



**WATER RESERVATION
APPLICATION FOR
INSTREAM FLOW**
Form No. 638 (Revised 01/2024)

For Department Use Only

When to use this form

- Use this form to apply for instream flow water reservations allowed under Article VI, section B of the Montana-US Forest Service Compact (Compact).

Filing fee

- The filing fee for Form 638 is \$1600.
- The filing fee should be submitted at the time of application.
- Please make checks payable to DNRC.

Instructions

- A separate application must be submitted for each reach of a water source for which a State water reservation is sought.
- Submit the application and filing fee to the Department of Natural Resources and Conservation, Water Resources Division, Missoula Regional Office 1610 S. 3rd Street, PO Box 5004, Missoula, Montana 59806-5004

Application # _____ Basin _____
 Priority Date _____ Time _____ AM/PM
 Rec'd By _____
 Fee Rec'd \$ _____ Check # _____
 Deposit Receipt # _____
 Payor _____
 Refund \$ _____ Date _____

1. Applicant Name: U.S. Forest Service

2. Mailing Address _____

Email Address _____

Phone Number _____

Contact Person _____

Check this box if contact is an attorney

NOTE: IF A CONTACT PERSON IS IDENTIFIED AS AN ATTORNEY, ALL COMMUNICATION WILL BE SENT ONLY TO THE ATTORNEY UNLESS THE ATTORNEY PROVIDES WRITTEN INSTRUCTION TO THE CONTRARY.

3. Source of water supply

Stream Name: _____

Tributary to: _____

Basin Number: _____

4. Purpose (check one):

___ beneficial use to maintain a minimum flow of water for fish

___ other (if other, use Form No. 610B – Application for Reservation of Water – Instream Uses)



5. Need (check one):
 instream flow needed for fish
 other (if other, use Form No. 610B – Application for Reservation of Water – Instream Uses)

6. Amount of instream flow applied for: _____ cubic feet per second (CFS)

7. Methodology:
 WETP (Wetted Perimeter)
 approved methodology; specify _____
(requires approval as described in Article VI, section B of Compact)
 other; specify _____
(use Form No.610B – Application for Reservation of Water–Instream Uses)

8. Provide evidence that the methodology is appropriate for the stream reach:

9. Fish species present (check):
 Bull Trout
 Westslope Cutthroat Trout
 Columbia River Redband Trout
 Yellowstone Cutthroat Trout
 Arctic Grayling
 T&E Species -- specify: _____
date listed: _____
 other -- specify: _____
(if other, limited to lower inflection point)

Proof of population present in the stream (attach documentation or explain):

10. Provide evidence that methodology was accurately applied:

(a) Attach photos of transects for each data collection date

See Attachments 10(a)1 through 10(a)____

(b) Attach transect benchmark, flow, and analysis spreadsheets; include all applicable data

See Attachments 10(b)1 through 10(b)____

(c) Attach wetted perimeter graphs showing inflection point and R2 values

See Attachments 10(c)1 through 10(c)____

(d) Data collection location, farthest downstream data collection point:

Latitude: _____ Longitude: _____;
____ ¼, ____ ¼, ____ ¼, Section __, Township __, Range __, County _____



(e) If quantification point is not close to the downstream end of reach, explain why it is a suitable representation of the downstream end of the reach:

(f) Flows measured: Attach spreadsheet that includes all applicable data.

Date _____ CFS _____
Date _____ CFS _____
Date _____ CFS _____

(g) Data Analysis:

(1) Name of computer program used for analysis:

(2) Number of transects used:

(3) Inflection point chosen, its origin, and a justification for selection:

(4) Upper and lower inflection points with R-square analysis of rating curves:

(h) List personnel, including title, involved in data collection, data analysis, and application preparation (specify role):

11. Physical Water availability:

(a) Estimated mean annual flow _____ CFS

(b) Mean Monthly Flow as per *Procedure for Natural Flow Estimates for Selected Streams and Rivers in Montana*, USFS Northern Region Water Team (USGS Feb, 2001)

12. Location of downstream end of reach, not to extend beyond Forest Service boundary:

Latitude: _____ Longitude: _____;

__ 1/4, __ 1/4, __ 1/4, Section __, Township __, Range __, County _____



13. Location of upstream end of reach; indicate headwaters, property boundary, tributary, etc.:
Latitude: _____ Longitude: _____;
__ ¼, __ ¼, __ ¼, Section __, Township __, Range __, County _____

14. Length of stream to be protected: _____ (map derived miles).

15. Legal Description of Stream Reach to be Protected (indicate the legal description of each parcel along the entire stream reach. Attach additional pages if necessary).

__ ¼, Section __, Township __, Range __, County _____

__ ¼, Section __, Township __, Range __, County _____

__ ¼, Section __, Township __, Range __, County _____

__ ¼, Section __, Township __, Range __, County _____

__ ¼, Section __, Township __, Range __, County _____

__ ¼, Section __, Township __, Range __, County _____

__ ¼, Section __, Township __, Range __, County _____

__ ¼, Section __, Township __, Range __, County _____

__ ¼, Section __, Township __, Range __, County _____

__ ¼, Section __, Township __, Range __, County _____

__ ¼, Section __, Township __, Range __, County _____

__ ¼, Section __, Township __, Range __, County _____

16. Attach Map – See Attachment 20(1) through 20(____)
Include: north arrow, scale, section corners and numbers, township and range numbers, downstream-most data, protected reach, and property ownership of the place of use; U.S. Geological Survey quadrangle map or equivalent topographic map (1:24000 scales)



Public Interest: This application is in the public interest if it is otherwise correct and complete because under the Compact an application that is otherwise correct and complete establishes a prima facie showing of public interest that can only be overcome by an objection based on a projected development that satisfies the requirements of [Section 1] Article B.3.(b) of the Compact.

Affidavit: I declare under oath that the information provided for this application is, to the best of my knowledge and belief, true and correct. In submitting this application, I acknowledge that I serve in a representative capacity for the United States Department of Agriculture, Forest Service.

Applicant's Signature: _____ Date _____
(signature of Forest Service Representative)

Name: _____
(typed or printed name of Forest Service Representative)

Title: _____
(title of Forest Service Representative)

Address: _____
(address of Forest Service Representative)

Phone number: _____

Subscribed and sworn before me this _____ day of _____, 20_____.

Notary's Signature _____
(Typed, Stamped, or Printed Name of Notary)

Notary for the State of _____
Residing at _____
My commission expires _____

