

STATE OF MONTANA  
DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
1424 9TH AVENUE P.O.BOX 201601 HELENA, MONTANA 59620-1601

# GENERAL ABSTRACT

**A version with a more recent operating authority date exists. Contact DNRC for details.**

**Water Right Number:** 41H 126910-00 STATEMENT OF CLAIM  
**Version:** 3 -- CHANGE AUTHORIZATION  
**Version Status:** ACTIVE

THIS AUTHORIZATION IS LIMITED TO THE AMOUNT OF THE HISTORIC USE RECOGNIZED BY THE DEPARTMENT IN THIS PROCEEDING AS SUBJECT TO CHANGE, AND WILL THEREAFTER NOT EXCEED THAT AMOUNT. IF THE HISTORIC USE IS REDUCED UNDER ADJUDICATION PROCEEDINGS PURSUANT TO TITLE 85, CHAPTER 2, PART 2, MCA, THIS AUTHORIZATION WILL BE LIMITED TO A LESSER AMOUNT.

**Owners:** UTILITY SOLUTIONS LLC  
%BARBARA CAMPBELL  
PO BOX 10098  
BOZEMAN, MT 59719-0098

**Priority Date:** JULY 1, 1866  
**Enforceable Priority Date:** JULY 1, 1866

**Purpose (use):** AUGMENTATION  
OTHER PURPOSE  
MITIGATION WATER

**Purpose Clarification:** 41H 30012025 & 41H 30013629  
**Purpose Clarification:** INSTREAM-"ALL REMAINING WATER"  
**Purpose Clarification:** 41H 30046241

**Maximum Flow Rate:** 1.88 CFS

**Historical Flow Rate:** 1.88 CFS

**Maximum Volume:** 797.80 AC-FT

**Historical Diverted Volume:** 797.80 AC-FT

**Historical Consumptive Volume:** 179.36 AC-FT

**Maximum Acres:** 58.00

**Source Name:** WEST GALLATIN RIVER  
**Source Type:** SURFACE WATER

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

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSWSE	14	2S	4E	GALLATIN

**Period of Diversion:** MAY 1 TO SEPTEMBER 30 **Flow Rate:** .63 CFS

**Diversion Means:** HEADGATE

**Ditch Name:** BECK AND BORDER DITCH

2		NWSWSE	14	2S	4E	GALLATIN
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**Period of Diversion:** MAY 1 TO SEPTEMBER 30 **Flow Rate:** 1.25 CFS

**Diversion Means:** INSTREAM

UTILITY SOLUTIONS AUGMENTATION AND MITIGATION: HEADGATE DIVERSION INFORMATION: WATER WILL BE DIVERTED INTO THE BECK AND BORDER DITCH AT 0.63 CFS UP TO 188.56 ACRE-FEET PER YEAR FROM WATER RIGHT CLAIM 41H 126910-00 FOR AUGMENTATION/MITIGATION OF PERMITS 41H 30012025, 41H 30013629, AND 41H 30046241. AFTER DITCH LOSS, 161.52 ACRE-FEET PER YEAR WILL BE DIVERTED TO AQUIFER RECHARGE BASINS LOCATED IN THE NE¼, SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 EAST.

INSTREAM DIVERSION INFORMATION: 1.25 CFS OUT OF WATER RIGHT CLAIM NO. 41H 126910-00 SHALL NOT HEREAFTER BE DIVERTED AND SHALL OTHERWISE BE LEFT IN THE WEST GALLATIN RIVER, BUT SHALL BE ADMINISTERED BY THE APPLICANT MAKING CALL ON THE ABOVE DESIGNATED AMOUNT TO THE DIVERSION POINT OF THE BECK & BORDER DITCH.

**Period of Use:** MAY 1 to SEPTEMBER 30

**Purpose (Use):** AUGMENTATION  
**Period of Use:** MAY 1 to SEPTEMBER 30  
**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNE	11	2S	4E	GALLATIN

**Purpose (Use):** OTHER PURPOSE  
**Period of Use:** MAY 1 to SEPTEMBER 30  
**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSWSE	14	2S	4E	GALLATIN

**Purpose (Use):** MITIGATION WATER  
**Period of Use:** MAY 1 to SEPTEMBER 30  
**Place of Use:**

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			W2NENE	11	2S	4E	GALLATIN

UTILITY SOLUTIONS WELLS AUGMENTATION AND MITIGATION: THE PLACE OF USE IS AQUIFER RECHARGE BASINS LOCATED IN THE NE1/4, SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 EAST.

**Geocodes/Valid:** -- NO VALID GEOCODES --

**Remarks:**

THIS CHANGE AUTHORIZATION PROVIDES MITIGATION WATER FOR BENEFICIAL USE PERMIT 41H-30046241 IN CONJUNCTION WITH 41H-30046242. IF AT ANY TIME THE MITIGATION COMPONENT OF THIS CHANGE AUTHORIZATION IS NOT MET, WATER USE UNDER BENEFICIAL USE PERMIT 41H-30046241 MUST BE STOPPED. IF MITIGATION CANNOT BE MET, APPLICANTS WILL PROVIDE A REPORT TO DNRC DETAILING THE AMOUNT OF SHORTAGE OF MITIGATION WATER AND HOW THE PERMIT USE WAS STOPPED TO PREVENT ADVERSE EFFECT.

INSTREAM WATER INCLUDES 9.04 AF OF CONSUMPTIVE VOLUME.

PREVIOUS CHANGE AUTHORIZATION 41H 30014080 ON THIS WATER RIGHT PROVIDES AUGMENTATION FOR BENEFICIAL WATER USE PERMITS 41H 30012025 AND 41H 30013629.

THE CONVEYANCE SYSTEM TO THE AQUIFER RECHARGE BASINS LOSES 7% OF DIVERTED WATER, THIS WAS ACCOUNTED FOR IN FLOWS AND VOLUMES.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 12/22/88.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 06/07/90.

NOTICE OF WATER RIGHT TRANSFER RECEIVED 11/01/85.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 08/20/01.

WATER RIGHT OWNERSHIP UPDATE RECEIVED 02/22/01.

THE APPROPRIATOR SHALL INSTALL A MEASURING DEVICE CAPABLE OF RECORDING THE RATE AND VOLUME OF WATER DIVERTED INTO THE AQUIFER RECHARGE BASINS FROM THE BECK AND BORDER DITCH, AND MUST RECORD THE VOLUME OF WATER DIVERTED INTO THE AQUIFER RECHARGE BASINS. SUCH RECORDS SHALL BE SUBMITTED TO THE BOZEMAN WATER RESOURCES REGIONAL OFFICE, BY OCTOBER 15TH OF EACH YEAR. WATER MUST NOT BE DIVERTED UNTIL THE REQUIRED MEASURING DEVICE IS IN PLACE AND OPERATING PROPERLY. THE APPROPRIATOR SHALL MAINTAIN THE MEASURING DEVICE SO IT ALWAYS OPERATES PROPERLY AND MEASURES FLOW RATE AND VOLUME ACCURATELY.

**OWNERSHIP UPDATE RECEIVED**

OWNERSHIP UPDATE TYPE 608 # 19267 RECEIVED 02/10/2005.

OWNERSHIP UPDATE TYPE 608 # 26216 RECEIVED 11/17/2005.