Form 60DF-part A, Authorization to Construct [interim period beginning June 1, 2022 until rescinded by the Board]

**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 of the Flathead Reservation.

Use this form to apply for the right to use groundwater for domestic purposes. Complete the spaces below.

Check all appropriate boxes and sign. If more space is needed, attach pages of 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.

**PROPOSED DEVELOPMENT** (Select one only)

- 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 ground water 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://mbmgqwic.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 publicly 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)  

Mailing Address  30374 DeVoe Lane

City  Polson  State  MT  Zip  59860

Home Phone  Work Phone  Cell Phone  406-270-4733

Email  richarddevoe4733@gmail.com

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.

I WATER WELL TO BE DRILL & CASED

NO OTHER DEVELOPMENT IS PLANNED

AT THIS TIME.

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

☐ 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, etc.  

Total size of lawn & garden - length x width _______ -OR- Number of Acres _______

(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 47.7759080 LONGITUDE 114.1401768

____ 1/4 NE 1/4 NE 1/4 Section 10 Twp 23N N / S Rge 20 E / W County Lake

Lot 1-8 Block Tract No. Subdivision Name

COS No. 6673

6690 BLACK POINT ROAD

6. PROPOSED PLACE OF USE

Geocode of the place of use (17 digits) 3350-10-05-10-0000

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**

Richard DeVoe

Applicant Signature

Richard DeVoe

Date: 6/6/22

Printed Name**

Applicant Signature

Date: 

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.
CERTIFICATE OF SURVEY
LOCATED IN THE NE 1/4 NE 1/4 SECTION 10, T. 23 N., R. 20 W., P.M.M., LAKE COUNTY, MONTANA

PURPOSE OF SURVEY & OWNER'S CERTIFICATE:

[Diagram and handwritten notes]

A. Proposed Water Well Location
B. Proposed 3 bd/2 ba House
C. Proposed Septic Drain Field
D. Proposed Water Line To House + 40'
E. 0.7 Acre Lawn
CERTIFICATE OF SURVEY
LOCATED IN THE NE 1/4 NE 1/4 SECTION 10, T. 23 N., R. 20 W., P.M.M.,
LAKE COUNTY, MONTANA

PURPOSE OF SURVEY &
OWNER'S CERTIFICATE:

WE HEREBY CERTIFY THAT THE PURPOSE OF THIS SURVEY IS TO TRANSFER LOT 1 & 2, SHOWN ON THE
C.O.S. 23956, JAMIN AND BUCKHANM LAND SURVEY FOR THE USE OF THE TRIBAL TRACTS. WE
CERTIFY THAT WE ARE ENTITLED TO USE THIS EXHIBIT AND ARE IN COMPLIANCE WITH ALL THE
CONCERNING MORTgages BY LAW AND REGULATION ON THE USE OF THE 20-AGENCY, TRIBAL T.R.A. AMENDED
NE 1/4 SE 1/4 NO WEST ROAD

LEGAL DESCRIPTIONS:
LOT 1-A A TRACT OF LAND LOCATED IN THE NE 1/4 NE 1/4 OF SECTION 10,
T. 23 N., R. 20 W., LAKE COUNTY, MONTANA, MORE FULLY AND
DETAILEDLY DESCRIBED AS FOLLOWS:
THE TRUE POINT OF BEGINNING IS A SKID MARKED CAP CAP MARKED IN O.G.L., THEN GO 368 FT.
ACROSS THE W.R.O. ROAD TO THE TRUE POINT OF BEGINNING

LOT 1-B A TRACT OF LAND LOCATED IN THE NE 1/4 NE 1/4 OF SECTION 10,
T. 23 N., R. 20 W., LAKE COUNTY, MONTANA, MORE FULLY AND
DETAILEDLY DESCRIBED AS FOLLOWS:
THE TRUE POINT OF BEGINNING IS A BT MARKED CAP MARKED IN O.G.L., THEN GO 368 FT.
ACROSS THE W.R.O. ROAD TO THE TRUE POINT OF BEGINNING

LEGEND:
C DENOTES BT MARKED CAP MARKED IN O.G.L.
O DENOTES BT MARKED CAP MARKED IN O.G.L.
D DENOTES CAP MARKED IN O.G.L.
N DENOTES N.W.R.O. ROAD
*

STATE OF MONTANA
COUNTY OF LAKE
I, KATHERINE BUCKHANM, COUNTY SURVEYOR OF LAKE COUNTY, MONTANA,
HEREBY CERTIFY THAT THE DESK PROPERTY IS LEGALLY DESCRIPTED AND
IS OWNED BY THE PARTY DESCRIBED IN THE APPROPRIATE PLAT OF THE TRIBAL
TRACTS.

JOHN H. BUCKHANM
Kimberly F. Buckhann

DATE OF SURVEY: 3/24/07
SURVEY PERFORMED AT THE REQUEST OF RECORD PERSON:
JOHN H. BUCKHANM
Kimberly F. Buckhann

DATE OF SURVEY: 3/24/07
CERIFICATE OF SURVEY

RUTH E. MCDONALD
CLERK & RECORDER
LAKE COUNTY, MONTANA

491775

491776

 SHEET 1 OF 1

491771

491773
Re: Water Well Application

Richard Devoe <richarddevoe4733@gmail.com>
Fri 6/17/2022 10:40 AM
To: Anna Butterfield <butterfield@frwmb.org>

Thank you for letting me know.

On Fri, Jun 17, 2022, 8:23 AM Anna Butterfield <butterfield@frwmb.org> wrote:

Hi Richard,

I just wanted to let you know that I did receive your map and require no more information at this time.

Thank you for the timely response. I will get this application moving forward.

Anna Butterfield
Flathead Reservation Water Management Board
400 Main St SW, Ronan, MT. 59864
(406) 201-2532 ext. 101

From: Anna Butterfield <butterfield@frwmb.org>
Sent: Thursday, June 16, 2022 9:28 AM
To: richarddevoe4733@gmail.com <richarddevoe4733@gmail.com>
Subject: Water Well Application

Hi Richard,

On the attached map please fill in the following information and email back to me. This proposal is possible to change accordingly to how your lot is developed. At this time, please just provide an estimated location of the needed items.

Map needs:

- Well Location
- Sewage Facility location: Septic Tank and Drainfield
- Proposed Building locations and proposed connections to well (estimated pipeline path from well to building)
- Lawn and Garden acreage location (if applicable - your application does not include this. If you are planning lawn and garden, please specify how much your are proposing up to 0.7 acres)

If you have questions please let me know.

Best,
Anna

Anna Butterfield
Flathead Reservation Water Management Board
400 Main St SW, Ronan, MT. 59864
(406) 201-2532 ext. 101
To whom it may concern:  

Monday, June 15, 2020  

The address of: 30350 Black Point Road, Polson, MT 59860  

Has been assigned to the following property:  
Parcel ID: 15335010105100000  
Tax ID: 30726  
Legal Description: S10, T23 N, R20 W, ACRES 4.02, LOT 1-B IN THE NENE COS 6673  
Owner Name: DEVOE RICHARD C
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: $125 rec'd

☑ 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; ✓
   v. irrigated acres per lot or unit Well(s); and ✓
   vi. means of conveyance, water right points of diversions, and surface water features. ✓
Notes: Need Vicinity Map

☑ Proposed Well or developed spring is properly located (ownership, conveyance, etc.).
Notes:

☑ 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: Well

☑ Proposed Diversion physically connected to the correct number of Home(s) and/or Business(es).
Notes: 1 dwelling

☑ 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: 0.7 proposed Acres

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

Notes: 1 dwelling & 0.7 proposed acres

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 3rd ¼ section

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: POU & POD on same parcel

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

Notes: Applicant owns parcel per MT Cadastre

AB 6/20/2022

Reviewer: Anna Butterfield
Date: 6/20/2022

Reviewer: V. Maloney
Date: 6/20/22

Reviewer: J. Mace
Date: 6/20/22