

STATEMENT OF CLAIM FOR EXISTING WATER RIGHT EXEMPT STOCK 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IMPORTANT NOTE: If you have an exempt notice on record with DNRC which duplicates this claim it must be withdrawn and a \$15 credit will be applied to the filing fee.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.

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: Choose 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 Direct Other, please explain: _____

6. **NUMBER AND TYPE OF LIVESTOCK SERVED:** _____ Beef Cattle _____ Dairy Cows _____ Horses
_____ Sheep _____ Goats _____ Pigs

_____ Type _____ # _____ Type _____ # _____ Type _____

_____ Type _____ # _____ Type _____ # _____ Type _____

7. **PLACE OF USE:** Same as Point of Diversion? Yes No If yes, proceed to #8.

____ 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 _____

____ 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 _____

____ 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 _____

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 not, 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 _____