

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 30153184

Applicant: 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-132521	MAY 29, 1894

PAST USE OF WATER

APPLICANT SEEKS TO CHANGE WATER RIGHT CLAIM NO. 76F 132521-00. THIS WATER RIGHT CLAIM HAS A FLOW RATE OF 3.50 CFS AND 365.4 AF OF DIVERTED VOLUME FROM SPRING CREEK (A TRIBUTARY OF THE NORTH FORK OF THE BLACKFOOT RIVER) FOR THE PURPOSE OF FLOOD IRRIGATION. THE PRIORITY DATE IS MAY 29, 1894. THE PERIOD OF USE AND THE PERIOD OF DIVERSION ARE APRIL 1 TO OCTOBER 15. THE PLACE OF USE IS NEAR OVANDO, MT AND CONTAINS 181 ACRES IN THE W2 OF SEC 4, TWP 14N, RGE 12W, POWELL COUNTY AND 67 ACRES IN THE SW OF SEC 33, TWP 15N, RGE 12W, POWELL COUNTY FOR A TOTAL OF 248 ACRES. THE POINT OF DIVERSION IS LOCATED IN THE SESENW, SEC 16, TWP 15N, RGE 11W, POWELL COUNTY OR APPROXIMATELY 7 MILES NE OF OVANDO, MT. THIS WATER RIGHT UTILIZES A HEADGATE ON MURPHY DITCH ALONG SPRING CREEK AS THE POINT OF DIVERSION. THE WATER IS THEN TRANSPORTED INTO MURPHY DITCH AND ON TO DONEY LAKE. DONEY LAKE DAM IS USED AS A SECONDARY DIVERSION AND IS LOCATED IN THE SWNWNE OF SEC 19, TWP 15N, RGE 11W. AFTER THE DONEY LAKE DAM THE WATER THEN FLOWS INTO A DITCH WHICH CONFLUENCES WITH WARREN CREEK. WARREN CREEK IS USED AS A NATURAL CARRIER TO A SERIES OF DITCHES AND CHECK DAM STRUCTURES. THESE FEATURES SUPPLY THE FLOOD WATER TO THE HISTORIC PLACES OF USE IN THE LOWER WARREN CREEK WATERSHED.

PROPOSED CHANGE

FLOW RATE: 3.50 CFS **VOLUME:** 365.00 AC-FT **ACRES:** 248.00

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 132521-00 FOR A PERIOD OF 10 YEARS TO AN INSTREAM FISHERY PURPOSE. UP TO 1.37 CFS AND 152.6 AF WILL BE CHANGED TO INSTREAM FLOW. TO THIS END, UP TO 27.1 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.