

**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 = \$130

The total filing fees for all claims under 85-2-222 filed by
one person in any one water court division may not
exceed \$1,560.

A filing fee is not required to accompany a claim of an
existing right that is included in a decree of a court in the
state of Montana and that is accompanied by a copy of that
decree or pertinent portion of the decree.

FOR DEPARTMENT USE ONLY

Claim 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 first put to beneficial use prior to July 1, 1973.

In 2017, the Montana Legislature passed House Bill 110, allowing the filing for existing water rights that were exempt from filing in the statewide water right adjudication, and set a filing deadline to be received or postmarked on or before June 30, 2019.

House Bill 110 requires that you complete this claim form, include supporting documentation for your claim (e.g., maps, affidavits, decrees, notices of appropriation or completion, etc.), and pay the filing fee set out above.

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 Undeveloped Spring Well Stream Lake

Name of Source (if applicable) _____ Tributary of _____

4. SOURCE TYPE: Groundwater Surface Water,

5. **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 ____

6. **MEANS OF DIVERSION:** Pump Pipeline Instream Spring box
Other, please explain: _____

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 ____

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

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

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

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

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

13. **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.

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

- **If needed, addendum forms for additional points of diversion and places of use are available.**

15. **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 _____