

July 2009. Per legal staff Department has no authority to issue draft certificates. Removed references to draft certificate Kim O.

August 2001

## Exhibits

Samples of any forms, letters, remarks, or examples referred to in the procedures are located in this section.

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August 2001

## **Project Completion & Progress Reminder Letters**

The project completion and progress report index is generated in August. In September the indexes are sent to the regional offices for review and corrections. The reminder letters are mailed the beginning of October of each year.

**\*\*Each year the reminder letters will need to be updated with the current year.**

**Project Completion Notice Due – National Park Service Compact** - For groundwater developments under 35 GPM not to exceed 10 AF/year

### **Report Criteria**

- P only;
- Project Completion Notice is due by 12/31/current year, but not yet received;
- a Y, G, or B code is in the third space of the FILE TYPE field;
- run labels with water right number in upper right hand corner; and
- run labels with all the owners of the same address listed on one label.

Run the water right numbers in numerical order, not separating changes from permits.

### **Mailing**

Reminders need to be inserted by the central office into labeled envelopes and then mailed.

### **Project Completion Notice Due**

On the report make sure there are columns for 607, 617/618, and final status.

### **Report Criteria**

- all G, H, P, and Q;
- Project Completion Notice is due by 12/31/current year, but not yet received; and
- there is **not** a Y, G, or B code in the third space of the FILE TYPE field.

Run the water right numbers in numerical order, not separating changes from permits.

### **Mailing**

The list of names will be sent to Byrl Newman at ISD, 444-2550. Contact Byrl to update the reminder letter template with the current year. ISD will generate pressure sensitive reminders and return them to the central office. The central office will take out any reminders per request from the regional offices. The remaining will be mailed.

August 2001

## **Progress Report Due**

### **Report Criteria**

- Project Completion Notice was **not** received on P, G, H, Q, V or a Y with an IP in the processing status field;
- Project Completion Notice deadline date is due 12/31/of future years (not current year); and
- a condition code of PG.

Run the water right numbers in numerical order, not separating changes from permits.

### **Regional Office review for all reports**

Make a copy of the report and send it to the appropriate regional office. Highlight the title of the report. A sample memo is attached. Review for:

- report list of water rights is complete;
- file location;
- data in each field is complete and correct; and
- notify the central office as to the water rights that should **not** receive a reminder letter.

### **Return mail**

- Those with forwarding addresses, update the mainframe with the new address and insert into an envelope labeled with the new address.
- Those without forwarding addresses will be returned to the regional office.

### **Clean up**

- Run a report where the Project Completion Notice is due prior to 12/31/current year, but not yet received. Find out the situation for all water rights that a project completion notice has not been received from previous years.
- Run a report with the condition code of PG where a Project Completion Notice has been received. The PG remark should be removed.

August 2001

Water Right

# Project Completion Notice Due December 31, 2001

Groundwater Developments  
under 35 GPM not to exceed 10 acre-feet per year  
Issued Pursuant to the  
National Park Service/Montana Compact

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## Is Your Water Right Project Completed?

Completion of a water right project means the groundwater diversion facility is completed and the flow rate and volume of water has been applied to a beneficial use in substantial accordance with the terms and conditions of the water right.

Wells located within the Yellowstone National Park Service Compact Area must have the measuring device installed to be considered complete. A photograph or legible sketch of the actual flow meter installation must be included with the Project Completion Notice, form 617.

**YES – File a Project Completion Notice, form 617 by December 31 with the regional office serving the county where the project is located. A form 617 was sent with your water right or one may be obtained from a regional office.**

**NO – If the project will not be completed prior to December 31, complete the following information and return this reminder to the regional office serving the county where the project is located by December 31, 2001.**

Name: \_\_\_\_\_ Water Right Number: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Estimated date that the project will be completed. \_\_\_\_\_

**Pursuant to MCA 85-2-314, if work on the appropriation is not completed within the time stated in the permit, or authorization, or extension, the department may modify or revoke the permit or authorization to change.**

**BOZEMAN WATER RESOURCES REGIONAL OFFICE**

151 Evergreen Drive, Suite C, Bozeman MT 59715 Phone: 406-586-3136 FAX: 406-587-9726  
Serving: Gallatin, Madison, and Park Counties

August 2001

# Water Right Project Completion Notice Due December 31, 2001

## Is Your Water Right Project Completed?

Completion of a water right project means the diversion, impoundment, or withdrawal facility is completed and the flow rate and volume of water has been applied to the beneficial use in substantial accordance with the terms and conditions of the water right.

**YES** – File a Project Completion Notice, form 617 or 618, by December 31, with the Regional Office serving the county where the project is located. A Form 617 or 618 was sent with your water right or one may be obtained from any Regional Office.

**NO** – If the project will not be completed prior to December 31, then an Application for Extension of Time, form 607, needs to be filed with the Regional Office by December 31. An Application for Extension of Time may be obtained from any Regional Office. The application is used as a basis for determining whether an extension of time for project completion is granted. The filing fee is \$50.

**NOTE:** Pursuant to MCA 85-2-314, if work on the appropriation is not completed within the time stated in the permit, authorization, or extension, the department will modify or revoke the permit or authorization to change.

**Your water right number is in the upper right hand corner of the address label.**

### DNRC Water Resources Regional Offices

**BILLINGS:**

1371 Rimtop Drive  
Billings MT 59105-1978  
Phone: 406-247-4415  
FAX: 406-245-2064

**Serving:** Big Horn, Carbon, Carter, Custer, Fallon, Powder River, Prairie, Rosebud, Stillwater, Sweet Grass, Treasure, and Yellowstone Counties

**HAVRE:**

210 6th Avenue  
PO Box 1828  
Havre MT 59501-1828  
Phone: 406-265-5516  
FAX: 406-265-2225

**Serving:** Blaine, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, and Toole Counties

**LEWISTOWN:**

613 NE Main Street, Suite E  
Lewistown MT 59457-2020  
Phone: 406-538-7459  
FAX: 406-538-7089

**Serving:** Cascade, Fergus, Golden Valley, Judith Basin, Meagher, Musselshell, Petroleum, and Wheatland Counties

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Bozeman MT 59715  
Phone: 406-586-3136  
FAX: 406-587-9726

**Serving:** Gallatin, Madison, and Park Counties

**HELENA:**

21 North Last Chance Gulch  
PO Box 201601  
Helena MT 59620-1601  
Phone: 406-449-0944  
FAX: 406-442-9315

**Serving:** Beaverhead, Broadwater, Deer Lodge, Jefferson, Lewis and Clark, Powell, and Silver Bow Counties

**MISSOULA:**

Town & Country Shopping Center 1610 South  
3rd St West, Suite 103  
PO Box 5004  
Missoula MT 59806-5004  
Phone: 406-721-4284  
FAX: 406-542-1496

**Serving:** Granite, Mineral, Missoula, and Ravalli Counties

**GLASGOW:**

222 6th Street South  
PO Box 126  
Glasgow MT 59230-1269  
Phone: 406-228-2561  
FAX: 406-228-8706

**Serving:** Daniels, Dawson, Garfield, McCone, Phillips, Richland, Roosevelt, Sheridan, Valley, and Wibaux Counties

**KALISPELL:**

109 Cooperative Way, Suite 110 Kalispell MT  
59901-2387  
Phone: 406-752-2288  
FAX: 406-752-2843

**Serving:** Flathead, Lake, Lincoln, and Sanders Counties

August 2001

### PROGRESS REPORT DUE

One of the conditions on your water right requires you to submit a report each year explaining the progress made on your project. Please submit that report by November 30, 2001.

Send the progress report to the Regional Office serving the county that the water right is located in.

**Progress Report  
Due  
November 30, 2001**

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August 2001

## Water Measurement Report Due November 30, 2001

### WATER MEASUREMENT REPORT DUE

One of the conditions on your water right requires you to measure the amount of water used each year. Please submit those reports by November 30, 2001.

Send the measurement report to the Regional Office serving the county that the water right is located in.

If you have not used the water right this year, please send that information to the Regional Office.

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### DNRC Water Resources Regional Offices

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1371 Rintop Drive  
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August 2001

## Permit – First letter sent with Questionnaires

May 12, 2010

«FirstName» «LastName»  
«Address1»  
«Address2»  
«City», «State» «PostalCode»

Dear «FirstName» «LastName»:

Our records indicate that you are the current owner of water right # «WaterRightNumber». A notice of completion was filed on this project between 1973 and 1992.

In the past, after the completion notice was received on the water right, DNRC staff came out to the project site to physically verify how the project was completed. Unfortunately, DNRC did not have the resources necessary to get out to each site and therefore we are asking for your help.

To make certain your water right is accurately reflected in the State of Montana water rights database, the DNRC needs to know how your water right project was actually completed. To accomplish this task, questionnaires are enclosed asking for specific information. If you would complete the questionnaire(s) it would help eliminate the need for DNRC staff to physically inspect your water use ~~and allow us to issue you a Draft Certificate of Water Right that accurately depicts your water right.~~

More than one questionnaire may be enclosed if your water right is for multiple purposes, and you may receive more than one of these letters if you have more than one water right. Please complete the questionnaire(s) accurately and return them to our office as soon as possible. We will contact you if we have any questions about the information you provide. A self-addressed envelope is included for your convenience.

If you no longer own this water right, please complete the enclosed ownership information card and return it to our office.

Thank you so much for your help. If you have any questions, please don't hesitate to contact me at (Phone # for RO specialist).

Sincerely,

RO Specialist

Enclosures

August 2001

**2<sup>nd</sup> Notice Permit Cover Letter for Questionnaire**

Date

Name  
Address  
City

Dear

Our records indicate that you are the current owner of water right #??? - ? - ??????. This letter is being sent due to lack of response received on prior written communication. If you no longer own this water right, please complete the attached self-addressed ownership information card and return it to our office.

Montana Water Law (Mont. Code Ann. § 85-2-315) provides that if the appropriation of water under a permit is completed in substantial accordance with the permit, the Department of Natural Resources and Conservation (DNRC) shall issue a Certificate of Water Right.

A response to this letter is needed for certifying your water use. Please complete the enclosed forms to reflect accurate and factual information regarding your water use under your water right permit and return the information within 30 days. A self-addressed envelope is included for your convenience. If you choose not to complete the enclosed questionnaire(s), please contact me at (406) 444-6614 to schedule a field inspection.

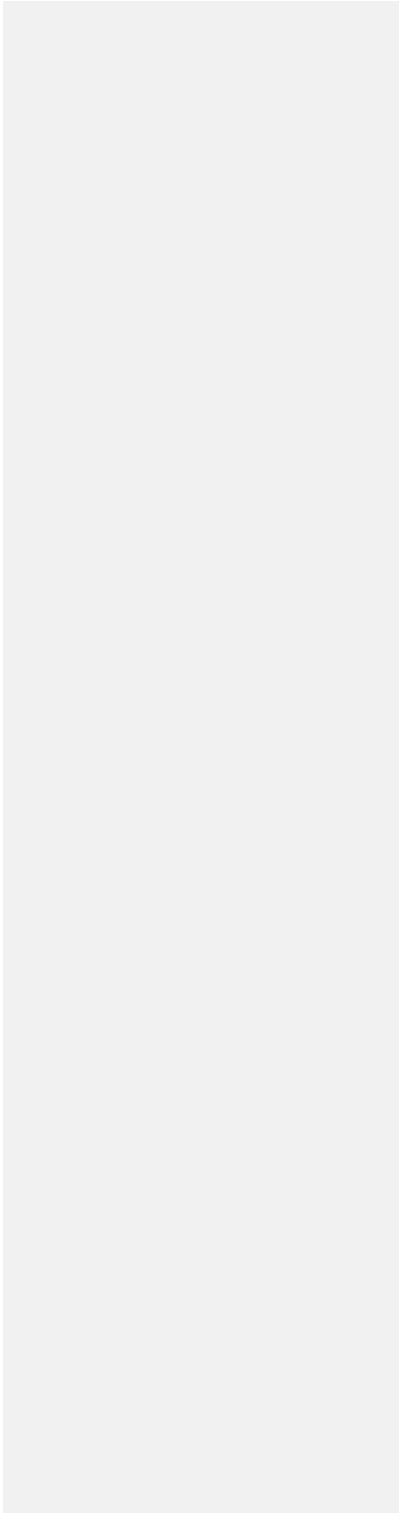
A response from you is critical in protecting your water right. Without being able to certify your water right, DNRC may have to initiate revocation proceedings.

Thank you for your help. If you have any questions feel free to call me at (406) 444-6614.

Sincerely,

New Appropriations Program Manager  
Enclosures

09/07/01  
This letter will be reviewed and updated. Regional office will be sent updated copy.



August 2001

## Change – First letter sent with Questionnaires

September 2, 2001

«FirstName» «LastName»  
«Address1»  
«Address2»  
«City», «State» «PostalCode»

Dear «FirstName» «LastName»:

Our records indicate that you are the current owner of Authorization to Change # «WaterRightNumber». A notice of completion was filed on the changed project between 1973 and 1992.

In the past, after the completion notice was received on the right, DNRC staff came out to the project site to physically verify how the project was completed. Unfortunately, DNRC did not have the resources necessary to get out to each site and therefore we are asking for your help.

To make certain your changed water right is accurately reflected in the State of Montana water rights database, the DNRC needs to know how your changed project was actually completed. To accomplish this task, questionnaires are enclosed asking for specific information. If you would complete the questionnaire(s) it would help eliminate the need for DNRC staff to physically inspect your water use and allow us to issue you a water right abstract that accurately depicts your changed water right.

More than one questionnaire may be enclosed if your project changed multiple elements of the original right and you may receive more than one of these letters if you have more than one water right. Please complete the questionnaire(s) accurately and return them to our office as soon as possible. We will contact you if we have any questions about the information you provide. A self-addressed envelope is included for your convenience.

If you no longer own this water right, please complete the enclosed ownership information card and return it to our office.

Thank you so much for your help. If you have any questions, please don't hesitate to contact me at (Phone # for RO specialist).

Sincerely,

RO Specialist

Enclosures

August 2001

**2<sup>nd</sup> Notice Authorization to Change Cover Letter for Questionnaire**

Date

Name  
Address  
City

Dear

09/07/01  
This letter will be reviewed  
and updated. Regional office  
will be sent updated copy.

Our records indicate that you are the current owner of the water right authorization to change #??? - ? - ??????. This letter is being sent due to lack of response received on prior written communication. If you no longer own this water right, please complete the attached self-addressed ownership information card and return it to our office.

Montana Water Law (Mont. Code Ann. § 85-2-402) provides that the authorization to change must be completed as authorized by the Department of Natural Resources and Conservation (DNRC).

A response to this letter is needed for certifying your authorization to change. Please complete the enclosed forms to reflect accurate and factual information regarding the change made to your project and return the information within 30 days. A self-addressed envelope is included for your convenience. If you choose not to complete the enclosed questionnaire(s), please contact me at (406) 444-6614 to schedule a field inspection.

A response from you is critical in protecting your water right. Without being able to certify your authorization to change, DNRC may have to initiate revocation proceedings.

Thank you for your help. If you have any questions feel free to call me at (406) 444-6614.

Sincerely,

New Appropriations Program Manager  
Water Rights Bureau

Enclosures

August 2001

**Verifab Cover Letter**

Date

Name  
Address  
City

Dear

We have completed our analysis of your water right #???-?-???? and propose to the water right abstract reflect the recommendations on the enclosed verification abstract. Please review these recommendations and complete the information within the stars, entitled "To be completed by permittee".

If you agree with our recommendations, please check the appropriate box. If you do not agree with our recommendations, check the appropriate box and specify the items in disagreement. In addition, check whether or not you want a show cause hearing on these items of disagreement. If you disagree with the recommendations and do not request a show cause hearing, your water right and/or authorization to change will reflect the recommendation. A show cause hearing gives you the opportunity to provide proof as to your disagreement with the recommendation.

Please sign and date the completed form and return it to our office within 30 days of the date of this letter. If we do not receive the signed and completed form back, then the department recommendation will make the proposed change.

Thank you for your assistance. If you have any questions feel free to call me at (Phone # for RO specialist).

Sincerely,

RO Specialist

Enclosure

August 2001

**PERMIT - Draft Certificate -Thank You Letter**

5/12/2010

«FirstName» «LastName»  
«Address1»  
«Address2»  
«City», «State» «PostalCode»

Dear «Salutation»

Enclosed is your Draft Certificate of Water Right. Thank you for completing the forms we sent concerning your water right.

This Draft Certificate of Water Right is valuable because it accurately reflects your water right including the priority date, the purpose, and amount of water you have a right to use. Your water right will become final when the Montana Water Court adjudicates the basin and a final decree is issued.

Thank you for your assistance in the certification of your water right. If you have any questions, please feel free to contact me at Department of Natural Resources, Water Rights Bureau, PO Box 201601, Helena MT 59620-1601, (406)444-6614.

Sincerely,

Kimberly Overcast  
New Appropriations Program Manager  
Water Rights Bureau  
kovercast@state.mt.us

July 2009  
Per legal staff Department has no authority to issue draft certificates.  
Kim O.

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August 2001

**CHANGE AUTHORIZATION – Water Right Abstract - Thank You Letter**

5/12/2010

«FirstName» «LastName»  
«Address1»  
«Address2»  
«City», «State» «PostalCode»

Dear «Salutation»

Enclosed is your Water Right Information Abstract. Thank you for completing the forms we sent concerning your water right.

This abstract is valuable because it accurately reflects your water right including the priority date, the purpose, and amount of water you have a right to use. Your water right will become final when the Montana Water Court adjudicates the basin and a final decree is issued.

Thank you for your assistance in the certification of your water right. If you have any questions, please feel free to contact me at Department of Natural Resources, Water Rights Bureau, PO Box 201601, Helena MT 59620-1601, (406)444-6614.

Sincerely,

Kimberly Overcast  
New Appropriations Manager  
Water Rights Bureau  
kovercast@state.mt.us

August 2001

**Permit or Authorization to Change Needed Sample Letter**

Date

Name  
Address  
City

Dear

We have completed the analysis of your water right #???-?-???? and have verified that (*explanation of the situation*), ex. more water is being used than is permitted or the point of diversion is not at the permitted location. You are required to follow the specifications and conditions of your (*permit or authorization to change*) which state (*specifics relating to the situation*). Anything exceeding or different than from your (*permit or authorization to change*) specifications may be appropriated by others as it is not protected under your water right.

A (*permit or authorization to change*) is needed to continue using (*specifics relating to the situation*). Enclosed is an Application (*for Beneficial Water Use Permit or an Application to Change a Water Right*). We have documented in your water right file that (*explanation of situation*) and enforcement actions may be taken if the permit or authorization to change is not filed.

**\*\*If in closed basin, make sure to note the following.\*\***

Your water right is in a closed basin in which no new permits are authorized for (*surface water*) appropriations. Enclosed is information specific to the basin closure. You must stop (*specifics relating to the situation*) immediately. We have documented in your water right file that (*explanation of situation*) and enforcement actions may be taken if the situation is not corrected immediately.

Thank you for your assistance. If you have any questions feel free to call me at (Phone # for RO specialist).

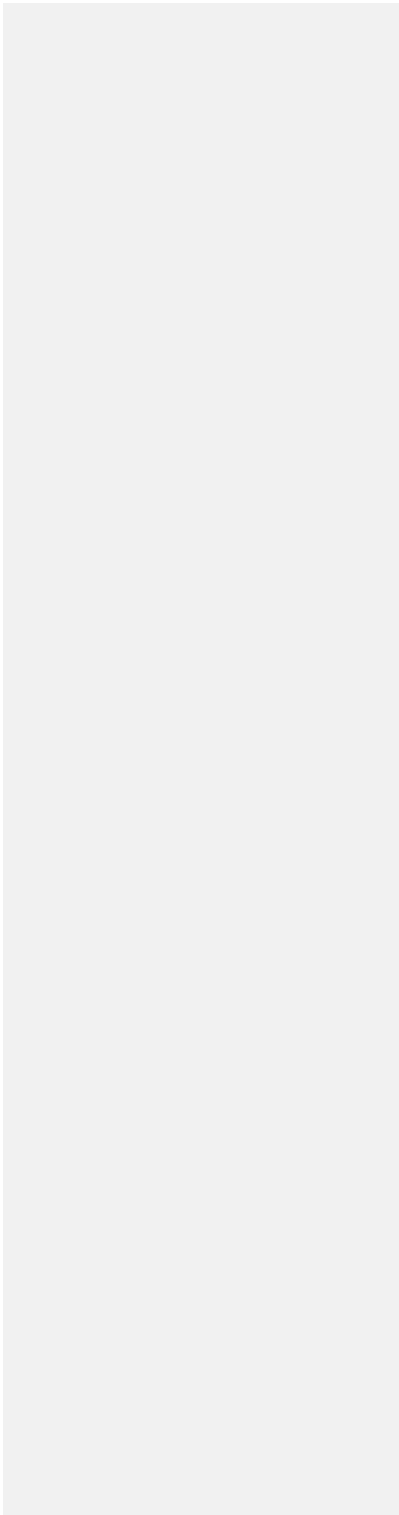
Sincerely,

RO Specialist

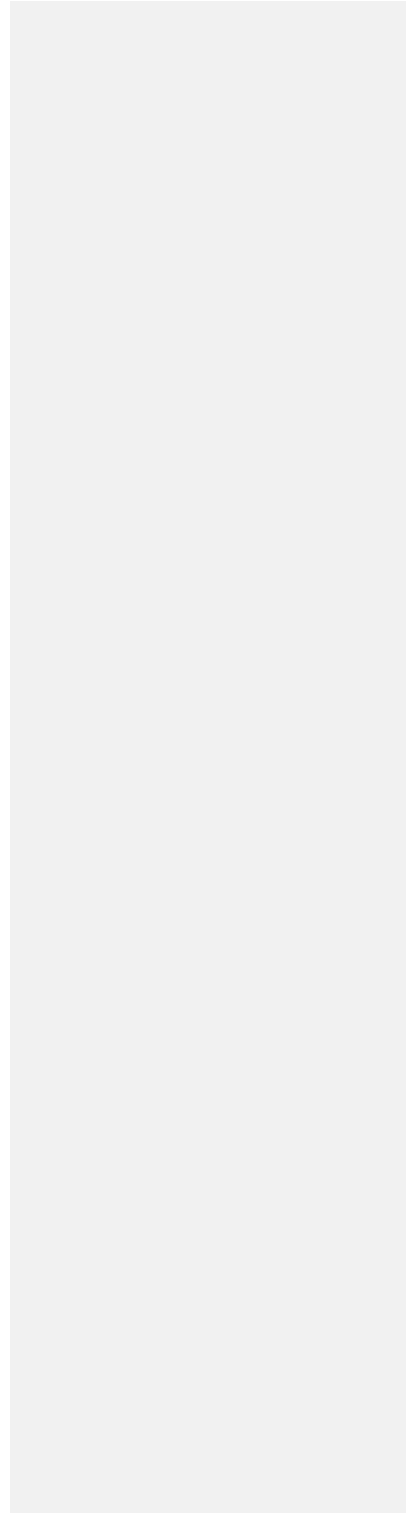
Enclosure

August 2001

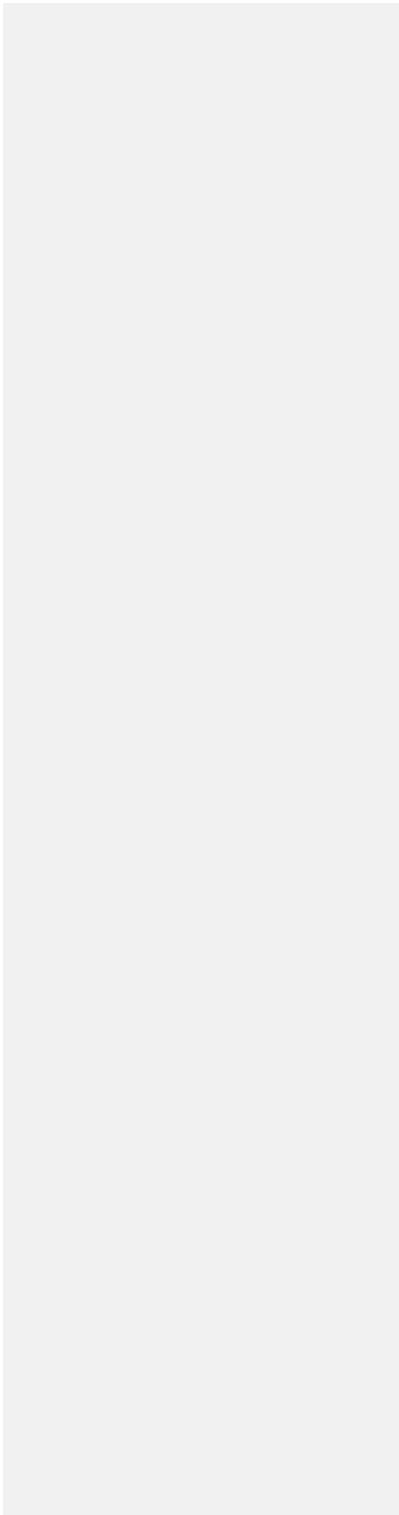
**VERIFICATION PROJECT QUESTIONNAIRES**



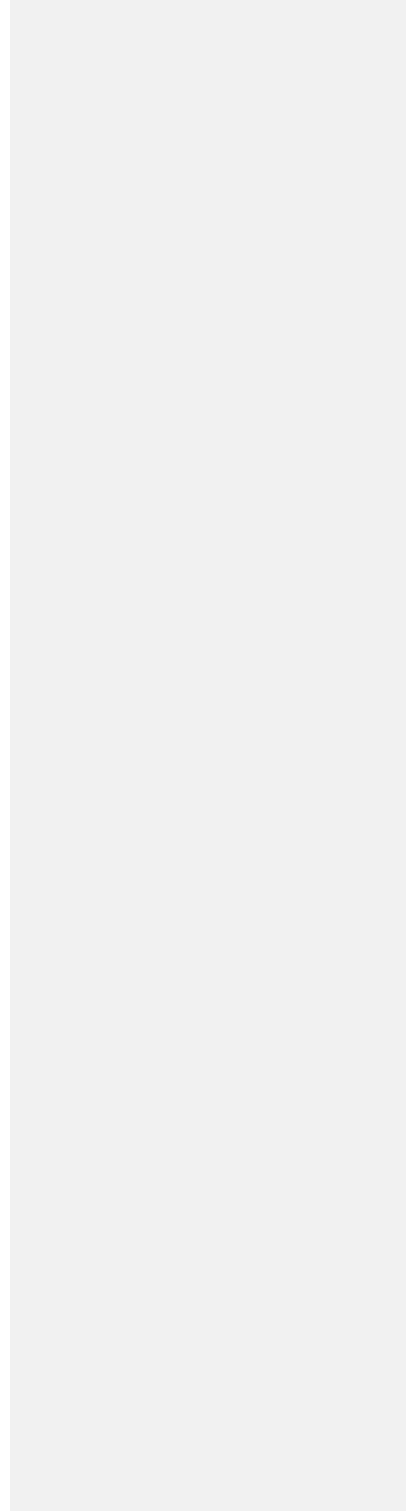
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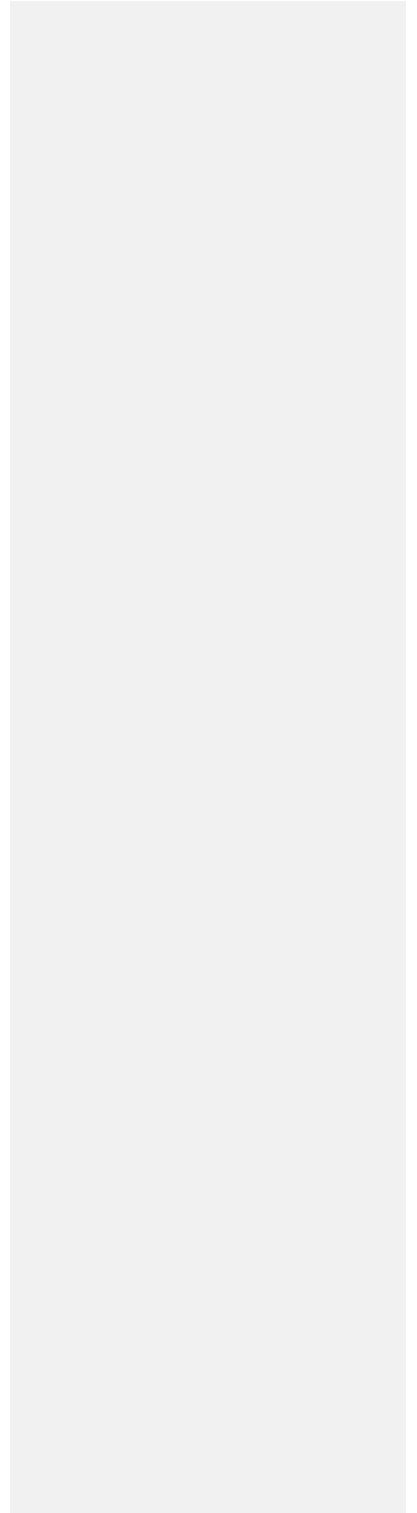
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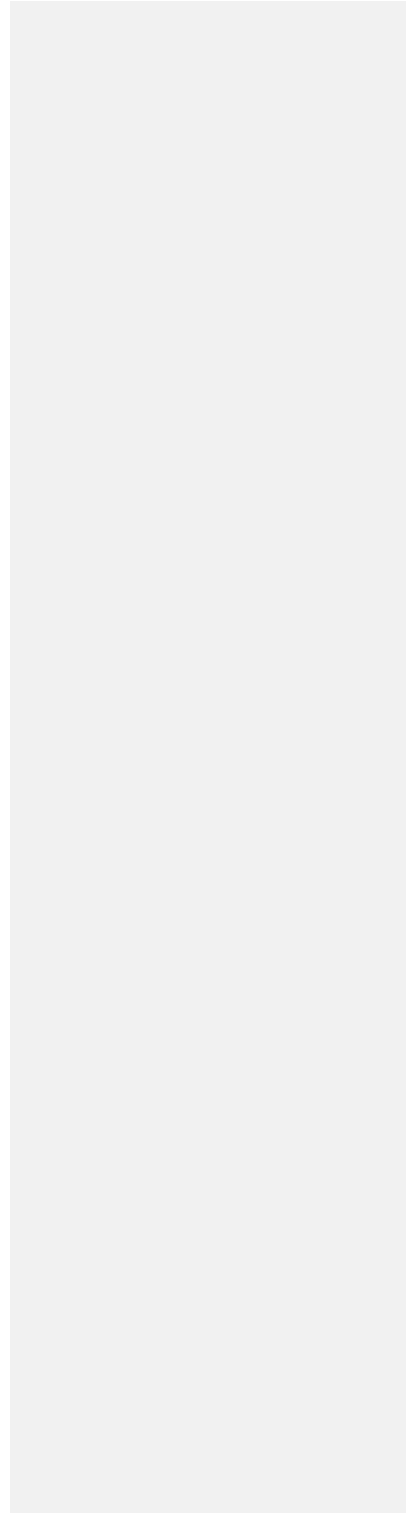
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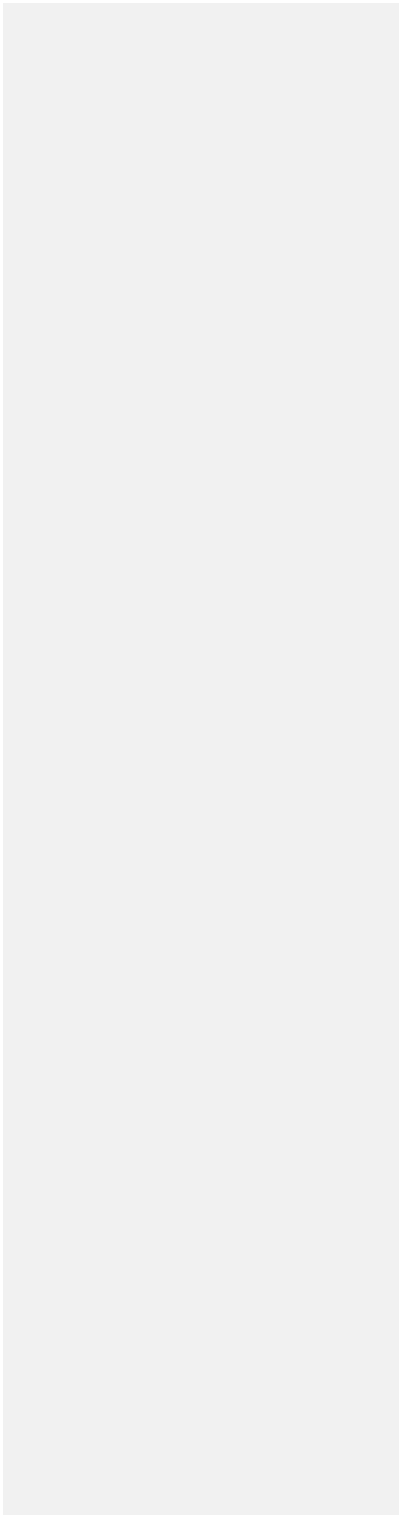
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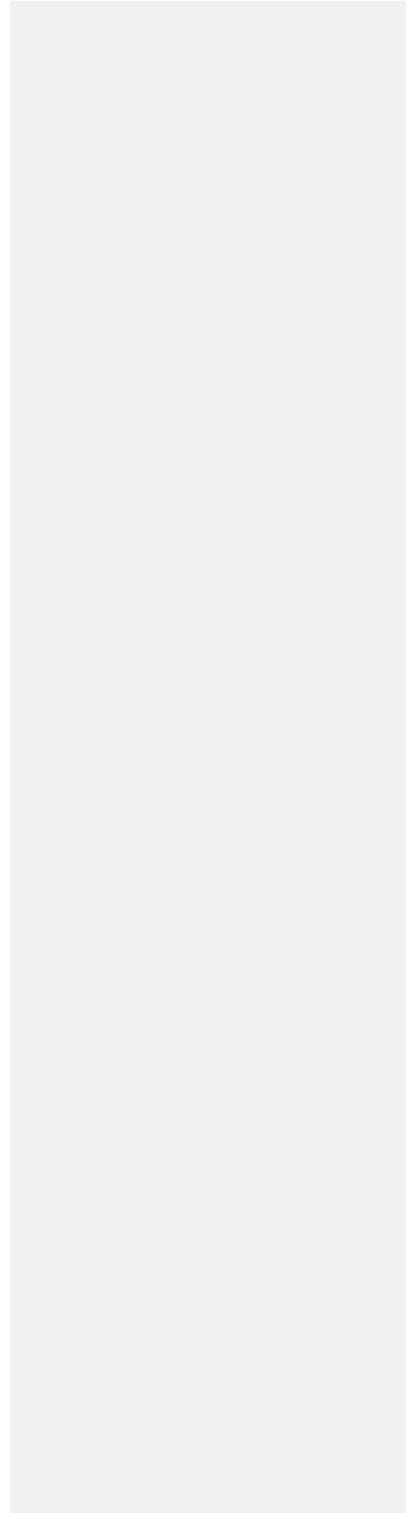
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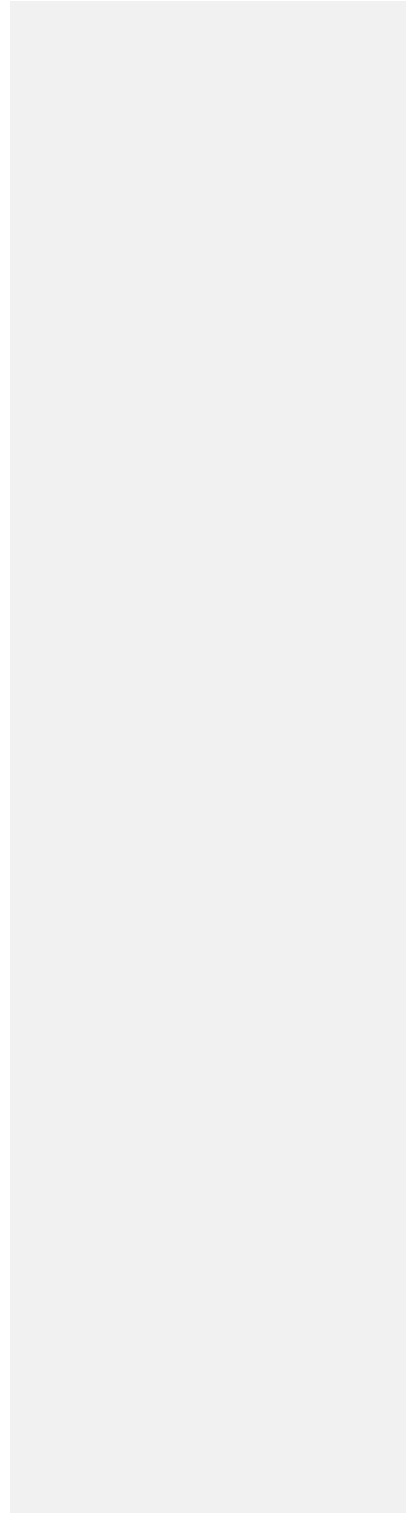
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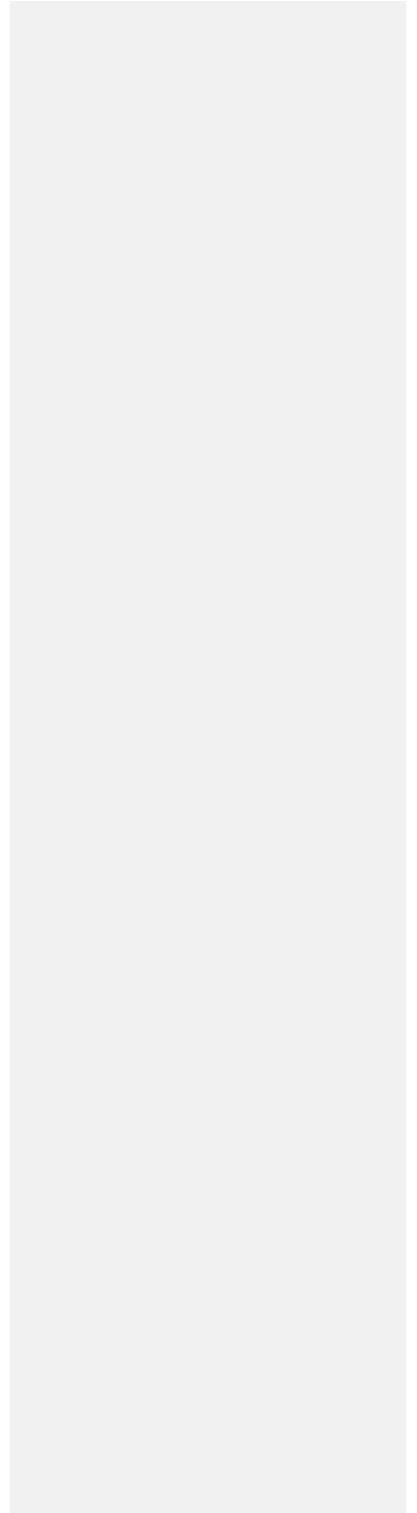
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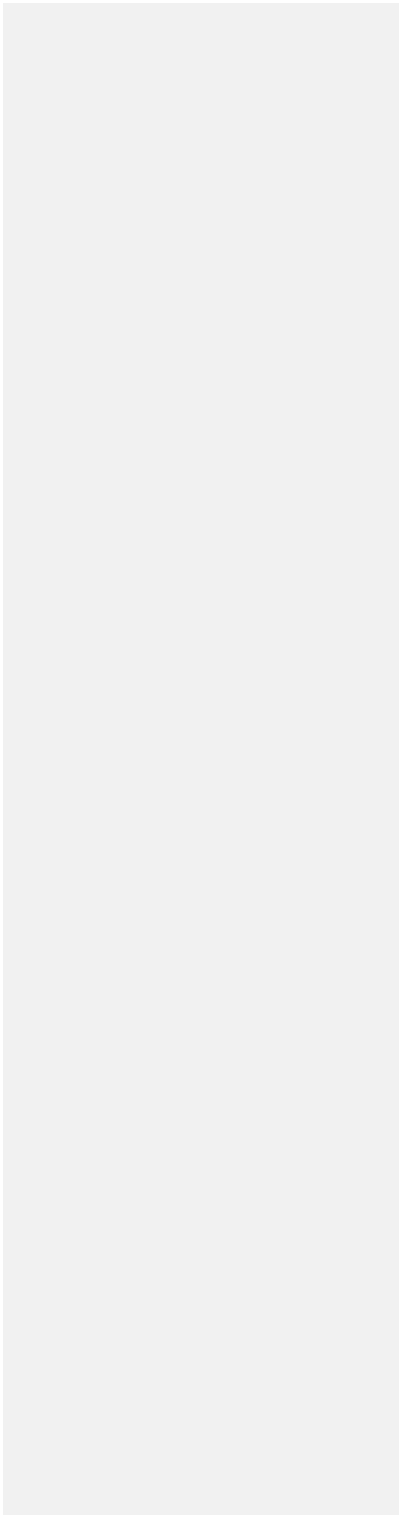
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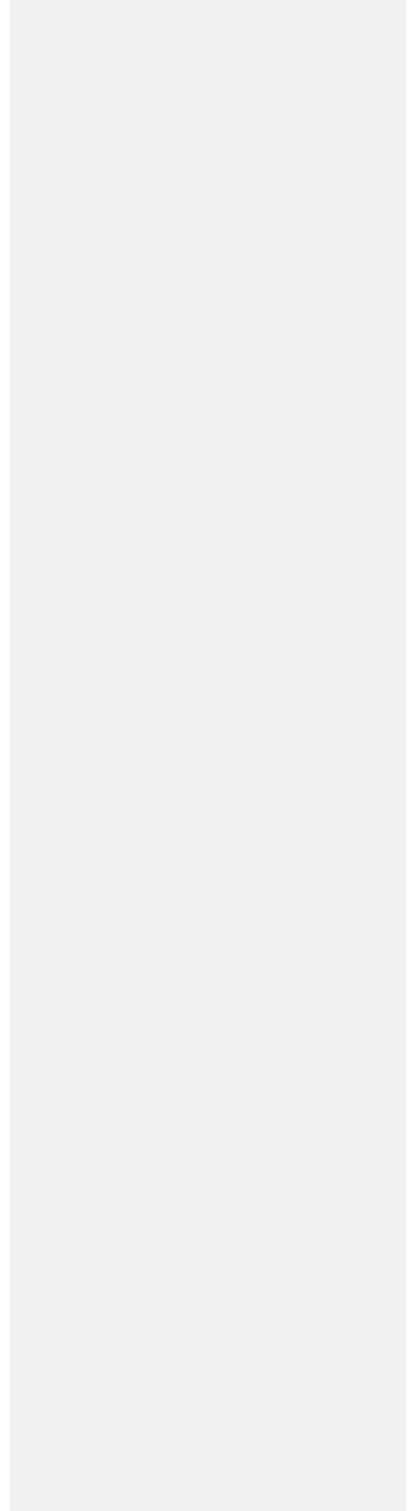
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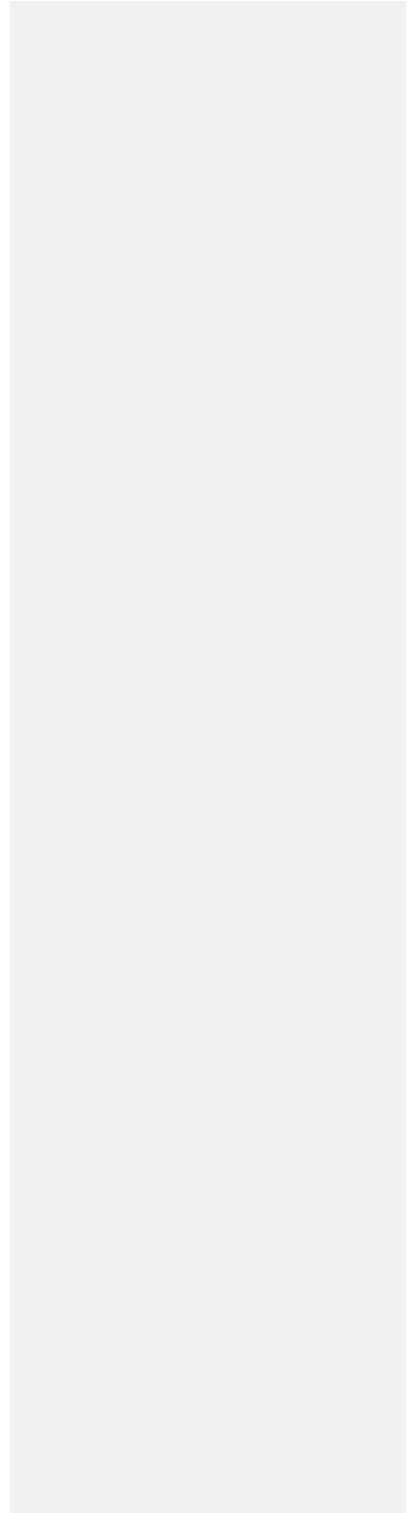


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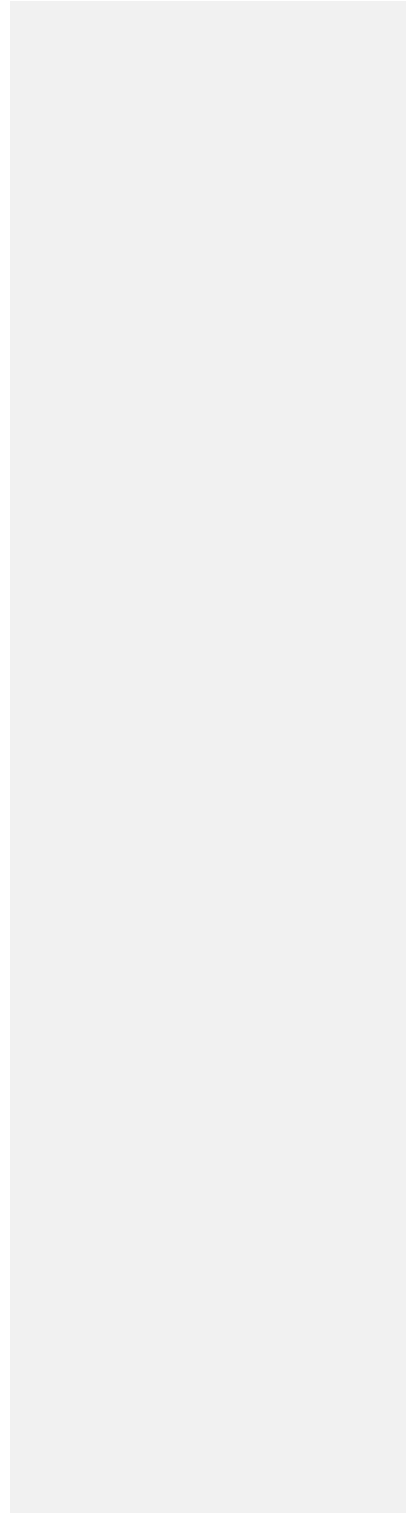


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**VERIFICATION ABSTRACT**



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**DRAFT CERTIFICATE OF WATER RIGHT**

July 2009

Per legal staff Department has no authority to issue draft certificates.

Kim O.

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# V ERIFICATION FILE STATUS UPDATE

WATER RIGHT # \_\_\_\_\_ DATE SENT TO RO \_\_\_\_\_

RESPONSIBLE INDIVIDUAL FOR FILE \_\_\_\_\_

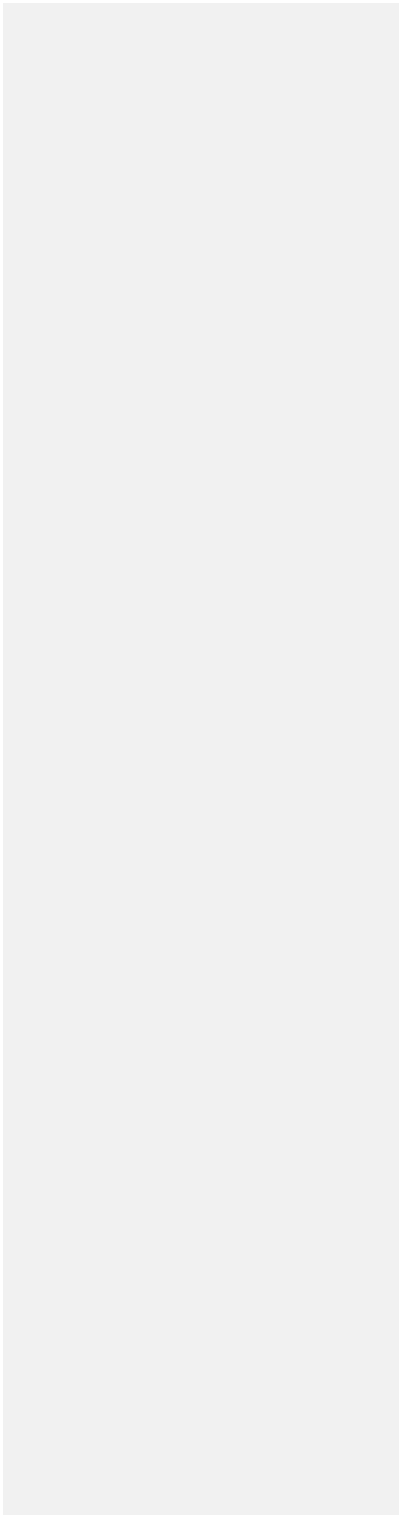
Inform the Central Office by phone or email when either of the following is required or completed. Please leave this slip attached to the front of the verification file.

Yes  No **File requires field inspection?** \_\_\_\_\_ Date

~~Yes  No **Draft Certificate & Thank You letter was sent?** \_\_\_\_\_ Date~~

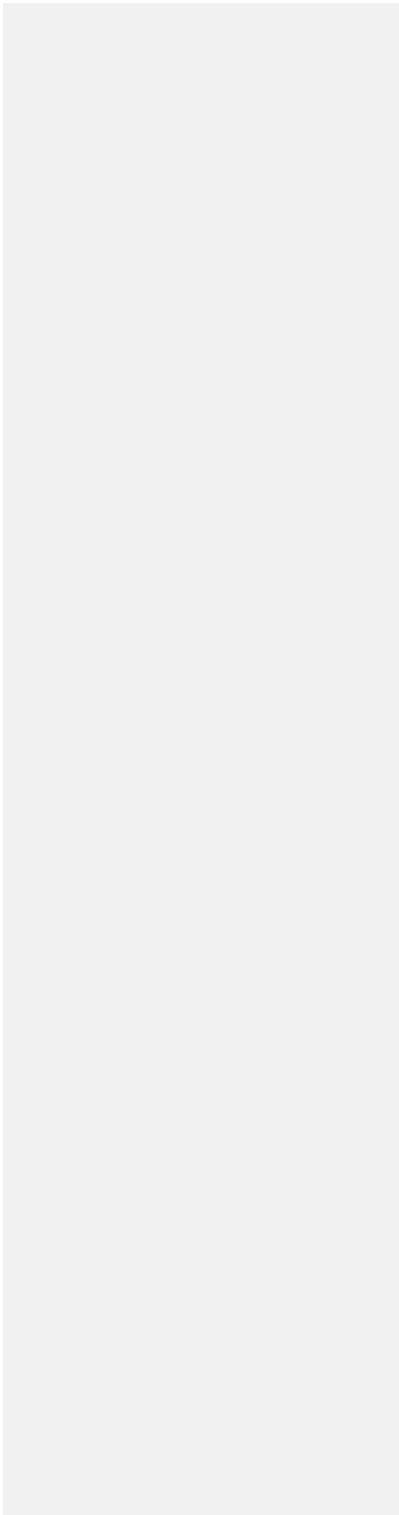
**FILE ORGANIZATION CHART**

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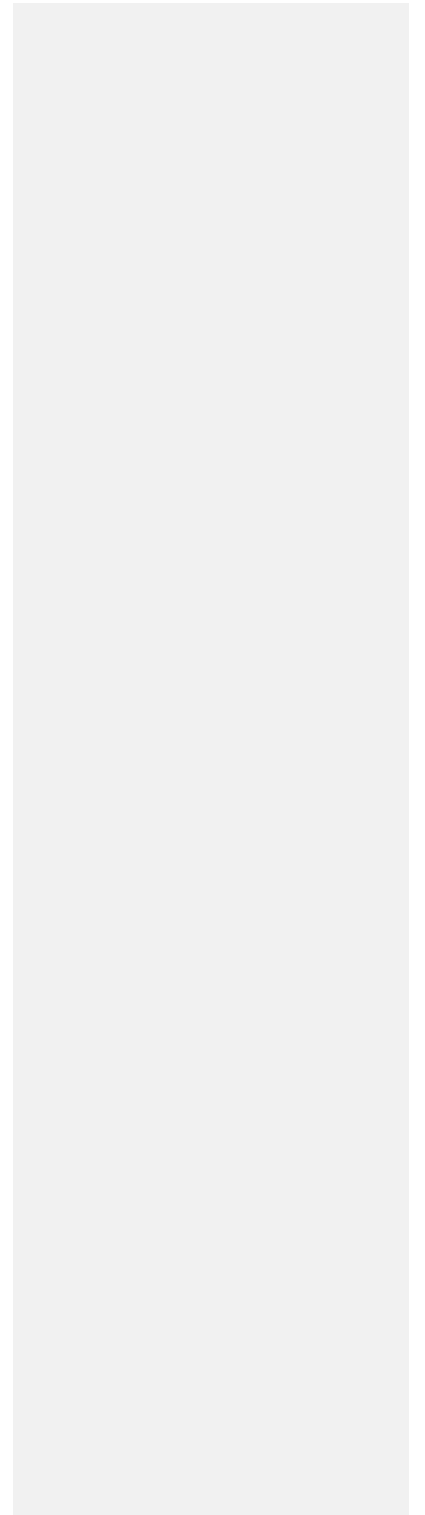
**WATER CONVERSION TABLE**

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**WATER PLANNING GUIDE**

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## Associated Remarks

Associated remarks and flags must be added to all water rights if any connection exists other than the owner name. Reasons to associate water rights might include, but are not limited to the same place of use, point of diversion, or an increase in the flow, volume, or acres.

Clear, understandable associated remarks are important for quick and trouble free research. These remarks can be simple when associating one or two rights, but may seem overwhelming when associating multiple water rights.

The following guidelines and examples will make it easier to write associated remarks.

- List the rights associated to the water rights that will contain the remark.

*Example: This water right is associate to 40P-W042039-00*

If multiple rights are associated, list only those that has the same reason for being associated.

*Example: This water right is associated to 76LJ-W039901-00 and 76LJ-W039902-00*

- List why they are associated.

*Example: They share the same POD. Or, they share the same POD, place of use, and place of storage.*

If you are working with multiple rights that have different reasons for being associated, list them separately.

*Example: This water right is associated to 40P-W039902-00 they have the same POD. This water right is also associated to 40P-W012657-00 they have the same place of use.*

- List why the new water right is needed.

*Example: This water right is being issued to increase the flow rate, volume and acres irrigated.*

Water rights are not associated if one well is used as a back-up well.

- Limit the water right if needed.

Remember that a limited is only needed when the flow rate and/or volume of the water right added together exceed the maximum allowed.

Do not use the phrase “shall not exceed” when limiting a water right associated with a claim or exempt right. Instead, use “the combined appropriation is” when limiting a new water right associated with claimed or exempt rights.

*Example: The combined appropriation is 100 GPM up to 30 acre-feet per annum.*

Additional information not pertaining directly to an association should be placed in a further information remark.

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The following examples will help you write concise and understandable associated remarks.

### **Examples**

#### **Point of Diversion**

This water right is associated to 76LJ-W039901-00. They use the same pump.

This water right is associated to 76LJ-W039901-00. They use the same pump site and pipeline.

This water right is associated to 40P-W042039-00. They have the same point of diversion. This water right increases the acres irrigated.

This water right is associated to 76LJ-W039901-00. They share a common well. This water right increases the volume and acres irrigated.

This water right is associated to 76LJ-W039901-00. They use the same well. This water right increases the number of households being served. The combined appropriation is 180 GPM up to 48 acre-feet per year.

This water right may be a duplication of water right 76LJ-W039901-00.

This water right is associated to 76LJ-P333333-00. They share a common well. This water right increases the volume and acres irrigated. The combined appropriation shall not exceed 300 GPM up to 94.94 acre-feet per year.

This water right is associated to 76LJ-W0399901-00. They have the same point of diversion and conveyance facilities. The combined appropriation is 100 GPM up to 130 acre-feet per year.

#### **Place of Use**

This water right is associated to 40P-W042039-00. It increases the acres irrigated by this system.

This water right is associated to 76M-P013859-00, 76M-P042691-00, 76M-W017864-00 and 76M-W017866-00. They have overlapping places of use. This permit also shares a common well with 76M-P042691-00. The combined appropriation of the water rights shall not exceed 600 GPM up to 481 acre-feet per year.

This water right is associated to 40P-W042039-00 and 40P-W029009-00. They have overlapping places of use. This permit is also associated to 40P-W030131-00. They share a common well.

This water right is associated to 40P-W042039-00. They have overlapping places of use, a common point of diversion, and place of storage.

This water right is associated to 40P-W042039-00. They have the same POD. This permit increases the acres irrigated.

This water right is associated to 76D-W039641. They share the same place of use for domestic and overlapping places of use for lawn and garden.

\* Associated rights have to have the same purpose to have overlapping places of use.

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### **Reservoirs**

This water right is associated to 76N-W003008-00. They share a common place of storage.

This water right is associated to 76N-W003008-00. This permit enlarges the existing reservoir.

This water right is associated to 76N-W003008-00. This permit increases the volume of the reservoir.

This water right is associated to 76N-P888888-00. They share a common reservoir. This water right increases the flow rate and volume of water diverted. The combined appropriation shall not exceed 300 GPM up to 121 acre feet per year.

This water right is associated to 76N-W003008-00. This water right increases the rate and volume of water diverted through the existing ponds.

This water right is associated to 76N-W003008-00. It increases the flow rate and volume of water diverted into the existing reservoir.

### **Miscellaneous**

This water right is associated to 40P-W042039-00. This is manifold into an existing system. The combined appropriation is 50 GPM up to 165 acre feet per year.

This water right appears to duplicate water right no. 76LJ-W039901-00.

This water right duplicates late claim no. 76LJ-W039901-00.

This water right is associated to 76LJ-W039901-00. This water right shares; a common place of storage and overlapping places of use with 40J-W014052-00, a common POD with 40J-W014054-00 and 40J-W014056-00, and a common place of storage with 40J-W014063-00.

This water right is associated to 40P-W039901-00. This is a manifold system, and has overlapping places of use. The water right increases the flow rate and volume to reflect the actual system capacity.

This water right is associated to 40P-W042039-00. They share a common well, means of diversion, and conveyance.

This water right is associated to 76LJ-P555555-00. They have the same place of use. The combined appropriation from both diversions shall not exceed a total of 60 GPM up to 39.99 acre-feet from 11/1 through 4/15, and a total of 140 GPM up to 9.25 acre-feet from 4/16 through 6/15. This permit is also associated to 76LJ-W002662-00. They have the same purpose and place of use.