

# PUBLIC NOTICE

Notice to Water Users

(Pursuant to Section 85-2-407(3), 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 **AUGUST 11, 2026**. 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 AT 2273 BOOT HILL COURT, SUITE 110, BOZEMAN, MT 59175-7249 FAX: 406-587-9726 PHONE: 406-586-3136

**Application** 43B 12253900

**Number: Applicant:** MONTANA 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	43B 122539-00	MAY 1, 1904
STATEMENT OF CLAIM	43B 122540-00	APRIL 1, 1904
STATEMENT OF CLAIM	43B 122542-00	APRIL 1, 1890
STATEMENT OF CLAIM	43B 122544-00	APRIL 1, 1893
STATEMENT OF CLAIM	43B 122547-00	APRIL 1, 1898
STATEMENT OF CLAIM	43B 122548-00	APRIL 7, 1972

## PAST USE OF WATER

THE WATER RIGHTS INVOLVED IN THIS TEMPORARY CHANGE RENEWAL WERE ORIGINALLY USED FOR FLOOD IRRIGATION. RIGHTS 43B 122539-00, 122540-00, AND 122542-00 HAVE A PLACE OF USE (POU) OF 179 ACRES; RIGHT 43B 122544-00, OF 86.6 AC; RIGHTS 43B 122547-00 AND 122548-00, OF 57.5 AC. THESE ARE SUPPLEMENTAL RIGHTS, WHICH MEANS THAT THEY HAVE OVERLAPPING POUS AND CAN BE COMBINED TO IRRIGATE ONLY OVERLAPPING PARCELS. THE POU IS LOCATED IN SECTIONS 7 AND 8, T08 S, R08 E, PARK COUNTY. THE HISTORICAL POINTS OF DIVERSION (PODS) ARE NINE HEADGATES IN SECTIONS 4, 5, 7, 8, AND 9, T08 S, R08 E, PARK COUNTY. THE SOURCE OF WATER IS CEDAR CREEK (RIGHTS 43B 12539-00, 125540-00, AND 125542-00); FIRST FORK CEDAR CREEK (RIGHT 43B 122544-00); AND SPRING CREEK (RIGHTS 43B 122547-00 AND 122548-00).

## PROPOSED CHANGE

**FLOW RATE:** 1.30 CFS

THIS APPLICATION IS TO RENEW A TEMPORARY CHANGE. THE TEMPORARY CHANGE WAS ORIGINALLY ISSUED ON SEPTEMBER 20, 1995 FOR A PERIOD OF 10 YEARS AND AUTHORIZED THE APPLICANT TEMPORARILY CHANGE THE PURPOSE AND PLACE OF USE FOR WATER RIGHTS 43B 122539-00, 43B 122540-00, 43B 122542-00, 43B 122544-00, 43B 122547-00, AND 43B 122548-00 TO INSTREAM FISHERY. THE TEMPORARY CHANGE HAS BEEN RENEWED FOR TWO ADDITIONAL 10-YEAR TERMS, EXPIRING SEPTEMBER 20, 2015, AND SEPTEMBER 20, 2025, RESPECTIVELY. THE RENEWED PURPOSE IS MAINTAINING AND ENHANCING STREAMFLOWS FOR THE BENEFIT OF FISHERIES FROM MAY 1 TO OCTOBER 15. THE RENEWED PLACE OF USE INCLUDES CEDAR CREEK FROM AN HISTORICAL HEADGATE IN THE NENWNE OF SECTION 13, T08 S, R07 E, PARK COUNTY, ALONG A REACH OF THE CREEK UNTIL ITS CONFLUENCE WITH THE YELLOWSTONE RIVER IN THE NESENW OF SECTION 13, T08 S, R07 E, PARK COUNTY.

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