

PUBLIC NOTICE

Notice to Water Users

(Pursuant to Section 85-2-407 or 85-2-436, MCA)

The following application has been submitted to renew a temporary authorization for change.

NEW EVIDENCE OF ADVERSE EFFECT TO OTHER WATER RIGHTS MUST BE SUBMITTED IN WRITING BY **DECEMBER 7, 2021**. MAIL THE EVIDENCE TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION, PO BOX 201601, HELENA, MT 59620-1601.

ANY QUESTIONS REGARDING THIS APPLICATION SHOULD BE DIRECTED TO THE WATER RESOURCES REGIONAL OFFICE, 1424 9TH AVENUE, PO BOX 201601, HELENA, MT 59620-1601 PHONE: 406-444-6999 FAX: 406-444-9317

Application Number: 76F 30153183

Applicant: GORDON MURPHY
BIGNELL RANCH CO

WATER RIGHT NUMBER(S) BEING CHANGED

<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
STATEMENT OF CLAIM	76F-132522	MAY 29, 1894

PAST USE OF WATER

WATER WAS DIVERTED FROM SPRING CREEK IN THE SESENW SEC 16 TWP 15N RGE 11W, POWELL COUNTY, DOWN MURPHY DITCH INTO DONEY LAKE. AS NECESSARY, SPRING CREEK WATER WAS RELEASED FROM DONEY LAKE DOWN AN EXTENSION OF THE DITCH INTO WARREN CREEK WHICH WAS USED AS A NATURAL CARRIER. FROM WARREN CREEK, WATER WAS DIVERTED DOWN 2 OTHER DITCHES TO THE FIELDS. UP TO 386 ACRES WAS FLOOD IRRIGATED IN SEC 3 AND 4 TWP 14N RGE 12W AND SEC 33 AND 34 TWP 15N RGE 12W, POWELL COUNTY. WATER WAS DIVERTED AND USED FROM SPRING CREEK APRIL 1 TO OCTOBER 15.

AS WATER AVAILABILITY DROPPED IN SUMMER, THE ENTIRE CREEK WAS TYPICALLY DIVERTED LEAVING THE REACH OF SPRING CREEK FROM THE POINT OF DIVERSION TO ITS CONFLUENCE WITH THE NORTH FORK OF THE BLACKFOOT RIVER CHRONICALLY DEWATERED.

PROPOSED CHANGE

FLOW RATE: 14.00 CFS **VOLUME:** 1,462.00 AC-FT **ACRES:** 386.00

THIS APPLICATION IS TO RENEW A TEMPORARY CHANGE. THE TEMPORARY CHANGE WAS ORIGINALLY ISSUED ON 6/3/2011 FOR A PERIOD OF TEN YEARS AND AUTHORIZED THE CHANGE OF A PORTION OF WATER RIGHT 76F 132522-00 FOR A PERIOD OF 10 YEARS TO AN INSTREAM FISHERY PURPOSE. UP TO .83 CFS AND 92.4 AF WILL BE CHANGED TO INSTREAM FLOW. TO THIS END, UP TO 15.9 ACRES OF IRRIGATION WILL BE RETIRED FROM IRRIGATION ON OR AFTER JULY 1 EACH YEAR AS LONG AS THE AGREEMENT/CHANGE AUTHORIZATION IS IN EFFECT. THE APPLICANT WILL INCREMENTALLY REDUCE DIVERSIONS OF WATER INTO MURPHY DITCH BEGINNING AS EARLY AS JULY 1 OF EACH YEAR AND AT LEAST THE REQUESTED AMOUNT OF WATER WILL BE LEFT INSTREAM THROUGH SEPTEMBER 15.

THE PROTECTED REACH IS FROM THE POINT OF DIVERSION (MURPHY DITCH HEADGATE) TO SPRING CREEK'S CONFLUENCE WITH THE NORTH FORK OF THE BLACKFOOT RIVER. THE PROTECTED REACH EXTENDS APPROXIMATELY 1.8 MILES THROUGH THE SW SEC 16, E2E2 SEC 20, AND W2W2 SEC 21 ALL IN TWP 15N RGE 11W, POWELL COUNTY.

THE RENEWAL PERIOD REQUESTED IS AN ADDITIONAL 10 YEARS.

PUBLISHED IN: MISSOULIAN ON SEPTEMBER 8, 2021.