

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 **JANUARY 25, 2022**. 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 30153814

Applicant: BLACKFOOT VALLEY RANCH FOUNDATION

WATER RIGHT NUMBER(S) BEING CHANGED

<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
STATEMENT OF CLAIM	76F-33718	SEPTEMBER 15, 1882
STATEMENT OF CLAIM	76F-33719	APRIL 22, 1885
STATEMENT OF CLAIM	76F-33720	AUGUST 15, 1884
STATEMENT OF CLAIM	76F-33721	MAY 31, 1887
STATEMENT OF CLAIM	76F-33722	APRIL 22, 1885
STATEMENT OF CLAIM	76F-33723	JUNE 15, 1889

PAST USE OF WATER

IN CONJUNCTION WITH THE HISTORICAL INFORMATION FOR EACH INDIVIDUAL RIGHT ABOVE, THE DEPARTMENT'S FINDINGS OF HISTORIC USE FOR WARREN CREEK IRRIGATION STATEMENT OF CLAIM NOS. 76F 33718, 76F 33719, 76F 33720, 76F 33721, 76F 33722 AND 76F 33723 INCLUDE A PERIOD OF USE OF APR 15 - OCT 15 TO IRRIGATE A MAXIMUM OF 370.0 ACRES. IRRIGATION FROM WARREN CREEK, POWELL COUNTY.

PROPOSED CHANGE

FLOW RATE: 3.29 CFS

VOLUME: 404.20 AC-FT

THIS APPLICATION IS TO RENEW A TEMPORARY CHANGE. THE TEMPORARY CHANGE WAS ORIGINALLY ISSUED ON 10/25/2016 FOR A PERIOD OF 5 YEARS. APPLICANT IS AUTHORIZED TO CHANGE A PORTION OF SIX SUPPLEMENTAL/OVERLAPPING IRRIGATION WATER RIGHTS TO THE PURPOSE OF INSTREAM FISHERY. THE AUTHORIZED REACH OF STREAM FOR INSTREAM FISHERY PURPOSES IS THE LOWER 2.3 MILES OF WARREN CREEK LOCATED BETWEEN ONE OF THE CLAIMED, HISTORIC SEVEN DIVERSION POINTS IN THE NENESE SECTION 31, T15N, R12W, AND THE CONFLUENCE OF WARREN CREEK AND THE BLACKFOOT RIVER IN THE SESENW SECTION 1, T14N, R13W. THE AUTHORIZED PERIOD OF USE FOR INSTREAM FISHERY IS JULY 1 THROUGH AUGUST 31.

THE TWO MOST DOWNSTREAM OF THE SEVEN CLAIMED POINTS OF DIVERSION WILL BE RETIRED AND NO FURTHER APPROPRIATIONS WILL OCCUR FROM THOSE TWO DIVERSION POINTS. THE AUTHORIZED AMOUNT OF WATER TO BE CHANGED IS THE PROPORTIONAL AMOUNT ASSOCIATED WITH 137 ACRES OUT OF THE HISTORIC 370 IRRIGATED ACRES (137 ACRES WILL BE RETIRED FROM IRRIGATED PRODUCTION). IRRIGATION WILL CONTINUE TO OCCUR ON 233 ACRES.

THE RENEWAL PERIOD REQUESTED IS AN ADDITIONAL 2 YEARS.

PUBLISHED IN: MISSOULIAN ON OCTOBER 27, 2021.