

DNRC OWNERSHIP UPDATE DIVIDED INTEREST

Complete one form for each water right that will be divided.
Your water right will be divided into separate water rights based on the information provided.

Submit all three pages of this form with the filing fee; a deed, contract for deed, or other recorded document; a water right abstract; and a map.

Contact your local DNRC Water Resources Regional Office if you have any questions.

Filing Fee \$50.00

FOR DEPARTMENT USE ONLY

Rec'd Date _____
Rec'd By _____
Fee Rec'd \$ _____ Check No. _____
Payor _____
Refund \$ _____ Date _____
Deposit Receipt # _____
OUID # _____

PART A – GENERAL INFORMATION

1. **DATE OF LAND TRANSFER (SALE)** _____

2. **WATER RIGHT BEING DIVIDED** _____

3. **SELLER (Grantor)** _____
MAILING ADDRESS _____
CITY _____ STATE _____ ZIP _____
PHONE _____ EMAIL _____

4. **BUYER (Grantee)** _____
MAILING ADDRESS _____
CITY _____ STATE _____ ZIP _____
PHONE _____ EMAIL _____

5. **HOW IS THIS WATER RIGHT BEING DIVIDED?** Please check only one.
The water right is being divided as specifically identified in a deed, contract for deed, or other recorded document. (Attach a copy and underline the divided interest information.)
The water right is being divided proportionately between the buyer and seller based on the place of use described in the water right. (Attach a copy of the deed, contract for deed, or other recorded document.)

6. **WATER RIGHT ABSTRACT** A current DNRC general abstract of the water right being divided must be submitted. To receive DNRC generated water right abstracts, query the water right at the following web address: <http://www.nris.state.mt.us/dnrc/waterrights/> or contact the regional office serving your area.

7. **MAP** A map must be provided. An aerial photo is preferred. You may also use a scaled map, county plat or quad map showing township and range, section corners, and a north arrow. Identify on the map:
a. The place of use the seller is retaining;
b. The place of use the buyer is receiving;
c. Point(s) of diversion; and
d. The location of any irrigated acres.

IMPORTANT NOTES

- If you want to change or add a point of diversion, place of use, place of storage, or purpose of use of a water right you must first file a change application with the DNRC.
- The combined portions of a divided water right cannot exceed the total flow rate, volume, or period of diversion of the original right.
- The DNRC has no jurisdiction concerning easement, right-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.
- There may be ongoing court action regarding this water right and terms and conditions applicable to the exercise of the divided right. The buyer should be familiar with all aspects of the right received.

PART B – SELLER’S PORTION

(Attach additional sheets if necessary)

1. **SELLER’S NAME** _____

2. PORTION OF WATER RIGHT RETAINED

If specifically identified in the attached recorded document, what flow rate will be retained by the Seller? _____ gpm/cfs

Unless specifically divided in the attached recorded document, both the Seller's and Buyer's water right will retain the full flow rate and the use of the flow rate must be shared and/or alternated. Attach an additional sheet explaining how this will be done such that, in combination, the flow rate of the original water right will not be exceeded.

Purpose of Use _____ Volume (acre-feet) _____

Purpose of Use _____ Volume (acre-feet) _____

3. POINT OF DIVERSION (describe the location to the nearest 10 acres, three quarter sections)

_____ 1/4 _____ 1/4 _____ 1/4 Section _____ Twp _____ N/S Range _____ E/W County _____

Lot _____ Block _____ Tract No. _____ Subdivision Name _____

Government Lot _____ COS _____

_____ 1/4 _____ 1/4 _____ 1/4 Section _____ Twp _____ N/S Range _____ E/W County _____

Lot _____ Block _____ Tract No. _____ Subdivision Name _____

Government Lot _____ COS _____

4. PLACE OF USE

Purpose of Use _____ County _____

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ Total Acres

Lot _____ Block _____ Tract No. _____ Subdivision Name _____

Geocode(s) _____ COS _____

Government Lot _____

Purpose of Use _____ County _____

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ Total Acres

Lot _____ Block _____ Tract No. _____ Subdivision Name _____

Geocode(s) _____ COS _____

Government Lot _____

5. SIGNATURE

I CERTIFY UNDER PENALTY OF FALSE SWEARING THAT THE INFORMATION APPEARING HERE IS TO THE BEST OF MY KNOWLEDGE TRUE AND CORRECT.

Seller Signature: _____

Date: _____

Seller Signature: _____

Date: _____

PART C - BUYER'S PORTION

(Attach additional sheets if necessary. If more than one buyer, add sheets showing each buyer's portion.)

1. **BUYER'S NAME** _____

2. **PORTION OF WATER RIGHT ACQUIRED**

Flow Rate (gpm/cfs) _____ (Only if specifically identified in the attached recorded document—see Part B, Number 2)

Purpose of Use _____ Volume (acre-feet) _____

Purpose of Use _____ Volume (acre-feet) _____

3. **POINT OF DIVERSION** (describe the location to the nearest 10 acres, three quarter sections)

_____ 1/4 _____ 1/4 _____ 1/4 Section _____ Twp _____ N/S Range _____ E/W County _____

Lot _____ Block _____ Tract No. _____ Subdivision Name _____

Government Lot _____ COS _____

_____ 1/4 _____ 1/4 _____ 1/4 Section _____ Twp _____ N/S Range _____ E/W County _____

Lot _____ Block _____ Tract No. _____ Subdivision Name _____

Government Lot _____ COS _____

4. **PLACE OF USE**

Purpose of Use _____ County _____

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ Total Acres

Lot _____ Block _____ Tract No. _____ Subdivision Name _____

Geocode(s) _____ COS _____

Government Lot _____

Purpose of Use _____ County _____

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ acres _____ 1/4 _____ 1/4 _____ 1/4 Sec _____ TWP _____ N/S RGE _____ E/W

_____ Total Acres

Lot _____ Block _____ Tract No. _____ Subdivision Name _____

Geocode(s) _____ COS _____

Government Lot _____

5. **SIGNATURE**

I CERTIFY UNDER PENALTY OF FALSE SWEARING THAT THE INFORMATION APPEARING HERE IS TO THE BEST OF MY KNOWLEDGE TRUE AND CORRECT.

Buyer Signature: _____

Date: _____

Buyer Signature: _____

Date: _____