

The 65th Montana Legislature passed HB 110 regarding water rights. This law requires the Montana Department of Natural Resources (DNRC) to send notice to all landowners, irrespective of whether the legislation is relevant to their situation. Please follow the instructions below to determine if you are eligible to file for an historic, exempt water right.

Below are some basic questions that may assist in determining if you need to file anything.

GROUNDWATER

1. Do you own a well or a developed spring? (Helpful hint: Most residences within city limits and subdivisions are on a public water supply.)
 - a. If Yes, continue to Question 2.
 - b. If No, and you do NOT own livestock, no further action is needed.
 - c. If No, AND you own livestock, go to Question 4.
2. Was the well or developed spring put to use prior to July 1, 1973?
 - a. If Yes, go to Question 3.
 - b. If No, no further action is needed.
3. Is your well or developed spring used for stock or individual domestic purposes (***domestic use includes lawn and garden irrigation***)?
 - a. If Yes, you may complete an Exempt Statement of Claim for each purpose.
Example: If, from the same well, you water your stock and your house needs are served, this would require two Exempt Statements of Claim.
 - b. If No, you may contact the DNRC to discuss your options for getting a valid water right.

SURFACE WATER

4. Were livestock (cows, horses, pigs, goats, etc.) watered directly from a creek, coulee, draw, river, etc. (but not ditch, canal or reservoir) located on your property prior to July 1, 1973?
 - a. If Yes, you may complete the Exempt Stockwater Statement of Claim form and submit to DNRC.
 - i. **NOTE:** to file this form, there cannot be a diversion by any means except the animal's lips touching and drinking from the source. Dam, pit, pipeline, headgate, pump, etc. do not qualify as direct.
 - b. If No, no further action is needed.

To check on your water rights, please visit the DNRC Water Right Query site: <http://wrqs.dnrc.mt.gov/default.aspx> to see what is already filed.