



WATER-RIGHT DOCKET

Glacier National Park

Docket No: 3

ST. MARY RIVER. ST. MARY'S DRAINAGE

State Water Rights Documentation

00-00-0000: statement of claim for existing water rights: other uses for the water courts of the state of montana; tributary of lower

Form No. 76-O R2/80

St. Mary Campground
GLACR333514AR13

STATEMENT OF CLAIM FOR EXISTING WATER RIGHTS

OTHER USES

For the Water Courts of the State of Montana

UNITED STATES OF AMERICA, DEPARTMENT OF THE INTERIOR

NATIONAL PARK SERVICE

1. Owner of Water Right GLACIER NATIONAL PARK, WEST GLACIER, MONTANA 59936 /
Last First Middle Initial

Co-Owner or Other
Interest Owner _____ / _____ / _____
Last First Middle Initial

Address _____

City _____ State _____ Zip Code _____

Home Phone No. _____ Business Phone No. _____

2. Person completing form VEKAST / JAMES /
Last First Middle Initial

Address GENERAL ENGINEER, GLACIER NATIONAL PARK

City WEST GLACIER State MONTANA Zip Code 59936

Home Phone No. _____ Business Phone No. (406) 886-5441 X60

3. Use: (Check Only One)

FR ☐ Fish Raceways

GE ☐ Geothermal

MN ☐ Mining

FW ☐ Fish & Wildlife

NV ☐ Navigation

PG ☐ Power Generation

CM ☐ Commercial

FP ☐ Fire Protection

RC ☐ Recreation

IN ☐ Industrial

AS ☐ Agricultural Spraying

OT ☒ Other FEDERAL RESERVED RIGHT

MC ☐ Municipal

OF ☐ Oil Well Flooding

Explain Instream flows for the maintenance
of ecosystems and all other uses necessary
to effectuate the purposes set forth in 16
U.S.C. 1, establishing the National Park
Service and Legislation establishing Glacier
National Park.

4. Source of Water: (Check Only One)

☐ Spring Name _____

☐ Well Name _____

☒ Stream Name St. Mary River

☐ Lake Name _____

☐ Reservoir Name _____

Tributary of Lower St. Mary Lake

Stream _____

Tributary of _____

Stream _____

Tributary of _____

5. Point of Diversion: County Glacier

1/4 1/4 NW 1/4, Section 33, T 35 N/S R 14 E/W

Lot _____, Block _____, Subdivision _____

6. Means of Diversion:

☐ Well

☒ Pump Capacity 35 gpm

☐ Headgate with ditch or pipeline

☐ Instream use

☐ Other Explain _____

7. Means of Conveyance:

☐ Ditch

☐ Instream

☒ Pipeline

☐ Other: _____

3. Place of Use: County _____ Tier _____

☐ Instream ☐ City or Town ☒ Other: Explain St. Mary Campground

Lot _____	Block _____	1/4 _____	1/4 _____	1/4 _____	Section <u>28 & 33 T 35</u>	N/S _____	R <u>14</u>	E/W _____
Lot _____	Block _____	1/4 _____	1/4 _____	1/4 _____	Section _____	T _____	N/S _____	R _____
Lot _____	Block _____	1/4 _____	1/4 _____	1/4 _____	Section _____	T _____	N/S _____	R _____
Lot _____	Block _____	1/4 _____	1/4 _____	1/4 _____	Section _____	T _____	N/S _____	R _____
Lot _____	Block _____	1/4 _____	1/4 _____	1/4 _____	Section _____	T _____	N/S _____	R _____

Sub-division _____

Flow rate claimed: 35

- ☐ cubic feet per second
☒ gallons per minute
☐ miner's inches

Rate claimed: 10.0 acre-feet per year

Period(s) of use: April 1 / 1 to December 1 / 1
Month Day Month Day

☐ Decreed Water Right
☐ Filed Appropriation Right
☒ Water Right

Priority date or date of first use

May / 11 / 1910
Hour Month Day Year
 when Glacier National Park was established

Not a copy of the Decreed Record of Filing or Proof of Use Right.

Enclosures of aerial photographs, U.S. Geological Survey maps or such other documents necessary to show point of diversion, place of use, place of storage, and conveyance facilities.

Notarized Statement signed by claimant.

STATE OF COLORADO

)
 :ss.

Notary Public

Any claims for watersheds involved in federal litigation are being filed for the purpose of accommodation and are not to be construed as a waiver of jurisdiction of the United States. The disclaimer does not apply to other claims.

I, Richard B. Mahul, having been duly sworn, depose and say that I, Richard B. Mahul, am the claimant of this claim of existing water right, and the person whose name appears as the claimant in this claim and the matters and things stated there are true and correct.

Richard B. Mahul

Witness my hand and seal, this 7th day of APRIL, 19 82.

Robert G. Prohman
 Notary Public for the State of Montana - COLORADO

Residing at 1245 W 8th AVE, ARIZONA, CO 80002
 My Commission expires My commission expires Jan. 10, 1984

Form No. 76-O N10/79

STATEMENT OF CLAIM FOR EXISTING WATER RIGHTS

ST. MARY CAMPGROUND
GLACR333514AR13

OTHER USES For the Water Courts of the State of Montana

1. Owner of Water RightCo-Owner or Other
Interest OwnerUS DEPT OF INTERIOR
NATIONAL PARK SERVICE
GLACIER NATIONAL PARK
WEST GLACIER MT 59936_____/_____
Middle Initial_____/_____
Middle Initial

Address _____

City _____

Zip Code _____

Home Phone No. _____ Business Phone No. (406) 888-5441 x 10

2. Person completing form

Vekasi

James

M.

Last

First

Middle Initial

Address _____ Glacier National Park

City _____ West Glacier _____ State _____ Montana _____ Zip Code _____ 59936

Home Phone No. _____ Business Phone No. (406) 888-5441 x 60

3. Use:☐ Fish Raceways☐ Geothermal☐ Mining☐ Fish & Wildlife☐ Navigation☐ Power Generation☐ Commercial☐ Fire Protection☒ Recreation☐ Industrial☐ Agricultural Spraying☐ Other☐ Municipal☐ Oil Well Flooding

Explain _____

4. Source of Water:☒ Stream

Name _____ St. Mary River

Tributary of _____ Lower St. Mary Lake

☐ Spring☐ Well☐ Lake

Name _____ Stream _____

Tributary of _____

☐ Reservoir

Name _____ Stream _____

Tributary of _____

5. Point of Diversion:

County(ies) _____ Glacier

1/4 1/4 NW 1/4, Section 33, T 35 (N/S, R 14 E/W)_____
1/4 1/4 1/4, Section _____, T _____ N/S, R _____ E/W

Lot _____, Block _____, Subdivision _____

6. Means of Diversion:☐ Well☒ Pump Capacity _____ 35 _____ gpm☐ Headgate with ditch or pipeline☐ Instream use☐ Other Explain _____**7. Means of Conveyance:**☐ Ditch☐ Instream☒ Pipeline☐ Other: _____

8. Place of Use:		County(ies) <u>Glacier</u>	
☐ Instream	☐ City or Town	☒ Other:	Explain <u>St. Mary Campground</u>
<u>1/4</u>	<u>1/4</u>	<u>1/4</u> , Section <u>28 and 33</u>	T <u>35</u> <u>N/S</u> , R <u>14</u> <u>E/W</u>
<u>1/4</u>	<u>1/4</u>	<u>1/4</u> , Section _____	T _____ <u>N/S</u> , R _____ <u>E/W</u>
<u>1/4</u>	<u>1/4</u>	<u>1/4</u> , Section _____	T _____ <u>N/S</u> , R _____ <u>E/W</u>
<u>1/4</u>	<u>1/4</u>	<u>1/4</u> , Section _____	T _____ <u>N/S</u> , R _____ <u>E/W</u>
<u>1/4</u>	<u>1/4</u>	<u>1/4</u> , Section _____	T _____ <u>N/S</u> , R _____ <u>E/W</u>
Lot _____, Block _____, Subdivision _____			
9. Flow rate claimed: <u>35</u> ☐ cubic feet per second ☒ gallons per minute ☐ miner's inches			
10. Volume claimed: <u>10.0</u> acre-feet			
11. Period(s) of use: <u>1/4 - 12/1</u>			
12. Check one: ☐ Decreed Water Right ☐ Filed Appropriation Right ☒ Use Water Right <u>1961</u>			
13. Attach copies of the Decree, Record of Filing or Proof of Use Right. Construction Drawing 3330-B			
14. Attach copies of aerial photographs, U.S. Geological Survey maps or such other documents necessary to show point of diversion, place of use, place of storage, and conveyance facilities. USGS St. Mary and Babb NP-GLA 3330-B, sht. 1; 3148			
15. Notarized Statement signed by claimant.			
STATE OF MONTANA) County of <u>Flathead</u>)ss.			
I, <u>Robert C. Haraden</u> , having been first duly sworn, depose(s) and say(s) that (he) (she) (they), being of legal age and being the claimant(s) of the foregoing claim of Existing Water Right, and the person(s) whose name(s) is (are) subscribed thereto as the claimant(s), that (he) (she) (they) know(s) the contents of said foregoing claim and that the matters and things therein are true and correct.			
<u>Robert C. Haraden</u> SUPERINTENDENT			
Subscribed and sworn before me, this <u>fourth</u> day of <u>December</u> 19 <u>81</u> .			
<u>Martha M. Sloan</u> Notary Public for the State of Montana			
Residing at <u>West Glacier, MT 59936</u>			
My Commission expires <u>3/5/84</u>			

January 27, 1960

To: Regional Director, Region Two

From: ^{Acting} Chief, Water Resources Section

None in
WOSC
files

My original plan was to claim basic priority either when the land was withdrawn and reserved for the Indians, or when the Indian Reservation was moved back to Divide Creek and the rest of the present alignment in 1966. However, I now believe that the portion of the Park to the east of the Continental Divide was restored to the public domain to at least a partial extent from 1896 to May 11, 1910, when the Park was established. From more information and experience it now appears that Federal claims for the Park should not be based on Indian usage, which was moved to the east with the boundary. However, we should claim priority at the first date the land was reserved in or after 1896, as the Department of Justice is trying to do for other areas in Arizona vs. California. This date should be determined (or confirmed as May 11, 1910).

There is also the withdrawal of February 28, 1903, of land within half a mile of upper St. Mary's Lake for storage purposes. The water claim, for storage, is alien to the Park, being for the irrigation of the adjacent Blackfeet Indian Reservation, but the Field Solicitor should consider whether the priority of this reservation of the lands is for multiple Federal use.

If no earlier priority can be asserted, the act of May 11, 1910, and maps and applications of the Glacier Park Hotel Company from 1912 through 1915 support immediate progress on the perfection of appropriate rights under the 1911 date at the designated Chalet sites. The St. Mary's Chalet may be considered to have been replaced by the first unit of the East Glacier or Roes Creek development, and I gather that the present Rising Sun Area is an enlargement to include a transfer of use and rights from the Going-to-the-Sun and Narrows areas.

Accordingly, I believe that Mr. Mott and the Superintendent should draft a proposed (single) filing to cover all present water diversions and use around the shore of Upper St. Mary's Lake by changes in points of diversion and place of use from the earlier chalets. This should give original points of diversion and new points of diversion, the description of old and new places of use, descriptions of original use, including maximum population served, or power developed, and the similar information for the ultimate developments now planned at the new sites. Drawing 6984 gives most of the land subdivision and ties for this work,

The filing should also include the prescribed statement that nothing in it constitutes a waiver of other rights which the U.S. has to the same water. As a county filing, the statement should be as brief as possible for recording. In forwarding the tracing of NP-GLA-6984, under separate cover, I anticipate that it might be completed to show the rest of the necessary details and filed with the county, and that it and the written water right filing could be cross referenced.

The docket now includes some records of the Gunsite Chalet development, and references to one at Lake Louise and others at Lake McDermott, Two Medicine, Cut Bank and Swift Current. The memorandum of January 18 indicates that separate dockets and filings have been or are planned for those not tributary to St. Mary's Lake. I believe that a separate filing and docket might also be prepared for the Gunsite development because I believe it is still maintained. I can find no reference to Lake Louise, or to a development after 1915. If there was a development which has been obliterated, the water claim might be transferred to one of the existing developments.

The form of proposed filing does not follow the printed forms which are commonly used in Montana, unless there is another form for changes in points of diversion and places of use. Hence, your proposed filing should have our clearance in draft form. Any additions to Drawing 6984 should also be made in pencil, and prints should be referred to us before they are inked in.

A. van V. Dunn
Chief, Water Resources Section

Attachment
Copy to: Superintendent, Glacier, w/identical attachment
Chief, WODC, w/identical attachment

Supporting Hydro Data

330

October 8, 1964

Hugh Black & Ernest Peterson
St. Mary Lodge
Browning, Montana

Contract No. 14-10-0214-461
Drilling of Water Well, St. Mary

In accordance with the specifications for Contract No. 14-10-0214-461 for the Drilling of a Water Well at St. Mary in Glacier National Park, a final inspection was made on September 24, 1964.

The contract was completed on September 23, 1964, and this inspection revealed that your work meets all requirements of the plans and specifications and is entirely acceptable.

Sincerely yours,

(SGD) JACK B. DODD

Jack B. Dodd
Acting Superintendent

cc:
WASO
~~Midwest Region~~
WODC

Apparently
1 well was
drilled & completed
in 1964
- water & sewage
system in 1956
(completed 1957)
Rising Sun area - GLAC

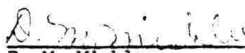
REC'D IN GEN.
FILES OCT 22 1964

Form 10-174
(Rev. 8-56)UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

COMPLETION REPORT OF CONSTRUCTION PROJECT

REGION Two	AREA Glacier National Park	COUNTY Glacier	STATE Montana
PROJECT OR JOB TITLE Water Distribution and Sewer System		PCF NO. U-70-2	
LOCATION IN AREA Rising Sun		MASTER PLAN NO. NP-GLA-2049B	BUILDING NO.
WORKING DRAWING NO. AND TITLE NP-GLA-3309, Water and Sewer Systems, Rising Sun Area, Glacier National Park		WORK ORDER NO. 332.16	
APPROPRIATION TITLE AND SYMBOL 14 X 1035		DATE WORK COMPLETED August 6, 1957	
CONTRACT NO. 14-10-214-215		DATE WORK STARTED July 25, 1956	
NAME OF CONTRACTOR Kalispell Plumbing and Heating, Inc.		ADDRESS P. O. Box 626, Kalispell, Montana	

COST ANALYSIS

CONSTRUCTION ITEMS	QTY.	UNIT COST IN PLACE	TOTAL COST IN PLACE
SEE ATTACHED FINAL ESTIMATE			
Contract Amount			81,949.82
Facilitating Services			583.43
Day Labor			417.63
Cleared by: GLACIER FIELD FINANCE OFFICE			
 D. M. Mishler Supervisory Accountant			
Costs verified by		TOTAL	82,950.88

SUMMARY OF EXPENDITURES

PERSONAL SERVICES	EQUIPMENT	MATERIALS AND SUPPLIES	
\$283.75	\$59.75	\$69.39	
OTHER			
\$4.74	Facilitating Services	\$583.43	
CHANGE ORDERS			
ORIGINAL CONTRACT AMOUNT	FIRST	SECOND	THIRD
\$ 73,790.00	\$2,872.00	\$387.00	
FINAL CONTRACT AMOUNT	FOURTH	FIFTH	SIXTH
\$ 81,949.82			

THIS PROJECT OR JOB HAS BEEN COMPLETED IN ACCORDANCE WITH
APPROVED DRAWINGS, SPECIFICATIONS, AUTHORIZED CHANGES

SUBMITTED BY (Name and title) <i>E. B. Hunter, Prov. Supervisor</i>	DATE <i>2/10/58</i>
APPROVED BY (Name and title) <i>Edmund H. H. [Signature]</i>	DATE <i>5/31/59</i>

(ATTACH NARRATIVE STATEMENT, PHOTOGRAPHS, AND "AS BUILT" DRAWINGS TO THIS FORM)

GPO 914176

Other Supporting Information

Apco Co.
to go with but not on
Dicks

3

1946 Notes
St Marys
area

- 1 Glacier National Park Established by act of May 11, 1910 (36 Stat 554)
- 2 Find letter to Senator 12/23/19 advises that area around St Mary Lake was with answer Feb 28, 1903 for the purpose of Little River Storage Project + 2 areas of 10 + 8 acres have been leased to Glacier Park Hotel Co at \$5 per acre per annum for St Marys + going to the two claims under Act 2 act of May 11, 1910 (36 Stat 554) (601 Part 10)
- 3 Let Sec Samuel Adams to EP 1001 1 Aug 26, 1911:

John References to squatters who were in occupation of alleged mining claims upon which no valuable mineral deposits have been disclosed and the abandoned town of St Marys, in the Glacier National Park, Montana; and who fear that they will be removed from the park without receiving payment for their improvements, it has been asked

Could they be given Government land in exchange for the improvements or be allowed to take up a claim when the reclamation is opened for settlement?

The old town of St Mary is situated near the western boundary of the Blackfoot Indian Reservation and in that portion of the park in which, prior to its establishment, only mining locations and entries were ever permitted. See section 9 of the Act of June 10, 1896 (29 Stat 321, 353, 357)

The act of May 11, 1910 (36 Stat 554), creating the national park, saved and protected only valid existing claims, locations, or entries, and the rights of any such claimants, locators, or entrymen. Squatters upon invalid mining locations are mere intruders, no matter for what length of time they may have been in the unmolested possession of the lands located. They have no claims against the government for compensation for their improvements.

and these same authorities shall preserve their former and
lands or for allowing them claims upon the Blackfoot Indian
Reservation, when the same shall be opened, in exchange for
their improvements. These parties, if otherwise duly qualified
have the same right as other citizens to make entries upon
the surveyed public domain or upon the lands in said
Indian reservation when the same shall be thrown
open pursuant to the Presidential proclamation (which may
possibly issue during the year 1917, under the act of
March 1, 1907 (34 Stat 1035))

For your information, there is herewith enclosed a copy of a report upon the matter from the Commissioner of the General Land Office, dated Aug 17, 1911.

- 4 Asst. Sec. Thompson to Asst. Attorney Gen. - June 17, 1896
advises that Census and of Blackfoot Indian Reservation
officially subject to Entry as soon April 15, 1898.
All mineral claims are subsequent to April 15, 1898. except
that of Parley Stark, Snowshoe Road claim of May 21,
1896

Sunny side Place by Flower, + other, located Feb 11, 1902
 S. Mayo taken by Parley Stark P^o 61207

T-35N, R14W withdrawn from entry Sec. Order Feb 28, 1903
by 1st form withdrawn for H. Mary Proj under act of
June 17, 1902 (32 Stat 388)

Claim 1-266 sec's 3-4 T34N, R14W
Gravel & Not restored to the Floor

Glacier
St Mary's area with the

5th

32

St Mary's Chateau 1460 Rooms 20

1946
St Mary's

Going to Sun 120 " 43

East Glacier Hotel 70 " 18

Ultimate 94 Rooms 198

Road Camp 100 " 18

+ 90 Camp Stalls 270

Total People 250

Road (E.B.)

Camp Trading pts 3 -

Dormitory 25 -

St Mary's

Prof

See the

3 Ranger 2hr -

Auto Repair

Mass Hall + 2hr

2 Buses

5 Chateau -

Self Home

Mass Hall

Dorm 20 -

5 Ranger, Truck + Fire truck -

Brands Creek 7:00 1000 gpm

Road Creek 1000 gpm

Going to Sun 2000 gpm

Going to Sun

Ranger 3 to -

Hydro Plant

4A
1986

1 Total Ground Capacity	Present	Proposed
250 at 250 gpd	62,500 gpd	
350 @ 250 gpd		87,500 gpd
Can take no + Reservoir		
7 x 3.5 = 25 @ 100 gpd	2,500 gpd	
10 x 3.5 25 @ 100		3,500 gpd
Dams 55 @ 85	4,650 gpd	
?		10,000 gpd
Camp site		
9 x 3.5 30 @ 25	7,875 gpd	
250 x 3.5 875 @ 35		30,625 gpd
Total Domestic	77,525 gpd	131,625
=	0.12 sec ft	0.21 s.f.

Prof Kees Creek Hydro 90' head 0.75 sec ft 800' 10" W/S
 7.5 HP Turbine - 4 KW Gen.
 At Mary Davis Creek 125' head - 4.5 sec ft 600' 14" Steel
 50.0 HP Turbine 25-30 KW plant

37
1946

Flow Pumping into the 400
Res. 590

fall = 72 H

1-200 + 385 = 4585 H

10' US 4200'

5' 51' 385'

120 pipes at 250 pps/ft. 30,000 gpm: 10,254 S.F

Pump flow: 2.5 S.F.

Total flow 2.54 S.F.

10' US

Q=120 ; head loss = 9.177'

head loss per 4200' = 38.54

$\frac{1.3}{2.1}$ 0.619

0.619 x 9309 = 0.192
 $\frac{2.482}{2.668}$ S.F.

1785

Q=3.094 S.F. 13.1

head loss per 4200' = 55.02'

6' 72' - 550' 17' 385' = 440' / 1000'

Q=3.404 S.F. 15.6

17' 385' = 1752'

$\frac{1752}{648}$

Q=3.404 / 385 = 16.83 / 1000' Q= .774

2.5 + 774 = 3.274

should be 3.274

6A
1946

{ St Marys Lake Elev Sept 1912 4495.12
St Marys Lake Elev " " 4605.0

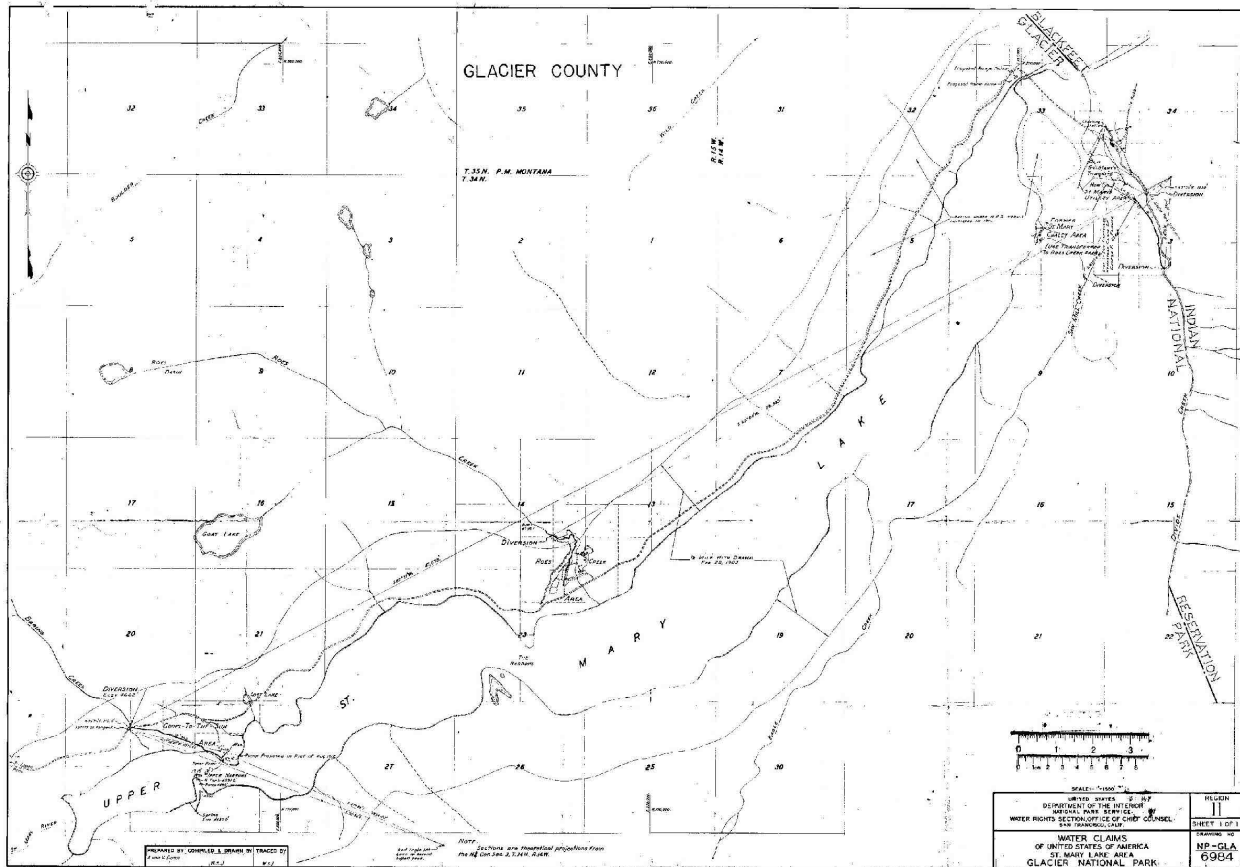
St Marys Lake Elev Aug 1912 (assumed) 4480.
Proposed W T rd from St Marys Camp 4637

{ St Marys Lake Elev Aug 1912 (assumed) 4480
Pump to Tank 4531.6 at lower cabin is narrow side camp
Spring 4530 to cabin 4500 (apple cabin in " ")

RR requested use of 2 cars + cabins on Matthews place
for 33, T 35N, R 14W for lunch garden
from Sept to Dec July 24, 1914

Going to Sun 2.55.1 for power

San Mill West 2" for St Mary



Docket Information

Number of Documents in Docket 15

Documents Dated from 3/31/1959 to 10/8/1964

Docket Compiled: 3/22/2011