

# 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 for a Provisional Permit received by the Department of Natural Resources & Conservation on FEBRUARY 6, 2025. 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:** 76J 30163755  
**Owners:** USDA FOREST SERVICE  
 PO BOX 130  
 BOZEMAN, MT 59771-0130  
**Priority Date:** FEBRUARY 6, 2025 at 03:56 P.M.  
**Purpose (Use):** FISH AND WILDLIFE  
 RECREATION  
**Maximum Volume:** 1,399.92 AC-FT  
**Source Name:** WHELP CREEK (LION LAKE)  
**Source Type:** SURFACE WATER

**Point of Diversion and Means of Diversion:**

| <u>ID</u> | <u>Govt Lot</u> | <u>QtrSec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|-----------------|---------------|------------|------------|------------|---------------|
| 1         |                 | SWSWSE        | 16         | 30N        | 19W        | FLATHEAD      |

**Period of Diversion:** JANUARY 1 TO DECEMBER 31

**Diversion Means:** DAM

**Reservoir:** ON STREAM

| <u>Govt Lot</u> | <u>QtrSec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------------|---------------|------------|------------|------------|---------------|
|                 | SWSWSE        | 16         | 30N        | 19W        | FLATHEAD      |

**Dam Height:** 4.00 FEET

**Depth:** 85.00 FEET

**Surface Area:** 42.11 ACRES

**Current Capacity:** 1,399.92 ACRE-FEET

**Purpose (Use):** FISH AND WILDLIFE

**Volume:** 1,399.92 AC-FT

**Period of Use:** JANUARY 1 to DECEMBER 31

**Place of Use:**

| <u>ID</u> | <u>Acres</u> | <u>Govt Lot</u> | <u>QtrSec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|--------------|-----------------|---------------|------------|------------|------------|---------------|
| 1         | 1.41         |                 | SESESW        | 9          | 30N        | 19W        | FLATHEAD      |
| 2         | 9.60         |                 | SWSWSE        | 9          | 30N        | 19W        | FLATHEAD      |
| 3         | 5.60         |                 | SESWSE        | 9          | 30N        | 19W        | FLATHEAD      |
| 4         | 6.30         |                 | NENENW        | 16         | 30N        | 19W        | FLATHEAD      |
| 5         | 19.20        |                 | NWNWNE        | 16         | 30N        | 19W        | FLATHEAD      |

**Total:** 42.11

**Purpose (Use):** RECREATION

**Volume:** 1,399.92 AC-FT

**Period of Use:** JANUARY 1 to DECEMBER 31

**Place of Use:**

| <u>ID</u> | <u>Acres</u> | <u>Govt Lot</u> | <u>QtrSec</u> | <u>Sec</u> | <u>Twp</u> | <u>Rge</u> | <u>County</u> |
|-----------|--------------|-----------------|---------------|------------|------------|------------|---------------|
| 1         | 1.41         |                 | SESESW        | 9          | 30N        | 19W        | FLATHEAD      |
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| 3         | 5.60         |                 | SESWSE        | 9          | 30N        | 19W        | FLATHEAD      |
| 4         | 6.30         |                 | NENENW        | 16         | 30N        | 19W        | FLATHEAD      |
| 5         | 19.20        |                 | NWNWNE        | 16         | 30N        | 19W        | FLATHEAD      |

**Total:** 42.11

IF ISSUED, THE RIGHT WILL BE SUBJECT TO PRIOR EXISTING WATER RIGHTS.

In general, the Department will make a draft preliminary determination to grant or deny this application within 60 or 120 days of the date the application is deemed and correct and complete (60 days if a preapplication meeting was held, 120 days if a preapplication meeting was not held). That date is currently unknown as the application has not yet been determined to be correct and complete. If the draft 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 30 days to submit a public comment about this application under §85-2-307, MCA, after the application has been published in the newspaper. If public comments are received, the Department will consider the public comments and update the preliminary determination. If the preliminary determination is to grant the application, the application will again be published in a local newspaper and a notice will be sent to anyone who submitted a public comment, along with appropriators who, according to the department records may be affected by the proposed appropriation. Individuals will have 30 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, 655 TIMBERWOLF PARKWAY, SUITE 4, KALISPELL, MT 59901-2387 PHONE: 406-752-2288 FAX: 406-752-2843.