**FLATHEAD RESERVATION**

**APPLICATION FOR APPROVAL TO CONSTRUCT A DOMESTIC ALLOWANCE**

Section 2-2-117 of the CSKT-MT Compact Unitary Administration and Management Ordinance (Ordinance), §85-20-1902, MCA, prescribes the process for applying for Domestic Allowances under the authority of the Flathead Reservation Water Management Board on the Flathead Indian Reservation.

Use this form to apply for a new use of groundwater for domestic purposes that fits one of the categories below.

Check all appropriate boxes and fill in each blank. If more space is needed, attach properly labeled additional information. To avoid processing delays, submit all required information.

**FILING FEE:** $125.00
Checks payable to the FRWMB

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**Attention!**

**Before** drilling a well or developing a spring, an appropriator must file this form and receive approval to develop a Domestic Allowance.

**After** drilling a well or developing a spring, an appropriator must file a Domestic Allowance Completion Form (form 60DF- Part B, Completion) within one year of approval to construct a well or develop a spring.

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**PROPOSED DEVELOPMENT**¹ (Select one only)

- [x] Individual Domestic Allowance § 2-2-117 (4): a single well or developed spring for 1 household with a flow rate up to 35 gallons per minute and a volume of up to 2.4 acre-feet per year with no more than 0.7 acres of lawn & garden.

- [ ] Shared Domestic Allowance § 2-2-117 (5): a single well or developed spring for 2 or 3 households with a flow rate of up to 35 gallons per minute and a volume of up to 2.4 acre-feet per year with no more than 0.5 acres of lawn & garden for two homes or businesses and no more than 0.75 acres for three. You must attach a copy of the shared well agreement.

**Development Domestic Allowances** - not accepted during interim period, file with the Office of the Engineer

- Development Domestic Allowance § 2-2-117 (6): one or more wells and/or developed springs, not to exceed one per home or business) for a development with a flow rate of up to 35 gallons per minute and a volume of up to 10 acre-feet per year with no more than 0.25 acres of lawn & garden per home or business. You must attach a copy of the shared well agreement, a description of the measuring device to be used for annual reporting requirements, and a copy of the development plan, plat, or equivalent as required by the county.

If you did not mark one of the boxes above, you cannot use this form. See the Unitary Administration and Management Ordinance, § 2-2-117, for complete details on domestic allowances.

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¹ Please note: all groundwater wells and developed springs must comply with the Montana Groundwater Diversion Standards adopted in section 1-1-111 of the Ordinance. See them printed at the end of this form.
STARTING JULY 1, 2022, THOSE WHO DRILLED A WELL OR DEVELOPED A SPRING BETWEEN SEPTEMBER 17, 2021 AND JUNE 1, 2022, MAY FILE THIS FORM FOR ONE OF THE TWO DOMESTIC ALLOWANCES ALLOWED ON THIS APPLICATION FORM. APPLICATIONS FOR A DOMESTIC ALLOWANCE FOR A WELL THAT WAS DRILLED BETWEEN SEPTEMBER 17, 2021 AND JUNE 1, 2022 WILL NOT BE ACCEPTED UNTIL JULY 1, 2022.

☐ Check this box if you already drilled a well or developed a spring for the Domestic Allowance being filed for on this application form. If you check this box, fill in ‘proposed’ sections of this form with information about the well or developed spring that was already constructed. Additionally, if you already constructed the well or developed spring, please provide the following information:

Date well or developed spring was constructed: ____________________________

Date water was first put to use: ____________________________

Please include your Well Log, which can be found online:  https://mbmggwic.mtech.edu/

IF YOU PUT YOUR WATER TO USE BEFORE SEPTEMBER 17, 2021, AND HAVE NOT REGISTERED YOUR WATER USE, YOU CANNOT USE THIS INTERIM PROCESS TO REGISTER YOUR EXISTING WATER USE.

IF YOU WANT TO REGISTER YOUR EXISTING WATER USE WITH THE BOARD but did not file with the DNRC by March 16, 2022, a process will be developed once the Board’s Office of the Engineer becomes fully functional; your application will be held and you will be contacted by the Office of the Engineer at that time.

IF YOU ARE A TRIBAL MEMBER OR ALLOTTEE AND WANT TO REGISTER YOUR EXISTING WATER USE WITH THE CONFEDERATED SALISH AND KOOTENAI TRIBES as part of the Tribal Water Right, you must register your water use with the Tribal Water Right Registration Office at; Phone Number (406) 675-2700, ext. 1161. Your application will not be accepted and will be returned to you along with your payment.

Notice of your application being received by the Board. Received applications will be date-stamped, scanned, and publically posted at this location:  https://bit.ly/FRWMB-Meetings-Page

Within 30 days of the Board receiving your completed application, you will be mailed either approval to construct your Domestic Allowance or additional instructions about your application.
1. WATER RIGHT OWNER INFORMATION

Name(s): Jeaneen R. Brown and Louis Brown
Mailing Address: 53014 MT. HIGHWAY 218
City: Charlo, State: MT, Zip: 59824
Home Phone: 406-644-0083, Work Phone: , Cell Phone: 406-471-0884
Email: hunterbrown@blackfoot.net

2. PROPOSED SOURCE OF WATER SUPPLY

☒ Well(s)
☐ Developed Spring(s) (must be fully enclosed)

*Note: Pits, pit-dams, constructed ponds, and reservoirs are not permitted under Ordinance Section 2-2-117. Both wells and developed springs must utilize well shaft casing to be fully enclosed.

Please describe your proposed appropriation works (including anticipated Well Shaft Casing Description) and the number of wells or springs.

1 well, 1 6" steel casing

3. PURPOSE AND PERIOD OF USE: Check those that apply and answer applicable questions

☒ Domestic: Number of homes supplied: 1
   Year round use? ☒ Yes    ☐ No    If no, from _____ to _____, inclusive of each year.

☒ Lawn & Garden: Include only watered area. Do not include house footprint, driveway, graveled areas, etc.
   Total size of lawn & garden - length x width ___________ -OR- Number of Acres ______________¼ acre
   (Note: if this is for a Shared Domestic Allowance, please use the map required by question 8 to show the yard/garden acreage footprint for each house. Please answer the period of use question directly below either way.)
   April 1 – October 31 ☒ Yes    ☐ No    If no, from _____ to _____, inclusive of each year.

☐ Stock:
   Number & type: (Ex: 40 Cows & 1 Horse) ___________ ☐
   Year round use? ☐ Yes    ☒ No    If no, from _____ to _____, inclusive of each year.
   Water is dispensed using a stock tank? ☐ Yes    ☒ No

☐ Other: (Do not include purposes described above)
   Describe the purpose of the use ________________________________

Amount of water used ___________ gallons per day    Number of days used ___________
   Year-round use? ☐ Yes    ☒ No    If no, from _____ to _____, inclusive of each year.
4. PROPOSED POINT OF DIVERSION (Please include Latitude and Longitude Coordinates, if possible)

Latitude 47° 44' 4" N
Longitude 114° 11' 3" W

Section_35 Twp_20 N / Rge_20 E / W County Lake
Tract No. __________ Subdivision Name __________

COS No. 4941 Pared 15-1 in LT 1

Street Address, including City/State/Zip Code 52950 MT. Highway 12, Charlo, MT 59824

5. COMBINATION OR SHARED DEVELOPMENT

Will this development be used in combination with another well or spring?  □ Yes  □ No

If yes, please attach a separate sheet listing additional Points of Diversion and explain how the development is used.

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6. PROPOSED PLACE OF USE

Geocode of the place of use (17 digits) 15-2987-35-1-01-01-0000

If there are multiple places of use, list the geocode for each parcel on an attached sheet. The geocodes can be found in county records, tax statements, or at http://svc.mt.gov/msl/mtcadastral/

Is the place where water will be used the same as the point of diversion?  □ Yes  □ No

If no, enter the place of use land description below. If more than one place of use, please attach a separate sheet with additional land descriptions.

____ 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. __________

Street Address, including City/State/Zip Code __________________________

7. MAP

Attach a site-map showing the location of all proposed wells or developed springs, including latitude and longitude in decimal degrees. The map must also show a minimum of 500 feet in radius around the proposed well(s) or spring(s) and include all of the following (existing or proposed by the applicant): well(s), developed springs, sewage facilities, buildings, well connections to buildings, property lines, property ownerships, irrigated acres per lot or unit, any and all means of conveyance for all water rights in the area, all water right points of diversions, and all surface water features.
8. AFFIDAVIT OF OWNERSHIP OR WRITTEN CONSENT

I have possessory interest in the property where the proposed water use will be put to beneficial use, diverted, conveyed, impounded, stored, transported, withdrawn, used, and distributed, OR I have attached written consent of the person with the possessory interest in the property where the water will be put to beneficial use, diverted, conveyed, impounded, stored, transported, withdrawn, used, and distributed (§ 1-1-110(10) of the Ordinance).

**Please note, you must submit ORIGINAL owner signatures, copies will not be accepted**

I declare under penalty of perjury & under the laws of the State of Montana that the foregoing is true & correct.

Printed Name** Jeaneen R. Brown

Applicant Signature Jeaneen R. Brown Date: June 13 2023

Printed Name** Lonis Brown

Applicant Signature Lonis Brown by Jeaneen R. Brown Date: June 13 2023

Printed Name**

Applicant Signature ____________________________ Date: 

Upon receipt of this form, the interim Engineer shall review a complete application and within 30 days the Board may either approve the domestic allowance or return a defective application to the applicant, together with the reasons for returning it, affording the applicant the opportunity to correct deficiencies. If the Board does not approve or return a complete application within the 30-day review period, the application shall be deemed approved. Applications are not deemed complete until fee payment clears.

For Unitary Administration and Management Board use:

AUTHORIZATION TO DEVELOP A DOMESTIC ALLOWANCE

Witnessing Board Member: ____________________________ Date: ____________________________

Authorizing Board Member: ____________________________ Date: ____________________________

This authorization to develop a Domestic Allowance entitles an Appropriator to construct the authorized type of Domestic Allowance within, but not to exceed, one year of the date of approval. After completion of the project and putting the water to use, the Applicant must file a 60DF-Part B, Completion Form within 120 days to obtain a Domestic Allowance Certificate.
ICATE OF SURVEY
MENT OF AN EXISTING TRACT LOCATED IN
R.20 W., P.M., M., LAKE COUNTY, MONTA

HAW FAS S-1/3 (1)  "HARO HIGHWAY"

OF BEARING S39°E6°00'00"E (R1&F)
128'0" (R1E)

32°56'0" (R1, R3, & F)

PARCEL S-1
0.85 ACRES

NSWORTH 29235
+86.9

ES
(1)
DURABLE POWER OF ATTORNEY

DONE this ___ day of ___ , 200__, I, LONIS BROWN, JR., a resident of and domiciled in the State of Montana, hereby appoint my wife, JEANEEN RUTH BROWN of Charlo, Montana, as my true and lawful attorney in fact, referred to herein as my “Agent.” If she is unable or unwilling to act, I appoint my daughter, LORI ZAHLER of Bozeman, Montana as my Alternate Agent.

THIS DURABLE POWER OF ATTORNEY AND THE POWERS GRANTED HEREUNDER SHALL ONLY BECOME EFFECTIVE UPON THE OCCURRENCE OF EITHER OF THE FOLLOWING EVENTS:

I. THAT I, LONIS BROWN, JR., DESIGNATE IN A SEPARATE WRITTEN INSTRUMENT THAT I CHOOSE THIS DURABLE POWER OF ATTORNEY TO BECOME EFFECTIVE IMMEDIATELY UPON SIGNING SAID SEPARATE WRITTEN INSTRUMENT;

OR

II. THAT MY PRIMARY ATTENDING PHYSICIAN HAS RENDERED THE OPINION THAT I HAVE BECOME INCAPACITATED TO THE EXTENT THAT I CAN NO LONGER HANDLE MY ROUTINE AFFAIRS.

A. Grant of Powers. Upon this durable power of attorney becoming effective, I give to my Agent the following powers:

1. To manage my affairs, handle my investments, arrange for the investment, reinvestment and disposition of funds, exercise all rights with respect to my investment, and generally to act for me in all matters affecting me or any business or property which I may now or in the future have with the same force and effect and to all intents and purposes as though I were personally present and acting for myself.

2. To acquire, whether by purchase, lease, exchange or otherwise, and to transfer, convey and dispose of, whether by sale, lease, gift, exchange or otherwise, any kind of real or personal property, wherever situated, on such terms as may be deemed advisable.

3. To open, deposit into, withdraw from and close my commercial, checking, savings or savings and loan account in my name or open for my benefit and to negotiate, endorse or transfer any instrument with respect to any such account.

4. To collect, withdraw and receive from any bank, corporation or other person, moneys owing to me from or on deposit with such

Durable Power of Attorney Page 1 of 3
WARRANTY DEED
(JOINT TENANCY)

For Value Received

RONALD C. PRICHARD AND ARDIS A. PRICHARD
Husband and Wife, as Joint Tenants

the grantors , do hereby grant, bargain, sell, convey and confirm unto

LONIS BROWN AND JEANEEN R. BROWN

the grantees, as joint tenants (and not as tenants in common), and to the survivor of said named joint tenants, and their assigns, and to the heirs and assigns of such survivor, the following described premises, in LAKE County, Montana, to-wit:

A portion of Government Lot 1, Section 35, Township 20 North, Range 20 West, M.P.M., Lake County, Montana, described as follows:
Beginning at a point which is 30 feet South and
S. 89° 59' E. 208 feet from the Northwest Corner
of said Section 35; thence continuing
S. 89° 59' E. 320 feet; thence
S. 0° 01' W. 272.0 feet; thence
N. 49° 39' W. 420.01 feet to the point of beginning.

Deed Exhibit H-392
EXCEPT all that portion along the North boundary thereof
within the right of way of the State Highway
EXCEPT all existing rights of way.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, as joint tenants with right of survivorship (and not as tenants in common) and their assigns, and to the heirs
and assigns of the survivor of said named joint tenants forever. And the said Grantors hereby covenant to and with the said Grantees, that they are the owners.
FORM 60DF-Part A, Authorization to Construct
Interim REVIEW AS Per Requirements of Ordinance Section 2-2-117

All corrections or changes made by Joint Reviewers will be made on a “work copy” and shall include the date and the initials of the person making the change. Use this form as a checklist and documentation that the form is considered correct and complete.

Check marks in the boxes below will identify that application is adequate.

☐ Correct Fee ($125).

Notes:

☐ Filing meets the requirements of either an Individual or Shared Domestic Allowance (wrong form filled).

Notes: Individual

☐ Site map meets standards and includes:
  i. Well(s) and Stock Tanks, including purpose of each well.
  ii. sewage facilities including septic tanks and drainfields.
  iii. buildings on the site, including identification of Well connections.
  iv. property lines and ownerships; Vicinity Map
  v. irrigated acres per lot or unit Well(s); and
  vi. means of conveyance, water right points of diversions, and surface water features.

Notes:

☐ Proposed Well or developed spring is properly located (ownership, conveyance, etc.).

Notes: Yes, applicant owns proposed POD location

☐ Proposed Domestic Allowance is not used to fill or maintain a pit, pit-dam, constructed pond, or reservoir.

Notes:

☐ Proposed Flow Rate is identified and less than or equal to 35 GPM.

Notes:

☐ Proposed Maximum annual diverted volume is identified and less than or equal to 2.4 acre-feet/year.

Notes:

☐ Proposed Means of diversion is a single well or developed spring.

Notes:

☐ Proposed Diversion physically connected to the correct number of Home(s) and/or Business(es).

Notes: 1 dwelling proposed

☐ Proposed Means of diversion includes a Well Shaft Casing.
Any proposed stock purposes are dispensed using Stock Tanks.

Notes: Not applicable

The amount of proposed land to be irrigated is within the maximum allowable acreage.

Notes: 0.5 proposed acres

Applicant identifies proposed purposes associated with the use and purposes are allowed.

Notes: 1 dwelling, 0.5 acres proposed

Proposed shared well application includes shared well agreement.

Notes: Not applicable

Proposed point of diversion is correctly identified.

1. ¼¼ section, section, township and range (40-acre description);
2. Lot, Block, Subdivision, ¼ section, section township and range;
3. Government Lot, ¼ section, section, township and range; or
4. Certificate of Survey No. with or without a lot number, ¼ section, section, township and range.
5. Street or Road Address:

Notes: Added ¼½ AB 6/10/2022 per map

Proposed place of use is correctly identified.

Correct and complete will be the same as POD, except that geocode must be provided as well if it is requested on the form.

Notes: POD & POD on same parcel

Proof of possessory interest - affidavit of ownership or written consent from owner is included and signed.

Notes: See Power of attorney & confirmed ownership per Mt. Cadastral

AB 6/20/2022

Reviewer: Anna Butterfield AB Date: 6/20/2022

Reviewer: L. A. D. Mahony Date: 6/20/22

Reviewer: Ethan Marc Date: 6/20/22