

**APPLICATION FOR BENEFICIAL WATER USE PERMIT**  
**BASIN CLOSURE AREA**  
**GROUND WATER APPLICATION**  
**HISTORIC BENEFICIAL USE ADDENDUM**

§ 85-2-360, MCA

Complete this addendum if the hydrogeologic assessment predicts that the proposed ground water appropriation will result in a net depletion from surface water and the applicant determines that no adverse affect will occur.

Do not complete this addendum if the hydrogeologic assessment predicts that the proposed ground water appropriation will result in a net depletion from surface water and the applicant has submitted mitigation plan to offset the entire amount of net depletion.

On a separate attachment provide the following information. Attachments must be labeled as shown in the sections below. (i.e: HBU.3.a) If a section is not applicable, label the section as Not Applicable or NA. Conclusions, calculations, references, data, and assumptions used must be included in the application materials.

This addendum is applicable to ground water applications located in the following basin closure areas.

- Upper Missouri River Basin (41A, 41B, 41C, 41D, 41E, 41F, 41G, 41H, 41I, 41J, 41K, 41QJ, 41U)
- Jefferson (41G) & Madison Rivers (41F)
- Teton River Basin (41O)
- Upper Clark Fork (76G, 76GJ, 76E, 76F)
- Bitterroot River (76H)
- Grant Creek (Missoula County)
- Houle Creek (Missoula County)
- Rock Creek (Carbon County)
- Sharrott Creek (Ravalli County)
- Sixmile Creek (Missoula County)
- Towhead Gulch (Lewis & Clark County)
- Truman Creek (Flathead County)
- Walker Creek (Flathead County)
- Willow Creek (Ravalli County)

**Section 1. Attachments must make specific reference to the section item shown.**

**HBU.1**     Describe the surface water sources that may expect to be depleted as a result of the proposed appropriation. Provide source names where applicable.

**Section 2. Attachments must make specific reference to the section item shown.**

**HBU.2**    The determination of adverse effect to a prior water right must be based on the amount, timing and location of the net depletion from surface water that will occur from the proposed appropriation. An applicant who determines that no adverse will occur to surface water rights located within the expected depletion area must gather historic beneficial use of those water rights. An applicant may choose to use the data described in the water right records to show there will be no adverse affect or may have to interview existing water users to gather information about their historic use. Check one of the following and attach the required information.

**HBU.2.a**    **Applicant gathered information from the Department records.**

**HBU.2.a.1**    Provide the median of the monthly average flow rate within the sources that will be depleted during the time of depletion.

**HBU.2.a.2**    Provide the total monthly flow rate of the recorded surface water rights located within the sources that will be depleted during the time of depletion.

- HBU.2.a.3**  Provide a comparison of the HBU.2.a.1 and HBU.2.a.2. If the comparison shows that the recorded surface water rights exceed the water available on the source, explain why the proposed use will not create an adverse affect to the existing water rights.

**HBU.2.b**  **Applicant gathered information from existing water right owners.**

- HBU.2.b.1**  Provide water right abstracts of the water rights located on the surface water sources that will be depleted.

- HBU.2.b.2**  On a separate sheet, attach the following information about each water right (shown in HCU.2.b.1 above) located on the surface water sources that will be depleted.

- HBCU.2.b.2.i**  Date applicant interviewed water right owner or person knowledgeable about the water right.

- HBU.2.b.2.ii**  Name of the person interviewed and position, such as water right owner, ranch manager, water right owner attorney, etc.

- HBU.2.b.2.iii**  Provide the following information as obtained from the person interviewed.

- HBU.2.b.2.a**  the actual flow rate diverted

- HBU.2.b.2.b**  the actual period of diversion

- HBU.2.b.2.c**  the description of the annual diversion schedule

- HBU.2.b.2.d**  the month and year the water right was last used

- HBU.2.b.2.e**  if the water right has not been used in the last 10 years, why the water right has not been used