

PETITION TO CREATE A STREAM DEPLETION ZONE

This form may be filed by a municipality, county, conservation district, or local water quality district formed under Title 7, chapter 13, part 45; or by the owners of at least 15% of the flow rate of the surface water rights in the proposed STREAM DEPLETION ZONE. An incomplete or non-qualifying petition will be returned.

A fee of **\$750** must accompany this petition. Petitioners must also pay reasonable costs of giving notice, holding the hearing, conducting investigations, and making records pursuant to § 85-2-380, MCA.

Make checks payable to "DNRC"

For Department Use Only

Basin _____
 Date/Time Rec'd _____
 Fee Received _____
 Check No. _____
 Payor _____
 Deposit No. _____
 Received By _____
 Refund \$ _____
 Date _____
 Def Letter Sent _____

CONTACT NAME _____
 MAILING ADDRESS _____
 CITY _____ STATE _____ ZIP _____
 WORK PHONE _____ HOME PHONE _____ CELL PHONE _____

1. Definition: "STREAM DEPLETION ZONE" means an area where hydrogeologic modeling concludes that as a result of a ground water withdrawal, the surface water would be depleted by a rate equal to at least 30% of the ground water withdrawn within 30 days after the first day a well or developed spring is pumped at a rate of 35 gallons a minute.
2. Pursuant to § 85-2-306(3)(a)(iv) MCA, the maximum flow rate for all groundwater appropriations that meet exceptions to the permit requirements in § 85-2-306 and are located within a STREAM DEPLETION ZONE is 20 gallons per minute and the maximum volume is 2 acre-feet per year.
3. § 85-2-380 MCA requires that this petition must allege certain facts showing that the following situations exist:
 - A. The proposed STREAM DEPLETION ZONE lies within a basin closed pursuant to 85-2-319, 85-2-321, 85-2-330, 85-2-336, 85-2-341, 85-2-343, or 85-2-344.
 - B. There exists a hydrogeologic assessment for the area where the STREAM DEPLETION ZONE is proposed that was conducted by either the ground water investigation program established by 85-2-525 or by a hydrogeologist or a qualified licensed professional engineer.



Montana Department of Natural Resources and Conservation
 1424 9th Ave / PO Box 201601 / Helena MT 59620
 (406) 444-6610

4. Attach all supporting information including hydrologic analysis prepared by a hydrogeologist, a qualified scientist, or a qualified licensed professional engineer. Hydrologic analysis must include:
 - a. The name and address of all water right owners who may be affected.
 - b. A 1:24,000-scale U.S. Geological Survey topographic map, or one of similar size, scale and detail. In addition to the information provided on the USGS map, the map must also show the following:
 - i. north direction;
 - ii. township and range numbers
 - iii. section corners and numbers
 - iv. accurate outline of the proposed STREAM DEPLETION ZONE
 - v. location of any known groundwater recording equipment
 - vi. location of any known surface water recording equipment
 - vii. points of diversion for all groundwater users, including wells and developed springs.

SIGNATURES OF AGENCY OR DISTRICT REPRESENTATIVE

If submitted by a municipality, county, conservation district, or local water quality district formed under Title 7, chapter 13, part 45 the representative(s) must sign here.

Printed Name _____ Signature _____

Printed Name _____ Signature _____

Send the form to your local Water Resources Regional Office

BILLINGS: 406-247-4415; Airport Industrial Park, 1371 Rimtop Dr, Billings MT 59105-1978
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***If submitted by petitioning water right holders, please fill out Attachment 1.*

ATTACHMENT 1: SIGNATURES OF PETITIONING WATER RIGHT HOLDERS

Must be signed by the owners of at least 15% of the flow rate of the surface water rights in the proposed STREAM DEPLETION ZONE. Attach additional sheets if necessary.

WE THE UNDERSIGNED WATER RIGHT HOLDERS PETITION THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR A STREAM DEPLETION ZONE IN ACCORDANCE WITH § 85-2-380, MCA AND THIS PETITION.

Printed Name	Signature
1. Mailing Address	/ Phone
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17. Mailing Address	/ Phone

Printed Name

Signature

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