FUTURE FISHERIES IMPROVEMENT PROGRAM GRANT APPLICATION

All sections must be addressed, or the application will be considered invalid

I. APPLICANT INFORMATION

A. Applicant Name: MTFWP - Ron Spoon Fisheries Biologist

Mailing Address: P.O. Box 1137

City: Townsend State: MT Zip: 59644

Telephone: 406-266-4237 E-mail: rspoon@mt.gov

B. Contact Person (if different than applicant): Ron Spoon

Address:

City: State: Zip:

Telephone: E-mail:

C. Landowner and/or Lessee Name (if different than applicant): Bill Gouldd Treasured Mountains Holdings LLC

Mailing Address: 4755 Technology Way STE 205

City: Boca Raton State: FL Zip: 33431-3338

Telephone: 1-775-786-2455 E-mail: billgouldd@me.com

II. PROJECT INFORMATION

A. Project Name: Parsons Slough - Willow Springs Water Management and Lease

River, stream, or lake: Parsons Slough and Willow Springs and Jefferson River

Location: Township: T1S Range: R5W Section: 13

Latitude: 45.7498 Longitude: 112.1715 *Within project (decimal degrees)*

County: Madison

B. Purpose of Project:

Elimination of irrigation diversion on two spring creeks and construction of a water pumping station on the Jefferson River will serve the irrigated fields and remove irrigation from the spring creeks. This will provide the following fishery benefits. The landowner will implement the irrigation projects and this grant application is for leasing water for 30 years.:

Improve flow of Willow Springs
Improve flow of Parsons Slough
Improve fish passage in and out of Parsons Slough with increased flow
Enhanced flow in spring creeks will improve juvenile rearing in spring creeks
Increased flow of spring creek water into Jefferson River provides thermal benefits in river.

C. Brief Project Description (attach additional information to end of application). Please include the anticipated construction schedule:

A Jefferson River pump site will be installed, and two pump sites on the spring creeks will be removed. Increased flow of Parsons Slough and Willow Springs will benefit the Jefferson River at a critical location.

FWP will prepare water right change application with DNRC, and submit all necessary documentation to change instream flow rights. The landowner will not irrigate 97 acres of available cropland, and FWP will pay $250,000 to Treasured Mountains Holdings at completion of water right changes. The term of the agreement will be for 30 years.

Treasured Mountains Holdings will complete the Jefferson River pump ste and use it to supply up to 4 center pivots. They will no longer use diversions from Parsons Slough or Willow Springs for irrigation for 30 years, and will no longer irrigate approximately 97 acres of historically irrigated land.

See attached information (White Paper Memo) for more details on the proposal.

D. What was the cause of habitat degradation and how will the project correct the cause?

Water from Parsons Slough and Willow Springs were legally appropriated to serve croplands. The ditch diversion and two pump sites reduce streamflow in high quality spring creeks, the system also results in fish loss to an irrigation canal, and the system impedes movement of spawning fish into Parsons Slough. The relocation of the water source to a pump site on Jefferson River will resolve all the above issues. The current irrigation system provides reliable irrigation water with relatively low pumping cost. The proposed pump site from the Jefferson River will increase pump cost.

E. Length of stream or size of lake that will be treated (project extent): 3 Miles of Stream
Length/size of impact, if larger than project extent (e.g., stream miles opened): 3 Miles

F. Project Budget Summary:

Grant Request (Dollars):	**$** 50,000.00
Matching Dollars:	**$** 200,000.00
Matching In-Kind Services:*	**$** 0.00

**salaries of government employees are not considered matching contributions*

Other Contributions (not part of this app)	**$**
Total Project Cost:	**$** 250,000.00

G. Attach itemized (line item) budget – *see budget template*

H. Attach project location map(s) that include:

- [x] Extent of the project, including context (relation to major landmark or town)
- [ ] Indication of public and private property
- [ ] Riparian buffer locations and widths (if applicable) and grazing locations

I. Attach project plans:

- [x] Detailed sketches or plan views with the location and proposed restoration
- [ ] Pre-project photographs (GPS location strongly recommended)
- [x] If water leasing or water salvage is involved, attach a supplemental questionnaire (*https://myfwp.mt.gov/getRepositoryFile?objectID=36110*)

J. Attach letters or statements of support (e.g., landowner consent, community or public support, and FWP fisheries support). List any other project partners:

Landowner Letter
MT Trout Unlimited Letter

III. MAINTENANCE AND MONITORING (attach additional information to end of application):

A. A 20-year maintenance commitment is required*. Please confirm that you will ensure this protection and describe your approach. Attach any relevant maintenance plans. Yes ☐ No ☐
**If it is a water leasing project, describe the length of the agreement.*

The water lease agreement is for 30 years.

B. Will grazing be part of or adjacent to the project? If so, describe or attach land management plans, including short term and long term grazing regimes. If the landowner is not the applicant, please describe their involvement in the project. *If you want assistance with grazing plan development, note your need.*

N/A

C. Will the project be monitored to determine if goals were met? If so, what are the short-term and long-term plans to assess benefits and lessons learned? Were pre-project data collected? Will monitoring information be shared with FWP?

Monitoring results shown in the attachment will be continued. Brown and Rainbow Trout redd counts will be conducted most years, as will juvenile fish counts during fall, and a long term study section on the Jefferson River immediately adjacent to the two spring creeks will be monitored during at least alternate years during spring.

IV. PROJECT BENEFITS (attach additional information to end of application):

A. What species of fish will benefit from this project?

Brown Trout, Rainbow Trout, and Mountain Whitefish (native).

B. How will the project protect or enhance wild fish habitat?

The project improves streamflow in two known spawning tributaries. Increased flow from both tributaries will provide thermal refuge for trout residing in the Jefferson River near the tributary mouths and for an unknown distance downstream.

C. What is the expected improvement to fish populations, both short term and long term? How might the project translate to angler success?

Since the trout fisheries in the Jefferson River are likely limited by recruitment of juvenile fish, the improved rearing conditions in both spring creeks benefit overall supply of juvenile fish to the river. Anglers will not have access to the spring creeks (and have not had access in the past), but increased trout abundance in the Jefferson River is expected to provide increased angling opportunity.

D. Will the project increase public fishing opportunity for wild fish and, if so, how? Is public fishing allowed onsite? If not, describe how the public would access the project benefits.

Anglers that access the Jefferson River at Parsons Bridge (or any other nearby Fishing Access Site) by foot or by boating will have access to fish for Brown and Rainbow Trout produced in Willow Springs and Parsons Slough. No public fishing has been allowed in the spawing streams in the past, and few adult trout live in these "nursery streams" by design.

E. Aside from angling, what local or large-scale public benefits will be realized from this project?

Improved flow of relatively cool water will enter the most severely dewatered reach of the Jefferson River during the irrigation season.

F. Will the project interfere with water or property rights of adjacent landowners? (explain):

Junior water right holders may be subjected to the water call process.

G. Will the project result in the development of commercial recreational use on the site (including paid access)? Explain:

Not anticipated, but possible.

H. Is this project associated with the reclamation of past mining activity?

No.

Each approved project applicant must enter into a written agreement with Montana Fish, Wildlife & Parks specifying terms and duration of the project. The applicant must obtain all applicable permits prior to project construction. A competitive bid process must be followed when using State funds.

V. AUTHORIZING STATEMENT

I (we) hereby declare that the information and all statements to this application are true, complete, and accurate to the best of my (our) knowledge and that the project or activity complies with rules of the Future Fisheries Improvement Program.

Applicant Signature: _____ Date: 11/14/2023

Submittal: **Applications must be signed and received on or before November 15 and May 15 to be considered for the subsequent funding period**. Late or incomplete applications will be rejected.

Mail to:	FWP Future Fisheries Fish Habitat Bureau PO Box 200701 Helena, MT 59620-0701	Email:	Future Fisheries Coordinator FWPFFIP@mt.gov (electronic submissions must be signed) For files over 10MB, use https://transfer.mt.gov and send to mmcgree@mt.gov

BUDGET TEMPLATE SHEET FOR FUTURE FISHERIES PROGRAM APPLICATIONS

Both tables must be completed or the application will be returned

PROJECT COSTS					CONTRIBUTIONS			
WORK ITEMS (Itemize by Category)	**NUMBER OF UNITS**	**UNIT DESCRIPTION***	**COST/UNIT**	**TOTAL COST**	**FUTURE FISHERIES REQUEST**	**MATCH (Cash or Services)****	**OTHER (Not part of this application)**	**TOTAL**
Water Lease								
Water Lease				$ 250,000.00	50,000.00	200,000.00		$ 250,000.00
				$ -				$ -
				$ -				$ -
				$ -				$ -
				$ -				$ -
				$ -				$ -
			Sub-Total	$ 250,000.00	$ 50,000.00	$ 200,000.00	$ -	$ 250,000.00
Travel								
Mileage				$ -				$ -
Per diem				$ -				$ -
			Sub-Total	$ -	$ -	$ -	$ -	$ -
Construction Materials****								
				$ -				$ -
				$ -				$ -
				$ -				$ -
				$ -				$ -
				$ -				$ -
				$ -				$ -
				$ -				$ -
				$ -				$ -
			Sub-Total	$ -	$ -	$ -	$ -	$ -
Equipment, Labor, and Mobilization								
				$ -				$ -
				$ -				$ -
				$ -				$ -
				$ -				$ -
				$ -				$ -
				$ -				$ -
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				$ -				$ -
				$ -				$ -
				$ -				$ -
			Sub-Total	$ -	$ -	$ -	$ -	$ -
			TOTALS	$ 250,000.00	$ 50,000.00	$ 200,000.00	$ -	$ 250,000.00

OTHER REQUIREMENTS:

All of the columns in the budget table and the matching contribution table MUST be completed appropriately or the application will be invalid. Please see the example budget sheet for additional clarification.

*Units = feet, hours, inches, etc. Do not use lump sum unless there is no other way to describe the costs.

**Can include in-kind materials. Justification for in-kind labor (e.g. hourly rates used). Do not use government salaries as match. Describe here or in text.

***The Review Panel suggests that design and oversight costs associated with a proposed project not exceed 15% of the total project budget. If design and oversight costs are in excess of 15%, applications may require a justification or minimum of two competitive bids for the cost of undertaking the project. For projects that include a maintenance request, it must not exceed 10% of the total project cost.

****The Review Panel recommends a maximum fencing cost of $1.50 per foot. Additional costs may be the responsibility of the applicant and/or partners.

Additional details:

APPLICATION MATCHING CONTRIBUTIONS

(do not include requested funds or contributions not associated with the application)

CONTRIBUTOR	IN-KIND	CASH	TOTAL	Secured? (Y/N)
HB 2	$ -	$ 200,000.00	$ 200,000.00	Y
	$ -	$ -	$ -	
	$ -	$ -	$ -	
	$ -	$ -	$ -	
	$ -	$ -	$ -	
	$ -	$ -	$ -	
	$ -	$ -	$ -	
	$ -	$ -	$ -	
TOTALS	$ -	$ 200,000.00	$ 200,000.00	Yes

OTHER CONTRIBUTIONS

(contributions not associated with the application)

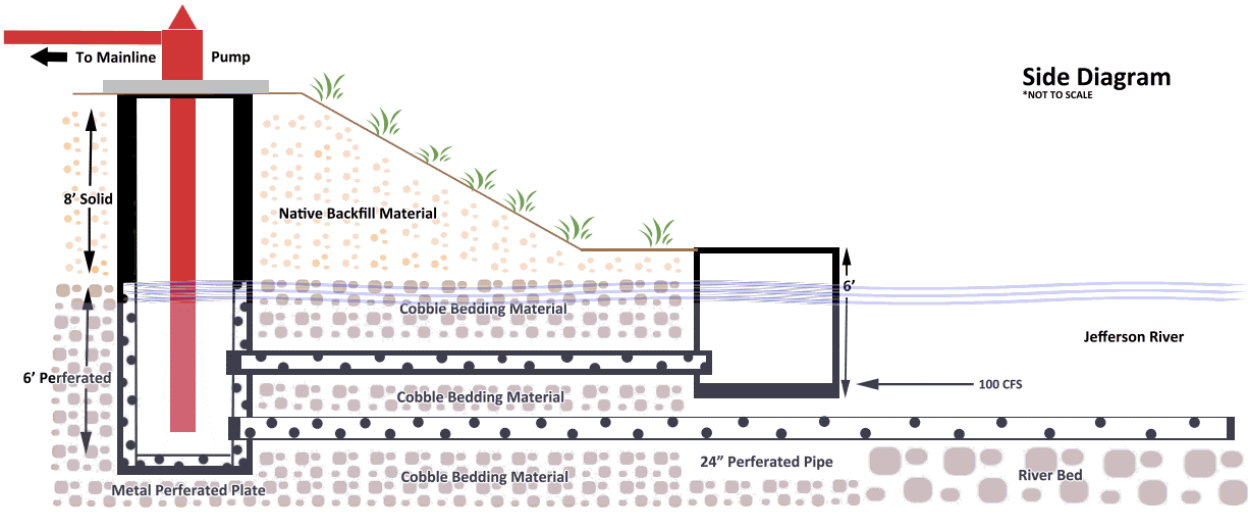
CONTRIBUTOR	IN-KIND	CASH	TOTAL	Secured? (Y/N)
	$ -		$ -	N
	$ -	$ -	$ -	
	$ -	$ -	$ -	
	$ -	$ -	$ -	
	$ -	$ -	$ -	
	$ -	$ -	$ -	
	$ -	$ -	$ -	
	$ -	$ -	$ -	
TOTALS	$ -	$ -	$ -	

Jefferson River Proposed Irrigation Project

Project Overview:

The intent of this project is to have a continuous flow system to be able to pull constant water to provide adequate flow to irrigation pivots. We have created a design that utilizes a screened vault set in the Jefferson riverbed at a 100 CFS. Attached to the screened vault will be a 24" perforated pvc pipe that will draw water from the river and collect ground water from the bedded perforated pvc pipe that will feed the 14' containment sump. This containment sump will be located back on the riverbank shelf and will act as a collection basin to retain enough water to always be available for the pivot pump. This containment sump is in two separated pieces. The lower half consists of a 6' perforated containment chamber that is perforated including a metal plate that it will sit on. This will draw groundwater in though layers of a mixture of oversized and clean bedding material. The upper 8' portion of the containment sump will be solid. Inside the containment pump will be a pipe that will draw out the water to feed the pivot pump. As a secondary backup in case the Jefferson River dips below 100 cfs will be a secondary 24" perforated pipe that will be embedded in the Jefferson riverbed that will always have a consistent water draw. Both 24" perforated pipe shall be bedded in both oversized and smaller cobble to allow not only river water draw, but groundwater saturation draw as well. The screened vault shall have 2' rip rap installed along both sides of the screened vault along the bank line 50' on each side. This will speed up water along the front of the screen, which in return the screens have a less chance of foreign objects sticking or collecting on the screens. As an additional failsafe the screened vault with have a water spray bar that will be fed by the pivot pump that will apply pressurized water to blow anything off the screens from inside out. This should also help reduce foreign objects accumulating on the screens as well. The entire installation area will be embedded with oversized and small clean gravel. This will allow as much groundwater seepage to accumulate inside the perforated pipe as possible.

Conceptual Design of Jefferson River Pump Site



Example of River Diversion Structure (Big Hole River)

Irrigation Pump Site Budget

Jefferson River - Irrigation Sump **9/22/2023**

Waterloo, MT. *Quote valid for 30 days*

IRRIGATION SUMP INSTALLATION - QUANTITY TABLE

ITEM	DESCRIPTION	QTY.	U/M	UNIT PRICE	TOTAL
1	Mobilization and de-mobilization to project	1	LS	$1,200.00	$1,200.00
2	Dewatering for project	1	LS	$8,500.00	$8,500.00
3	Excavate, set, & backfill sumps, haul & place bedding material for project area	1	LS	$17,800.00	$17,800.00
3	Haul & place rip rap along bankline estimated 100' LF	1	LS	$9,000.00	$9,000.00
3	Excavate & backfill bedding material for pipe and structures	1	LS	$12,000.00	$12,000.00
				Subtotal:	**$48,500.00**

PIVOTS PLUS MATERIALS - QUANTITY TABLE

ITEM	DESCRIPTION	QTY.	U/M	UNIT PRICE	TOTAL
1	Pre-cast concrete structure	1	EA	$1,866.00	$1,866.00
2	Screen for structure and plumbing	1	EA	$600.00	$600.00
3	Pipe from concrete sump to wet well	1	EA	$1,000.00	$1,000.00
4	Vertical wet well pipe	1	EA	$2,120.00	$2,120.00
5	24" perforated pipe	1	EA	$4,000.00	$4,000.00
6	Labor & freight	1	EA	$1,185.00	$1,185.00
				Subtotal:	**$10,771.00**

LS = Lump Sum LF = Linear Feet EA = Each SY = Square Yard CY = Cubic Yard AC = Acre SF= Square Foot HR = Hour BF = Board Foot

NOTE*

Does not include seeding, permits, engineering, surveying, fence removal, fence repair, or compaction testing.
Dewatering permit to be provided by FWP
Does not include railroad negotiation or permission in writing provided by FWP or Landowner.
Rip rap shall be 50' LF on each side of structure.
Landowner access to be provided.
All materials except for bedding and rip rap shall come from Pivots Plus.
Does not contain any mainline materials pipe trenching or pivot hookup.

COMBINED TOTAL:	**$59,271.00**
20% CONTINGENCY	**$11,854.20**
TOTAL PROJECT COST:	**$71,125.20**

FUTURE FISHERIES IMPROVEMENT PROGRAM

SUPPLEMENTAL INFORMATION SHEET FOR WATER LEASING OR WATER SALVAGE PROJECTS

The following additional information is requested to supplement the Future Fisheries Application for projects associated with water leasing or water salvage. Please complete this supplemental form and submit it as part of the Future Fisheries Grant Application.

1. **Please complete the following table describing the water right(s) associated with the proposed project.** Note: Much of this information can be obtained either from your own water rights records or online at http://www.dnrc.state.mt.us/wrd/home.htm (choose "water rights" and then select an index to look up applicable claims)

RIGHT NUMBER; WATER SOURCE	POINT OF DIVERSION	QUANTIFIED FLOW (CFS)/ VOLUME (AF)/ IRRIGATED ACRES	PRIORITY DATE; PERIOD OF USE	RELATIVE PRIORITY ON WATER SOURCE	PURPOSE OF WATER RIGHT	OTHER CLAIMED ON THE STREAM SENIOR TO YOUR LISTED CLAIMS
41G 197111-00	SE SE SW Sec. 14; T1S; R5W	9.48 cfs / est. 650 acre feet / 238 irrigated acres	9/19/1876; May 1st through October 15th	1ST priority of 9 rights	Irrigation	0 cfs senior to this right
41G 212596-00	SW Sec. 13; T1S; R5W	2.05 cfs / est. 96 acre feet / 73 irrigated acres	6/30/1973; May 1st through October 15th	Only diversionary right on source.	Irrigation	0 cfs senior to this right

2. **In the last 10 years, has your full water right amount regularly been available at your point of diversion throughout your period of use?**

   Yes / No (Please circle one)

   Have you ever made "a call" on junior water users to obtain the water you needed (through a water commissioner or otherwise)?

   Yes / No (Please circle one)

3. **Please describe or include a summary of any measurements of the amount of water you have regularly diverted and how much typically flows by your diversion during different time periods.**

Prior to the Parsons Slough channel restoration project in the mid-2000s the entire flow of Parsons Slough was diverted into the Curtis Ditch. This flow was monitoring in 2004 and 2005 with peak diversion being around 16 cfs and normal summer diversion over 10 cfs. In early August 2023 the flow the Curtis Ditch was measured at 5.36 cfs with water being diverted to

supply 56 acres of sprinkler irrigation and no flood irrigation. 3.68 cfs remained in Parsons Slough below the diversion. Under historic use, including flood irrigation, the full amount of water available would have been in use.

According to the lessor of the land, Willow Spring Creek near the diversion just meets the demand for the current sprinkler system of 2.0 cfs which is a reasonable estimate of the flow at that point in the stream.

4. **Has your local FWP fish biologist confirmed that your leasing/salvage project addresses a stream flow problem that significantly limits the fishery?**

   Yes / No (Please circle one)

5. **How much actual water (often different than just the remainder of your water rights) will be added to the stream through completion of your project?**

   _____ **Please fill in and circle one – cfs / gpm / miners inches**

The full amount of the water rights which is consistent with the historic use will be restored to Parsons Slough (9.48 cfs) and Willow Spring Creek (2.05 cfs).

What length of stream will benefit from this additional flow? **(Note: Under certain circumstances, senior water can be protected legally from diversion by downstream junior users.)**

_____ **miles (please fill in or describe)**

Parsons Slough 0.5 miles will benefit
Willow Spring Creek 1.3 miles will benefit

6. **Is there a water commissioner on your stream? Yes / No (Please circle one)**

   Are you willing to actively assist in monitoring and/or protecting the conserved water instream? Yes / No (Please circle one and describe)

Monitoring will be done by FWP as required by §85-2-436(3)(j), MCA.

Parsons Slough – Willow Spring Creek Project

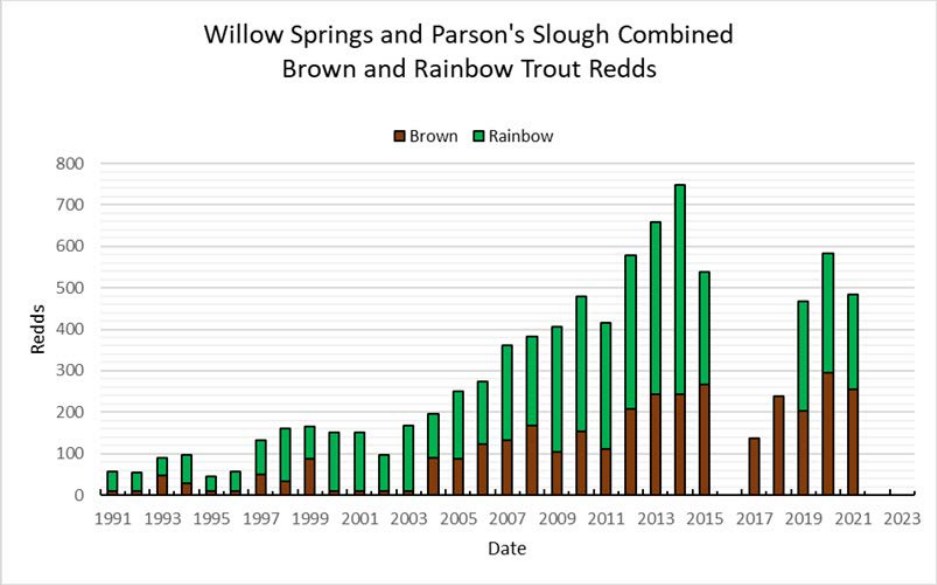
By: Ron Spoon, Andy Brummond

September 29, 2023

On July 26, 2023, we met with Bill Gouldd, owner of Treasured Mountains Holdings LLC, to discuss a potential project to change his irrigation points of diversion from Parsons Slough and Willow Spring Creek to a pump site on the Jefferson River. Mr. Gouldd has already replaced an existing wheel line irrigation system from Willow Spring Creek with a center pivot and installed a center pivot supplied by a ditch from Parsons Slough on previously irrigated land. Mr. Gouldd indicated that he was also considering installing two additional center pivots on land historically sprinkler irrigated. The new and planned center pivots would leave about 97 acres historically irrigated available for instream flow. The attached map shows the project.

Fishery

Willow Spring Creek and Parsons Slough are two spring creeks that originate at the base of an alluvial fan of the Tobacco Root Mountains where abundant groundwater enters the Jefferson River near Waterloo. The spring creeks enter the Jefferson River at River Mile 62.5 (Parson's) and 60.5 (Willow Springs). High quality groundwater attracts Brown Trout and Rainbow Trout to the area, and the largest concentration of spawning trout in the entire watershed occurs at this location. Approximately 500 trout spawning beds (redds) are observed in the two streams (see below). And recently, two spawning Brown Trout equipped with radio tags at the base of Toston Dam travelled 80 miles to reach this spawning area after being transported above the Missouri River impoundment.



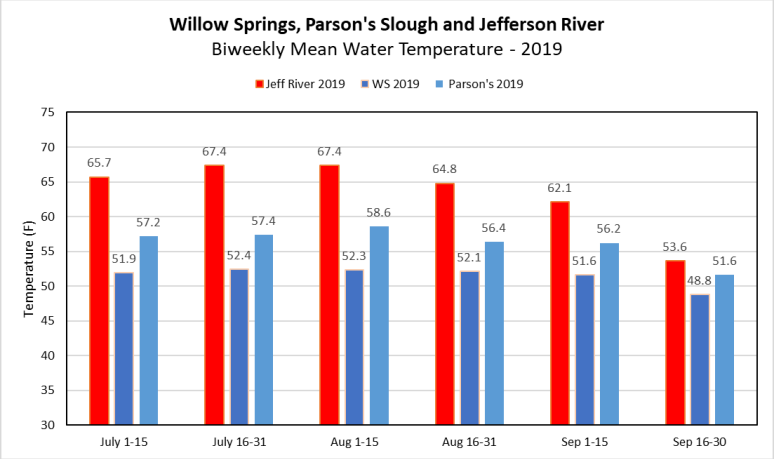
Both streams benefitted from FWP's River Restoration funds and FFIP funds to improve physical habitat with several phases of restoration activity. Spawning and juvenile rearing of trout expanded as habitat improvement progressed, and this recruitment of young fish provides angling opportunity for many miles of the Jefferson River.

However, there is no protection of instream flow for these important spring creeks with the exception of the water reservation for Willow Spring Creek which is junior to Treasured Mountains water rights. The large number of redds results in thousands of juvenile trout spending their first year in the two spring creeks, and sufficient instream flow is important for maintaining healthy nursery habitat before entering the Jefferson River. Due to the restored habitat approach of constructing relatively shallow riffle habitat, there is little adult habitat (pools) and fishing is limited except in the upper portion of Parson's Slough.

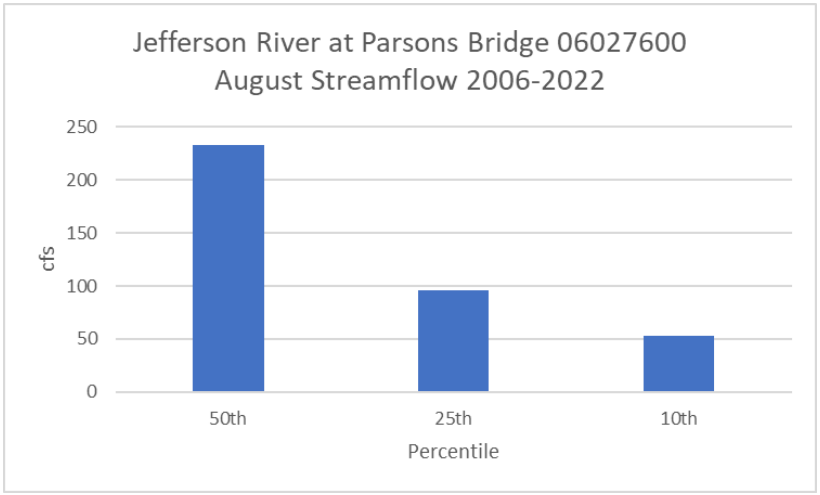
The proposed project to remove irrigation from both streams and relocate water diversion to the Jefferson River provides many benefits to the two spawning streams. Existing water diversions on the two spring creeks impact the juvenile fish populations in the following ways:

- The Curtis Ditch from Parsons Slough entrains trout fry.
- The Curtis Ditch (photo below) interrupts Rainbow Trout spawning movements into the spring creek beginning in April/May. Some Rainbow Trout are able to enter prior to irrigation, and Brown Trout movement into the stream occurs after irrigation in October.
- Spawning and juvenile rearing in lower Parsons Slough is significantly reduced during summer irrigation due to poor streamflow, but some water is voluntarily provided to allow some recruitment.
- The diversion of water from Parsons Slough reduces inflow of cool water to the Jefferson River.

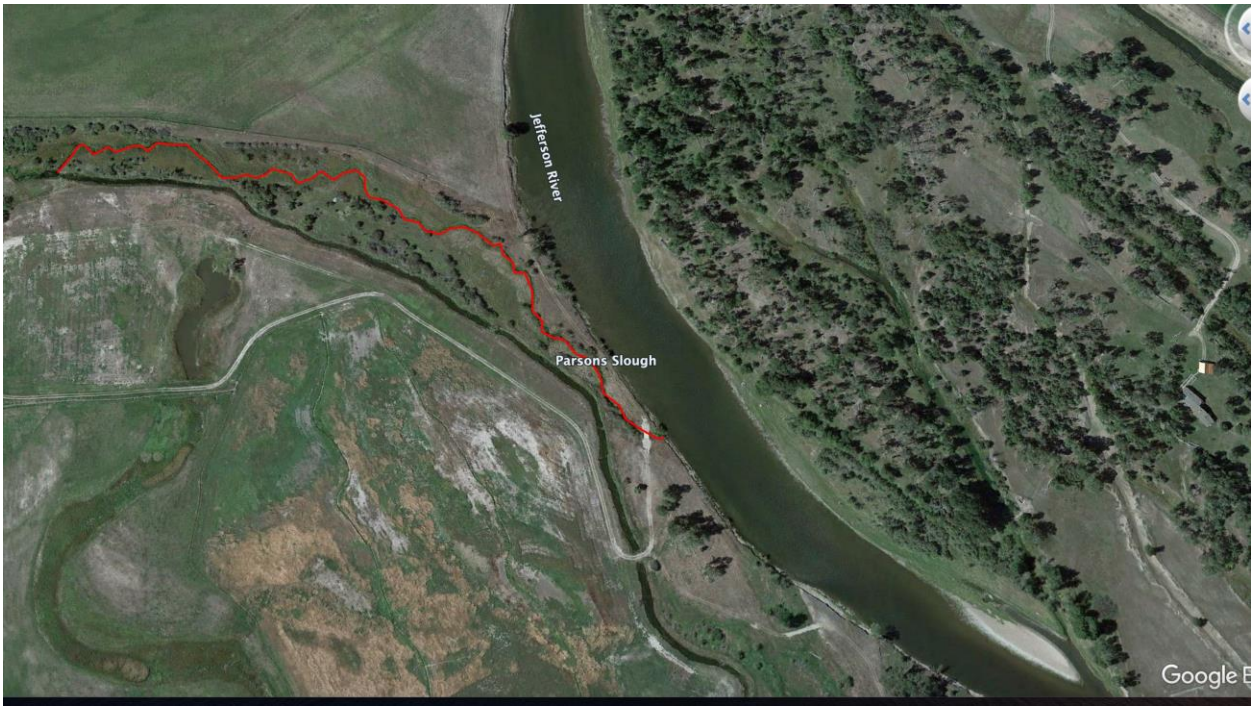
- The Willow Spring Creek pumping station impacts summer egg incubation and trout fry rearing by reducing summer streamflow.
- The pump station from Willow Spring Creek reduces inflow of cool water to the Jefferson River (see summer water temperature trends below):



Streamflow in the Jefferson River as measured at USGS 06027600 just upstream of Parsons Slough often falls to very low levels. The 10th percentile of mean August flow at this gage is 52.5 cfs with the lowest mean flow of 40.5 cfs in 2016. The project is expected to increase flow in Parsons Slough by up to 9 cfs in August with up to and additional 2 cfs from Willow Spring Creek. As shown above, water temperature in Parsons Slough in August is about 8°F cooler than the Jefferson River while Willow Spring Creek is about 12°F cooler. The increase in cooler water flowing into the Jefferson is expected to decrease the water temperature by up to nearly 2°F when flow is at 52.5 cfs, the level based on past data that would be expected in at least 1 out of 10 Augusts. With 4 cfs being pumped from the Jefferson, flow river would still increase by 13% compared to 52.5 cfs.



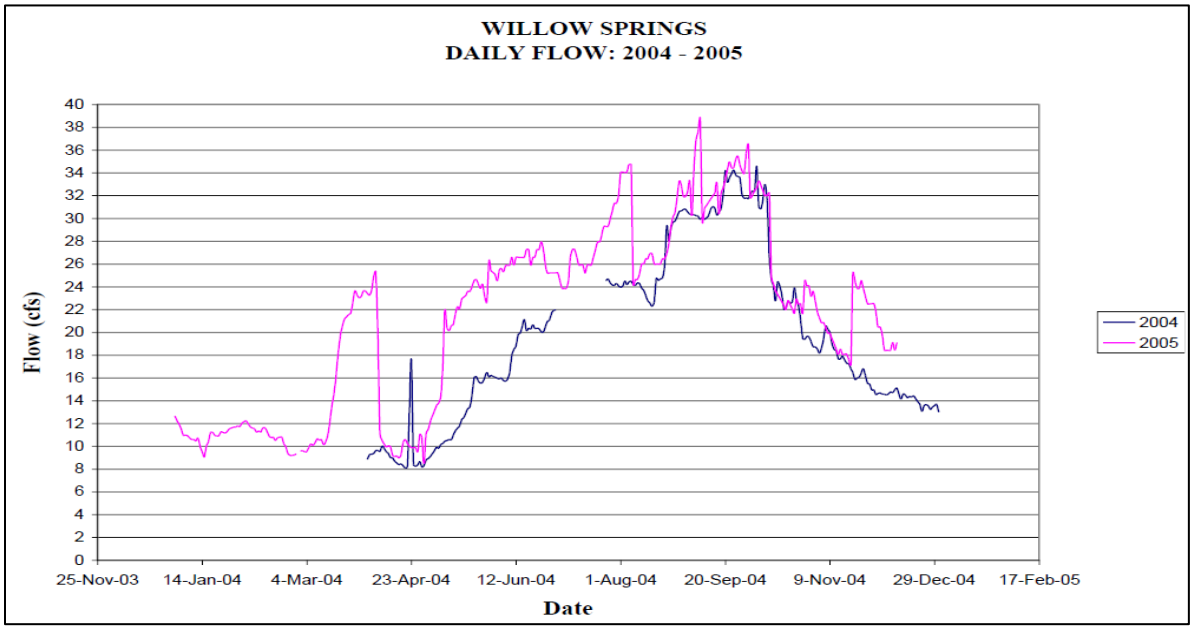
Parson's Slough stream channel construction (RED) in 2007 connected the slough to the Jefferson River to allow fish entry.



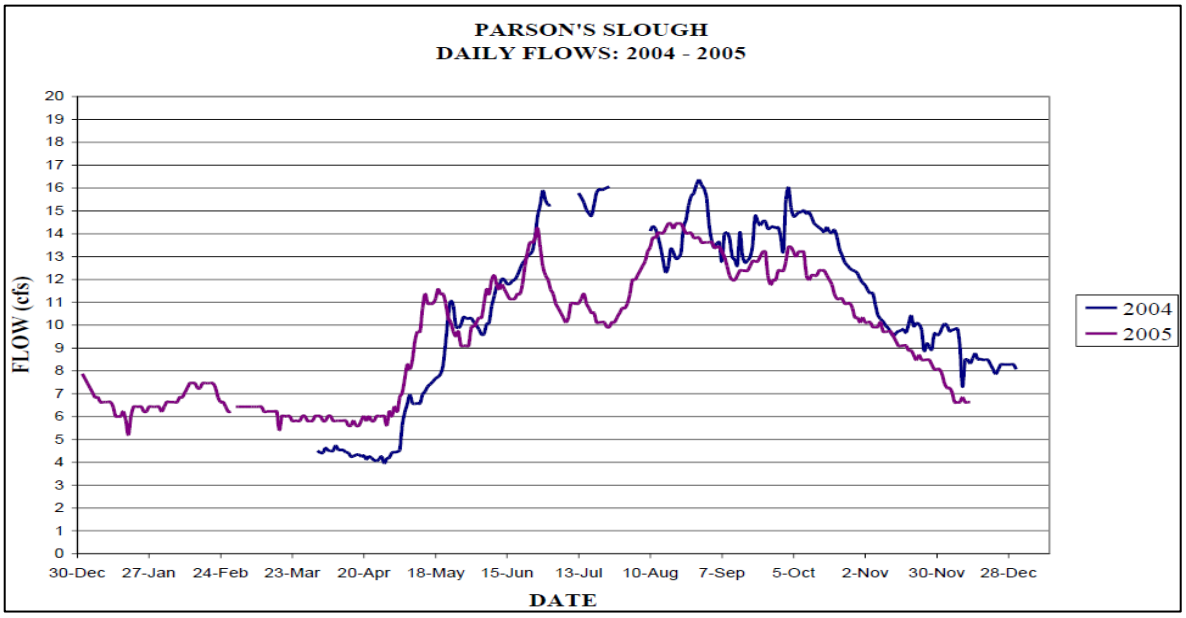
Parson's Slough spawning channel (LEFT) leading to Jefferson River. Headgate for Curtis Ditch (RIGHT). Water users voluntarily maintain some water in spawning channel during summer to incubate rainbow trout eggs, but there is currently no legal requirement to maintain flow.

Instream Flow

FWP holds an instream flow water right for Willow Spring Creek for 9.2 cfs, the estimated baseflow for the stream which is supported by the hydrograph below. While this flow level is reached and exceed in the lower creek, in the upper creek where the only irrigation diversion occurs, it is not met. FWP does not hold an instream flow water right for Parsons Slough, likely because lower Parsons Slough was not a functional stream at the time of instream reservation filing period in the late 1980s due to dewatering and channel degradation.



Willow Spring Creek near mouth daily average flow 2004-2005 by Water & Environmental Technologies LLC



Parsons Slough near mouth daily average flow 2004-2005 by Water & Environmental Technologies LLC .

Baseflow in Parsons Slough is around 6 cfs based on the above hydrograph. The flow displayed does not account for water diverted for irrigation. While the Parsons Slough water right is for 9.48 cfs, historically the entire flow of Parsons Slough was diverted into the Curtis Ditch prior to the restoration projects. While above baseflow, maintaining a higher flow Parsons Slough by eliminating the use of the Curtis Ditch would provide additional spawning and rearing habitat.

Water Rights

Treasured Mountains holds the senior irrigation rights on Parsons Slough, which makes them a good candidate for streamflow restoration and protection. The following table shows Treasured Mountains senior water right along with those of other parties. Presently water use by other parties is very limited.

WR_NUMBER	WRTE_DESCR	ENF_PRTY	MAJC	SOURCE_NAME	MODV_DESCR	PURT_DESCR	OWNER 1	OWNER 2	MAX_FLO
41G 197111 00	STATEMENT OF CLAIM	18760919	S	PARSONS SLOUGH	HEADGATE	IRRIGATION	TREASURED MOUNTAINS HOLDINGS LLC		9.48 CFS
41G 30143701	STATEMENT OF CLAIM	18951015	S	PARSONS SLOUGH	LIVESTOCK DIRECT FROM	STOCK	G&M YAMAMOTO TRUST	HIRSCHY	1.25 CFS
41G 197146 00	STATEMENT OF CLAIM	19241231	G	SPRING, UNNAMED TRIBUTARY OF PARSONS SLOUGH	HEADGATE	IRRIGATION	ANDREN	HIRSCHY	12.5 CFS
41G 197145 00	STATEMENT OF CLAIM	19471015	G	WASTE & SEEPAGE, UNNAMED TRIBUTARY OF PARSONS SLOUGH	HEADGATE	IRRIGATION	G&M YAMAMOTO TRUST	HIRSCHY	12.5 CFS
41G 197143 00	STATEMENT OF CLAIM	19500225	S	PARSONS SLOUGH	PUMP	IRRIGATION	G&M YAMAMOTO TRUST	HIRSCHY	5 CFS
41G 206725 00	STATEMENT OF CLAIM	19511130	G	SPRING, UNNAMED TRIBUTARY OF PARSONS SLOUGH	PUMP	STOCK	KLAAS	KUEHL	25 GPM
41G 195432 00	STATEMENT OF CLAIM	19541231	G	SPRING, UNNAMED TRIBUTARY OF PARSONS SLOUGH	PUMP	IRRIGATION	ENGLE		357 GPM
41G 2262 00	PROVISIONAL PERMIT	19740509	S	PARSONS SLOUGH	PUMP	IRRIGATION	LAUGHERY		700 GPM
41G 206726 00	STATEMENT OF CLAIM	19780601	G	SPRING, UNNAMED TRIBUTARY OF PARSONS SLOUGH	PUMP	IRRIGATION	KLAAS	KUEHL	5 CFS

Treasured Mountains is the only water right owner on Willow Spring Creek other that FWP which holds a water reservation for 9.2 cfs.

Other Considerations

The pond on Willow Spring Creek from which water is currently pumped has historically been used for fishery purposes as well as irrigation. This pond does not have a water right as the irrigation right is for direct diversion with no storage of water. The pond would no longer be use for irrigation but would remain to provide a fishery.

The Willow Spring Creek irrigation water right is a “Late Claim” which means it has an effective priority date of June 30, 1973. This right is junior in priority to FWP”s instream water right for the Missouri River above Canyon Ferry Reservoir. Given the benefits of this project and the overall reduction in irrigation under the senior Parsons Slough water right, FWP would agree not to place a call on the Late Claim to cease use as part of an agreement with Treasured Mountains.

Water Right Changes

Three water right changes are needed for the project and must be approved by DNRC:

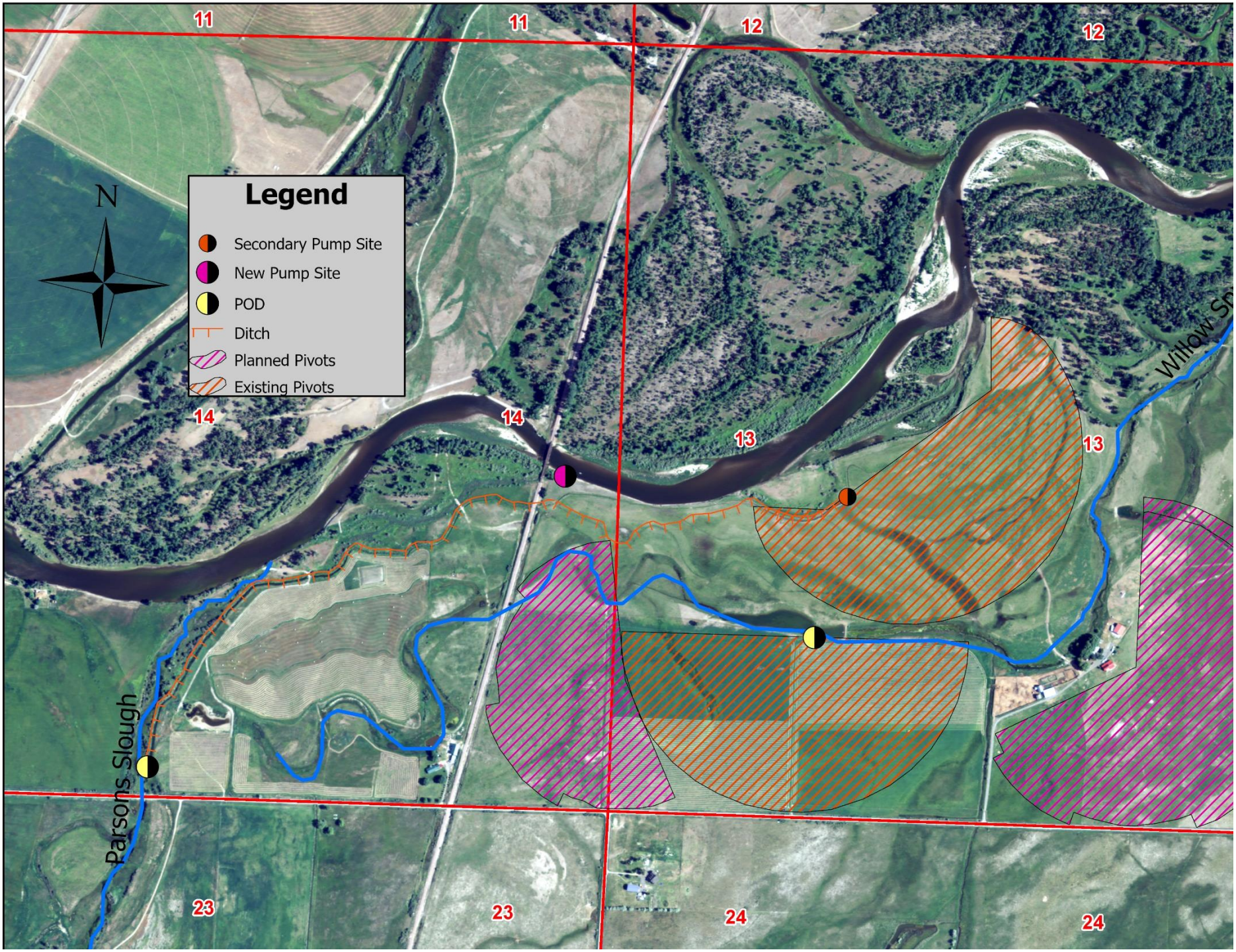
- A permenant change to add the point of diversion for the two water right from the Jefferson River.
- A permenant change to cover the Willow Spring pond with a fishery purpose.
- A temporary change to instream flow for the water being leased.

FWP would prepare the two permanent changes for Treasured Mountains, but they would be submitted by Treasured Mountains. FWP would prepare and submit the temporary change to instream flow. The use of the water rights for instream flow is specifically recognized as a beneficial of water under the law, providing protection against other parties asserting the rights have been abandoned due to non-use.

For FWP to lease part of the water rights for instream flow, the lease agreement must be approved by the Montana Fish and Wildlife Commission. FWP staff will request the agreement be considered for final approval by the Commission at its February 2024 meeting.

Current law allows FWP to change the water rights to instream flow for a period of up to 10 years, but with an unlimited number of renewals. The changes may be for a period of up to 30 years for projects through which the leased water is made available through water conservation or water storage projects. This project clearly includes water conservation measures. The determination of the 30-year eligibility will need to be fully explored prior to finalizing an agreement.

Parsons Slough Willow Springs water lease 018-2024



October 13, 2023

Montana Trout Unlimited
312 N. Higgins St. Suite 102
PO Box 7186
Missoula, MT. 59807-186

Montana Future Fisheries Improvement Program
c/o Michelle McGree
1420 East Sixth Street
Helena, MT 59620

Dear Future Fisheries Citizen Review Panel:

On behalf of our membership, Montana Trout Unlimited is writing in support of proposed habitat improvements through water leasing on Willow Springs Creek and Parson's Slough. Along with local TU chapters, George Grant TU in Butte, and Chuck Robbins TU in Dillon, MTU has been a steadfast partner supporting habitat projects on these two critical spring creeks in the upper Jefferson watershed for more than two decades. Most recently, in 2021, MTU completed 1,750 feet of channel restoration to improve stream function and spawning habitat on Willow Springs Creek with multiple private donations.

Chartered in 1964, Montana Trout Unlimited (MTU) represents nearly 5,000 individual Trout Unlimited (TU) members and friends and is the umbrella organization for 13 separate TU chapters around the state. Montana TU, headquartered in Missoula, Montana, has a small dedicated staff of 6 conservation professionals, and is organized and chartered under the non-profit umbrella of Trout Unlimited national. Montana TU's mission is to conserve, protect and restore coldwater fisheries and their watersheds in Montana.

Water quality and quantity are two of the primary goals for this project. Exchanging colder irrigation water sources with warmer water irrigation sources is a well-established strategy to improve habitat conditions for salmonids, while serving the needs of irrigated agriculture. Stream flow and temperature are on the forefront of the challenges Montana's fisheries face in Southwest Montana and elsewhere. This project addresses both of these issues, while keeping the senior water right holder whole. This is the type of win-win solution MTU strives to develop and support. To that end, MTU will commit $2,000 for water measurement devices to assist in documenting the data necessary to implement the water lease.

Thank you for the opportunity to comment and share our support for this project.

Chris Edgington
Jefferson Watershed Project Manager
Montana Trout Unlimited

November 13, 2023

Montana Future Fisheries Improvement Program
c/o Michelle McGree
PO Box 200701
Helena, MT 59620-0701

Dear Future Fisheries Citizen Review Panel:

As the landowner of the Willow Springs Ranch, I am writing to support the Future Fisheries Improvement Program Grant request to improve streamflow of two spring creeks located on my property. These two spring creeks, the Jefferson River, and the trout fishery are very important to us and we are hopeful the proposed project will create a win-win outcome for all parties.

Our commitment to change our point of diversion to the Jefferson River and lease part of our senior water rights from Willow Springs and Parson's Slough to FWP for 30 years represents a long-term commitment to the stewardship of water and fishery resources. The ranch cooperated on several habitat projects with FWP and TU over the years to improve trout spawning success, and we see this water project as a significant step to make sure past efforts at Parson's and Willow Springs endure.

Thank you for considering this proposal.

Sincerely,

Bill Gouldd