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: OCTOBER 5, 2019. 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 2705 SPURGIN RD, BLDG C, PO BOX 5004, MISSOULA, MT 59804-5004 FAX: 406-542-5899 PHONE: 406-721-4284.

Application Number : 76G 30106785

Applicant : CLARK FORK COALITION
PO BOX 7593
MISSOULA, MT 59807 7593

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	76G 91008-00	NOVEMBER 1, 1895

Historical Flow Rate: 8.33 CFS
Historical Consumptive Volume: 66.53 AC-FT
Historical Diverted Volume: 433.33 AC-FT

PAST USE OF WATER

THE PAST USE OF WATER FOR STATEMENT OF CLAIM 76G 91008-00 WAS FLOOD IRRIGATION OF 722 ACRES ON THE R BAR N RANCH WITH THE POINT OF DIVERSION LOCATED AT THE RACETRACK LAKE DAM IN THE NE OF SECTION 5, T6N R12W, GRANITE COUNTY, AND A SECONDARY POINT OF DIVERSION LOCATED AT THE CEMENT DITCH HEADGATE IN THE SESWSE OF SECTION 16, T6N R10W, POWELL COUNTY; RACETRACK CREEK IS LISTED AS THE NATURAL CONVEYER OF WATER FROM THE PRIMARY TO SECONDARY POINT OF DIVERSION. THE HISTORIC DIVERTED FLOW RATE AND VOLUME WAS 8.33 CFS AND 433.33 AF AT THE RACETRACK LAKE DAM (RESPECTIVELY), AND 7.5 CFS AND 390 AF AT THE CEMENT DITCH HEADGATE. THE HISTORIC CONSUMED VOLUME CALCULATED FOR THIS CLAIM IS 66.53 AF.

PROPOSED CHANGE

FLOW RATE: 8.33 CFS **VOLUME:** 433.33 AC-FT

THE APPLICANT PROPOSES TO TEMPORARILY CHANGE THE PURPOSE AND PLACE OF USE OF STATEMENT OF CLAIM NO. 76G 91008-00 FROM FLOOD IRRIGATION TO INSTREAM FLOW FOR THE BENEFIT OF THE FISHERY RESOURCE IN RACETRACK CREEK, TRIBUTARY TO THE CLARK FORK RIVER, FOR A LIMITED PERIOD OF TIME AS NEEDED BETWEEN MAY 1 AND SEPTEMBER 30 EACH YEAR FOR A PERIOD OF TEN YEARS. THE PROPOSED CHANGE RESULTS IN A NEW PURPOSE OF AN INSTREAM APPROPRIATION OF 8.33 CFS UP TO 433.33 AF IN THE PROPOSED PROTECTED REACH OF RACETRACK CREEK FROM RACETRACK LAKE DAM TO THE CEMENT DITCH HEADGATE. BELOW THE SECONDARY DIVERSION AT THE CEMENT DITCH HEADGATE TO THE BRANCH DITCH THE APPLICANT PROPOSES TO PROTECT 7.5 CFS UP TO 390 AF. FROM THE BRANCH DITCH TO THE CONFLUENCE WITH THE CLARK FORK RIVER THE APPLICANT PROPOSES TO PROTECT 6.41 CFS UP TO 333.45 AF. THE PROTECTED REACH FOR INSTREAM FLOW CONSISTS OF THE ENTIRE CREEK FROM THE HISTORICAL POINT OF DIVERSION AT THE RACETRACK LAKE DAM TO ITS CONFLUENCE WITH THE CLARK FORK RIVER.

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