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

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\(^1\) (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 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.

\(^1\) 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://mbmaggwic.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.

Interim Form 60DF-A; Page 2 of 6
1. WATER RIGHT OWNER INFORMATION

Name(s) John and Lynette Horton
Mailing Address 30 N. Anderson Ave.
City Clovis State CA Zip 93612
Home Phone (559) 696-4388 Work Phone
Cell Phone (559) 321-4257
Email horton04@att.net

2. PROPOSED SOURCE OF WATER SUPPLY

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

*Note: Pits, pil-dams, constructed ponds, and reservoirs are not permitted by DWR Regs. 17. 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.

One well what is needed

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 ________
(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 if the use is not year-round. Indicate in either way.)
April 1 – October 31 ☑ Yes ☐ No If no, from _____ to _____

☐ Stock:
Number & type: (Ex: 40 Cows & 1 Horse) ____________________________
Year round use? ☑ Yes ☐ No If no, from _____ to _____
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

LATITUDE ________________________________

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 ________________

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.

6. PROPOSED PLACE OF USE

Geocode of the place of use (17 digits) ____________

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 and 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.

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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**

**John Eric Horton**

Applicant Signature

**John Eric Horton**

Date: 5/31/22

Printed Name**

**Lynette Marie Horton**

Applicant Signature

**Lynette Horton**

Date: 5-31-22

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.
Re: Well Application

lynette horton <horton04@att.net>
Thu 6/16/2022 8:14 PM
To: Anna Butterfield <butterfield@frwmb.org>

Hi Anna,

We are thinking we will proceed with what the well driller recommends. Which we believe is burying the poly pipe in a straight line in a south east direction from the well to the house. Thank you for all your help and communication.

Have a great day,
Lynette Horton04

Sent from AT&T Yahoo Mail for iPad

On Thursday, June 16, 2022, 2:55 PM, Anna Butterfield <butterfield@frwmb.org> wrote:

Lynette,

Thank you for this.
Do you by chance have any information about conveying water from the well to the house? This can be as simple as stating you will bury poly pipe in a straight line in a south east direction from the well to the house.

This detail is the last piece of information that I will need to move this application forward.

Thanks,
Anna

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

From: lynette horton <horton04@att.net>
Sent: Thursday, June 16, 2022 3:02 PM
To: Anna Butterfield <butterfield@frwmb.org>
Subject: Re: Well Application
Hi Anna,

Thank you for reaching out to us! We are going to attach a plat map that we were given that we think might show more of the info needed. We also will send back the attached map. As for our well, we plan to have that installed by Ace Drilling and will use materials recommended by them.
For the questions.....

*The proposed well is being constructed to well driller standards.
*We are not planning on having lawn on the property.
*The well will be located on the property.

Please let us know if any more information is needed.

Thank you,
John and Lynette Horton

Sent from AT&T Yahoo Mail for iPad

On Wednesday, June 15, 2022, 9:51 AM, Anna Butterfield <butterfield@frwmb.org> wrote:

Good Morning,

I am working through your application for a well and it looks like I need a bit more information to push this application forward to the Board for approval.

First, I need a description of the proposed well. This can be as simple as "the well is being constructed to well driller standards" or you can get more specific if you do know information pertaining to the well (i.e. "the well will use 6" casing and be approximately 200 feet deep.").

Next, are you planning to implement and lawn on your property. Since this is just a proposal, if you are remotely considering irrigated lawn acreage that should be included on this application. You are limited to 0.7 acres. If you are considering lawn and garden, how much lawn, and do you anticipate a different watering period from our standard April 1- October 30 water period?

Finally, I have some questions about the layout of your proposed system. Will the well be on your property? If not, I will need proof of legal access to the proposed well location and a map showing this proposed location.

A map in general was not included with your application. I have attached a map for your reference. Please add the following items to the map and return to me by email or mail.

- Well location
- Proposed sewage facility location including septic tank and drainfield
- Proposed building locations
- Proposed connections to the well - draw pipe connection or provide details about hardware hookup (PVC, steel pipe, etc.)
- Proposed irrigated lawn and garden location (if any)

This information will help push your application to the Board. If I do not receive a response by Friday the 17th on these issues I will be sending a defective letter stating these issues.

Thank you. Please let me know if you have questions.
Anna Butterfield
Flathead Reservation Water Management Board
400 Main St SW, Ronan, MT 59864
(406) 201-2532 ext. 101
FORM 60DF-Part A, Authorization to Construct
Interim REVIEW AS per Requirements of Ordinance Section 2-2.14E

All corrections or changes made by Joint Reviewers will be made on a "work copy" and signed by both members of the Joint Reviewer. It is the responsibility of the person making the change. Use this form as a checklist and documentation that the form is complete and contains the required information.

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; "Vicing map" *(filed)
  v. irrigated acres per lot or unit Well(s); and "Not Applicable"
  vi. means of conveyance, water right points of diversions, and surface water features.

Notes: See email & maps provided per email 1/16/2022

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

Notes: Well is proposed on property owned by applicants

- 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: Acknowledged on pg 1

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

Notes: Proposed meets limits of form

- 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

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

Not applicable

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

Not applicable

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

A dwelling only

Proposed shared well application includes shared well agreement.

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:

Not applicable

Proposed place of use is correctly identified.

Place of Use & Point of diversion are the same

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

Per Cadastre, applicants own property.

REVIEWER: Anna Butterfield  
DATE: 6/16/2022

REVIEWER:  
DATE: 6-20-22

REVIEWER:  
DATE: 6-20-22