**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)

- [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 Allowances** § 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://mbm ggwic.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)  Samuel & Elizabeth Studzmen

Mailing Address  60130 Foothill Rd

City  St. Ignatius  State  MT  Zip  59865

Home Phone  Work Phone  406-39-2855  Cell Phone  937-509-5367

Email  Studzmen.270@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.

________________________________________________________________________

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

☒ Domestic: Number of homes supplied: 

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 .7

(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) 28 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 47.555289  LONGITUDE -114.0705541

SE 1/4 NE 1/4 NE 1/4 Section 30 Twp. 21 N S Rge. 19 E / W County Lake

Lot _______ Block _______ Tract No. _____ Subdivision Name ________________________

Government Lot No. __________________ COS No. __________________

Street Address, including City/State/Zip Code ________ N. Foothill Dr. Ronan, MT 59864

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) 3104-30-1-01-13-0000

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** Samuel J. Stutzman

Applicant Signature Samuel Stutzman Date: 6-6-22

Printed Name** Elizabeth J. Stutzman

Applicant Signature Elizabeth Stutzman Date: 6-6-22

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 Appropriate 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.
Hello,
   Regarding Authorization To Drill a well.

Yes the well will Include A casing And be built To Well driller specifications.

Lawn and garden will surround single dwelling House House will be sitting in center of 0.7 acres of lawn & garden.

Water from well to house. We will use a buried poly line and pressure tank. Line to be buried below frost line.

Thanks Samuel & Elizabeth Stutzman
WARRANTY DEED
TO JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

THIS INDENTURE is made the 24th day of February 2022, by and between, WILLIAM TROPER, 33453 Twin Creeks Way, Ronan, MT 59864, Grantor, and SAMUEL STUTZMAN and ELIZABETH STUTZMAN, as Joint Tenants with Right of Survivorship, 60130 Foothill Rd, St. Ignatius, MT 59865, Grantees.

WITNESSETH:

That the said Grantor, for and in consideration of the sum of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION, lawful money of the United States of America to Grantor in hand paid by the said Grantees, the receipt whereof is hereby acknowledged, does by these presents grant, bargain, sell, convey and confirm unto the said Grantees, as joint tenants and to the survivor of said named joint tenant, and not as tenants in common, and to the heirs, successors and assigns of the survivor of said named joint tenants forever, all that certain lot, piece or parcel of land, situate, lying and being in the County of Lake, State of Montana; and particularly described as follows:

The SE¼NE¼NE¼ of Section 30, Township 21 North, Range 19 West, P.M.M.,
Lake County, Montana.

SUBJECT TO AND TOGETHER WITH Covenants, Conditions, Restrictions, Provisions, Easements, Reservations, Encumbrances and Matters apparent or of record.

TOGETHER WITH all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and the reversion and reversions, remainder or remainders, rents, issues and profits thereof, and also all the right, title, interest and right of homestead property, possession, claim and demand whatsoever, as well in law as in equity of the
said Grantor of, in or to the said premises, and every part and parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances unto the said Grantees, as joint tenants with right of survivorship, and not as tenants in common, and to the heirs, successors and assigns of the survivor of said named joint tenants forever.

And the said Grantor and Grantor’s heirs, successors and assigns, hereby covenant that Grantor will forever WARRANT AND DEFEND all right, title and interest in and to the said premises, and the quiet and peaceable possession thereof unto the said Grantees, as joint tenants with right of survivorship, and not as tenants in common, and to the heirs, successors and assigns of the survivor of said named joint tenants, against the acts and deeds of the said Grantor and all and every person and persons whomsoever, lawfully claiming or to claim the same.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal the day and year first above written.

[Signature]
WILLIAM TROSPER

STATE OF MONTANA      )
   : SS.               
County of Lake        )

On this 24th day of February 2022, before me, the undersigned, a Notary Public for the State aforesaid, personally appeared WILLIAM TROSPER, known to me to be the person described in and whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and date in this certificate first above written.

[Notary Stamp]
Natalie Wallace
Printed Name of Notary
Residing at: POISON, MT
My commission expires: 02/01/2025
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
   ☑ irrigated acres per lot or unit Well(s); and
   ☑ means of conveyance, water right points of diversions, and surface water features

Notes: See emailed response

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

Notes: Applicant owns property

☐ 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: Proposed single dwelling

☐ Proposed Means of diversion includes a Well Shaft Casing.
Notes: Built to Driller specs w/ Curing

☑️ Any proposed stock purposes are dispensed using Stock Tanks.

☑️ 1 horse proposed

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

☑️ 0.7 Acres proposed

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

☑️ 1 dwelling, 0.7 acres, 1 horse (stock tank)

☑️ 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:

☑️ 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.

☑️ POD is same property as Pen

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

☑️ Per Mt. Cadastral & deed applicant owns property

Reviewer: Anna Butterfield

Date: 6/20/2023