STATEMENT OF CLAIM FOR EXISTING WATER RIGHT

EXEMPT DOMESTIC USE

Use this form to claim an existing water right exempt from the claim filing process.
§ 85-2-222, MCA

Filing / Examination Fee
1 Claim = $160
2-5 Claims = $140 each
6+ Claims = $130 each

IMPORTANT NOTE: If you have an exempt notice on record with DNRC which duplicates this claim it must be withdrawn and a $15 credit will be applied to the filing fee.

The withdrawal form is available at:
http://www.dnrc.mt.gov/wrd/water_rts/wr_general_info/wrforms/wr_forms.asp

Duplicate Exempt Notice Number: _____

FOR DEPARTMENT USE ONLY

Notice No. _____ Basin _____

Date Rec'd _____ Time _____AM - PM

Rec'd By _____

Fee Rec'd $ _____ Check No. _____

Deposit Receipt # _____

Payor (if different from name(s) listed in item 1 below)

_____

Refund $ _____ Date _____

Important Note

Existing water rights for stock and individual domestic uses from instream or groundwater sources were exempted from the filing requirements of § 85-2-221, MCA. An existing water right is a water right first put to beneficial use prior to July 1, 1973.

In 2013, the Montana Legislature passed Senate Bill 355, creating a petition process to judicially determine claims for existing water rights that were exempt from filing in the statewide water right adjudication.

Senate Bill 355 requires that you complete this claim form, include supporting documentation for your claim (e.g., maps, affidavits, decrees, notices of appropriation or completion, etc), pay the filing fee set out above, file a petition with the Montana Water Court (form available at DNRC offices, Water Court, and online at http://www.dnrc.mt.gov/wrd/water_rts/adjudication/default.asp**), and pay for public notice costs as specified in § 85-2-233(6), MCA.**

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1. WATER RIGHT OWNER INFORMATION:

NAME(S) _____

MAILING ADDRESS _____

CITY _____ **STATE** _____ **ZIP**_____

WORK PHONE _____ **HOME PHONE**_____ **CELL PHONE**_____

2. PERSON COMPLETING FORM: Same as above? ○ Yes ○ No If yes, proceed to #3.

NAME _____

MAILING ADDRESS _____

CITY _____ **STATE** _____ **ZIP**_____

WORK PHONE _____ **HOME PHONE**_____ **CELL PHONE**_____

3. SOURCE OF WATER: Check only one: ○ Developed Spring ○ Well ○ Stream ○ Lake

Name of Source (if applicable) _____ Tributary of _____

4. POINT OF DIVERSION:

_____1/4 _____1/4 _____1/4 Section _____ Twp _____N / S Rge _____E /W County _____

Lot _____ Block _____Tract No. _____ Subdivision Name _____

Government Lot No. _____ COS No. _____ Geocode _____

Street or Road Address, including City, State & Zip Code of the Development _____

5. **MEANS OF DIVERSION:** ○ Pump ○ Gravity Flow ○ Other, please explain:_____

6. **PLACE OF USE:** Same as Point of Diversion? ○ Yes ○ No If yes, proceed to #7.
_____1/4 _____1/4 _____1/4 Section _____ Twp _____N / S Rge _____E /W County _____
Lot _____ Block _____Tract No. _____ Subdivision Name _____
Government Lot No. _____ COS No. _____ Geocode _____
Street or Road Address, including City, State & Zip Code of the Development _____

7. **NUMBER OF PERSONS SERVED:** (use one form per household) _____
NUMBER OF ACRES OF LAWN AND GARDEN IRRIGATION: (cannot exceed 5 acres) _____ acres

8. **FLOW RATE USED:** _____ ○ gallons per minute ○ miner's inches ○ cubic feet per second

9. **VOLUME:** _____ acre-feet per year

10. **PERIOD OF USE:** Year round use? ○ Yes ○ No If no, from _____ to _____, inclusive each year.

11. **PERIOD OF DIVERSION:** ○ Same as Period of Use. If no, from _____ to _____, inclusive each year.

12. **TYPE OF HISTORIC RIGHT:** ○ Decreed ○ Filed Appropriation ○ Use **Date of first use:** _____
Attach copies of the decree, record of filing, or proof of use right.

13. **ATTACH:** Copies of aerial photos, USGS topographic maps, or other documents necessary to show point of diversion and place of use.

14. **OWNER SIGNATURE:**

I declare under penalty of perjury and under the laws of the state of Montana that the foregoing is true and correct.

Owner Signature _____ Date _____

Owner Signature _____ Date _____

Owner Signature _____ Date _____