

# PRE-EFFECTIVE DATE GROUNDWATER DEVELOPMENTS REGISTRATION OF PREVIOUSLY UNRECORDED EXISTING USES ON THE FLATHEAD RESERVATION

Section 2-1-106(3) of the CSKT-MT Compact Unitary Administration and Management Ordinance (Ordinance), § 85-20-1902, MCA, allows for the registration of previously unrecorded uses of groundwater on the Flathead Reservation.

Use this form for completed groundwater developments on the Reservation that:

- 1) were put to use before September 17, 2021;
- 2) were exempt from permit requirements pursuant to § 85-2-306, MCA;
- 3) have a maximum flow rate of 35 GPM, not to exceed 10 AC-FT per year; and
- 4) are not part of the CSKT Tribal Water Right set forth in Article III of the Compact (§ 85-20-1901, MCA). If any of the above criteria are not met, this form cannot be used.

Check all appropriate boxes and fill in each blank. If more space is needed, attach properly labeled additional information.

**Filing Fee \$125.00**

**Make checks payable to: "DNRC for the benefit of FWMB"**

### FOR ADMINISTRATIVE USE ONLY

Registration # \_\_\_\_\_ Basin \_\_\_\_\_

Time \_\_\_\_\_ AM / PM

Rec'd By \_\_\_\_\_

Fee Rec'd \$ \_\_\_\_\_ Check # \_\_\_\_\_

Deposit Receipt # \_\_\_\_\_

Payor \_\_\_\_\_

Refund \$ \_\_\_\_\_ Date \_\_\_\_\_

### Mail forms & checks to either:

Kalispell Regional Office  
655 Timberwolf Parkway, Ste 4  
Kalispell, MT 59901-1215

Missoula Regional Office  
2705 Spurgin Road, Bldg. C  
PO Box 5004  
Missoula, MT 59806-5004

### ATTENTION:

**THIS FORM MUST BE FILED NO LATER THAN 3/16/2022.**

**If you already filed a form 602 with the Montana DNRC, it will be transmitted to the Water Management Board within 30 days of the effective date.**

**Only file this form for developments completed before the Effective Date – all uses developed after the Effective Date need to be filed directly with the Water Management Board on post-Effective Date application forms.**

### 1. WATER RIGHT OWNER INFORMATION:

NAME(S) \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

PHONE #: HOME \_\_\_\_\_ WORK \_\_\_\_\_ CELL \_\_\_\_\_

EMAIL ADDRESS \_\_\_\_\_

2. HAS THIS WATER BEEN PUT TO USE FOR THE PURPOSES ON WHICH YOU ARE FILING BEFORE THE EFFECTIVE DATE OF THE COMPACT (9/17/2021)?

Yes  No (IF YOU ANSWER NO, YOU CANNOT FILE THIS FORM.)

3. DIVERSION USED TO OBTAIN GROUNDWATER

- Well – Attach well log, if available. Water Well Contractor Name: \_\_\_\_\_
- Developed Spring (Excavation performed at the spring location)
- Pit/Pond – Surface Area \_\_\_\_\_ Acres \_\_\_\_\_ Depth \_\_\_\_\_

4. FLOW RATE USED \_\_\_\_\_ GPM (Cannot Exceed 35 GPM)

5. COMBINATION OR SHARED DEVELOPMENT

a. Are there other groundwater developments on your property?  Yes  No

If yes, how far away are the existing groundwater developments from this new groundwater development? Provide a Permit and/or Statement of Claim number for each.

\_\_\_\_\_

\_\_\_\_\_

b. Is this development used for another water right or by another user?  Yes  No

If yes, please explain how and provide a Permit and/or Statement of Claim water right number for each.

\_\_\_\_\_

\_\_\_\_\_

6. 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 \_\_\_\_\_  
April 1 – October 31  Yes  No If no, from \_\_\_\_\_ to \_\_\_\_\_, inclusive of each year.

**Irrigation:** (Do not include Lawn & Garden Irrigation)  
Type of crop \_\_\_\_\_ Total Crop Acres Irrigated \_\_\_\_\_  
April 1 – October 31  Yes  No If no, from \_\_\_\_\_ to \_\_\_\_\_, inclusive of each year.

**Stock:**  
Number & type: (Ex: 100 Cows & 1 Horse) \_\_\_\_\_  
Year-round use?  Yes  No If no, from \_\_\_\_\_ to \_\_\_\_\_, inclusive of each year.

**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.

7. POINT OF DIVERSION – Location of the groundwater development

\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 of Section \_\_\_\_ Township \_\_\_\_  N  S Range \_\_\_\_  E  W  
County \_\_\_\_\_ Tract # \_\_\_\_\_ COS # \_\_\_\_\_ Gov't Lot # \_\_\_\_\_  
Subdivision Name \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_  
Street Address, including City/State/Zip Code \_\_\_\_\_

8. **PLACE OF USE** - Enter the 17 digit geocode(s) applicable to the place of use legal land description. Geocodes can be found in county records, tax statements, or at <http://svc.mt.gov/msl/mtcadastral/>.

Geocode: \_\_\_\_\_

**IS THE PLACE WHERE WATER IS USED THE SAME AS THE POINT OF DIVERSION?**  Yes  No

**If no**, enter the place of use land description below. Attach additional sheets if necessary.

\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 of Section \_\_\_\_ Township \_\_\_\_  N  S Range \_\_\_\_  E  W  
County \_\_\_\_\_ Tract # \_\_\_\_\_ COS # \_\_\_\_\_ Gov't Lot # \_\_\_\_\_  
Subdivision Name \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_  
Street Address, including City/State/Zip Code \_\_\_\_\_

**9. AFFIDAVIT OF OWNERSHIP OR WRITTEN CONSENT**

I have possessory interest in the property where the water has been 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 has been put to beneficial use, diverted, conveyed, impounded, stored, transported, withdrawn, used, and distributed pursuant to § 1-1-110(10), Ordinance.

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

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

Printed Name\*\* \_\_\_\_\_

**Applicant Signature** \_\_\_\_\_ **Date:** \_\_\_\_\_

Printed Name\*\* \_\_\_\_\_

**Applicant Signature** \_\_\_\_\_ **Date:** \_\_\_\_\_

FOR MORE INFORMATION OR HELP, CONTACT ONE OF THE FOLLOWING WATER RESOURCES REGIONAL OFFICES

**Kalispell**  
655 Timberwolf Parkway, Suite 4  
Kalispell, MT 59901-1215  
Phone: 406-752-2288 Fax: 406-752-2843  
Serving: Flathead, Lake, Lincoln, and Sanders Counties

**Missoula**  
2705 Spurgin Road, Bldg. C  
P.O. Box 5004  
Missoula, MT 59806-5004  
Phone: 406-721-4284 Fax: 406-542-5899  
Serving: Granite, Mineral, Missoula, and Ravalli Counties

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## FORM 602F, Pre-Effective Date Groundwater Developments Form Instructions

### To use this form, the following must apply to your water use.

- ✗ The groundwater must have been put to use for the purpose(s) identified.
- ✗ The source is groundwater, meaning any water located beneath the ground surface. The water is typically diverted from the ground via a well, developed spring, or a collection of water in a groundwater pit or pond.
- ✗ The flow rate diverted from the development is 35 gallons per minute or less.
- ✗ The total volume used from the development does not exceed 10 acre-feet per year. If you share a well with others, the total volume used by all users cannot exceed 10 acre-feet per year.

Maps submitted with this form should include the following: North Arrow, Section, Township, Range, and an X where the development is located. If the required information is included on the map, the Board will confirm the written land description matches the map. If it does not, the Board will change the legal land description to match the map.

**Complete items 1 through 9 ONLY if you have determined this is the correct form to file.**

**Item 1.** Enter the complete name of the person to be listed as the water right owner(s), their mailing address, and phone numbers. This will generally match property ownership (names on deeds).

**Item 2.** If you mark 'No,' you cannot file this form.

**Item 3.** Check the type of groundwater development used to obtain the groundwater. If the source is a well, provide the well driller's name. Attach a copy of the well log if it is available. If the source is a groundwater pit or pond, provide the surface area and depth of the pond; this will be used to determine the volume needed for the pond, including capacity and evaporation that will occur.

**Item 4.** Enter the flow rate used. The flow rate used is not always the same as the tested flow rate listed on your well log. If a *pit/pond*, enter N/A.

Determining the flow rate you are pumping from a well:

Using a directly connected spigot (generally the frost-free hydrant located near the well head), turn the water on until the pump comes on and stays on. Time how many seconds it takes to fill a 5-gallon bucket. Use the following formula to calculate the flow rate:  $300 \div \text{number of seconds} = \text{flow rate in GPM}$ .

Determining the flow rate you are pumping from a developed spring:

Time how many seconds it takes to fill a 5-gallon bucket. Use the following formula to calculate the flow rate:  $300 \div \text{number of seconds} = \text{flow rate in GPM}$ .

**Item 5.** Check 'Yes' if you have other groundwater developments located on your land within  $\frac{1}{4}$  mile of this development. If you have a Groundwater Certificate, provide water right numbers and distances between those developments and this development. Check 'Yes' if this development is shared with others, such as two homes on one well. Provide the water right number and document how the development is shared. If a shared well agreement exists, provide a copy of that agreement.

**Item 6.** Check the purposes for which the water is being used. If the water is used during the months specified, check 'Yes'. If not, check 'No' and enter the months and days water is used each year. For more information visit: <http://dnrc.mt.gov/divisions/water/water-rights/docs/forms/615.pdf>

**Item 7.** Enter the land description for the location of the development. Describe the location to the nearest 10 acres if possible. Legal land descriptions, subdivisions, geocodes, and certificate of survey information may be obtained from the tax statements, county records, or from the Montana Cadastral system at: <http://svc.mt.gov/msl/mtcadastral/>

Subdivisions – Enter the lot and block or tract number, and subdivision name.

Government Lots – In addition to the land description, enter the government lot number.

Certificate of Survey – In addition to the land description, enter the survey number.

Street Address – Enter the physical address of the development including city, state, & zip code.

**Item 8.** Enter the geocode(s) of the place of use. If the place of use is generally the same as the point of diversion, check 'Yes' and proceed to Item 9. If not, check 'No' and continue with Item 8 (using instructions for Item 7) to describe the place of use.

**Item 9.** If the statements are correct, print your name, then sign and date the form. All owners (or trustees) listed in Item 1 should sign the form. *\*\*If the owner is a business or trust, include the title of the representative(s) signing the form (i.e. president, trustee, managing partner, etc.)*

**SEND THE FORM TO THE APPLICABLE WATER RESOURCES REGIONAL OFFICE:**

**KALISPELL:** 655 TIMBERWOLF PARKWAY, SUITE 4, KALISPELL MT 59901-1215  
PHONE: 406-752-2288 FAX: 406-752-2843  
SERVING: Flathead, Lake, Lincoln, and Sanders Counties

**MISSOULA:** 2705 SPURGIN RD / BLDG C, PO BOX 5004, MISSOULA MT 59806-5004  
PHONE: 406-721-4284 FAX: 406-542-5899  
SERVING: Granite, Mineral, Missoula, and Ravalli Counties