

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: NOVEMBER 5, 2021. 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 1424 9TH AVENUE, PO BOX 201601, HELENA, MT 59620-1601 FAX: 406-444-9317 PHONE: 406-444-6999.

Application Number: 41E 30148132

Applicant: USA (DEPT OF AGRICULTURE FOREST SERVICE)
WATER RIGHTS PROGRAM MANAGER, NORTHERN REGION
26 FORT MISSOULA RD
MISSOULA, MT 59804 7203
USA (DEPT OF INTERIOR BUREAU OF LAND MGMT)
BUTTE FIELD OFFICE
106 N PARKMONT
BUTTE, MT 59701 7222

WATER RIGHT NUMBER(S) BEING CHANGED

<u>Water Right Type</u>	<u>Water Right Number</u>	<u>Priority Date</u>
STATEMENT OF CLAIM	41E 54725-00	APRIL 12, 1906
	Historical Consumptive Volume:	4.68 AC-FT
	Historical Diverted Volume:	4.68 AC-FT

PAST USE OF WATER

STATEMENT OF CLAIM 41E 54725-00 WAS DECREED BY THE MONTANA WATER COURT WITH AN UNQUANTIFIED VOLUME, BASED ON THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT A RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. NO FLOW RATE WAS DECREED BY THE WATER COURT FOR LIVESTOCK DRINKING DIRECTLY FROM THE SOURCE. BASED ON HISTORIC GRAZING RECORDS MAINTAINED BY THE BUTTE DISTRICT OF THE BEAVERHEAD/ DEER LODGE NATIONAL FOREST, THE PRE-1973 CARRYING CAPACITY OF THE NORTH FORK LITTLE BOULDER RIVER ALLOTMENT WAS 509 ANIMAL UNITS (AUS). THE PERIOD OF USE WAS DECREED BY THE WATER COURT FOR 153 DAYS, BUT THE APPLICANT TYPICALLY PUT THIS TO USE FOR 100 DAYS WITHIN THE 153 DAY PERIOD OF USE.

PROPOSED CHANGE

THE APPLICANTS PROPOSE TO SPLIT THE USE OF THIS WATER RIGHT CLAIM BETWEEN STOCK WATERING DIRECT FROM SOURCE AND A PUMP AND STOCK TANK SYSTEM. TROUGH #1 OF THE PUMP AND TANK SYSTEM WILL BE LOCATED BY THE MAIN DISTRIBUTION TANK IN THE SESESW SEC 36, T6N, R5W. TROUGH #2 WILL BE LOCATED IN THE SESESE SEC 36, T6N, R5W; TROUGH 3 WILL BE LOCATED IN THE E2E2NESE SEC 1, T5N, R5W. BOTH TROUGH #2 AND TROUGH #3 ARE ON FOREST SERVICE LAND CLOSE TO THE BORDER WITH USDI BUREAU OF LAND MANAGEMENT (BLM) PROPERTY. TROUGH #4 WILL BE LOCATED ON BLM PROPERTY IN THE S2SWSE SEC 31, T6N, R4W. THE PUMP SYSTEM IS INTENDED TO MOVE A PORTION OF THE STOCK (168 AU) OFF STREAM TO REDUCE RIPARIAN IMPACTS OF STOCK GRAZING AT THE SOURCE. THE SOURCE FOR THE CURRENT AND PROPOSED POINT OF DIVERSION IS THE NORTH FORK OF THE LITTLE BOULDER RIVER LOCATED IN THE SESE SEC 2, T5N, R5W, IN JEFFERSON COUNTY. IN ADDITION TO THE PROPOSED PUMP AND TANK SYSTEM, THE THREE DIRECT FROM SOURCE POINTS OF DIVERSION WILL BE RETAINED AS WAS HISTORICALLY PRACTICED TO COLLECTIVELY WATER 509 ANIMAL UNITS (AU). TO ALLOW FOR MANAGEMENT FLEXIBILITY DURING GRAZING ROTATIONS, THE FULL PERIOD OF DIVERSION AND USE WILL BE RETAINED ALTHOUGH THE PROPOSED USE FOR THE TANK SYSTEM IS A TRANSITORY 45 DAYS WITHIN THE HISTORIC PERIOD. THE APPLICANTS PROPOSE DIVERTING 1.8 GPM FOR 45 DAYS TO A CENTRALIZED 15,000-GALLON STORAGE TANK LOCATED IN THE SESESW SEC 36, T6N, R5W, IN JEFFERSON COUNTY. TWO DISTRIBUTION PIPELINES CONNECTED TO THE STORAGE TANK DELIVER WATER TO FOUR 1,100-GALLON TROUGHS VIA 14,540 LINEAL-FEET OF 1.5-INCH DIAMETER PLASTIC PIPE. THE PROPOSED VOLUMETRIC USE, BOTH DIVERTED AND CONSUMED, IS 4.68 AF/YEAR. A FLOW RATE OF 1.8 GPM WILL BE DIVERTED TO THE STOCK TANKS, THE REMAINING FLOW RATE WILL BE LEFT INSTREAM FOR THE REMAINING STOCK.

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