE TOWN OF JARDINE, MONTANA.

PROPOSED CHANGE

FLOW RATE: 12.50 CFS **VOLUME:** 8,660.10 AC-FT

THE APPLICANT PROPOSES TO CHANGE PERMANENTLY THE PURPOSE, PLACE OF USE, AND POINT OF DIVERSION FOR STATEMENTS OF CLAIM 43B 134019-00 AND 43B 194641-00. THE PROPOSED NEW PURPOSE WOULD BE INSTREAM FLOW TO BENEFIT THE FISHERY RESOURCE OF BEAR CREEK AND THE YELLOWSTONE RIVER. THE PROPOSED NEW POINT OF DIVERSION AND PLACE OF USE WOULD BE TWO PROTECTED REACHES. REACH 1 EXTENDS FROM THE SWNESE OF SECTION 8 TO THE NWNWSE OF SECTION 19, BOTH T9 S, R9 E, PARK COUNTY. REACH 2 EXTENDS FROM THE NWNWSE OF SECTION 19 TO THE NWSWSE OF SECTION 19, BOTH T9 S, R9 E, PARK COUNTY. A MAXIMUM OF 12.5 CFS UP TO 8,660.1 AF PER ANNUM WOULD BE PROTECTED INSTREAM.

THE APPLICANT ALSO PROPOSES TO DEDICATE A MAXIMUM OF 57 GPM UP TO 7.0 AF PER ANNUM TO A MITIGATION PURPOSE TO OFFSET DEPLETIONS TO THE YELLOWSTONE RIVER FROM A PENDING PERMIT APPLICATION.

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