



WATER-RIGHT DOCKET

Glacier National Park

Docket No: 11

APGAR CREEK LAKE MACDONALD CAMPGROUND

Preliminary Docket Information

00-00-0000: water right record

WATER RIGHT RECORD

Park: GLAC

Docket Number:
Federal #11

IDENTIFICATION NO: GLAC, R, 23, 32, 19, A, F, 11

DITCH/WATER SYSTEM: Lake McDonald Campground

SOURCE OF SUPPLY: Apgar Creek

LOCATION: 1400 ft. West of the NW Cor. of Sec. 23, T32N, R19W, MPM

WATER RIGHT:

Appropriator: United States of America, National Park Service

Application/Permit Number: Book 231, Page 477

Certificate Record Number:

Date of Priority: October 22, 1938

Quantity of Water: 0.5 c.f.s.

Purpose: Domestic, recreation, industry and fire protection

Irrigated Land Description:

SUMMARY OF STATUS: This is a ^{appropriative} ~~Federal~~ water right consisting of a small concrete dam, settling basin, storage reservoir, distribution system.

This Docket formerly was part of Docket #2.

C O P Y

Commissioners:
Earl Hollister, Chairman
W. T. Lavin
Leon Lenon

Clerk and Recorder
A. J. Shaw

FLATHEAD COUNTY
MONTANA
Kalispell, Montana

STATE OF MONTANA)
 (SS.
COUNTY OF FLATHEAD)

I, A. J. Shaw, County Clerk & Recorder of Flathead County,
Montana, do hereby certify that a certain NOTICE OF APPROPRIATION OF
WATER BY THE UNITED STATES, claiming 0.5 cubic feet per second of time,
legal measurement of the waters of an unnamed creek, sometimes called
Apgar Creek, was filed for record on October 26, 1938, and is recorded
in Book 231 at Page 477 of the records of the County Clerk & Recorder of
Flathead County, Montana.

In Witness Whereof, I have hereunto set my hand and
affixed my official seal this 26th day of February, 1944.

(SEAL)

/s/ A. J. Shaw
County Clerk & Recorder,
Flathead County, Montana.

NOTICE OF APPROPRIATION OF WATER BY THE UNITED STATES *Glacier Dred 67*

STATE OF MONTANA ()
(SS)
COUNTY OF FLATHEAD()

Know all men by these presents: That the undersigned did, on the 22nd day of October, 1938, appropriate and claim, and does by these presents appropriate, locate and claim 0.5 cubic feet per second of time, legal measurement of the waters of an ^{named} unnamed creek, sometimes called Appar creek, flowing across the S. 1/4 of unsurveyed section 15 and across surveyed section 14 and 23, all in T.32.N.;R.19.W. M.P.M. and flowing into McDonald Creek at a point about 300 yards below the outlet of Lake McDonald, and did on the above named day mark the point of intended diversion (which is on the south or left bank of said ^{named} unnamed creek and 1400 feet more or less west of the N.W. corner of Section 23 T.32.;R.19.W. M.P.M.) by posting there at a copy of this notice in a conspicuous place.

That said water is claimed for domestic, recreational, industrial, and fire protection purposes and the place of intended use is Lake McDonald Campground located in Section 23 T.32.N.;R.19.W. M.P.M. Said water to be diverted and conveyed to said place by means of a 6" wood stave pipe from the point of diversion 1400 feet more or less southeasterly to a storage reservoir 6"x40"x100"; thence a 6" wood stave pipe running from the reservoir in a southeasterly and easterly direction of 6600 feet more or less to the place of intended use. The grade of the pipe line is variable with a control gradient 16 feet per 1000 feet in the first 1400 feet and has a capacity of 0.7 cubic feet per second. Total length of pipe is 8000 feet more or less.

That the United States Government appropriated and took said water on the 22nd day of October, 1938 by means of said pipe line from said ^{named} unnamed (sometimes called Appar) creek. The headworks will consist of a small concrete dam at intake with a 6" wood stave pipe diversion into a settling basin, also of concrete, and with internal dimension of 12' x 4' x3'-6", with an 8" over flow to return unused water to the creek.

That the United States Government also claims the right to keep in repair and enlarge said means of water appropriation at any time and the right to dispose of said right, water, pipe line, dam, or said appurtenances in part or whole at any time. The quantity of water to be diverted is approximately 0.5 cubic feet per second.

The usage is in land in Glacier National Park in the Northeast quarter of Section 23 T.32.N.;R.19.W. M.P.M.

Claiming the same by the and singly under, in and by laws, National and State, and local rulings and decisions thereunder in the matter of water-rights; but nothing herein contained shall be construed as a waiver of any rights previously vested in the United States.

Together with all and singly the hereditaments and appurtenances thereon unto belonging and appertaining or to accrue to the same.

United States of America
Department of the Interior
National Park Service

By: *E. T. Scowen*
E. T. Scowen
Superintendent
Glacier National Park

*Recorded page 477, Book 231
Flathead County Records*

AFFIDAVIT OF POSTING NOTICE

IN THE MATTER OF APPROPRIATION)
OF WATER BY THE UNITED STATES)

UNITED STATES OF AMERICA,)
COUNTY DISTRICT OF MONTANA.) SS

Elmer N. Fladmark, being first duly sworn, deposes
and says: That affiant is a citizen of the United States, over the age of
twenty-one years, and an employee of the National Park Service.

That on the 22 day of October, 1938, he did post a copy of the above
notice of appropriation of water by the United States on the south or left
bank of ^{named} unknown, or sometimes called an Apgar Creek, in land in Glacier National
Park in Section 15 T.32, N.18.19, W. N.P.M. from which the southeast section
corner of said section 15 bears almost due east 1400 feet more or less, and
he did post same in a conspicuous place thereat.

Elmer N. Fladmark

Subscribed and sworn to before me this

22nd day of October, 1938.

Wm. H. S.
~~United States Commissioner, of~~
~~Glacier National Park, Montana.~~
My Commission expires no term

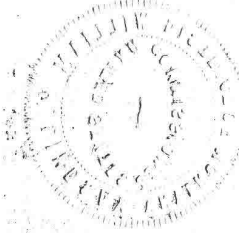


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Indexed S

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Compared S/D



STATE OF MONTANA)
County of Flathead) ss

Filed for record at the request
of
this 26 day of Oct. 19 38
at 8:45 o'clock A. M. and
Recorded in Vol. 231 Rec-
ords of Flathead County, State
of Montana, on page 477
A. J. Shaw
County Clerk & Recorder
By C. K. Dickey
Deputy
Fee 2.00
Return to E. F. Scoyen Supt.
Belton
Mont.

Land History

Form NPS-L-1

UNITED STATES DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICEState Montana

LAND OWNERSHIP RECORD

Tract No. _____

County FlatheadDeed No. 67

Civil Subdivision _____

Area _____ acres Glacier National Park

Name of Park or Area

Claim

~~was~~ based on ~~xxxxxx~~ County filing _____ Date Appar - Lake McDonald Campground

Section of Park or Area

Legal Description: County filing (7)Method of Acquisition: Water right appropriation Appropriation or Source of funds: Water rights
~~Section 10000000~~ or estimated value: approx. \$1,000Acquired from: State of Montana

Accepted by Secretary (____) Opinion of Att'y. Gen.-title in U. S. (____) date: _____

Physical Characteristics: Claim to 0.5 sec. ft. of the waters of Appar Creek for domestic,
recreational, industrial and fire protection purposes at Lake McDonald campground
with priority of October 22, 1938.

Improvements on Land at time of Acquisition: _____

Existing or outstanding special use permits, reservations, rights, or rights of way: _____

Report Based on: Records of Water Rights SectionPrepared by: A. van V. Dunn, Hydraulic Engineerdate: 11/11/43

Map References: _____

Remarks: Appurtenant to Lake McDonald Campground.
Needs amendment - see report on water rights, McDonald Creek Drainage,
by Dunn, dated May 20, 1942.

25348

Docket Information

Number of Documents in Docket 6

Documents Dated from 11/11/1943 to 11/11/1943

Docket Compiled: 3/22/2011