

NOTICE OF RECEIPT WATER RIGHT APPLICATION

(Pursuant to Section § 85-2-307(1), MCA)

Summarized below are the application details as described in an Application to Change of Appropriation Water Right received by the Department of Natural Resources & Conservation on FEBRUARY 13, 2018. This notice reflects the application details only as originally submitted. The notice does not reflect changes to the application details made during the review process.

Application Number : 43B 30114637

Applicant : MOUNTAIN SKY GUEST RANCH LLC
PO BOX 1219
EMIGRANT, MT 59027

WATER RIGHT NUMBER(S) BEING CHANGED

Water Right Type	Water Right Number	Priority Date
STATEMENT OF CLAIM	43B-193685	JANUARY 14, 1907
STATEMENT OF CLAIM	43B-193686	MAY 1, 1907
STATEMENT OF CLAIM	43B-193687	MAY 15, 1919
STATEMENT OF CLAIM	43B-193688	JUNE 30, 1899
STATEMENT OF CLAIM	43B-194498	JUNE 30, 1882
STATEMENT OF CLAIM	43B-195264	JUNE 30, 1882
STATEMENT OF CLAIM	43B-195265	JUNE 30, 1873
STATEMENT OF CLAIM	43B-30108475	JUNE 30, 1890
STATEMENT OF CLAIM	43B-30108478	JUNE 30, 1909
STATEMENT OF CLAIM	43B-30108482	OCTOBER 18, 1904
STATEMENT OF CLAIM	43B-30108483	MAY 6, 1898
STATEMENT OF CLAIM	43B-30108484	MAY 1, 1919

PAST USE OF WATER

HISTORICALLY, THE APPLICANT DIVERTED 12 WATER RIGHTS FROM BIG CREEK FOR IRRIGATION OF 633.7 ACRES LOCATED WITHIN SECTIONS 11, 13, 14, 15, 22, AND 23 OF T06 S, R07 E, PARK COUNTY. THE COMBINED FLOW RATE DIVERTED WAS 31.13 CFS, AS MEASURED AT THE SECONDARY POINTS OF DIVERSION. THESE WATER RIGHTS WERE CONVEYED THROUGH THE MUTUAL DITCH, THE MITCHELL DITCH, AND THE HOOKAM DITCH.

PROPOSED CHANGE

FLOW RATE: 32.13 CFS **VOLUME:** 979.57 AC-FT **ACRES:** 554.36

THE APPLICANT PROPOSES TO CHANGE THE POINT OF DIVERSION, THE PLACE OF USE, THE PURPOSE, AND THE PLACE OF STORAGE FOR 12 WATER RIGHTS WITH A BIG CREEK SOURCE. THE NEW POINT OF DIVERSION WOULD BE THE MUTUAL DITCH HEADGATE LOCATED IN NWNENW OF SECTION 22, T06 S, R07 E, PARK COUNTY. THE APPLICANT HISTORICALLY IRRIGATED 633.7 ACRES. THEY PROPOSE TO RETIRE A PORTION OF THAT ACREAGE AND TO ADD NEW ACREAGE THAT IS NOT WITHIN THEIR HISTORICAL FOOTPRINT. THE PROPOSED NEW ACREAGE IS 554.36 ACRES. THE ACREAGE IS LOCATED WITHIN SECTIONS 11, 13, 14, 15, 22, AND 23 OF T06 S, R07 E, PARK COUNTY. THE APPLICANT PROPOSES TO CHANGE 5,623.73 ACRE-FEET TO A MITIGATION PURPOSE FROM APRIL 1 TO NOVEMBER 1. THIS VOLUME OF WATER WILL BE LEFT INSTREAM IN BIG CREEK TO MITIGATE ANY ADVERSE EFFECT DUE TO CHANGES IN RETURN FLOWS. THE APPLICANT ALSO PROPOSES TO ADD TWO NEW PONDS TO THEIR SYSTEM AND FILL THEM WITH WATER FROM BIG CREEK. THE COMBINED CAPACITY OF BOTH PONDS IS 17.04 ACRE-FEET.

In general, the department will make a preliminary determination to grant or deny this application within 120 days of the date the application is deemed correct and complete. That date is currently unknown. If the preliminary determination is to grant the application, the application will be published in the local newspaper and a notice will be sent to appropriators who, according to the department records may be affected by the proposed appropriation. Individuals will have 45 days to submit an objection under § 85-2-308, MCA, after the application has been published in the newspaper.

Direct questions regarding this application to the Water Resources Regional Office, 2273 BOOT HILL COURT, SUITE 110, BOZEMAN, MT 59715-7249 FAX: 406-587-9726 PHONE: 406-586-3136