

PUBLIC NOTICE

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 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 <http://www.dnrc.mt.gov/wrd/>.

OBJECTION DEADLINE: NOVEMBER 19, 2021. THE DEPARTMENT CAN ONLY ACCEPT OBJECTIONS FILED ON AN OBJECTION TO APPLICATION, FORM 611. MAIL THE COMPLETED FORM AND THE \$25.00 FILING FEE TO THE DNRC, PO BOX 201601, HELENA, MT 59620-1601 BY THE DEADLINE SPECIFIED. THE FORM IS AVAILABLE ON THE DEPARTMENT'S WEBSITE.

DIRECT ANY QUESTIONS PERTAINING TO THE APPLICATION, TO OBTAIN THE PD OR OBJECTION FORM TO THE WATER RESOURCES OFFICE AT 613 NE MAIN, SUITE E, LEWISTOWN, MT 59457-2020 PHONE: 406-538-7459.

Application Number: 41C 30072652

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

WATER RIGHT NUMBER(S) BEING CHANGED

<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
STATEMENT OF CLAIM	41C 110701-00	AUGUST 25, 1893
Historical Flow Rate: 8.13 CFS	Historical Consumptive Volume: 348.90 AC-FT	Historical Diverted Volume: 1,442.50 AC-FT

PAST USE OF WATER

STATEMENT OF CLAIM NO. 41C 110701 00 IS A RIGHT FROM DIVIDE CREEK IN MADISON COUNTY. WATER FROM BASIN 41C IS CONVEYED FROM DIVIDE CREEK TO JONES CREEK, THEN FROM JONES CREEK TO LONG CREEK AND USED FOR IRRIGATION IN BASIN 41A. THE CLAIMED PRIORITY DATE IS AUGUST 25, 1893, WITH AN ASSOCIATED PERIOD OF USE OF MAY 1 TO SEPTEMBER 15. THE POINT OF DIVERSION IS IN THE NWSENE SECTION 14 T12S R4W TO FLOOD IRRIGATE 478 ACRES IN SECTIONS 20, 21, 28 & 29, ALL IN T13S R4W, BEAVERHEAD COUNTY.

PROPOSED CHANGE

APPLICANT PROPOSES TO MODIFY CONDITION 1.B. OF CHANGE AUTHORIZATION NO. 41C 30072652. APPLICANT PROPOSES TO MOVE THE MEASURING POINT APPROXIMATELY 2.5 MILES UPSTREAM ON LONG CREEK, TO A MEASURING STATION THAT HAS BEEN IN OPERATION FOR A DECADE. THE NEW MEASURING LOCATION IS IN THE NESESW SECTION 10, T13S, R4W, BEAVERHEAD COUNTY. THERE ARE FOUR INTERVENING IRRIGATION DIVERSIONS BETWEEN THE EXISTING AND PROPOSED MEASURING SITES, AND THE APPLICANT PROPOSES TO MONITOR/MEASURE TWO OF THOSE DIVERSIONS USING EXISTING FLUMES TO ACCOUNT FOR APPROPRIATIONS IN THE INTERVENING STREAM REACH. THE OTHER TWO IRRIGATION DIVERSIONS DO NOT NEED TO BE MONITORED/MEASURED BECAUSE THEY ARE ASSOCIATED WITH WATER RIGHTS THAT WERE CHANGED TO INSTREAM FLOW IN PREVIOUS CHANGE AUTHORIZATIONS. APPROPRIATIONS FOR IRRIGATION CANNOT OCCUR FROM THOSE TWO DIVERSIONS DURING THE PERIOD THAT DFWP LEASES THE WATER RIGHTS FOR INSTREAM FLOW PURPOSES.

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