

THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

GOVERNOR GREG GIANFORTE



DNRC DIRECTOR AMANDA KASTER

DNRC Water Resources
Billings Regional Office
1371 Rintop Dr.
Billings, MT 59105-1978

July 30, 2026

Swope Ranch, LLC
1110 Kinsey Road
Miles City, MT 59301-8740

Subject: Correct and Complete Application for Change No. 42K 30172434

Dear Applicant,

The Department of Natural Resources and Conservation (Department) has determined that your application is correct and complete pursuant to ARM 36.12.1601. Please remember that correct and complete **does not mean that your application will be granted.** The purpose of this letter is to indicate that the Department has enough information to analyze your water right application.

The Department will issue a Draft Preliminary Determination within 60 days of the date of this letter per §85-2-307(2)(b), MCA.

Following issuance of the Draft Preliminary Determination, you (Applicant) will have 15 business days to request an extension of time to submit additional information, if desired pursuant to §85-2-307(3)(a), MCA.

If no extension of time is requested and the Draft Preliminary Determination decision is to grant your application or grant your application in modified form, the Department will prepare a notice of opportunity to provide public comment, per §85-2-307(4)(a), MCA.

If no extension of time is requested and the Draft Preliminary Determination decision is to deny your application, the Department will adopt the Draft Preliminary Determination as the final determination per §85-2-307(3)(d)(ii), MCA.

If you have any questions or concerns about the application process, please contact me.

Sincerely,

A handwritten signature in blue ink that reads "C. Strebeck". The signature is fluid and cursive, with the first name "C." and the last name "Strebeck" clearly visible.

Cassey Strebeck
Water Resource Specialist
Billings Regional Office, Montana DNRC
Cassey.Strebeck@mt.gov
406-247-4422



DNRC.MT.GOV



**APPLICATION TO
CHANGE A WATER RIGHT**
§ 85-2-302, MCA
Form No. 606 (Revised 10/2025)

For Department Use Only

RECEIVED

JUL 10 2026

DNRC - WRD - BILLINGS

FILING FEE

\$2500/\$1500 – Without/with filing fee reduction.

\$400 – (The following types do not qualify for a filing fee reduction)

- Replacement well greater than 200 feet from original
- Replacement reservoir on the same source

INFORMATION

An application will be eligible for a filing fee reduction and expedited timelines if the applicant completes a preapplication meeting with the Department (ARM 36.12.1302(1)), which includes submitting any follow-up information identified by the Department (ARM 36.12.1302(3)(c)) and receiving either Department-completed technical analyses or Department review of applicant-submitted technical analyses (ARM 36.12.1302(4) and (5)). An application for the proposed project also must be submitted within 180 days of delivery of Department technical analyses or scientific credibility review and no element on the submitted application can be changed from the completed preapplication meeting form (ARM 36.12.1302(6)). If application is eligible for a filing fee reduction, \$500 paid for Form 606P-B will be credited toward filing fees shown above.

Application # 30172434 Basin 42K
Priority Date 07/10/26 Time 0800 AM/PM
Rec'd By CSJ
Fee Rec'd \$ 1000.00 Check # 11032
Deposit Receipt # BLS2700572
Payor Swope Ranch LLC
Refund \$ _____ Date _____

Applicant Information: Add more as necessary.

Applicant Name Swope Ranch LLC
Mailing Address 1110 Kinseng Rd City Miles City State MT Zip 59301
Phone Numbers: Home 406-863-5027 Work 406-951-0030 Cell _____
Email Address jacob-102@hotmail.com

Applicant Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone Numbers: Home _____ Work _____ Cell _____
Email Address _____

Applicant Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone Numbers: Home _____ Work _____ Cell _____
Email Address _____

Contact/Representative Information: Add more as necessary.

Contact/Representative is: ☒ Applicant ☐ Consultant ☐ Attorney ☐ Other

Contact/Representative Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone Numbers: Home _____ Work _____ Cell _____
Email Address _____

NOTE: If a contact person is identified as an attorney, all communication will be sent only to the attorney unless the attorney provides written instruction to the contrary (ARM 36.12.122(2)). If a contact person is identified as a consultant, employee, or lessee, the individual filing the water right form or objection form will receive all correspondence and a copy may be sent to the contact person (ARM 36.12.122(3)).

Answer every question and applicable follow-up questions. Use the checkboxes to denote yes ("Y"), no ("N"), or not applicable ("NA"). Questions that require items to be submitted to the Department have a submitted ("S") checkbox, which is marked when the required item is attached to the Application. Label all submitted items with the question number for which they were submitted. Narrative responses that are larger than the space provided can be answered in an attachment. If an attachment is used, specify "see attachment" on this form, and label the attachment with the question number. Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative. Responses in the form of a table may be entered into the table provided on this form or in an attachment. If an attachment is used, the table must have the exact headings found on this form, and "see attachment" must be entered as a response to the relevant question. Clearly label all units in tables and narrative responses.

PREAPPLICATION AND TECHNICAL ANALYSES INFORMATION

1. ☒ Y ☐ N Do you elect for Department technical analyses to be used for criteria assessment?

2. ☒ Y ☐ N Did you have a preapplication meeting AND complete a Change Preapplication Meeting Form Part A and Part B (Form 606P-A and 606P-B)?

IF QUESTION 2 IS NO, answer 2.a and 2.b:

2.a. ☐ S Submit the Technical Analyses Addendum (Form 606-TAA).

2.b. ☐ S ☐ NA Submit the technical analyses, if you elected in question 1 for Applicant technical analyses to be used for criteria assessment. Select "NA" if you elected for Departmental technical analyses.

IF QUESTION 2 IS YES, answer 2.c, 2.d, and 2.e:

2.c. ☐ Y ☒ N Has any element of the project described in this application changed from the mandatory elements of the project described in the completed Form 606P? **If yes,**

2.c.i. Please explain.

2.c.ii. ☐ S Submit the Technical Analyses Addendum (Form 606-TAA).

2.d. ☒ Y ☐ N Are the technical analyses to be used for criteria assessment exactly the same as those completed during the preapplication process? **If no:**

2.d.i. Please explain.

2.d.ii. ☐ S Submit the Technical Analyses Addendum (Form 606-TAA).

2.e. ☒ Y ☐ N Did you elect in question 1 for Department technical analyses to be used for criteria assessment? **If no:**

2.e.i. ☐ S Submit the technical analyses.

APPLICATION ADDENDA AND REVIEW

3. ☐ S ☒ NA If the proposed change involves one or more places of storage, submit a Change Storage Addendum (Form 606-SA). This does not include reservoirs, pits, pit-dams, or ponds with a capacity less than 0.1 AF; water tanks; or cisterns (ARM 36.12.113(6)).
4. ☐ S ☒ NA If the project involves an appropriation that is greater than 5.5 CFS and 4,000 acre-feet, submit a Reasonable Use Addendum (Form 606-B).
5. ☐ S ☒ NA If the project involves out-of-state water use, submit an Out-of-State Use Addendum (Form 600/606-OSA).
6. ☐ S ☒ NA If the proposed purposes include marketing or selling water, submit a Water Marketing Purpose Addendum (Form 600/606-WMA). This doesn't include marketing for mitigation/aquifer recharge.
7. ☐ S ☒ NA If the proposed purpose includes instream flow, submit a Change to Instream Flow Addendum (Form 606-IFA).
8. ☐ S ☒ NA If the proposed purposes include mitigation, aquifer recharge, or marketing for mitigation/aquifer recharge, submit a Mitigation Purpose Addendum (Form 606/606-MIT).
9. ☒ S ☐ NA If the project is in designated sage grouse habitat, submit a review letter from the Montana Sage Grouse Habitat Conservation Program.
10. ☐ S ☒ NA If you propose to add a point of diversion or place of use on State of Montana Trust Land, submit documentation of consent from DRNC Trust Lands Management Division. If you propose to add a place of use on Trust Land with all points of diversion on private land, then, at a minimum, that component of the change authorization will be temporary for the duration of the lease term (§ 85-2-441, MCA).
11. ☐ Y ☒ NA You must provide a written notice of the application to each owner of an appropriation right sharing a point of diversion or means of conveyance (e.g., canal, ditch, flume, pipeline, or constructed waterway) pursuant to § 85-2-302(4)(c), MCA. Submit a copy of this notice and the recipient list.

APPLICATION DETAILS

12. How many change applications will be needed for this project? Refer to ARM 36.12.1305 for more information. 1

13. Fill out the table below for the water rights proposed for change.

Water Right No.	Current Authorized Flow Rate			Flow Rate Needed for Project			Means of Diversion
	Flow	GPM	CFS	Flow	GPM	CFS	
42K175169-00	6.68	☐	☒	6.68	☐	☒	Pump
		☐	☐		☐	☐	
		☐	☐		☐	☐	
		☐	☐		☐	☐	
		☐	☐		☐	☐	

14. Is the source surface water or groundwater? Surface Water

15. What is the source name? Yellowstone River

16. Identify the water right elements proposed for change, with a checkmark, for each water right proposed for change.

Water Right No.	42K 175169-00				
Point of Diversion	☒	☐	☐	☐	☐
Place of Use	☐	☐	☐	☐	☐
Purpose of Use	☐	☐	☐	☐	☐
Place of Storage	☐	☐	☐	☐	☐

17. ☒ **S** Submit a historical use map created on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, north arrow, all historical points of diversion (POD) labeled with a unique POD ID ("H" followed by a number), all historical places of use (POU), all historical conveyance structures, all historical places of storage, and historical place of use for all overlapping water rights. More than one map may be submitted, if necessary, to clearly convey all required information.

18. ☒ **S** Submit a proposed use map created on an aerial photograph or topographic map that shows section corners, township and range, scale bar, north arrow, and the following elements: points of diversion labeled with a unique POD ID ("P" followed by a number), places of use, conveyance structures, places of storage, and place of use for all overlapping water rights. Include all elements that will be on the water rights after the proposed change, regardless of whether the element will be modified by the change. The map should fully depict the water rights, as proposed, after the change. More than one map may be submitted, if necessary, to clearly convey all required information.

19. ☒ Y ☐ N Does the proposed change involve a change in point of diversion?

IF YES,

19.a. Describe the location for all *new* and *unchanged* points of diversion to the nearest 10 acres. Label POD ID with the same POD ID number assigned for the proposed use map (question 18).

[illegible]

19.b. ☐ NA Describe the location of all historical PODs you propose to *retire*. Label POD ID with the same POD ID assigned for the historical use map (question 17). If none are proposed for retirement, select “NA” checkbox.

[illegible]

19.c. What is the means of diversion for all *new* PODs? Means of diversion for surface water includes headgate, pump, dam, and others. Means of diversion for groundwater includes well, developed spring, pit pond, and others.

Pump

20. ☐ Y ☒ N Does the proposed change involve a change in place of use?

IF YES,

20.a. What are the geocodes of the proposed place of use?

20.b. Describe the legal land description of the proposed place of use, and if the water rights being changed will have an irrigation or lawn and garden purpose, list the number of irrigated acres.

Acres	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County
	Total							

21. ☐ Y ☒ N Does the proposed change involve a change in place of use or purpose?

IF YES,

21.a. ☐ Y ☐ N Do other water rights supplement or overlap the proposed place of use?

IF YES,

21.a.i. How will the water rights be operated to serve the proposed purposes?

21.a.ii. For each supplemental or overlapping water right, please list the average period of diversion and use (MM/DD-MM/DD), flow rate (GPM or CFS), and the volume of water (AF) contributed.

Water Right No.	Avg. Period of Diversion	Avg. Period of Use	Flow Rate			Volume Contributed
	MM/DD-MM/DD	MM/DD-MM/DD	Flow	GPM	CFS	AF
				☐	☐	
				☐	☐	
				☐	☐	
				☐	☐	

22. ☐ Y ☒ N Are you filing on behalf of another entity? If yes, describe.

23. ☒ Y ☐ N Do you own the entire historical place of use for all water rights proposed for change?

IF QUESTION 23 IS NO,

23.a. ☐ Y ☐ N Was the water historically used for sale, rental, distribution, municipal use, or any other context in which water is being supplied to another and it is clear that the ultimate user would not accept the supply without consenting to the use of water on the user's place of use?

IF QUESTION 23.a IS NO,

23.a.i. ☐ Y ☐ N List the water rights for which you do not own the entire historical place of use.

23.a.ii. ☐ Y ☐ N Are the water rights listed in question 23.a.i severed from the historical place of use?

IF QUESTION 23.a.ii IS YES,

23.a.ii.1. ☐ Y ☐ N Do you own the entirety of the severed water rights proposed for change? If yes, skip to question 24. If no, answer question 23.a.iii.

IF QUESTION 23.a.ii OR 23.a.ii.1 IS NO,

23.a.iii. ☐ Y ☐ N ☐ NA Are all owners of the historical place of use or, if applicable, owners of the severed water rights, willing to sign the application?

IF QUESTION 23.a.iii IS NO,

23.a.iii.1. ☐ S Submit a Form 641 or 642 to split the water rights being changed for which all owners will not sign.

ADVERSE EFFECT

24. Explain how you can control your diversion in response to a call being made.

Diversion can cease

25. Describe any plans you have for ensuring existing water rights will be satisfied during times of water shortage.

Pump can be running until water at diversion runs out. Diversion will then cease until adequate water supply has returned.

26. ☐ Y ☒ N Are you aware of any calls that have been made on the source of supply or, if groundwater, on nearby surface water sources?

26.a. If yes, explain.

27. Describe how the proposed change will or will not affect your ability to make call.

POD moved downstream. May be diversions in between historical and proposed POD. Appropriators in between may be subject to call but they were not subject to call historically.

28. ☐ Y ☒ N Does a water commissioner distribute water or oversee water distribution on your proposed source, or if groundwater, on nearby surface water sources?

28.a. If yes, list the sources.

29. When was the last time each water right proposed for change was appropriated and used beneficially?

April - October 2025

IF THERE HAS BEEN A PERIOD OF NONUSE,

29.a. Why was the water right not used?

29.b. Why will a resumption of use not adversely affect other water users?

29.c. ☐ Y ☐ N Is the period of nonuse greater than 10 years for any of the water rights proposed for change? If yes, list which water rights.

29.d. ☐ Y ☐ N Have new water rights been authorized to use the source during the period of nonuse for any of the water rights proposed for change? If yes, explain.

30. ☐ Y ☒ N Do you propose to add one or more points of diversion or use new or existing conveyance infrastructure that will be shared with one or more existing water rights?

30.a. If yes, describe how the capacity of the shared points of diversion and/or conveyance infrastructure is sufficient for all water rights and how the proposed project will not adversely affect these water rights.

31. ☐ NA Answer questions 31.a to 31.b for point of diversion changes. If you do not propose a point of diversion change, mark "NA" instead.

31.a. Are the proposed points of diversion upstream or downstream of the historical points of diversion?

Downstream

31.b. ☒ Y ☐ N Are there intervening water users between the historical and proposed points of diversion?

31.b.i. If yes, list the water rights.

42K 175255 00, 42K 30071035

ADEQUATE MEANS OF DIVERSION AND OPERATION

32. ☒ S Submit a diagram of how you will operate your system from all proposed points of diversion to all proposed places of use.

33. Describe specific information about the capacity of all proposed diversionary structures. This may include, where applicable: pump curves and total dynamic head calculations, headgate design specifications, and dike or dam height and length.

See question 34.

34. Describe the size, materials, capacity, and configuration of infrastructure to convey water from all proposed points of diversion to all proposed places of use.

A 2700 GPM electric pump pumps water into 12" 80lb underground pipe. This leads to three different above ground headgates that tie into 12" above ground gated irrigation pipe that runs along all proposed places of use.

35. ☐ Y ☒ N Does the proposed conveyance require easements?

35.a. If yes, explain.

36. Describe your plan of operations, including specific information about how water is delivered within the place of use. This may include, where applicable, the range of flow rates needed for a pivot.

See question 34.

37. ☒ Y ☐ N ☐ NA If you propose to add one or more points of diversion, do you own the land where all proposed points of diversion are located? If you do not propose to add one or more points of diversion, mark "NA" instead.

37.a. ☐ S If no, submit documentation to show you have the right to use all points of diversion located on each property you do not own. This may include, but is not limited to, a well agreement, an easement, or permission of the party that owns the property where the proposed point(s) of diversion are located.

38. ☐ Y ☒ N Will your system be designed to discharge water from the project?

38.a. If yes, explain the wastewater disposal method.

- 38.b. ☐ Y ☐ N ☐ NA Have the necessary permits been obtained to comply with §§ 75-5-410 and/or 85-2-364, MCA?

39. ☐ Y ☒ N Is the means of diversion for any proposed point of diversion a well?

IF YES,

39.a. ☐ Y ☐ N Have all wells been drilled?

39.b. For all wells that have been drilled, what is the name of the well driller and, if available, what is their license number?

39.c. ☐ Y ☐ N ☐ NA For all wells yet to be drilled, will a licensed well driller construct the wells? If no wells are yet to be drilled, mark "NA" instead.

39.d. ☐ S ☐ NA Submit any well logs not yet submitted to the Department, such as for wells drilled after submittal of Form 606P. If all well logs have been submitted to the Department, mark "NA."

BENEFICIAL USE

40. ☒ Y ☐ N Does the Department have a standard period of diversion, period of use, flow rate, and/or volume for any of the purposes for which water is used? Department standards can be found in the DNRC Water Calculation Guide, ARM 36.12.112, ARM 36.12.115, and ARM 36.12.1902.

40.a. If yes, list the purposes for which the Department has a standard and note whether the water use falls within or outside the standard.

Irrigation, volume is outside standard (volume is 4 AF/AC), volume may
be necessary for sandy soils.

40.b. For any of the purposes with no Department standard or with proposed beneficial use that falls outside of Department standards, explain how the use is reasonable for that purpose.

41. ☐ Y ☒ N Will your proposed project be subject to Montana Department of Environmental Quality (DEQ) requirements for a public water supply (PWS) system or Certificate of Subdivision Approval (COSA)?

42. ☐ Y ☒ N Are you proposing to use surface water for in-house domestic use?

42.a. ☐ Y ☐ N If yes, does a COSA exist for the proposed place of use?

42.a.i. ☐ S If yes, submit the COSA.

POSSESSORY INTEREST

43. ☐ Y ☒ N Do you meet one of the exceptions to possessory interest requirements, pursuant to ARM 36.12.1802 and § 85-2-402(2)(d), MCA? Exceptions include cases where the application is for sale, rental, distribution, or is a municipal use, or in any other context in which water is being supplied to another and it is clear that the ultimate user will not accept the supply without consenting to the use of water on the user's place of use, and applications for the purposes of instream flow, mitigation, and marketing for mitigation.

43.a. If yes, explain.

44. ☒ Y ☐ N ☐ NA Do you own all proposed places of use? Mark "NA" if you meet one of the exceptions to the possessory interest requirement.

44.a. ☐ S If no, explain and submit documentation that shows you either have possessory interest or written permission of the parties with possessory interest of the proposed place of use.

PROPOSED COMPLETION PERIOD

45. How many years will be needed to complete this project and to submit to the DNRC a Project Completion Notice (Form 618)? Project is complete.

46. Describe why this amount of time is needed to complete this project.

AFFIDAVIT & CERTIFICATION

Read carefully before you sign and review with legal counsel if you have any questions. All owners (or trustees) must 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.) and provide documentation that establishes the authority of the representative to sign the application.**

I affirm the information provided for this application is to the best of my knowledge true and correct. If a preapplication meeting form was submitted, I am aware that my application for this project will not qualify for a discounted filing fee and expedited timelines if upon submittal of the application to the Department, I changed any element of the proposed application from the preapplication meeting form and follow-up materials (ARM 36.12.1302(6)(a)).

I affirm I have possessory interest, or the written consent of the person with the possessory interest, in the property where the water is to be put to beneficial use, unless this application meets an exception to the possessory interest requirements in ARM 36.12.1802(1)(b).

I understand that making a false statement under oath or affirmation in this application and official proceedings throughout the examination of my application may subject me to prosecution under § 45-7-202, MCA, a misdemeanor punishable by a jail term not to exceed 6 months or a fine not to exceed \$500, or both. I have read this Affidavit and understand the terms and conditions.

I declare under penalty of perjury and under the laws of the state of Montana that the foregoing is true and correct.

Printed Name MICHAEL SWOPE - SWOPE RANCH LLC
Applicant Signature *Michael C. Swope man/mgr* Date: 5/22/26

Printed Name NANCY SWOPE
Applicant Signature *Nancy Swope* Date: 5/22/26

Printed Name Michael C Swope
Applicant Signature *Michael C. Swope* Date: 5/22/26

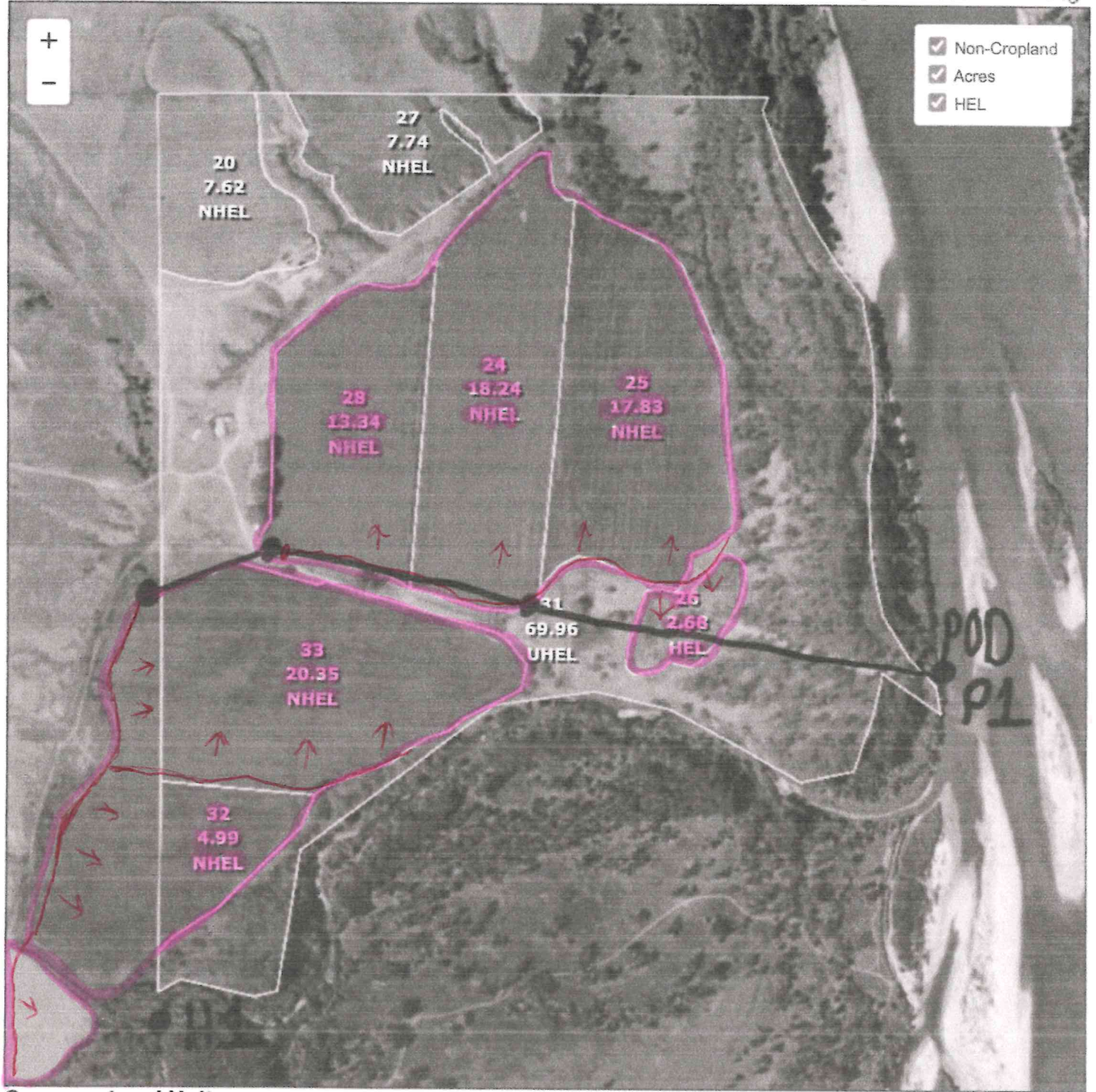
Jacob Swope
Jacob Swope 6/22/26

#18 Proposed Use Map #32 Adequate Means of Diversion and Operation



Custer County, Montana Pipeline and places of use

Sec 14 Twp 8N Rge 47E County Custer



Common Land Unit

Cropland

Non-cropland

CRP

Questions #8, #9, #37

2025 Crop Year

Farm 4368

Tract 16189

12" 80lb underground

Black line = pipe

Wetland Determination Identifiers

● Restricted Use

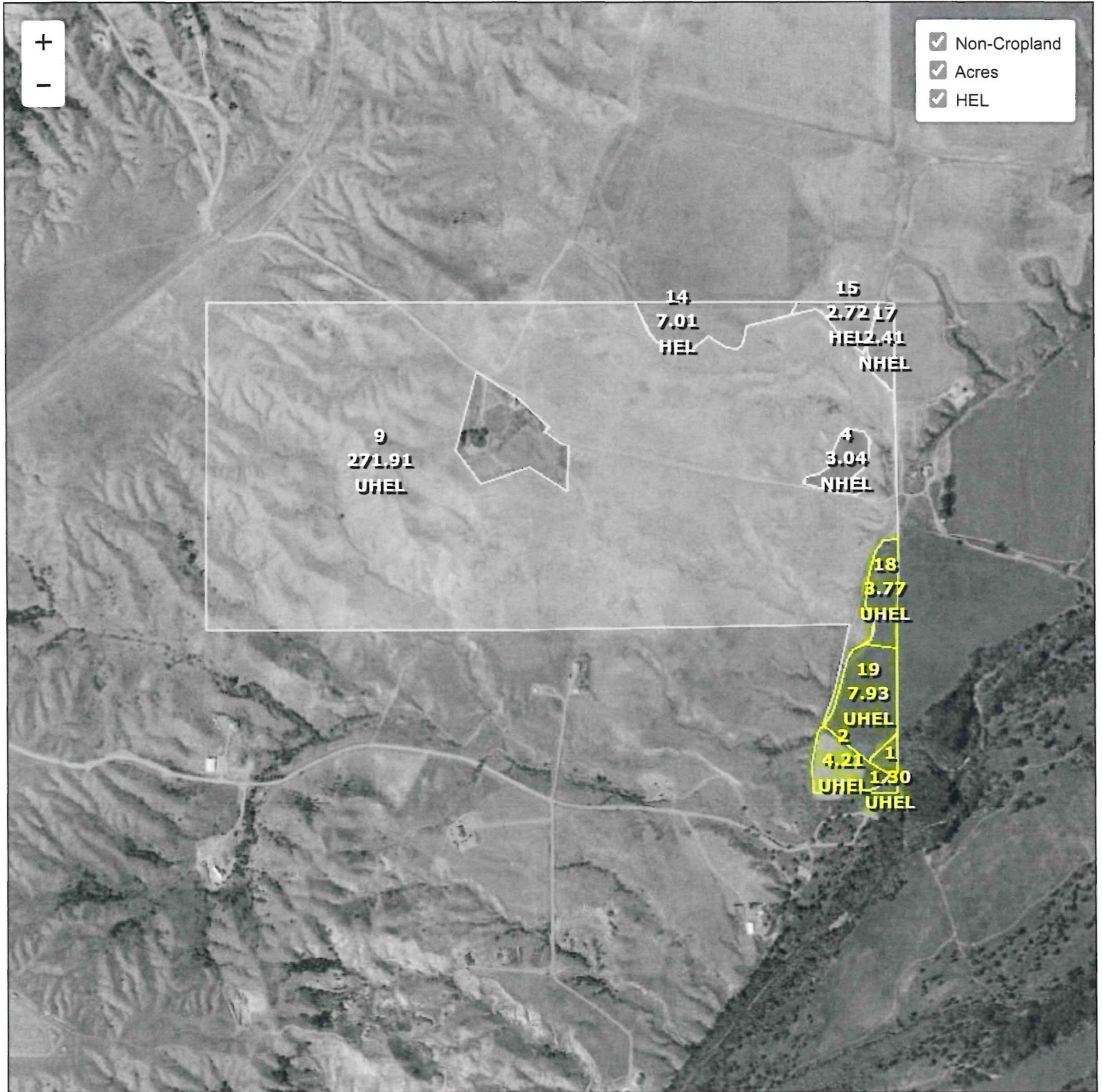
○ Limited Restrictions

■ Exempt from Conservation Compliance Provisions

Pink outline = Places of use
Red line = 12" Gated Pipe above ground



United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).



Common Land Unit

Cropland Non-cropland CRP

Farm 4368
Tract 16186

Wetland Determination Identifiers

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions

2025 Crop Year

Yellow Outline = Places of Use



#11 Historical Use Map

8N 47E 15

8N 47E 14

N
↑



H1

Black Line = Ditch



42K 30172434 - Swope Ranch LLC - Proposed

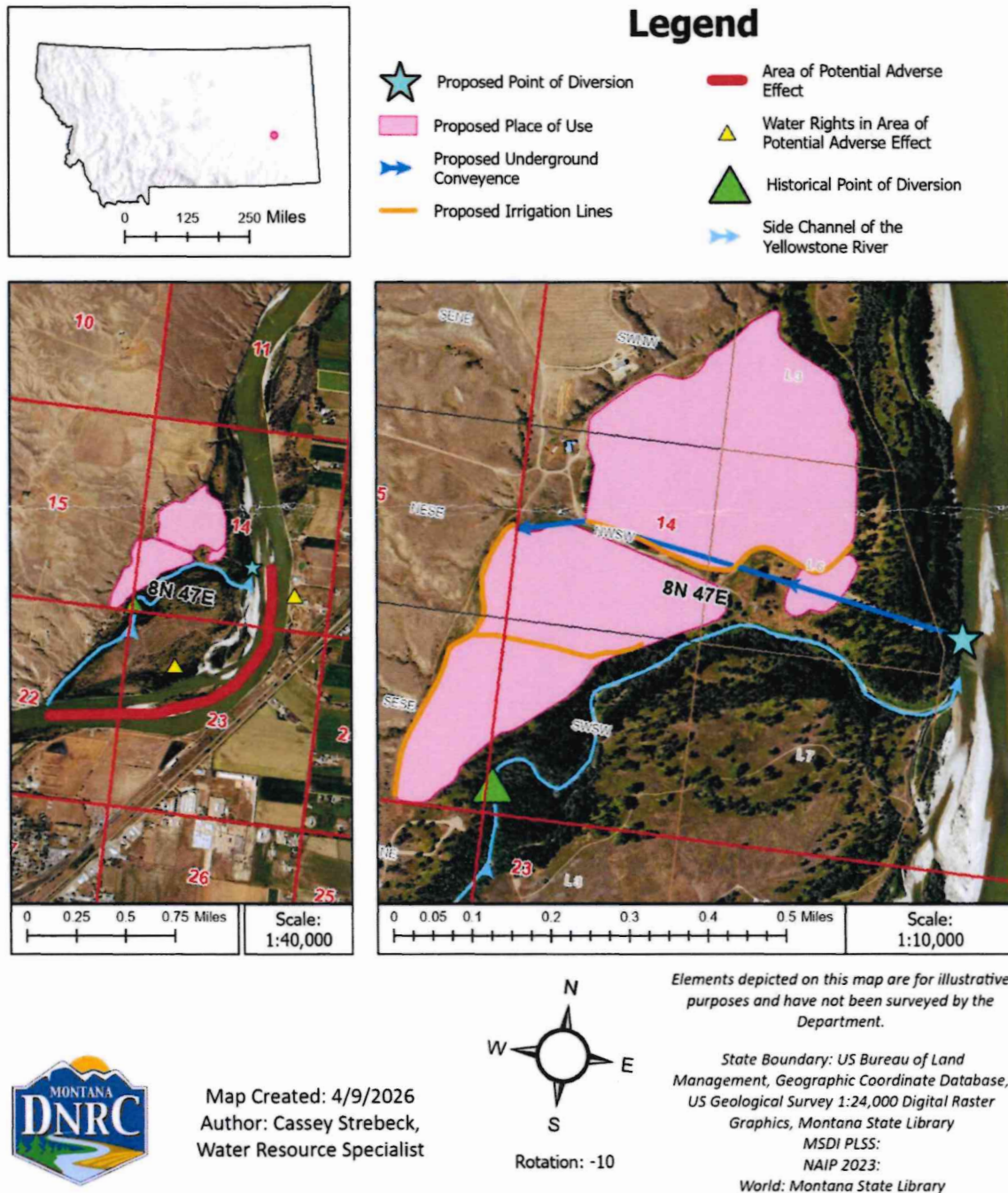


Figure 1: Map of the Applicant's proposed point of diversion on the Yellowstone River, located in the SWNWSE Sec. 14, T8N, R47E, and place of use of 83.80 acres in W2 Sec. 14 and 15 acres in E2E2SE Sec. 15 T8N R47E, Custer County.

MONTANA SAGE GROUSE HABITAT CONSERVATION PROGRAM



GREG GIANFORTE, GOVERNOR

1539 ELEVENTH AVENUE

STATE OF MONTANA

PHONE: (406) 444-0554
FAX: (406) 444-6721

PO BOX 201601
HELENA, MONTANA 59620-1601

Project No. 7254
Governor's Executive Orders 12-2015 and 21-2015
Swope Ranch Irrigation

Jacob Swope
1110 Kinsey Road
Miles City, MT 59301

January 13, 2026

Dear Mr. Swope,

The Montana Sage Grouse Habitat Conservation Program received a request for consultation and review of your project or proposed activity on December 13, 2025. Based on the information provided, this Project is located within General Habitat for sage grouse.

Executive Orders 12-2015 and 21-2015 set forth Montana's Sage Grouse Conservation Strategy. Montana's goal is to maintain viable sage grouse populations and conserve habitat so that Montana maintains flexibility to manage our own lands, our wildlife, and our economy and ensure that a listing under the federal Endangered Species Act is not warranted in the future.

The Program has completed its review, including:

Project Description:

Project Type: Agriculture – Water

Project Disturbance: 13.33 Acres Existing Irrigation Field; Two Irrigation Pump Sites
Totaling 0.004 Acres

Construction Timeframe: December 13, 2025 to December 14, 2025; Temporary (<1
Year)

Operations Timeframe: December 15, 2025; Permanent (>25 Years)

Project Location:

Legal: Township 8 North, Range 47 East, Sections 14, 15

County: Custer

Ownership: Fish, Wildlife, and Parks, Private



Hosted by the Montana Department of Natural Resources and Conservation
Director's Office: (406) 444-2074



Project Description and Executive Orders 12-2015 and 21-2015 Consistency:

The Swope Ranch Irrigation Project proposes to install a new irrigation pump in General Habitat for sage grouse.

The Swope Ranch proposes to remove an irrigation pump and install a new pump approximately 1.23 miles northeast of Billings, Montana in Custer County. See Figure 1 (Swope Ranch Irrigation Project and Lek Location Map). No Project activities will occur within designated sage grouse habitat. There are irrigated lands associated with this Project inside of General Habitat for sage grouse and they will remain the existing size.

To implement the Project, the old pump will be removed from its current location along the Yellowstone River. The new pump will then be installed at a closer location to the existing irrigated fields along the Yellowstone River. No reclamation is planned for this Project.

Based on the information you provided, your project is not within two miles of an active sage grouse lek in General Habitat. See Figure 1 (Swope Ranch Irrigation Project and Lek Location Map).

Discussion:

Exempt activities are identified in Executive Order 12-2015 (EO) as described in Attachment F. The activity described for the Swope Ranch Irrigation Project (irrigation without conversion of sagebrush) is exempt from stipulations per Executive Order 12-2015. Your proposed Project may need to obtain additional permits or authorizations from other Montana state agencies or possibly federal agencies. They are very likely to request a copy of this consultation letter, so please retain it for your records.

Program Recommendations:

The following stipulations are taken from Montana Executive Order 12-2015. These stipulations are designed to maintain existing levels of suitable sage grouse habitat by managing uses and activities in sage grouse habitat to ensure the maintenance of sage grouse abundance and distribution in Montana. Development should be designed and managed to maintain populations and sage grouse habitats.

- Weed management is required within General Habitat for sage grouse. Reclamation of disturbed areas must include control of noxious weeds and invasive plant species, including cheatgrass (*Bromus tectorum*) and Japanese brome (*Bromus japonicas*).

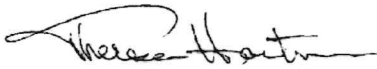
Your activities are consistent with the Montana Sage Grouse Conservation Strategy. Your proposed project or activity may need to obtain additional permits or authorization from other Montana state agencies or possibly federal agencies. They are very likely to request a copy of this consultation letter, so please retain it for your records.



If the location or boundaries of your proposed project or activity change in the future, or if new activities are proposed within one of the designated sage grouse habitat areas, please visit <https://sagegrouse.mt.gov/> and submit the new information.

Thanks for your interest in sage grouse and your commitment to taking the steps necessary to ensure Montana's Sage Grouse Conservation Strategy is successful.

Sincerely,



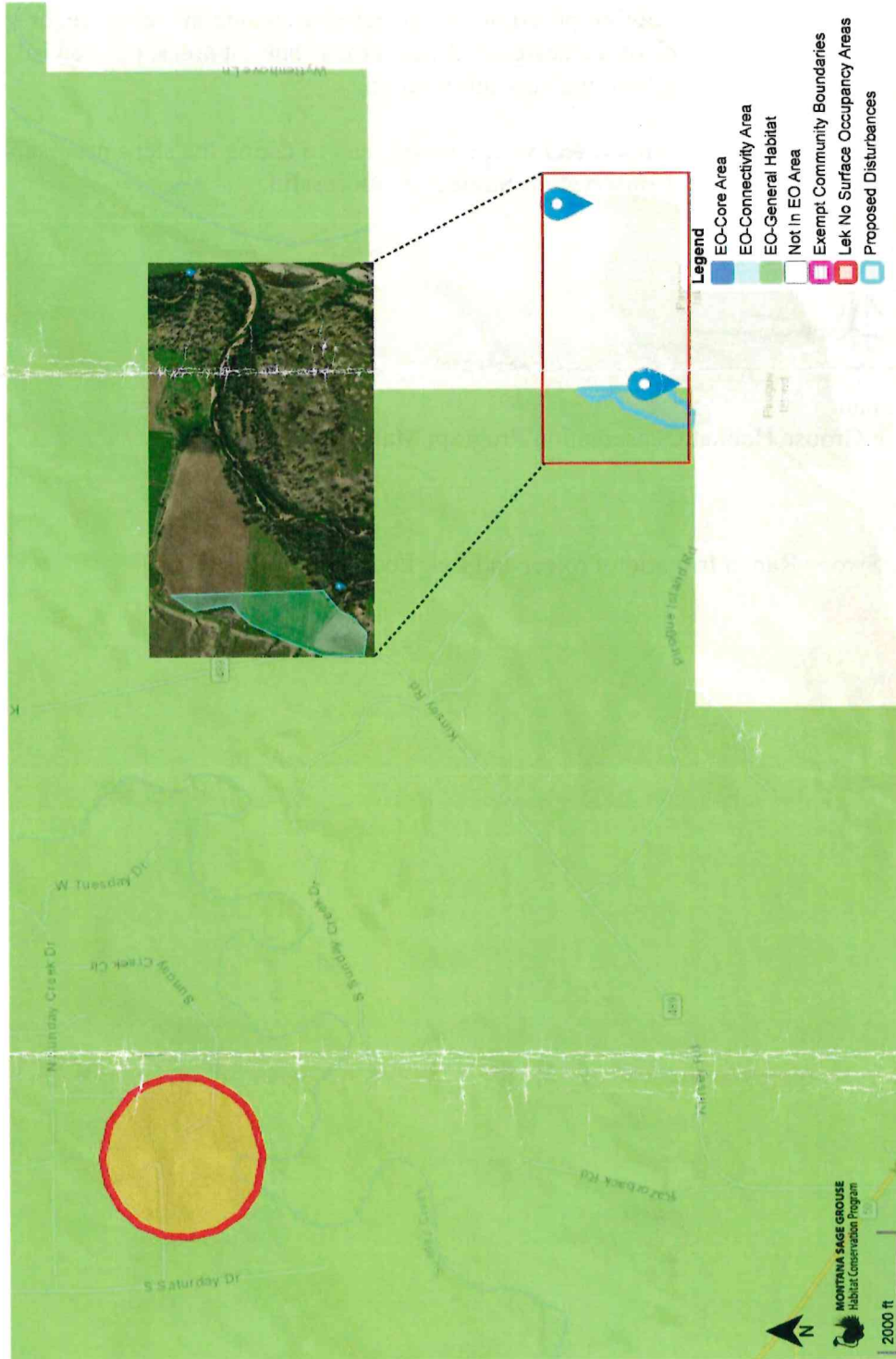
Therese Hartman
Montana Sage Grouse Habitat Conservation Program Manager

Enclosures:

1. Figure 1. Swope Ranch Irrigation Project and Lek Location Map



7254_Swope Ranch Irrigation Project and Lek Location



Hosted by the Montana Department of Natural Resources and Conservation
Director's Office: (406) 444-2074





DNRC Water Resources
Billings Regional Office
1371 Rimtop Dr.
Billings, MT 59105-1978

May 7, 2026

Swope Ranch, LLC
1110 Kinsey Road
Miles City, MT, 59301-8740

Subject: Complete Technical Analyses for Change Preapplication No. 42K 30172434

Dear Applicant,

As designated on the submitted Preapplication Meeting Form per §85-2-302(3)(b), MCA, the Department of Natural Resources and Conservation (DNRC or Department) has completed the technical analyses for Change Preapplication No. 42K 30172434 based on the information provided in your Preapplication Meeting Form accepted by the Department on March 23, 2026. The technical analyses can be found in the attached report.

This Technical Analyses Report **IS**: A collection of facts that the DNRC has gathered, including content provided in the Preapplication Meeting Form materials. The Department will use these data to analyze the criteria in §85-2-402, MCA if you submit an application for the project described in the completed Preapplication Meeting Form.

This Technical Analyses Report **IS NOT**: An analysis or discussion of whether the Preapplication Meeting Form as filed meets the criteria (§85-2-402, MCA).

You have 180 days to submit the Water Right Change Application Form 606 considering the information provided in the technical analyses and Preapplication Meeting Form. If the Application Form is not submitted to the Billings Regional Office by **November 3, 2026**, a new preapplication meeting will be required to process the Application with expedited timelines (ARM 36.12.1302(6)(b)). If any details described in the submitted Application are changed from that of the submitted Preapplication Meeting Form, the discounted filing fee and expedited timelines will not apply (ARM 36.12.1302(6)(a)). Please note that the technical analyses will expire one year from the date of this letter (ARM 36.12.1302(8)).



Please let me know if you have any questions.

Sincerely,



Cassey Strebeck
Water Resource Specialist
Billings Regional Office, Montana DNRC
Cassey.Strebeck@mt.gov
406-247-4422





Surface Water Change Technical Analyses Report

Department of Natural Resources and Conservation (DNRC/ Department)

Water Resources Division

Cassey Strebeck, Water Resource Specialist, Billings Regional Office

Applicant	Swope Ranch LLC
Application No.	42K 30172434
Proposed Point of Diversion	SWNWSE Section 14, Township 8N, Range 47E

Overview

This report analyzes data submitted by the Applicant in support of the above-mentioned water right change application. This report provides technical analyses as required under the Administrative Rules of Montana (ARM) 36.12.1303 in support of the water rights criteria assessment as required in § 85-2-402, Montana Code Annotated (MCA). This report was completed by regional office staff.

This Surface Water Change Technical Analyses Report contains the following sections:

Surface Water Change Technical Analyses Report	1
Overview	1
1.0 Application Details	2
2.0 Historical Use Technical Analysis	4
2.1 Historical Field Consumed and Applied Volumes	4
2.2 Historical Conveyance Losses	5
2.3 Historical Diverted Volume	5
2.4 Summary of Historical Use	6
3.0 Analysis of Impacted Surface Water Sources	6
3.1 Summary of Proposed Use	6
3.2 Area of Potential Adverse Effect	8
Review	8
References	8



1.0 Application Details

The Applicant proposes to change the point of diversion for Statement of Claim 42K 175169-00. No other changes to this water right are proposed. The historical point of diversion is located on a side channel of the Yellowstone River in the SWSWSW (Sec.) 14, Township (T) 8N, Range (R) 47E, Custer County. The proposed point of diversion is located on the mainstem of the Yellowstone River in the SWNWSE Sec. 14, T8N, R47E, Custer County. The existing place of use will remain as 83.80 acres in the W2 Sec. 14 and 15 acres in the E2E2SE Sec. 15, T8N, R47E, Custer County. The water right proposed for change is in Table 1.

Table 1: Statement of Claim 42K 175169-00, Use Prior to July 1, 1973 (Historical)

Water Right Number	Flow Rate	Volume	Purpose	Acres	Period Of Use	Place of Use	Point of Diversion	Priority Date
42K 175169-00	6.68 CFS	395.20 AF	Irrigation	98.8	Apr. 1 to Oct. 1	83.80 acres in W2 Sec. 14 & 15 acres in E2E2SE Sec. 15 T8N, R47E, Custer County	SWSWSW Sec. 14, T8N, R47E, Custer County	May 1, 1910



42K 30172434 - Swope Ranch LLC - Proposed

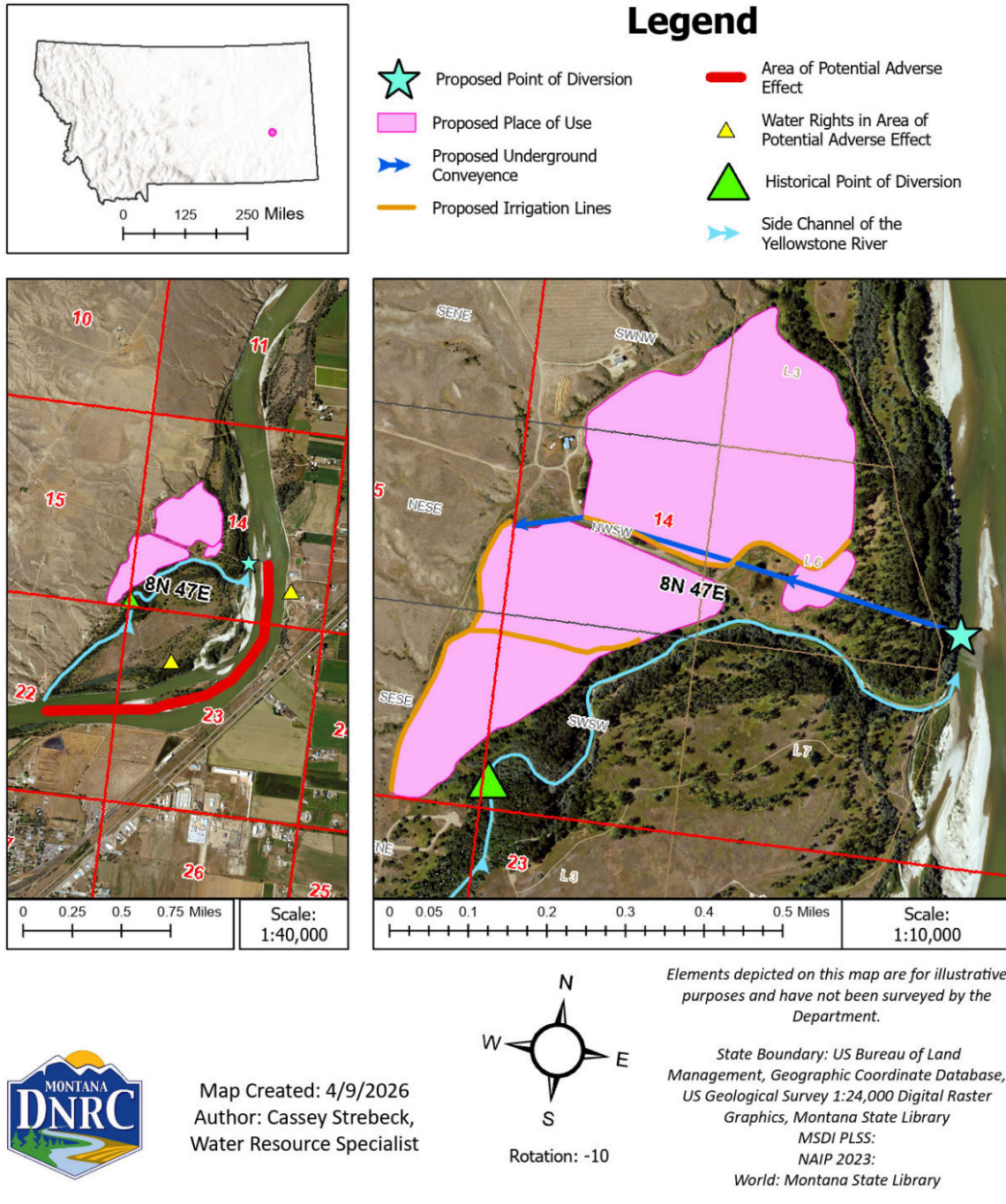


Figure 1: Map of the Applicant's proposed point of diversion on the Yellowstone River, located in the SWNWSE Sec. 14, T8N, R47E, and place of use of 83.80 acres in W2 Sec. 14 and 15 acres in E2E2SE Sec. 15 T8N R47E, Custer County.



2.0 Historical Use Technical Analysis

2.1 Historical Field Consumed and Applied Volumes

The consumed volume for irrigation is based on the net irrigation requirement (NIR) from USDA Natural Resources Conservation Service Irrigation Water Requirements (IWR) at a representative weather station. The NIR is multiplied by a county-wide management factor (from ARM 36.12.1902) to produce an adjusted NIR representative of actual crop yields in Montana. Crop consumption is determined by multiplying the adjusted NIR by the number of acres of irrigation. Crop consumption is then divided by the field efficiency identified from the irrigation method and ARM 36.12.115 to determine the field applied volume. Irrecoverable losses (IL) are 5% of the field applied volume for flood irrigation. The total consumed volume for irrigation is the crop consumption plus irrecoverable losses. The total non-consumed volume is the field applied volume minus the irrigation total consumed volume.

USDA aerial photo 378-191 dated October 9, 1978, shows 101.25 acres irrigated within the claimed place of use for Statement of Claim 42K 175169-00.

USGS aerial photo, AR1VBLS00010273, dated July 17, 1966, shows 98.0 acres irrigated within the claimed place of use for Statement of Claim 42K 175169-00.

The Custer County Water Resource Survey, Part 2, published in 1948, shows the Applicant's land irrigated with a pump and private ditches. Water Resource Survey field notes provided by the State of Montana State Engineer's Office, dated May 15, 1947, state that John Roberts, the owner at the time, irrigated 90 acres with a potential of 8 more acres, using a pump from a slough on the Yellowstone River, represented by photo number MA 13-186. Water Resource Survey photo MA 21-40 dated August 6, 1944, shows 94.0 acres irrigated within the claimed place of use for Statement of Claim 42K 175169-00.

Verified acreage found is shown in Table 2.

Table 2: Aerial Imagery Analysis of Statement of Claim 42K 175169-00

Source	Year	Acres	Image ID
USDA	10/09/1978	101.25	378-191
USGS	07/17/1966	98.0	AR1VBLS00010273
WRS	08/06/1944	94.0	MA 21-40



Statement of Claim 42K 175169-00, with the priority date of May 1, 1910, currently owned by Swope Ranch, LLC, has historically furrow-flood irrigated 98.80 acres: 15.00 acres in E2E2SE Sec. 15, T8N, R47E, Custer County, and 83.80 acres in W2 of Sec. 14, T8N, R47E, Custer County. Water was pumped from the Yellowstone River in the SWSWSW Sec. 14, T8N, R47E, Custer County, and conveyed through a pipeline to the first field. There are no conveyance losses associated with the conveyance system from the point of diversion to the first irrigated field; therefore, no conveyance losses will be calculated by the Department. From the pipeline, water was moved via a main ditch, a side ditch, and pipelines to furrow-flood irrigate, with no storage. Historical crops consisted of alfalfa, barley, and hay, with 3 cuttings amounting to 15 days of no irrigation in the season. There are no historical supplemental rights on the place of use. As of May 2, 2025, there have been no changes to Statement of Claim 42K 175169-00 due to the second Preliminary Decree process for basin 42K; therefore, this application will be analyzed based on information available before July 1, 1973 (ARM 36.12.1902 (1)(a)).

The historical consumed and field-applied volumes have been calculated using the inputs shown in Table 3, following the methods described at the top of Section 2.1 above and in ARM 36.12.1902.

Table 3: Historical use of Statement of Claim 42K 175169-00

Irrigation Method	Acres	IWR (in) ¹	Mgmt. Factor ²	Field Efficiency	Crop Consumption (AF)	Field Applied Volume (AF)	IL ³ (AF)	Total Consumed Volume (AF)
Furrow-Flood	98.8	26.68	0.545	0.60	119.7 ⁴	199.5 ⁴	10.0 ⁴	129.7 ⁴

¹Miles City IWR Weather Station

²Custer County Historical Use Management Factor (1964-1973)

³Irrevocable losses are 5% of the field application volume

⁴Rounded to the tenths place after calculations

2.2 Historical Conveyance Losses

There are no historical conveyance losses considered for the historical use of Statement of Claim 42K 175169-00, because water has historically (and currently) been diverted by pump and conveyed through a closed pipeline to the fields' distribution system.

2.3 Historical Diverted Volume

Per ARM 36.12.1902(10), the historically diverted volume is equal to the sum of the historical field application volume and the historical conveyance loss volume. Because there are no conveyance losses attributable to Statement of Claim 42K 175169-00, the historical diverted



volume is equal to the historical field applied volume. Table 4 below summarizes the historical field applied and conveyance loss volumes.

Table 4: Historical Diverted Volume of Statement of Claim 42K 175169-00

Water Right No.	Field Application Volume (AF)	Conveyance Loss Volume (AF)	Historical Diverted Volume (AF)
42K 175169-00	199.5 ¹	0	199.5 ¹

¹Rounded to the tenths place after calculations

2.4 Summary of Historical Use

The Department will consider the following values in Table 5 when evaluating the historical use of Statement of Claim 42K 175169-00 for the adverse effect criterion:

Table 5: Summary of historical use of Statement of Claim 42K 175169-00

Water Right No.	Historical Purpose	Max Historical Acres	Historical Place of Use	Historical Point of Diversion	Max Historical Flow Rate	Historically Consumed Volume	Historically Diverted Volume
42K 175169-00	Irrigation	98.8	83.8 acres in W2 Sec. 14 & 15 acres in E2E2SE Sec. 15 T8N, R47E, Custer County	SWSWSW Sec. 14, T8N, R47E, Custer County	6.68 CFS	129.7 ¹ AF	199.5 ¹ AF

¹Rounded to the tenths place after calculations

3.0 Analysis of Impacted Surface Water Sources

3.1 Summary of Proposed Use

The Applicant proposes to change the point of diversion for Statement of Claim 42K 175169-00 by moving the historical point of diversion from a side channel of the Yellowstone River in the SWSWSW Sec. 14, T8N, R47E, Custer County, downstream, approximately 0.86 river miles, to pump directly from the mainstem of the Yellowstone River in the SWNWSE Sec. 14, T8N, R47E, Custer County. The Applicant does not propose to make any additional changes. There are no supplemental rights on the place of use. The proposed place of use consists of 83.80 acres in W2 Sec. 14 & 15 acres in E2E2SE Sec. 15, T8N, R47E, Custer County. The Applicant proposes to use Statement of Claim 42K 175169-00 as shown in Table 6:



Table 6: Summary of the proposed use of Statement of Claim 42K 175169-00

Water Right No.	Proposed Purpose	Proposed Irrigated Acres	Proposed Place of Use	Proposed Point of Diversion	Proposed Flow Rate	Proposed Consumed Volume	Proposed Diverted Volume
42K 175169-00	Irrigation	98.8	83.3 acres in W2 Sec. 14 & 15 acres in E2E2SE Sec. 15 T8N, R47E, Custer County	SWSWSW Sec. 14, T8N, R47E, Custer County	6.68 CFS	129.7 ¹ AF	199.5 ¹ AF

¹Rounded to the tenths place after calculations

Following the procedures outlined in the Historical Use section 2.1 above, the proposed consumed and diverted but non-consumed volumes have been calculated using the inputs shown in Table 7, following the methods described above and in ARM 36.12.1902.

Table 7: Proposed irrigation within the historical place of use of Statement of Claim 42K 175169-00

Irrigation Method	Acres	IWR (in) ¹	Mgmt. Factor ²	Field Efficiency	Crop Consumption (AF)	Field Applied Volume (AF)	IL (AF)	Total Consumptive Volume (AF)	Non-Consumptive Volume (AF)
Furrow-Flood	98.8	26.68	0.545	0.60	119.7 ³	199.5 ³	10.0 ³	129.7 ³	69.8 ³

¹Miles City IWR Weather Station

²Custer County Historical Use Management Factor (1964-1973)

³Rounded to the tenths place after calculations

The volumes associated with the proposed diverted and consumed use are summarized below in Table 8.

Table 8: Volumes associated with historical and proposed use

Purpose	Historically Consumed Volume	Proposed Consumptive Volume	Historically Diverted Volume	Proposed Diverted Volume
Furrow-Flood Irrigation	129.7 ¹ AF	129.7 ¹ AF	199.5 ¹ AF	199.5 ¹ AF

¹Rounded to the tenths place after calculations



3.2 Area of Potential Adverse Effect

The Department has considered a potentially affected reach on the source of supply. This reach was determined by accounting for the location of the proposed and historical points of diversion. This reach extends from the head of the side channel, a point at which the channel broke away from the mainstem, located in the NWSE Sec. 22, T8N, R47E, Custer County, moving downstream, approximately 1.62 river miles, bypassing the historical point of diversion in the SWSWSW Sec. 14, T8N, R47E, Custer County, to the proposed point of diversion in the SWNWSE Sec. 14, T8N, R47E, Custer County.

There are two water rights within this reach, as illustrated in Table 9. Provisional Permit 42K 30071035, with the priority date October 21, 2014, has a volume and flow rate for lawn and garden irrigation. Statement of Claim 42K 175255-00, with the priority date of December 31, 1922, currently owned by the State of Montana Department of Fish, Wildlife & Parks, had a flow rate but no claimed volume. The volume was calculated using the Department standard practice of multiplying the number of acres by the lower range of 60% for the climatic region (ARM 36.12.115). Statement of Claim 42K 175255-00 is in climatic area one and was calculated to be 132.0 AF (43 acres x 3.07 AF/AC = 132.01 AF).

Table 9: Water Rights within the Area of Potential Adverse Effect

Water Right No.	Owners Name	Purpose	Period of Diversion	Acres	Flow Rate (GPM)	Flow Rate (CFS)	Volume (AF)	Priority Date
42K 30071035	CARLA BOUCHER; JAMES BOUCHER	LAWN AND GARDEN IRRIGATION	05/01 to 09/30	0.29	15	0.03342	0.73	10/21/2014
42K 175255-00	MONTANA DEPT OF FISH WILDLIFE & PARKS	CROP IRRIGATION	05/01 to 09/01	43	100	0.222801	132.0*	12/31/1922

*Calculated by the Department

Review

This document has been reviewed by the Department on May 7, 2026

References

DNRC Change Manual, February 2025
DNRC Permit Manual, February 2025

THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

GOVERNOR GREG GIANFORTE



DNRC DIRECTOR AMANDA KASTER

DNRC Water Resources
Billings Regional Office
1371 Rimtop Dr.
Billings, MT 59105-1978

March 23, 2026

Swope Ranch, LLC
1110 Kinsey Road
Miles City, MT, 59301-8740

Subject: Complete Preapplication Form for Change Application No. 42K 30172434

Dear Applicant,

The Billings Regional Office of the Department of Natural Resources and Conservation (DNRC or Department) received your Preapplication Meeting Form and preapplication meeting fee on March 16, 2026, and the Department deemed the submitted Preapplication Meeting Form to be successfully completed per ARM 36.12.1302 on March 23, 2026.

As designated on the submitted Preapplication Meeting Form per § 85-2-302(3)(b), MCA, the Department will produce the technical analyses based on the parameters included in the Preapplication Meeting Form (ARM 36.12.1302(4)) within 45 days of March 23, 2026.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in blue ink that reads "C. Strebeck". The signature is fluid and cursive, with the first name "C." and the last name "Strebeck" clearly visible.

Cassey Strebeck
Water Resource Specialist
Billings Regional Office, Montana DNRC
Cassey.Strebeck@mt.gov
406-247-4422



DNRC.MT.GOV



**PREAPPLICATION MEETING
FORM: PART B
CHANGE**
§ 85-2-302(3)(b), MCA
Form No. 606P-B (Revised 02/2025)

For Department Use Only

Application # 30172434 Basin 42K
Form Received March 16, 2026
Fee Rec'd \$ 500.00 Check # 10974
Deposit Receipt # BLS 2616686
Payor Swope Ranch LLC
Form Returned _____
Refund \$ _____ Date _____

PREAPPLICATION MEETING FEE

\$ 500

FILING FEE REDUCTION & EXPEDITED TIMELINE

An application will be eligible for a filing fee reduction and expedited timelines if the Applicant completes a preapplication meeting with the Department (ARM 36.12.1302(1)), which includes submitting any follow-up information identified by the Department (ARM 36.12.1302(3)(c)) and receiving either Department-completed technical analyses or Department review of Applicant-submitted technical analyses (ARM 36.12.1302(4) and (5)). An application for the proposed project also must be submitted within 180 days of delivery of Department technical analyses or scientific credibility review and no element on the submitted application can be changed from the completed preapplication meeting form (ARM 36.12.1302(6)).

The Applicant is responsible for providing a "Follow-up Responses" document for all follow-up identified in Preapplication Meeting Form Part A (Form 606P-A). The Applicant may not alter Form 606P-A. If a response has changed to a question answered at the preapplication meeting, the Applicant can provide a new response in a separate document entitled "Amended Responses" with the question number labeled.

The following guidelines are applicable to both the "Follow-up Responses" and "Amended Responses" documents. Clearly label all question numbers. Answer questions in the same format as Form 606P-A. For responses in the form of checkboxes, write "Y", "N", or "S". Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative. Label units in narrative responses and tables. Tables must have the exact headings found on the form. Questions that require items to be submitted to the Department may be marked "S" when the required item is included with the document.

1. ☒ Y ☐ N Are you submitting this form in response to a determination by the Department that a previously submitted Form 606P-B was inadequately completed?

If yes,

- a. Date form was returned ("Form Returned" date found in "For Department Use Only" box on the previously submitted Form 606P-B): March 3, 2026
- b. If a "Follow-up Responses" or "Amended Responses" document is required by questions 2 or 3, submit complete updated documents with responses that stand-alone. The Department will only use the most recently submitted "Follow-up Responses" and "Amended Responses" documents for departmental technical analyses or scientific credibility review; the Department will not use multiple versions of a document.

2. ☒ Y ☐ N Were any questions identified as requiring follow-up on Form 606P-A?

If yes,

- a. ☒ S Submit "Follow-up Responses" document for all questions requiring follow-up.



FOLLOW-UP AND AMENDED RESPONSES AFFIDAVIT & CERTIFICATION

"I attest that this preapplication meeting form (Form 606P-A and Form 606P-B), follow-up, and amended responses accurately portray the proposed project. I am aware that my application for this project will not qualify for a discounted filing fee and expedited timelines if, upon submittal of the application to the department, I change any element of the proposed application from the preapplication meeting form, amended responses, or follow-up materials (ARM 36.12.1302(6)(a))."

[Signature] Swope Ranch LLC 3/9/2026
Applicant Signature Member Date

Applicant Signature Date

"We confirm that the preapplication form (Form 606P-A and Form 606P-B), amended responses, and follow-up information are adequate for the Department to proceed with technical analyses in ARM 36.12.1303. Or, if the Applicant has elected to complete technical analyses, we confirm they have submitted each required element of technical analysis based on the proposed project and the Department is able to proceed with the scientific credibility review (ARM 36.12.1303(8))."

Department Signature Date

Department Signature Date

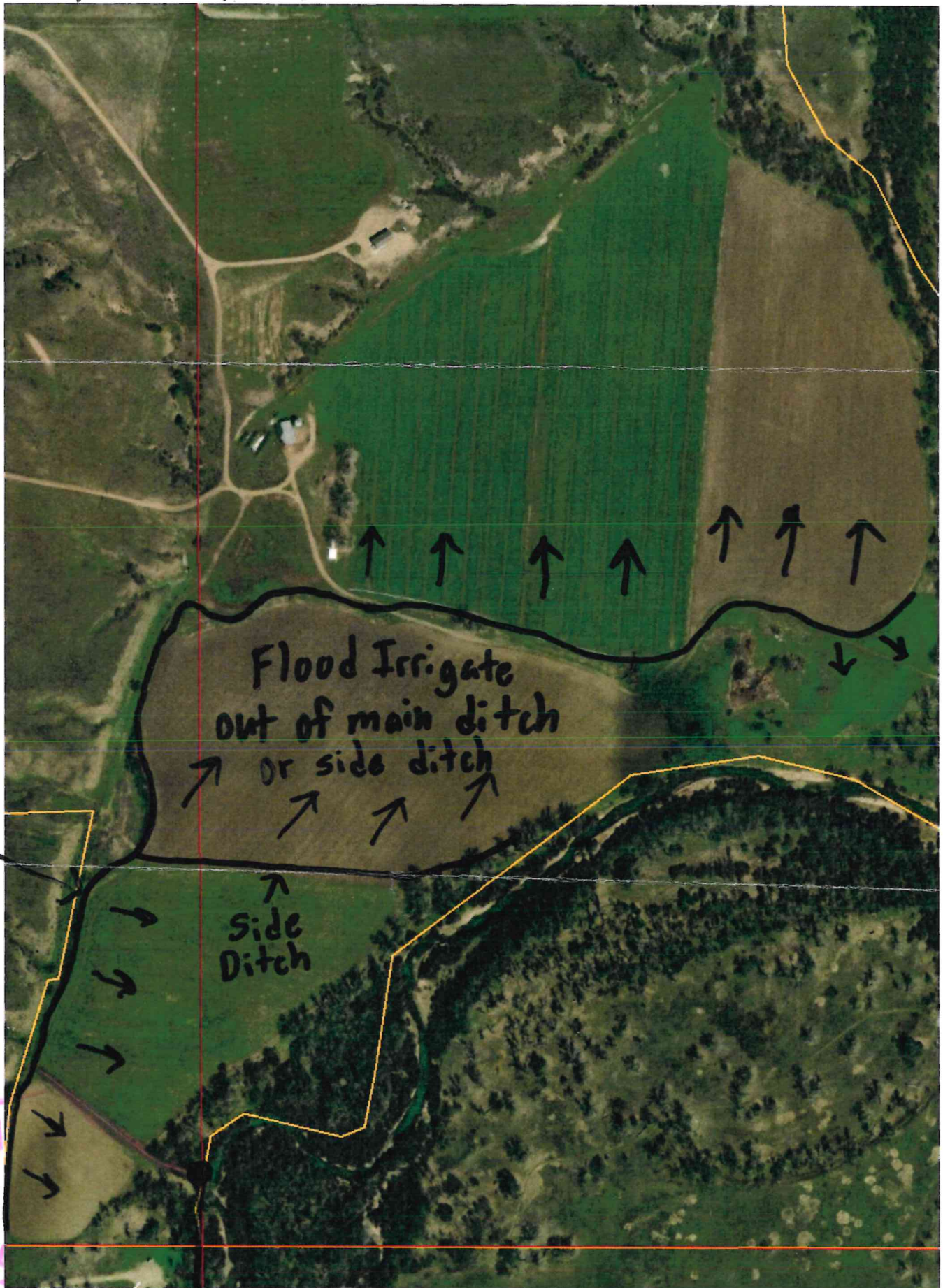


8N 47E 15



Historical Use Map

8N 47E 14



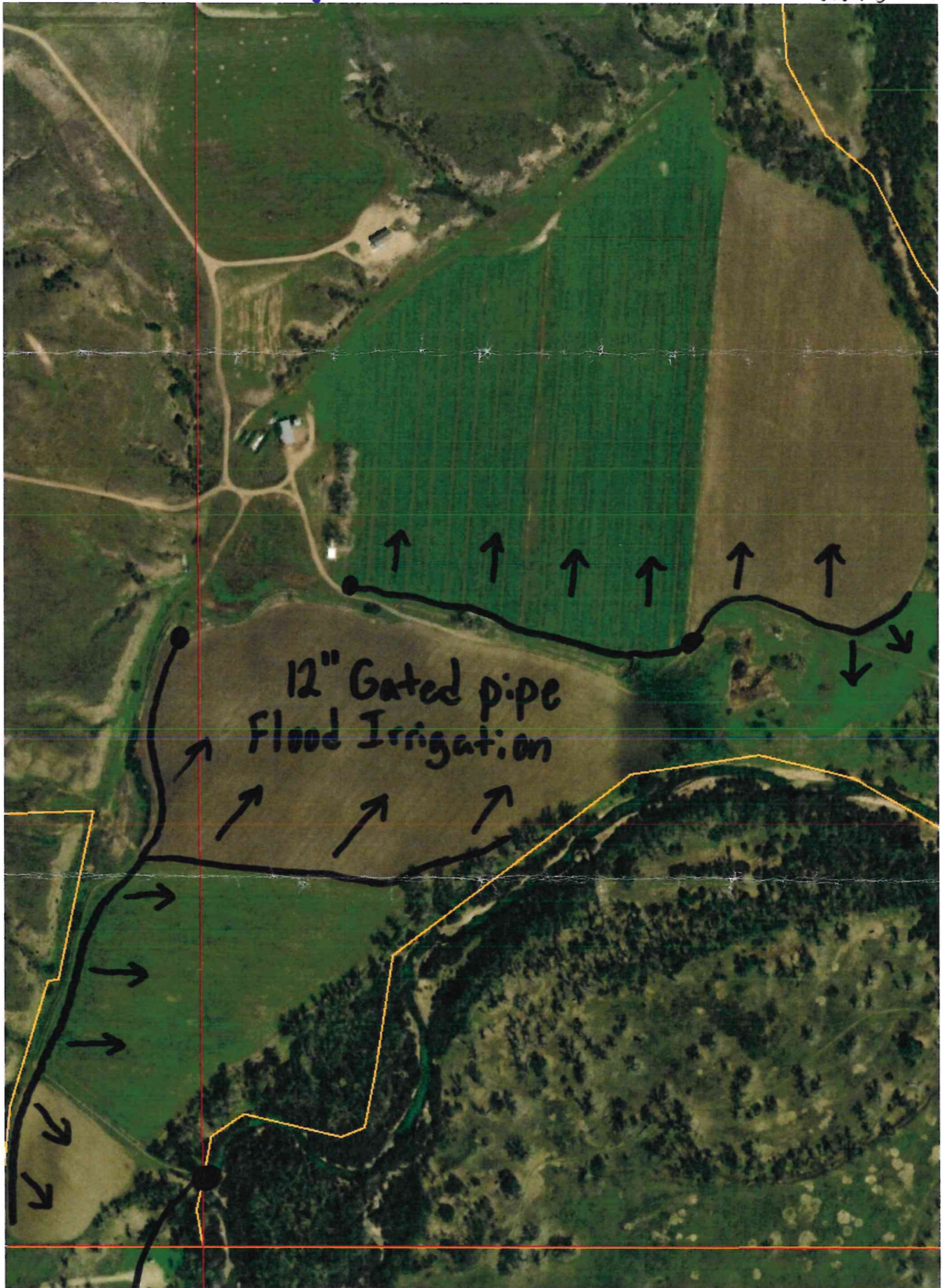
H1

8N 47E 15
↓

8N 47E 14
↓

Question #8, #9, #37

● = Headgate connecting ~~below~~ underground pipeline to above ground gated pipe



H1

Gated Pipe Map #1 Proposed Use Map

Question # 8, #9, #37

● = Headgate connecting underground pipeline to above ground gated pipe



Gated Pipe Map #2

1 inch = 600 feet



Custer County, Montana

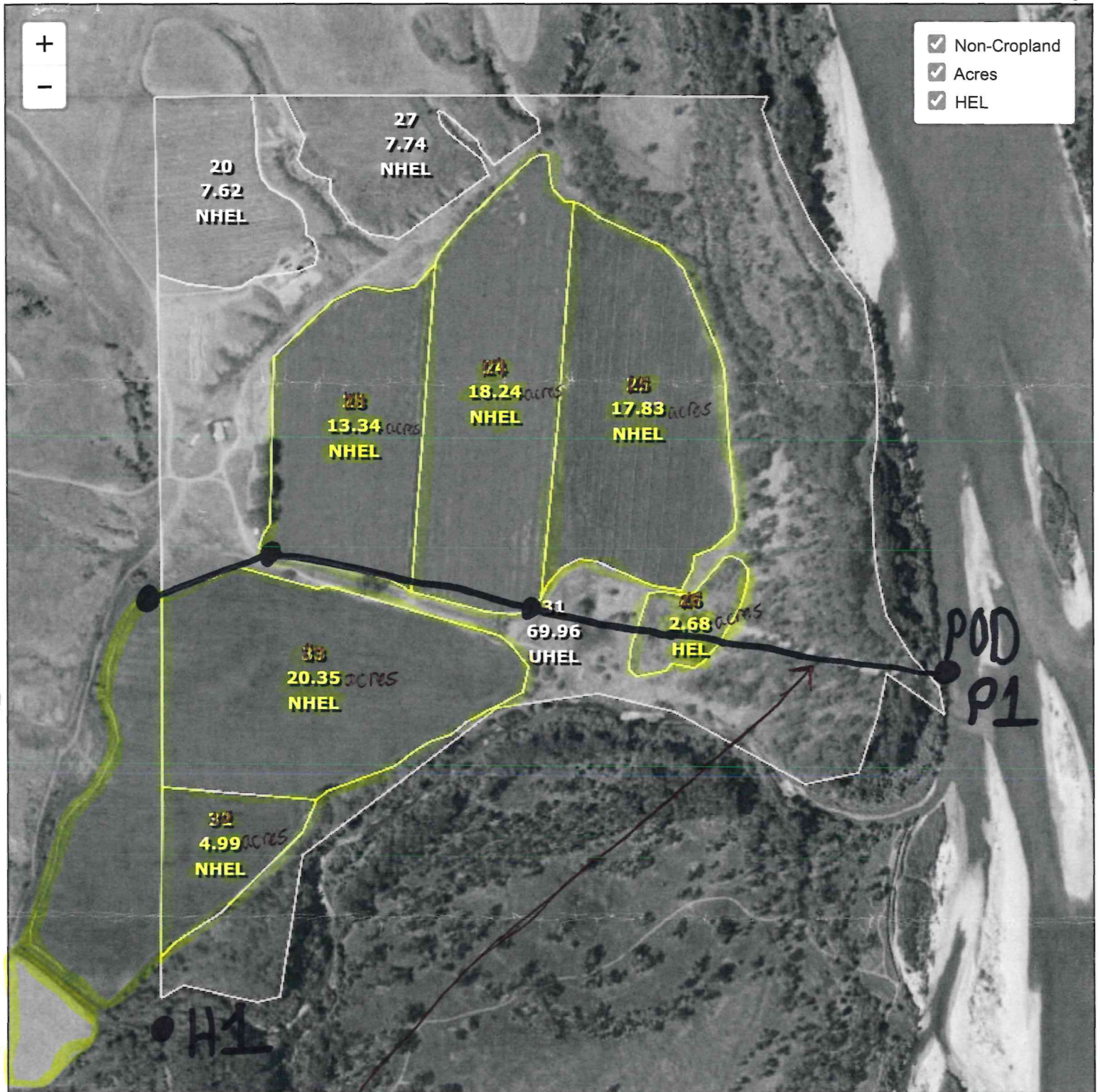
Pipeline and places of use

Sec
14

Twp
8N

Rge
47E

County
Custer



Common Land Unit

Cropland

Non-cropland

CRP

Questions #8, #9, #37

2025 Crop Year

Farm 4368
Tract 16189

12" 80lb underground
pipe
Acres are highlighted in yellow

Wetland Determination Identifiers

● Restricted Use

▽ Limited Restrictions

■ Exempt from Conservation Compliance Provisions

Proposed Use Map with
underground pipeline coming
from P1.



United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

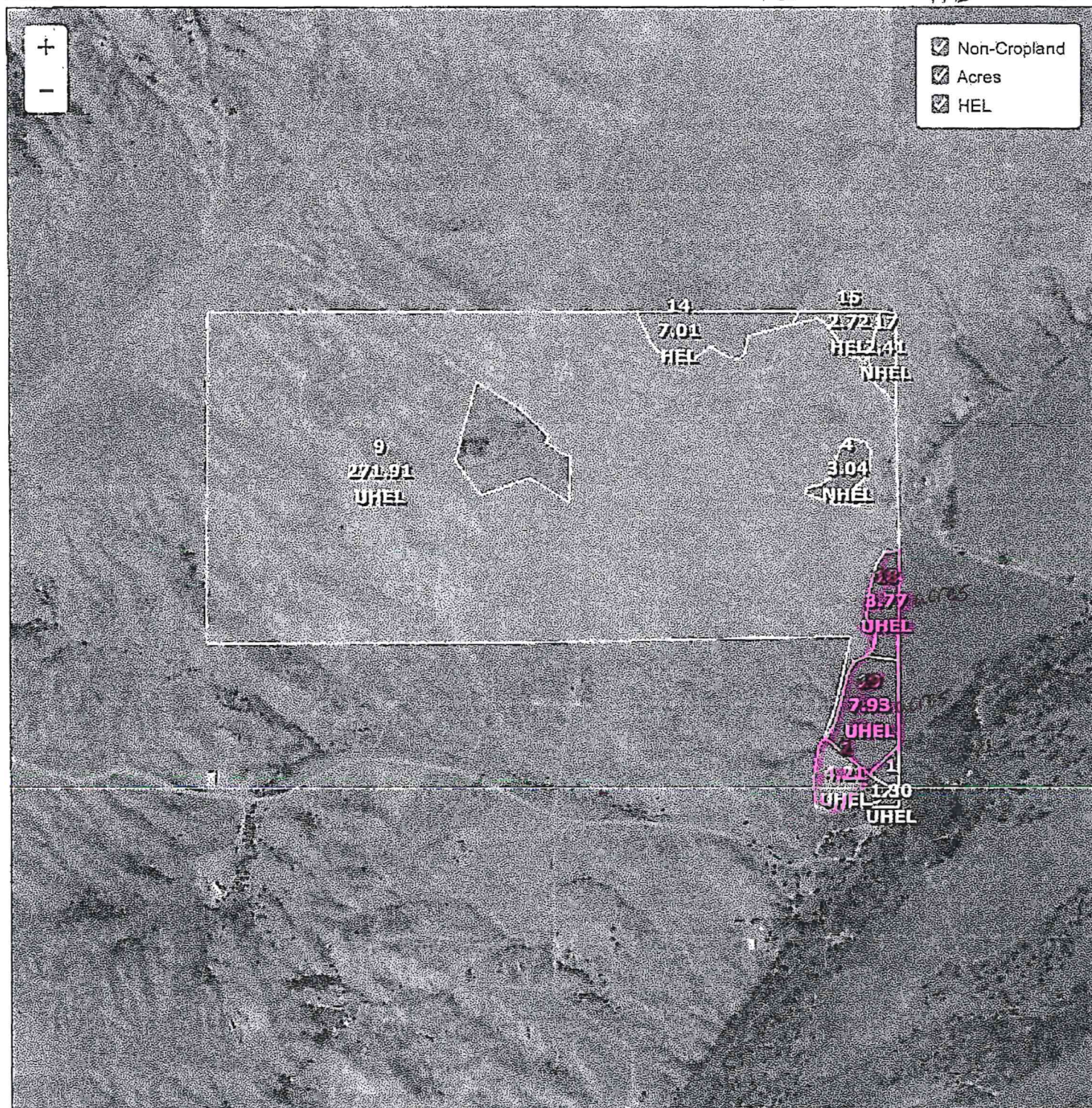
(See Gated Pipe Maps #1 and #2 to see method of irrigation)



Custer County, Montana

Places of Use #2

SEC	TWP	Rge	County
15	8N	47E	Custer



Common Land Unit

Cropland Non-cropland CRP

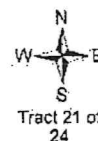
2025 Crop Year

Farm 4368
Tract 16186

Acres are highlighted in Pink
(3.77, 7.43, 4.21 acres)

Wetland Determination Identifiers

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions



United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-025 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

6YBQ-CC

203550 10.56 13

TC12403

GPM 2700 FT Head 59





DNRC Water Resources
Billings Regional Office
1371 Rimtop Dr.
Billings, MT 59105-1978

March 3, 2026

SWOPE RANCH LLC
1110 KINSEY RD
MILES CITY, MT 59301-8740

Subject: Incomplete Preapplication Form for Change Application No. 42K 30172434

Dear Applicant,

The Department received your Preapplication Meeting information on February 24, 2026. The Department deemed the submitted Preapplication Meeting information to be incomplete and/or unacceptable because it lacks and/or changed the following information:

☐ **Please submit a new Preapplication Meeting Form.** Your most recent submission did not include a Form 606P-B. On the included Form 600P-B: for question 1, mark Y, for yes; for 1a: write in the date of March 3, 2026, for the date this Form 606P-B submission was returned to you.

☐ **8 and 37. Submit a HISTORICAL USE MAP** created on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, north arrow, all proposed points of diversion labeled with a unique POD ID ("P" followed by a number), all proposed places of use, all proposed conveyance structures, all proposed places of storage, and proposed place of use for all overlapping water rights. More than one map may be submitted if necessary to clearly convey all required information.

Map Titled: Gated Pipe Map #1, Questions 8, 9, and 37

- (1) It is unclear if this map is for Historical Use or Proposed Use. I understand that H1 represents the Historical Point of Diversion and its pump, but please label the map: Historical Use.
- (2) It is unclear how water was conveyed from the Historical Point of Diversion to the Historical Place of Use. I understand that H1 represents the Historical Point of Diversion and its pump, but please show all of the conveyance system. It appears that there is a western pipeline and a northern pipeline. How does water move from the POD to the first section, and then to the second? Please draw the entire conveyance and label it accordingly. Are these pipelines or ditches? Etc.
- (3) It is unclear how each section is being irrigated. Please section the place of use and label how it has historically been irrigated. Which areas are flooded, which are furrows, etc.?

Map Titled: Gated Pipe Map #2, Questions 8, 9, and 37

Same comments as Gated Pipe Map #1

Note: You may submit one map for Historical Use to answer questions 8 and 37. If there is no overlapping acreage, then you may make a note on the map, noting that there is no overlapping acreage, for clarity.



☐ **9. Submit a PROPOSED USE MAP** created on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, north arrow, all proposed points of diversion labeled with a unique POD ID ("P" followed by a number), all proposed places of use, all proposed conveyance structures, all proposed places of storage, and proposed place of use for all overlapping water rights. More than one map may be submitted, if necessary to clearly convey all required information.

Map Titled: Pipeline and places of use, Questions 8, 9, and 37

- (1) It is unclear if this map represents your Historical Use or Proposed Use. I understand that the P1 represents your Proposed Point of Diversion, but please label the map: Proposed Use.
- (2) It appears that you will be using a pipeline to convey the water. Please label accordingly.
- (3) It is unclear how you will irrigate the land in your proposed project. Please outline the areas for each method of irrigation. Such as flooded, furrow, pivot, etc. Please show the full conveyance of how water will reach each section.
- (4) This map has numbering that suggests acreage. It is unclear what these numbers represent in relation to your proposed project. Please label acreage appropriately, specifically to the irrigation type and location. If these numbers on the map are of importance, please identify what that purpose is and label them accordingly.

The 180-day deadline from the original preapplication meeting is **May 23, 2026**. You have 81 remaining days to successfully complete the Preapplication Meeting Form. If you do not submit the successfully completed Preapplication Meeting Form to the Billings Regional Office by May 23, 2026, you will need to request a new preapplication meeting.

If your proposal is to change the place of use, this may constitute a substantial change to the proposed project since it was discussed at the preapplication meeting. If so, you will need to request another preapplication meeting so the Department can identify any additional information necessary for completion of the technical analyses (ARM 1302(3)(c)), should you wish to continue with the preapplication process. To schedule a new Preapplication Meeting with the Billings Regional Office, submit a written Preapplication Meeting request per ARM 36.12.1302(2).

Please let us know if you would like us to transfer your \$500 payment to another preapplication meeting, or whether you would prefer a refund. Please let me know if you have any questions.

Best,



Cassey Strebeck, Water Resource Specialist
Water Resources Division, DNRC
Billings Regional Office
1371 Rimtop Dr, Billings, MT 59105
Cassey.Strebeck@mt.gov
406-247-4422



WORK COPY

FOLLOW-UP

The table below will identify all questions marked for follow-up. Applicant follow-up will be submitted with the completed Preapplication Meeting Form: Part B (Form 606P-B). Applicant will provide all responses to questions marked for follow-up on a separate document entitled "Follow-up Responses." At the preapplication meeting, the Department may offer to provide the Applicant with information pertinent to identified follow-up. In this case, record in the notes column what information the Department will provide and the date by which the Department will email this information to the Applicant. This information will supplement but not replace Applicant follow-up. It is the responsibility of the Applicant to provide all follow-up, including questions supplemented by Department information, in the "Follow-up Responses" document.

The "Follow-up Responses" document must conform to the following standards. Label all responses with the question number. Answer questions in the same format as the form. For responses in the form of checkboxes, write "Y", "N", "S". Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative. Label units in narrative responses and tables. Tables must have the exact headings found on the form. Questions that require items to be submitted to the Department may be marked "S" when the required item is attached to the Preapplication Meeting Form. Label all submitted items with the question number for which they were submitted.

The Applicant may not alter the Preapplication Meeting Form: Part A (Form 606P-A) signed at the Preapplication Meeting. Instead, the Applicant must use the Amended Responses procedure defined in Form 606P-B. Do not include additional information for questions that were not marked for follow-up on this table; instead include any additional information pursuant to the process for amending responses defined in Form 606P-B.

QUESTION #	NOTES
8 & 37	Historical use map, meeting all criteria (can be same map as Q9 with proposed POD included) <i>need</i>
9	Proposed use map, meeting all criteria (can be same map as Q8 with historical POD included) <i>need.</i>
48	Did diversion regularly cease due to inadequate supply or call for pre-73 use. Consider answering 48a if necessary. <i>met</i>
50.a.ii.2	Slope of fields pre-73 <i>met</i>
50.a.ii.4	Percent efficiency, depends on slope of field (50.a.ii.2) pre-73 - ARM 36.12.115(2)(e) <i>met</i>



WORK COPY CS2

3.2.20e

МОРК СОБА

МОРК СОБА



**PREAPPLICATION MEETING
FORM: PART B
PERMIT**
§ 85-2-302, MCA
Form No. 600P-B (Revised 02/2025)

For Department Use Only

Application # 3072434 Basin 42k
Form Received Jan 30, 2024
Fee Rec'd \$ 500. Check # 10974
Deposit Receipt # BLS2614686
Payor Swope Ranch LLC
Form Returned Feb 6, 2024
Refund \$ _____ Date _____

PREAPPLICATION MEETING FEE

\$ 500

FILING FEE REDUCTION & EXPEDITED TIMELINE

An application will be eligible for a filing fee reduction and expedited timelines if the Applicant completes a preapplication meeting with the Department (ARM 36.12.1302(1)), which includes submitting any follow-up information identified by the Department (ARM 36.12.1302(3)(c)) and receiving either Department-completed technical analyses or Department review of Applicant-submitted technical analyses (ARM 36.12.1302(4) and (5)). An application for the proposed project also must be submitted within 180 days of delivery of Department technical analyses or scientific credibility review and no element on the submitted application can be changed from the completed preapplication meeting form (ARM 36.12.1302(6)).

The Applicant is responsible for providing a "Follow-up Responses" document for all follow-up identified in Preapplication Meeting Form Part A (Form 600P-A). The Applicant may not alter Form 600P-A. If a response has changed to a question answered at the preapplication meeting, the Applicant can provide a new response in a separate document entitled "Amended Responses" with the question number labeled.

The following guidelines are applicable to both the "Follow-up Responses" and "Amended Responses" documents. Clearly label all question numbers. Answer questions in the same format as Form 600P-A. For responses in the form of checkboxes, write "Y", "N", or "S". Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative. Label units in narrative responses and tables. Tables must have the exact headings found on the form. Questions that require items to be submitted to the Department may be marked "S" when the required item is included with the document.

1. ☐ Y ☒ N Are you submitting this form in response to a determination by the Department that a previously submitted Form 600P-B was inadequately completed?

If yes,

- Date form was returned ("Form Returned" date found in "For Department Use Only" box on the previously submitted Form 600P-B): _____
- If a "Follow-up Responses" or "Amended Responses" document is required by questions 2 or 3, submit complete updated documents with responses that stand-alone. The Department will only use the most recently submitted "Follow-up Responses" and "Amended Responses" documents for departmental technical analyses or scientific credibility review; the Department will not use multiple versions of a document.

2. ☒ Y ☐ N Were any questions identified as requiring follow-up on Form 600P-A?

If yes,

- ☒ S Submit "Follow-up Responses" document for all questions requiring follow-up.



3. ☐ Y ☒ N Are you submitting amended responses to any questions from Form 600P-A?

If yes,

- a. ☐ **S** Submit “Amended Responses” document and record in the table below each question number with an amended response. The amended response will entirely replace the previous response; the amended response cannot build off the previous response.

[illegible]

FOLLOW-UP AND AMENDED RESPONSES AFFIDAVIT & CERTIFICATION

"I attest that this preapplication meeting form (Form 600P-A and Form 600P-B), follow-up, and amended responses accurately portray the proposed project. I am aware that my application for this project will not qualify for a discounted filing fee and expedited timelines if, upon submittal of the application to the department, I change any element of the proposed application from the preapplication meeting form, amended responses, or follow-up materials (ARM 36.12.1302(6)(a))."


Applicant Signature

Scope Ranch LLC
Member

12/13/2025
Date

Applicant Signature

Date

"We confirm that the preapplication form (Form 600P-A and Form 600P-B), amended responses, and follow-up information are adequate for the Department to proceed with technical analyses in ARM 36.12.1303. Or, if the Applicant has elected to complete technical analyses, we confirm they have submitted each required element of technical analysis based on the proposed project and the Department is able to proceed with the scientific credibility review (ARM 36.12.1303(8))."

Department Signature

Date

Department Signature

Date



Swope Ranch Follow Up Responses

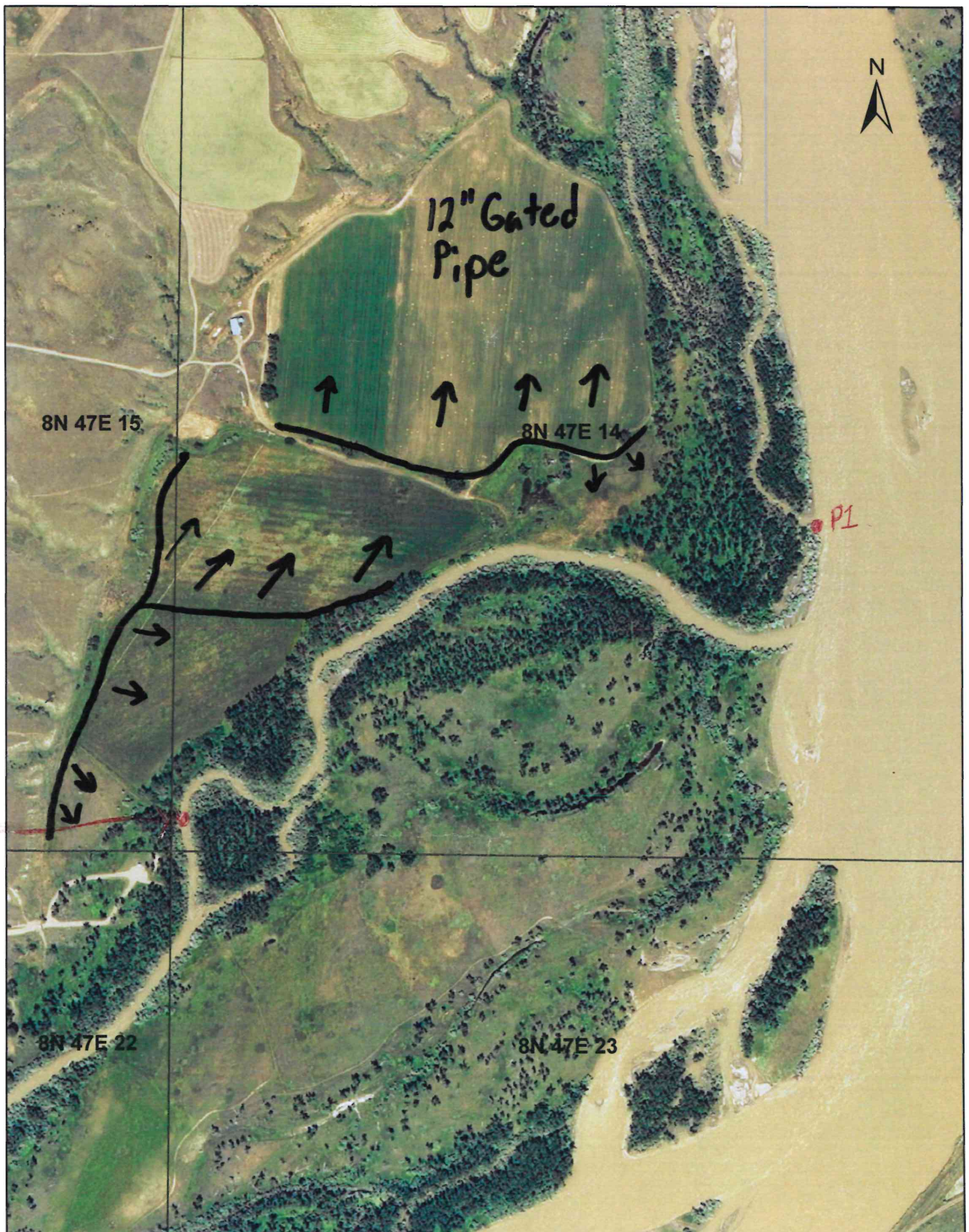
48. - Y

48a. - Due to drought and a changing river system the historical diversion regularly ceased.

50.a.ii.2 - 3%

50.a.ii.4 - 60%

Question #8, #9, #37



Gated Pipe Map #2

1 inch = 600 feet



Custer County, Montana

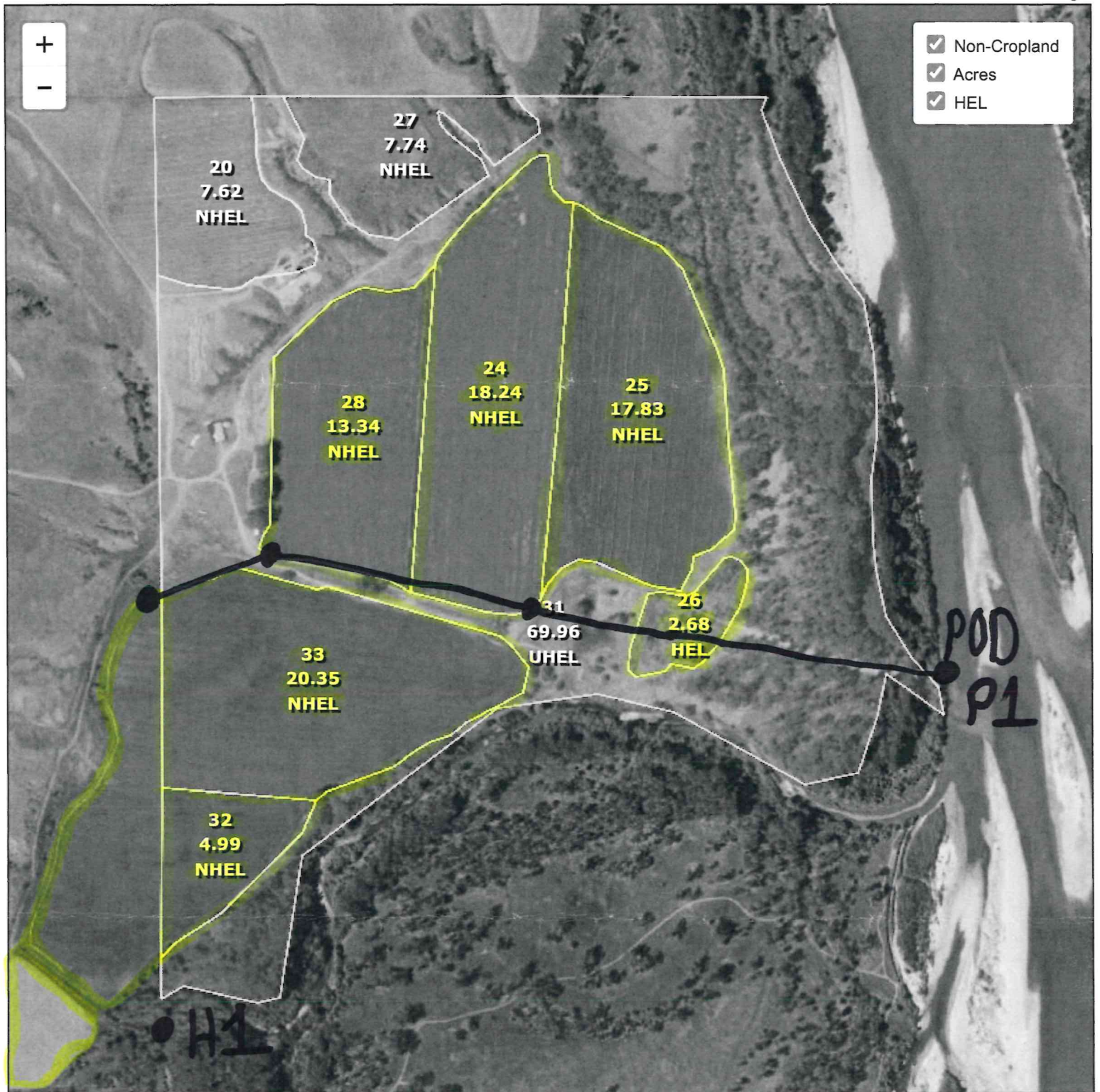
Pipeline and places of use

Sec
14

Twp
8N

Rge
47E

County
Custer



Common Land Unit

Cropland

Non-cropland

CRP

Questions #8, #9, #37

2025 Crop Year

Farm 4368
Tract 16189

12" 80lb underground
pipe

Wetland Determination Identifiers

● Restricted Use

▽ Limited Restrictions

■ Exempt from Conservation Compliance Provisions



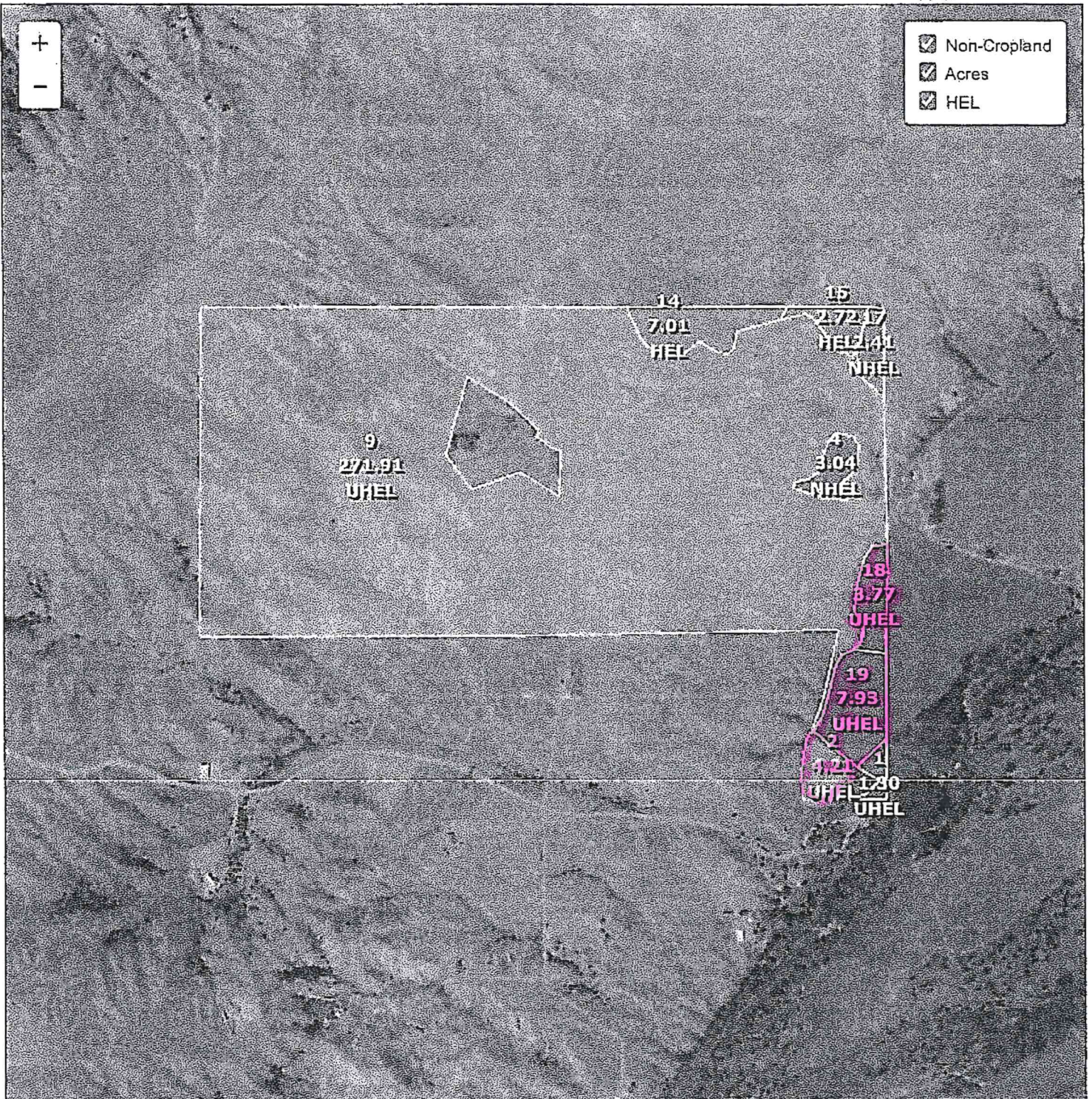
United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).



Custer County, Montana

Places of Use #2

Sec	Twp	Rge	County
15	8N	47E	Custer



Common Land Unit

Cropland Non-cropland CRP

2025 Crop Year

Farm 4368
Tract 16186

Wetland Determination Identifiers

- Restricted Use
- ▽ Limited Restrictions
- Exempt from Conservation Compliance Provisions



United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-025 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

6YBQ-CC

203550 10.56 13

TC12403

GPM 2700 FT Head 59



THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

GOVERNOR GREG GIANFORTE



DNRC DIRECTOR AMANDA KASTER

DNRC Water Resources
Billings Regional Office
1371 Rimtop Dr.
Billings, MT 59105-1978

February 6, 2026

SWOPE RANCH LLC
1110 KINSEY RD
MILES CITY, MT 59301-8740

Subject: Incomplete Preapplication Form for Change Application No. 42K 30172434

Dear Applicant,

The Department received your Preapplication Meeting Form and preapplication fee on January 30, 2026. The Department deemed the submitted Preapplication Meeting Form to be incomplete and/or unacceptable because it lacks and/or changed the following information:

☐ **7. Identify the water right elements proposed for change, with a checkmark, for each water right proposed for change.**

On Form 606P-A, only the point of diversion was marked as proposed for change. The maps attached to Form 606P-B, submitted January 30, 2026, as "*Pipeline and places of use Question #8, #9, #37*" and "*Question #8, #9, and #37*" do not show the same irrigated acres, suggesting that the place of use is also proposed for change.

Map "*Pipeline and places of use Question #8, #9, #37*" does not show acres in the E2E2SE Section 15 T8N, R47E, Custer County as irrigated, and does show 2.68 acres in Government Lot 6 (W2) Section 14 T8N, R47E, Custer County as irrigated, while map "*Question #8, #9, and #37*" shows the opposite. This discrepancy makes it unclear whether these acres either were not historically irrigated or are not proposed for future irrigation. Because both maps appear to answer both question 8 and 9, it is unclear whether a change in the place of use is proposed or whether historically those acres were not irrigated. If any change is proposed other than the point of diversion, amended responses may be necessary or the project may have changed substantially from what was discussed at the preapplication meeting and a new meeting may be required.

☐ **8. Submit a proposed use map created on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, north arrow, all proposed points of diversion labeled with a unique POD ID ("P" followed by a number), all proposed places of use, all proposed conveyance structures, all proposed places of storage, and proposed place of use for all overlapping water rights. More than one map may be submitted, if necessary to clearly convey all required information.**

The maps attached to Form 606P-B, submitted January 30, 2026, as "*Pipeline and places of use Question #8, #9, #37*" and "*Question #8, #9, and #37*" do not show the same irrigated acres.

Map "*Pipeline and places of use Question #8, #9, #37*" does not show acres in the E2E2SE Section 15 T8N, R47E, Custer County as irrigated, and does show 2.68 acres in Government Lot

6 (W2) Section 14 T8N, R47E, Custer County as irrigated, while map "Question #8, #9, and #37" shows the opposite. This discrepancy makes it unclear whether these acres either were not historically irrigated or are not proposed for future irrigation. Because both maps appear to answer both questions 8 and 9, it is unclear which map represents the historically irrigated acres. Please provide a map which clearly shows the historical use of this water right as described in the question.

☐ **9. Submit a proposed use map created on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, north arrow, all proposed points of diversion labeled with a unique POD ID ("P" followed by a number), all proposed places of use, all proposed conveyance structures, all proposed places of storage, and proposed place of use for all overlapping water rights. More than one map may be submitted, if necessary to clearly convey all required information.**

The maps attached to Form 606P-B, submitted January 30, 2026, as "Pipeline and places of use Question #8, #9, #37" and "Question #8, #9, and #37" do not show the same irrigated acres.

Map "Pipeline and places of use Question #8, #9, #37" does not show acres in the E2E2SE Section 15 T8N, R47E, Custer County as irrigated, and does show 2.68 acres in Government Lot 6 (W2) Section 14 T8N, R47E, Custer County as irrigated, while map "Question #8, #9, and #37" shows the opposite. This discrepancy makes it unclear whether these acres either were not historically irrigated or are not proposed for future irrigation. Because both maps appear to answer both questions 8 and 9, it is unclear which map represents the proposed irrigated acres. Please provide a map which clearly shows the proposed use of this water right as described in the question.

☐ **37. The historical use map submitted for question 8 must clearly identify the entire place of use for each overlapping water right that intersects the historical place of use. Does your historical use map meet this requirement?**

The maps attached to Form 606P-B, submitted January 30, 2026, as "Pipeline and places of use Question #8, #9, #37" and "Question #8, #9, and #37" do not show the same irrigated acres.

Map "Pipeline and places of use Question #8, #9, #37" does not show acres in the E2E2SE Section 15 T8N, R47E, Custer County as irrigated, and does show 2.68 acres in Government Lot 6 (W2) Section 14 T8N, R47E, Custer County as irrigated, while map "Question #8, #9, and #37" shows the opposite. This discrepancy makes it unclear whether these acres either were not historically irrigated or are not proposed for future irrigation. Because both maps appear to answer both question 8 and 9, it is unclear which map represents the historically irrigated acres. Please provide a map which clearly shows the historical use of this water right, including any overlapping water rights, as described in the question.

☐ **39(a)(i). Does the legal land description from the abstract encompass the actual location of the historical place of use?**

This question was marked "Yes" but the acres shown on the provided maps do not total the acres listed on the water right. If the historically irrigated acres do not correspond to the water right



abstract, please provide an amended response to this question and any other as appropriate.

The 180-day deadline from the original preapplication meeting is May 23, 2026. You have 107 remaining days to successfully complete the Preapplication Meeting Form. If you do not submit the successfully completed Preapplication Meeting Form to the Billings Regional Office by May 23, 2026, you will need to request a new preapplication meeting.

If your proposal is to change the place of us, this may constitute a substantial change to the proposed project since it was discussed at the preapplication meeting. If so, you will need to request another preapplication meeting so the Department can identify any additional information necessary for completion of the technical analyses (ARM 1302(3)(c)), should you wish to continue with the preapplication process. To schedule a new Preapplication Meeting with the Billings Regional Office, submit a written Preapplication Meeting request per ARM 36.12.1302(2).

Please let us know if you would like us to transfer your \$500 payment to another preapplication meeting, or whether you would prefer a refund.

Please let me know if you have any questions.

Best,



Veronica Corbett | Water Resource Specialist
Water Resources Division, DNRC
Billings Regional Office
1371 Rimtop Dr, Billings, MT 59105
DESK: 406-247-44131 | EMAIL: veronica.corbett@mt.gov





**PREAPPLICATION MEETING
FORM: PART B
PERMIT**

§ 85-2-302, MCA

Form No. 600P-B (Revised 02/2025)

For Department Use Only

Application # 30172434 Basin 42k
Form Received Jan 30, 2024
Fee Rec'd \$ 500. Check # 10974
Deposit Receipt # BL52614686
Payor Swope Ranch LLC
Form Returned Feb 6, 2024
Refund \$ _____ Date _____

PREAPPLICATION MEETING FEE

\$ 500

FILING FEE REDUCTION & EXPEDITED TIMELINE

An application will be eligible for a filing fee reduction and expedited timelines if the Applicant completes a preapplication meeting with the Department (ARM 36.12.1302(1)), which includes submitting any follow-up information identified by the Department (ARM 36.12.1302(3)(c)) and receiving either Department-completed technical analyses or Department review of Applicant-submitted technical analyses (ARM 36.12.1302(4) and (5)). An application for the proposed project also must be submitted within 180 days of delivery of Department technical analyses or scientific credibility review and no element on the submitted application can be changed from the completed preapplication meeting form (ARM 36.12.1302(6)).

The Applicant is responsible for providing a "Follow-up Responses" document for all follow-up identified in Preapplication Meeting Form Part A (Form 600P-A). The Applicant may not alter Form 600P-A. If a response has changed to a question answered at the preapplication meeting, the Applicant can provide a new response in a separate document entitled "Amended Responses" with the question number labeled.

The following guidelines are applicable to both the "Follow-up Responses" and "Amended Responses" documents. Clearly label all question numbers. Answer questions in the same format as Form 600P-A. For responses in the form of checkboxes, write "Y", "N", or "S". Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative. Label units in narrative responses and tables. Tables must have the exact headings found on the form. Questions that require items to be submitted to the Department may be marked "S" when the required item is included with the document.

1. ☐ Y ☒ N Are you submitting this form in response to a determination by the Department that a previously submitted Form 600P-B was inadequately completed?

If yes,

- Date form was returned ("Form Returned" date found in "For Department Use Only" box on the previously submitted Form 600P-B): _____
- If a "Follow-up Responses" or "Amended Responses" document is required by questions 2 or 3, submit complete updated documents with responses that stand-alone. The Department will only use the most recently submitted "Follow-up Responses" and "Amended Responses" documents for departmental technical analyses or scientific credibility review; the Department will not use multiple versions of a document.

2. ☒ Y ☐ N Were any questions identified as requiring follow-up on Form 600P-A?

If yes,

- ☒ S Submit "Follow-up Responses" document for all questions requiring follow-up.



FOLLOW-UP AND AMENDED RESPONSES AFFIDAVIT & CERTIFICATION

"I attest that this preapplication meeting form (Form 600P-A and Form 600P-B), follow-up, and amended responses accurately portray the proposed project. I am aware that my application for this project will not qualify for a discounted filing fee and expedited timelines if, upon submittal of the application to the department, I change any element of the proposed application from the preapplication meeting form, amended responses, or follow-up materials (ARM 36.12.1302(6)(a))."



Scope Ranch LLC
Member

12/13/2025

Applicant Signature

Date

Applicant Signature

Date

"We confirm that the preapplication form (Form 600P-A and Form 600P-B), amended responses, and follow-up information are adequate for the Department to proceed with technical analyses in ARM 36.12.1303. Or, if the Applicant has elected to complete technical analyses, we confirm they have submitted each required element of technical analysis based on the proposed project and the Department is able to proceed with the scientific credibility review (ARM 36.12.1303(8))."

Department Signature

Date

Department Signature

Date



Swope Ranch Follow Up Responses

48. - Y

48a. - Due to drought and a changing river system the historical diversion regularly ceased.

50.a.ii.2 - 3%

50.a.ii.4 - 60%



Custer County, Montana

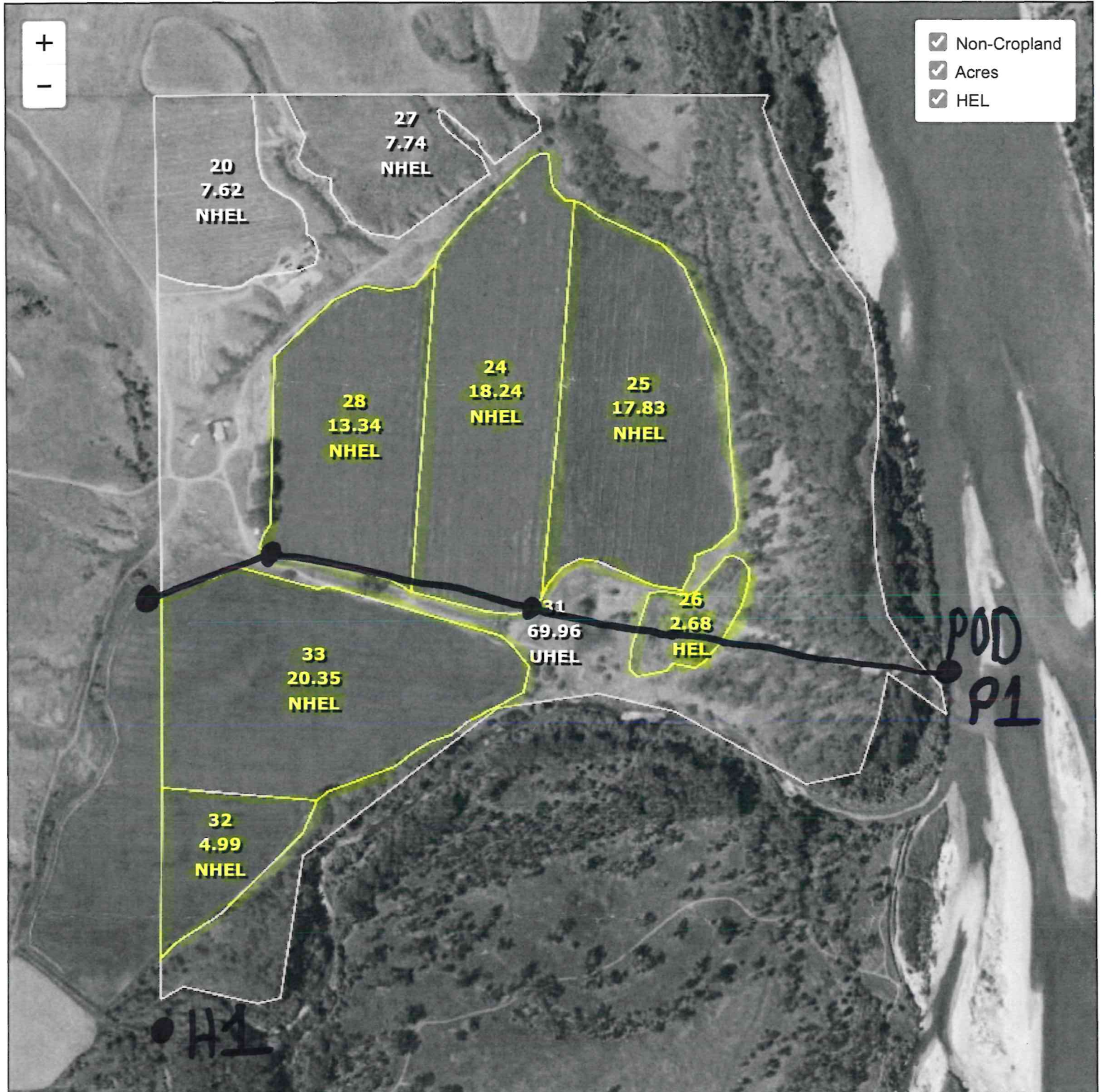
Pipeline and places of use

Sec
14

Twp
8N

Rge
47E

County
Custer



Common Land Unit

Cropland

Non-cropland

CRP

Questions #8, #9, #37

2025 Crop Year

Farm 4368
Tract 16189

12" 80lb underground
pipe

Wetland Determination Identifiers

● Restricted Use

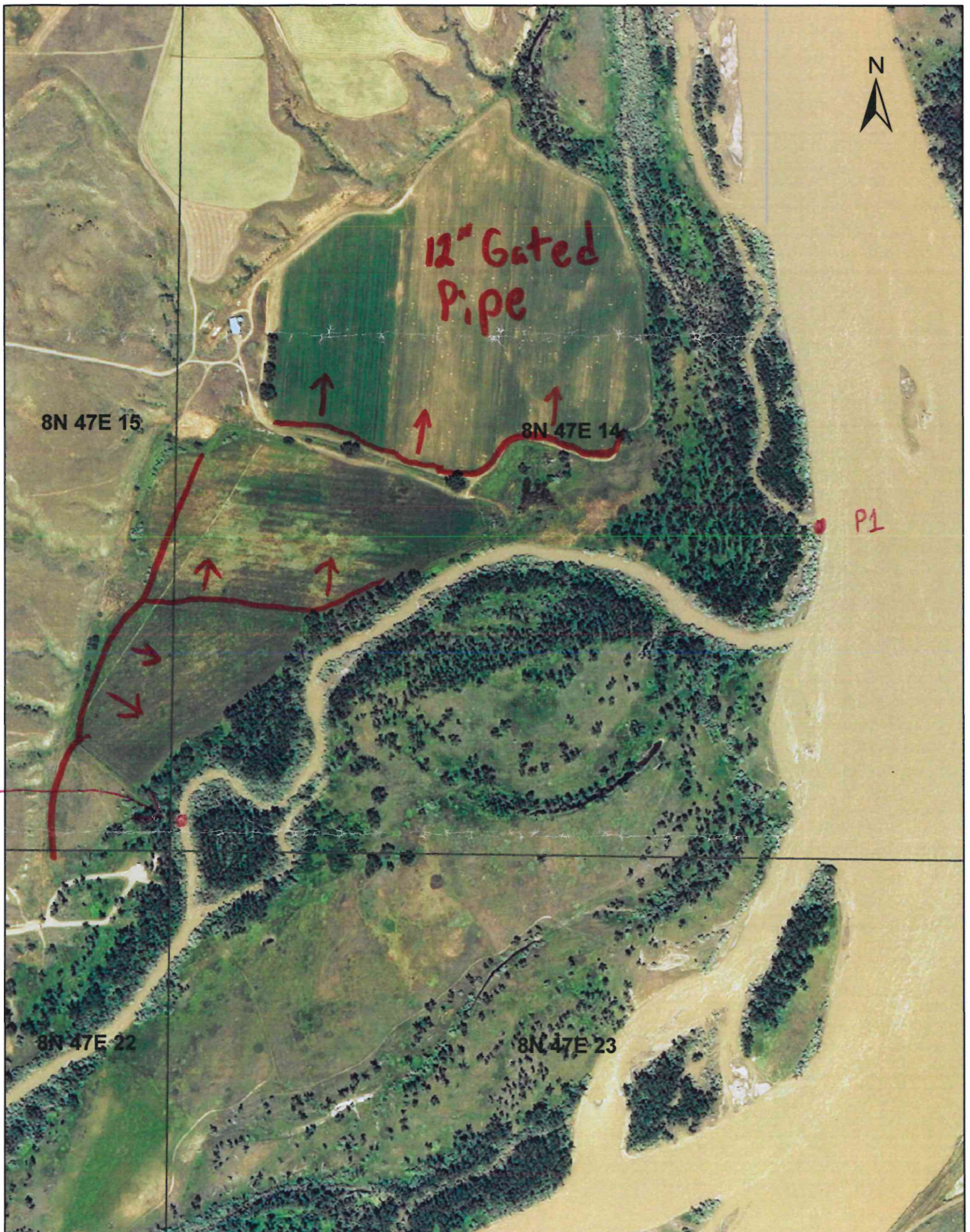
▽ Limited Restrictions

■ Exempt from Conservation Compliance Provisions



United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).

Question #8, #9, and #37



1 inch = 600 feet

6YBQ-CC

203550 10.56 13

TC12403

GPM 2700 FT Head 59



MONTANA SAGE GROUSE HABITAT CONSERVATION PROGRAM



GREG GIANFORTE, GOVERNOR

1539 ELEVENTH AVENUE

STATE OF MONTANA

PHONE: (406) 444-0554
FAX: (406) 444-6721

PO BOX 201601
HELENA, MONTANA 59620-1601

Project No. 7254
Governor's Executive Orders 12-2015 and 21-2015
Swope Ranch Irrigation

Jacob Swope
1110 Kinsey Road
Miles City, MT 59301

January 13, 2026

Dear Mr. Swope,

The Montana Sage Grouse Habitat Conservation Program received a request for consultation and review of your project or proposed activity on December 13, 2025. Based on the information provided, this Project is located within General Habitat for sage grouse.

Executive Orders 12-2015 and 21-2015 set forth Montana's Sage Grouse Conservation Strategy. Montana's goal is to maintain viable sage grouse populations and conserve habitat so that Montana maintains flexibility to manage our own lands, our wildlife, and our economy and ensure that a listing under the federal Endangered Species Act is not warranted in the future.

The Program has completed its review, including:

Project Description:

Project Type: Agriculture – Water

Project Disturbance: 13.33 Acres Existing Irrigation Field; Two Irrigation Pump Sites
Totaling 0.004 Acres

Construction Timeframe: December 13, 2025 to December 14, 2025; Temporary (<1
Year)

Operations Timeframe: December 15, 2025; Permanent (>25 Years)

Project Location:

Legal: Township 8 North, Range 47 East, Sections 14, 15

County: Custer

Ownership: Fish, Wildlife, and Parks, Private



Hosted by the Montana Department of Natural Resources and Conservation
Director's Office: (406) 444-2074



If the location or boundaries of your proposed project or activity change in the future, or if new activities are proposed within one of the designated sage grouse habitat areas, please visit <https://sagegrouse.mt.gov/> and submit the new information.

Thanks for your interest in sage grouse and your commitment to taking the steps necessary to ensure Montana's Sage Grouse Conservation Strategy is successful.

Sincerely,



Therese Hartman
Montana Sage Grouse Habitat Conservation Program Manager

Enclosures:

1. Figure 1. Swope Ranch Irrigation Project and Lek Location Map





**PREAPPLICATION MEETING FORM:
PART A
CHANGE**
§ 85-2-302(3)(b)

Form No. 606P-A (Revised 10/2025)

PREAPPLICATION MEETING FEE

\$ 500

FILING FEE REDUCTION & EXPEDITED TIMELINE

An application will be eligible for a filing fee reduction and expedited timelines if the applicant completes a preapplication meeting with the Department (ARM 36.12.1302(1)), which includes submitting any follow-up information identified by the Department (ARM 36.12.1302(3)(c)) and receiving either Department-completed technical analyses or Department review of applicant-submitted technical analyses (ARM 36.12.1302(4) and (5)). An application for the proposed project also must be submitted within 180 days of delivery of Department technical analyses or scientific credibility review and no element on the submitted application can be changed from the completed preapplication meeting form (ARM 36.12.1302(6)).

For Department Use Only

Application # 30172434 Basin 42K
Meeting Date 11/24/2025 Time 10:00A
Variance Request Deadline April 11, 2026
Completed Form Deadline May 23, 2026

The Department will fill out Form 606P-A and will identify items for follow-up during the preapplication meeting. The Department and Applicant will sign the Preapplication Meeting Affidavit and Certification within 10 business days. Within 180 days of the preapplication meeting, the Applicant will complete Preapplication Meeting Form Part B (Form 606P-B), including identified follow-up, any amended responses, and the Follow-up and Amended Responses Affidavit & Certification.

Applicant Information: Add more as necessary.

Applicant Name Swope Ranch LLC
Mailing Address 1110 Kinsey Road City Miles City State MT Zip 59301
Phone Numbers: Home 406-853-5027 Work 406-951-0030 Cell _____
Email Address jacob_102@hotmail.com

Applicant Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone Numbers: Home _____ Work _____ Cell _____
Email Address _____

Contact/Representative Information: Add more as necessary.

Contact/Representative is: ☒ Applicant ☐ Consultant ☐ Attorney ☐ Other (describe) _____
Contact/Representative Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone Numbers: Home _____ Work _____ Cell _____
Email Address _____

NOTE: If a contact person is identified as an attorney, all communication will be sent only to the attorney unless the attorney provides written instruction to the contrary. If a contact person is identified as a consultant, employee, or lessee, the individual filing the water right form or objection form will receive all correspondence and a copy may be sent to the contact person. (ARM 36.12.122)

Meeting Attendees: Add more as necessary.

Name	Organization	Position
Chris Schweigert	DNRC	Hydrologist
Veronica Corbett	DNRC	Water Resource Specialist
Nancy Swope	Applicant	
Jacob Swope	Applicant	
Kathy Olsen	DNRC	Regional Operations Manager



Table of Contents

Application Details	4
Historical Use	10
Historical Use: Place of Use	14
Historical Use: Point of Diversion	16
Historical Use: Period of Diversion	18
Historical Use: Historical Diverted Volume	19
Historical Use: Historical Consumed Volume	21
Historical Use: Historical Places of Storage	25
Surface Water.....	25
Return Flow Analysis	25
Extended Return Flow Analysis	27
GROUNDWATER.....	28
Groundwater Analysis for Changes.....	28
Groundwater Analysis: Well/Pumping Pit.....	28
Groundwater Analysis: Developed Spring	30
Groundwater Analysis: Pond	31
Surface Water Depletion Analysis for Changes.....	32
Surface Water Depletion Analysis: Well/Pumping Pit.....	32
Surface Water Depletion Analysis: Developed Spring	33
Surface Water Depletion Analysis: Pond	34
Extended Surface Water Depletion Analysis.....	35
Return Flow Analysis	36
Extended Return Flow Analysis	38
Mandatory Project-Specific Questions	39
Temporary Change	39
Change in Purpose	40
Ditch-Specific Questions	41
Change in Place of Storage	46
Mitigation, Aquifer Recharge, and Marketing for Mitigation/Aquifer Recharge	47
Instream Flow	51
Salvage Water	52
Non-Mandatory Questions for Criteria Analysis	53
Adverse Effect.....	53
Adverse Effect: Evaluation of Impacts to Identified Surface Water Rights for Return Flow Analysis	55
Adverse Effect: Evaluation of Impacts to Identified Water Rights for Surface Water Depletion Analysis ...	60
Adequate Means of Diversion and Operation	66
Beneficial Use	67
Possessory Interest.....	68
Non-Mandatory Project-Specific Questions	68
Change in Place of Storage	68
Instream Flow Change	69
Mitigation, Aquifer Recharge, and Marketing for Mitigation	70
Water Marketing	70



FOLLOW-UP 72

PREAPPLICATION MEETING AFFIDAVIT & CERTIFICATION 74



Application Details

The following questions are mandatory and must be filled out before the Preapplication Meeting Form is determined to be complete. Narrative responses that are larger than the space provided can be answered in an attachment. If an attachment is used, mark the see attachment ("A") checkbox on this form and label the attachment with the question number. Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative. Responses in the form of a table may be entered into the table provided on this form or in an attachment. If an attachment is used, the table must have the exact headings found on this form, and the see attachment ("A") checkbox must be marked. Label units in narrative responses and tables. Questions that require Applicant to submit items to the Department have a submitted ("S") checkbox, which is marked when the required item is attached to the Preapplication Meeting Form. Label all submitted items with the question number for which they were submitted. For all questions where follow-up is necessary, mark the "F" checkbox in the "Follow-Up" column and write the question number on the "Follow-Up Page".

S = Submitted. Use when required item is included with form.

A = See attachment. Use when additional space is needed to answer a question.

F = Follow-up. Use when follow-up is necessary.

<u>Questions, Narrative Responses, and Tables</u>							<u>Check-boxes</u>	<u>Follow-Up</u>
1. Do you elect to have DNRC conduct technical analyses?							☒ Y ☐ N	☐ F
2. How many change applications will be needed for this project? Please refer to ARM 36.12.1305 for more information. 1								☐ F
3. Which water right(s) are proposed for change?							☐ A	☐ F
Water Right No.	Current Authorized Flow Rate			Flow Rate Needed for Project			Means of Diversion	
	Flow	GPM	CFS	Flow	GPM	CFS		
42K 175169-00	6.68	☐	☒	6.68	☐	☒	Pump	
		☐	☐		☐	☐		
		☐	☐		☐	☐		
		☐	☐		☐	☐		
		☐	☐		☐	☐		
4. Is the proposed change on a non-filed water project?							☐ Y ☒ N	☐ F
a. If yes, please submit a Non-Filed Water Project Addendum (Form 606/634-NFWPA). The project must meet the requirements of the addendum. The addendum is required before the Preapplication Meeting Form is completed.							☐ S	☐ F



5. Is the source surface water or groundwater? <u>Surface Water</u>		
6. What is the source name? <u>Yellowstone River</u>		
7. Identify the water right elements proposed for change, with a checkmark, for each water right proposed for change.	☐ A	☐ F

Water Right #	42K 175169-00					
Point of diversion	☒	☐	☐	☐	☐	☐
Place of use	☐	☐	☐	☐	☐	☐
Purpose of use	☐	☐	☐	☐	☐	☐
Place of storage	☐	☐	☐	☐	☐	☐

8. Submit a historical use map created on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, north arrow, all historical points of diversion (POD) labeled with a unique POD ID ("H" followed by a number), all historical places of use (POU), all historical conveyance structures, all historical places of storage, and historical place of use for all overlapping water rights. More than one map may be submitted, if necessary to clearly convey all required information.	☐ S	☒ F
9. Submit a proposed use map created on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, north arrow, all proposed points of diversion labeled with a unique POD ID ("P" followed by a number), all proposed places of use, all proposed conveyance structures, all proposed places of storage, and proposed place of use for all overlapping water rights. More than one map may be submitted, if necessary to clearly convey all required information.	☐ S	☒ F
10. Does the change involve a change in point of diversion?	☒ Y ☐ N	☐ F
a. If yes, describe the location for all <i>new</i> and <i>unchanged</i> points of diversion to the nearest 10 acres. Label POD ID with the POD ID assigned for the proposed use map (question 9).	☐ A	☐ F

POD ID	1/4	1/4	1/4	Sec	Twp	Rge	County	Lot	Block	Tract	Subdivision	Gov. Lot	New or Unchanged
P1	SW	NW	SE	14	8N	47E	Custer					6	New



11. Describe the location of all historical PODs you propose to <i>retire</i> . Label POD ID with the POD ID assigned for the historical use map (question 8). If none are proposed for retirement, write "N/A" here: _____	☐ A	☐ F
---	----------------------------	----------------------------

POD ID	¼	¼	¼	Sec.	Twp.	Rge	County	Lot	Block	Tract	Subdivision	Gov. Lot
H1	SW	SW	SW	14	8N	47E	Custer					

12. What is the means of diversion for all <i>new</i> PODs? Means of diversion for surface water includes headgate, pump, dam, and others. Means of diversion for groundwater includes well, developed spring, pit pond, and others. Pump _____ _____	☐ A	☐ F
---	----------------------------	----------------------------

13. Does the change involve a change in place of use?	☐ Y ☒ N	☐ F
a. If yes,		
i. What are the geocodes of the proposed place of use?	☐ A	☐ F

ii. Describe the legal land description of the proposed place of use and, if the water rights being changed will have an irrigation or lawn and garden purpose, list the number of irrigated acres.	☐ A	☐ F
---	----------------------------	----------------------------

Acres	Gov't Lot	¼	¼	¼	Sec	Twp	Rge	County
	Total							



iii. Do other water rights supplement or overlap the historical and/or proposed place of use?	☐ Y ☐ N	☐ F
1. If yes,		
a. How were the water rights operated to serve the historical purposes and how will they be operated to serve the proposed purposes? _____ _____ _____	☐ A	☐ F
b. For each supplemental or overlapping water right, please list whether they contribute water for historical use, proposed use, or both; the average period of contribution (MM/DD-MM/DD); flow rate contributed (GPM or CFS); and, if known, the volume of water contributed (AF) contributed (otherwise write "unknown").	☐ A	☐ F

Water Right No.	Contributions to Use			Average Period of Contribution	Flow Rate Contributed			Volume Contributed
	<i>Hist.</i>	<i>Prop.</i>	<i>Both</i>	<i>MM/DD-MM/DD</i>	<i>Flow</i>	<i>GPM</i>	<i>CFS</i>	<i>AF</i>
	☐	☐	☐			☐	☐	
	☐	☐	☐			☐	☐	
	☐	☐	☐			☐	☐	

14. Does the proposed change include a change in purpose of use? If yes, answer questions 101 to 108 for change in purpose of use and question 13.a.iii for supplemental or overlapping water rights.	☐ Y ☒ N	☐ F
15. Are conveyance ditches used for historical or proposed uses? If yes, answer ditch-specific questions 109 to 115.	☐ Y ☒ N	☐ F
16. Do you propose to add or modify one or more places of storage? This does not include reservoirs, pits, pit-dams, or ponds with a capacity less than 0.1 AF; water tanks; or cisterns (ARM 36.12.113(6)). If yes, answer mandatory questions 116 to 123. Additionally, you may choose to answer non-mandatory questions 175 to 179. A Change Storage Addendum (Form 606-SA) will be required at application submittal.	☐ Y ☒ N	☐ F
17. Is the proposed use temporary? If yes, answer questions 94 to 100 for temporary changes.	☐ Y ☒ N	☐ F
18. Are you filing on behalf of another entity? If yes, describe. _____ _____	☐ Y ☒ N	☐ F



19. Do you own the entire historical place of use for all water rights proposed for change?	☒ Y ☐ N	☐ F
a. If no, was the water historically used for sale, rental, distribution, municipal use, or any other context in which water is being supplied to another and it is clear that the ultimate user would not accept the supply without consenting to the use of water on the user's place of use?	☐ Y ☐ N	☒ F
i. If no,		
1. List the water rights for which you do not own the entire historical place of use. _____	☐ A	☐ F
2. Are the water rights listed in question 19.a.i.1 severed from the historical POU?	☐ Y ☐ N	☐ F
a. If yes, do you own the entirety of the severed water rights proposed for change?	☐ Y ☐ N	☐ F
i. If yes, skip to question 20. If no, answer question 19.a.i.3.		
b. If no, answer question 19.a.i.3.		
3. Are all owners of the historical place of use or, if applicable, owners of the severed water rights, willing to sign the application?	☐ Y ☐ N	☐ F
a. If no,		
i. A Form 641 or 642 to split the water rights being changed must be received and processed by the Department prior to application submittal.		
ii. Describe how the water rights will be split, and which part of the split water rights will be proposed for change. _____ _____ _____	☐ A	☐ F
20. Are you proposing to add a point of diversion or place of use on State of Montana Trust Land?	☐ Y ☒ N	☐ F
a. If yes,		
i. Documentation of consent from the DNRC Trust Lands Management Division will be required at application submittal.		
ii. Do you propose to add a place of use on Trust Land with all points of diversion on private land? If yes, the change authorization will be temporary for the duration of the lease term (§85-2-441, MCA); answer temporary change project-specific questions 94 to 100.	☐ Y ☐ N	☐ F



21. Will your system be designed to discharge water from the project?	☐ Y ☒ N	☐ F
a. If yes, explain the wastewater disposal method. A discharge permit may be required to comply with §§ 75-5-410 and 85-2-364, MCA. 	☐ A	☐ F
22. Is the application to change the purpose of use or place of use of an appropriation of 4,000 or more acre-feet (AF) of water a year and 5.5 or more cubic feet per second (CFS)? If yes, you must submit a Reasonable Use Addendum (Form 606-B) with the application. The reasonable use criteria are found in §85-2-402(4-5), MCA.	☐ Y ☒ N	☐ F
23. Will you be transporting water for use outside of Montana? If yes, you will need to submit an Out-of-State Use Addendum (Form 600/606-OSA) with the application. The out-of-state use criteria are outlined in §85-2-402(6), MCA.	☐ Y ☒ N	☐ F
24. Is the project located in designated sage grouse habitat? If yes, a review letter from the Montana Sage Grouse Habitat Conservation Program will be required at application submittal.	☒ Y ☐ N	☐ F
25. Does the application include a mitigation, aquifer recharge, or marketing for mitigation/aquifer recharge purpose? If yes, answer mandatory questions 124 to 129. Additionally, you may choose to answer non-mandatory questions 185 to 190. A Mitigation Addendum (Form 600/606-MIT) will be required with application submittal.	☐ Y ☒ N	☐ F
26. Does the application include the water marketing purpose? This does not include marketing for mitigation/aquifer recharge. If yes, answer the following question. Additionally, you may choose to answer non-mandatory questions 191 to 195. A Water Marketing Purpose Addendum (Form 600/606-WMA) will be required with application submittal.	☐ Y ☒ N	☐ F
a. For what purposes will the marketed water be used? 	☐ A	☐ F
27. Does the proposed purpose include instream flow? If yes, answer mandatory questions for instream flow changes 130 to 136. Additionally, you may choose to answer non-mandatory questions 180 to 184. A Change to Instream Flow Addendum (Form 606-IFA) will be required with application submittal.	☐ Y ☒ N	☐ F
28. Will the proposed use include water made available through creation of a "water saving method" (i.e., salvage water) as defined in ARM 36.12.101? If yes, answer questions 137 to 141 for Salvage Water.	☐ Y ☒ N	☐ F



Historical Use

The following questions are mandatory and must be filled out for both Surface Water and Groundwater Applications before the Preapplication Meeting Form is determined to be complete.

<u>Questions, Narrative Responses, and Tables</u>				<u>Check-boxes</u>	<u>Follow-Up</u>
29. What is the water right type for each water right proposed for change? Answer question 30 for each Statement of Claim, question 31 for each Provisional Permit, and question 32 for water right that is not a Statement of Claim or Provisional Permit. Statement of Claim 				☐ A	☐ F
30. In the table below, write the water right number for each Statement of Claim proposed for change in the "Statement of Claim Number" column. If there is one or more previous change authorizations, write the application numbers for the change authorizations in the "Previous Change Authorization Number" column. If there are no previous change authorizations, write "none" in the "Previous Change Authorization Number" column and "N/A" in all the remaining columns. Write the date of the Project Completion Notice for each previous change authorization in the "Project Completion Notice Date" column and if no Project Completion Notice has been submitted, write "none" instead. In the "Previous Historical Use Analysis Quality" column, describe the quality of the previous historical use analysis.				☐ A	☐ F
Statement of Claim Number	Previous Change Authorization Number	Project Completion Notice Date	Previous Historical Use Analysis Quality		
42K 175169-00	none	N/A	N/A		



31. In the table below, write the water right number for each Provisional Permit proposed for change in the "Provisional Permit Number" column. In the "Project Completion Notice Date" column, write the date of the Project Completion Notice and if no Project Completion Notice has been submitted, write "none" instead. Write the application number for each previous change authorization in the "Previous Change Authorization Number" column. If there are no previous change authorizations, write "none" in the "Previous Change Authorization Number" column and "N/A" in all the remaining columns. Write the date of the Project Completion Notice for each previous change authorization in the "Previous Change Project Completion Notice" column and if no Project Completion Notice has been submitted, write "none" instead. In the "Previous Change Historical Use Analysis Quality" column, describe the quality of the previous historical use analysis.	☐ A	☐ F
--	----------------------------	----------------------------

Provisional Permit Number	Project Completion Notice Date	Previous Change Authorization Number	Previous Change Project Completion Notice Date	Previous Historical Use Analysis Quality

32. In the table below, write the water right number for each water right proposed for change that is not a Statement of Claim or Provisional Permit, the type of water right, and the completion date. If a Groundwater Certificate, the completion date will be the date of filing. If an exempt or non-filed water right, the completion date will be July 1, 1973. If there are one or more previous change authorizations, write the application number for each change authorization in the "Previous Change Authorization Number" column. If there are no previous change authorizations, write "none" in the "Previous Change Authorization Number" column and "N/A" in all the remaining columns. Write the date of the Project Completion Notice for each previous change authorization in the "Previous Change Project Completion Notice Date" column and if the previous change authorization does not have a Project Completion Notice, write "none" instead. In the "Previous Historical Use Analysis Quality" column, describe the quality of the previous historical use analysis.	☐ A	☐ F
---	----------------------------	----------------------------

Water Right Number	Water Right Type	Completion Date	Previous Change Authorization Number	Previous Change Project Completion Notice Date	Previous Historical Use Analysis Quality



33. Are there previous Montana Water Court approved stipulations, Water Master reports, or prior Montana Water Court or Department decisions related to the water right(s) being changed?		☐ Y ☒ N	☐ F
a. If yes, explain. 		☐ A	☐ F
34. Fill in the table below based on ARM 36.12.1902(1) and the information provided in questions 29 to 33. In column "Water Right Number", list all water rights proposed for change. Select one of the three historical use analysis options and fill in the required information associated with that option. Select "Full Historical Use Analysis N/A" only if an unperfected Provisional Permit will be used to serve as historical use in lieu of analysis. If the "Existing Historical Use Analysis" or "Full Historical Use Analysis N/A" option is selected, skip to question 57 because this section is complete.		☐ A	☐ F

Water Right No. Proposed for Change	Historical Use Analysis Options
42K 175169-00	☒ New Historical Use Analysis. Date for which historical use will be analyzed: <u>6/30/1973</u>
	☐ Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: _____
	☐ Full Historical Use Analysis N/A. Water right number serving as historical use in lieu of analysis: _____



	☐ New Historical Use Analysis. Date for which historical use will be analyzed: _____
	☐ Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: _____
	☐ Full Historical Use Analysis N/A. Water right number serving as historical use in lieu of analysis: _____
	☐ New Historical Use Analysis. Date for which historical use will be analyzed: _____
	☐ Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: _____
	☐ Full Historical Use Analysis N/A. Water right number serving as historical use in lieu of analysis: _____

35. Do you have knowledge of historical use?	☐ Y ☒ N	☐ F
a. If yes,		
i. Is this firsthand knowledge?	☐ Y ☐ N	☐ F
ii. Who has this knowledge and what was their role? _____	☐ A	☐ F
b. If no, where will the historical use data be derived? Family members will ask neighbors who are original filers/owners _____ _____	☐ A	☐ F



Fill out the remaining Historical Use questions (questions 37 to 56) **one time for each** water right proposed for change. Use the “Additional Water Right Historical Use (606P)” sheet for each additional water right. You may answer **one time for all** water rights proposed for change that have the same purposes, place of use, supplemental water rights, points of diversion, period of use, conveyance, diverted volume parameters, and consumptive volume parameters.

36. What is the water right number for which questions 37 to 56 will be answered? 42K 175169-00		☐ F
--	--	----------------------------

Historical Use: Place of Use

37. The historical use map submitted for question 8 must clearly identify the entire place of use for each overlapping water right that intersects the historical place of use. Does your historical use map meet this requirement?	☐ Y ☐ N	☒ F
38. Are you proposing to change all water rights associated with the historical place of use?	☒ Y ☐ N	☐ F
a. If no, identify the water rights associated with the historical place of use that are not included in this application. Provide the priority date for each water right and explain why all overlapping water rights are not included in the application. Include water received via contract from a company, district, or water users' association.	☐ A	☐ F
Water Right No.	Priority Date	Reason Not Included in Change



39. Answer the section of this question relevant to the historical purpose. If there is more than one purpose, then answer all relevant parts of this question.		
a. All purposes		
i. Does the legal land description from the abstract encompass the actual location of the historical place of use?	☒ Y ☐ N	☐ F
1. If no, explain the discrepancy and submit historical aerial photographs and/or other data sources to corroborate the location of these historical places of use, and, if a Statement of Claim, submit documentation of a written request submitted to the Water Court for amendment of the Claim. _____ _____	☐ S	☐ F
b. Irrigation		
i. Is the water right being changed a Statement of Claim?	☒ Y ☐ N	☐ F
1. If yes, does the Water Resources Survey corroborate the acres irrigated listed on the abstract?	☒ Y ☐ N	☐ F
a. If no, submit evidence that can corroborate the historical place of use, including the number of irrigated acres. This includes, but is not limited to, aerial photographs, irrigation journals, or logs.	☐ S	☐ F
2. If no, submit one or more aerial photographs that can corroborate the historical place of use, including the number of irrigated acres.	☐ S	☐ F
c. Lawn and garden		
i. Submit aerial photographs that can corroborate the historical place of use, including the number of irrigated acres.	☐ S	☐ F
d. Stock		
i. Submit aerial photographs, grazing records, or other records to corroborate the historical place of use.	☐ S	☐ F
ii. Did the stock drink direct from source or direct from ditch?	☐ Y ☐ N	☐ F
1. If no, submit data sources that make clear the location of the stock watering infrastructure.	☐ S	☐ F
e. Multiple domestic, domestic, municipal, mining, commercial, and other purposes		
i. Submit aerial photographs, deeds, other recorded documents or records, affidavits, or other published documents, such as magazine articles, to corroborate the historical place of use.	☐ S	☐ F



Historical Use: Point of Diversion

Continue to answer questions for water right(s) identified in question 36. Applications corroborating historical flow rate with the Historical Use Addendum (Form 606-HUA) may be eligible to skip question 42; see the Form 606-HUA for more information.

40. For all historical points of diversion, identify the means, location (¼ ¼ ¼ section), and if they are proposed for change. Label using the same POD ID letter as for the Historical Use Map (question 8).	☐ A	☐ F
---	----------------------------	----------------------------

POD ID	Means	Location (¼ ¼ ¼ Section)	Proposed for Change?
H1	Pump	SWSWSW S14 T8N R47E	☒ Y ☐ N
			☐ Y ☐ N
			☐ Y ☐ N
			☐ Y ☐ N

41. Do the legal land descriptions from the abstract encompass the actual locations of all historical points of diversion?	☒ Y ☐ N	☐ F
--	--	----------------------------

- a. If no, explain the discrepancy and submit historical aerial photographs and/or other data sources to corroborate the location of these historical points of diversion, and, if a Statement of Claim, submit documentation of a written request submitted to the Water Court for amendment of the Claim.

42. Answer questions below related to the diversion means for each of the historical points of diversion.		
---	--	--

- a. Headgate

- i. For each headgate, provide dimensions in feet (FT), slope of the channel at the headgate (%), material of the headgate, estimated historical capacity in gallons per minute (GPM) or cubic feet per second (CFS) and the method used to estimate historical capacity. Label using the same POD ID letter as for the Historical Use Map (question 8).

POD ID	Dimensions	Slope	Material	Estimated Capacity			Method
	FT	%		Cap.	GPM	CFS	
					☐	☐	
					☐	☐	
					☐	☐	
					☐	☐	
					☐	☐	



b. Pump, dike, dam, or other surface water point of diversion					
i. For each pump, dike, dam, or other surface water point of diversion, provide an estimate of the historical capacity (GPM or CFS) and the method used to estimate the historical capacity. Label using the same POD ID letter as for the Historical Use Map (question 8).				☐ A	☐ F
POD ID	Estimated Capacity			Method	
	Cap.	GPM	CFS		
H1	6.68	☐	☒	Claimant contact questionnaire in file (Berkley Electric Propeller pump, 25HP)	
		☐	☐		
		☐	☐		
		☐	☐		
		☐	☐		

c. Well, pit, or other groundwater point of diversion					
i. For each well, pit, or other groundwater point of diversion, provide an estimate of the historical capacity (GPM or CFS) and the method used to estimate the historical capacity. Label using the same POD ID letter as for the Historical Use Map (question 8).				☐ A	☐ F
POD ID	Estimated Capacity			Method	
	Cap.	GPM	CFS		
		☐	☐		
		☐	☐		
		☐	☐		
		☐	☐		
		☐	☐		



43. Do other water rights share any of the points of diversion?					☐ Y ☒ N	☐ F
a. If yes, list the water rights, their flow rates (GPM or CFS), and the nature of the relationship. Label using the same POD ID letter as for the Historical Use Map (question 8).					☐ A	☐ F
POD ID	Water Right No.	Flow Rate			Relationship	
		Flow	GPM	CFS		
			☐	☐		
			☐	☐		
			☐	☐		
			☐	☐		
			☐	☐		

Historical Use: Period of Diversion

(Continue to answer questions for water right(s) identified in question 36.)

44. Are the period of diversion and the period of use the same?		☒ Y ☐ N	☐ F
a. If no,			
i. Why are they different?		☐ A	☐ F

ii. Is there a place of storage?		☐ Y ☐ N	☐ F
45. When was water diverted for the purposes of the water rights being changed?		☐ A	☐ F
Start Date (Month (MM)/Day (DD))		End Date (MM/DD)	
04/01		10/1	



46. Does the Department have a standard, found in ARM 36.12.112, for the period of diversion for all purposes for which water is used?	☒ Y ☐ N	☐ F
a. If yes, does the period of diversion for all purposes fall within Department standards?	☒ Y ☐ N	☐ F
b. If no, or if any period of diversion falls outside Department standards, explain how the period of diversion is reasonable for the purpose. _____ _____ _____ _____	☐ A	☐ F

Historical Use: Historical Diverted Volume

Continue to answer questions for water right(s) identified in question 36. Applications corroborating historical diverted volume with the Historical Use Addendum (Form 606-HUA) may be eligible to skip question parts of question 47; see the Form 606-HUA for more information.

47. Answer all relevant sections of this question based on whether the historical purpose was irrigation, non-irrigation, or both.		
a. Irrigation		
i. Do you want ARM 36.12.1902(10) to be used to calculate historical diverted volume?	☒ Y ☐ N	☐ F
1. If no, submit a Historical Water Use Addendum (Form 606-HUA). Form 606-HUA must be submitted to the Department before the Preapplication Meeting Form is completed.	☐ S	☐ F
ii. What were the crop(s) grown? Alfalfa, barley, grass/hay		☐ F
1. For hay, how many cuttings were there per season and how many days did cuttings last? Did irrigation cease throughout the place of use for cuttings? For other crops, explain whether irrigation regularly ceased within the irrigation season. For all crops, explain whether diversions ceased during times irrigation did not occur. 3 cuttings, about 15 days off per season _____ _____ _____	☐ A	☐ F



b. Non-irrigation		
i. Explain your historical diversion schedule, with sufficient detail to estimate the volume of water historically diverted. This may include, but is not limited to, days per year water was historically diverted or the number of diversions per year and the duration of each diversion. _____ _____ _____ _____	☐ A	☐ F
ii. Explain water diverted but not consumed by the non-irrigation purpose(s). This includes, but is not limited to, wastewater discharge and conveyance loss. Ditch-Specific Questions (questions 110 to 111) will gather information necessary for estimating losses from conveyance ditches. _____ _____ _____ _____ _____	☐ A	☐ F
iii. Did historical diversions serve more than one non-irrigation purpose?	☐ Y ☐ N	☐ F
1. If yes, how much of the diversions served each non-irrigation purpose and how did you determine this? _____ _____ _____ _____	☐ A	☐ F
48. Did diversions ever regularly cease within the period of use due to insufficient water in source or calls based on priority date?	☐ Y ☐ N	☒ F
a. If yes, please explain. _____ _____ _____	☐ A	☐ F



Historical Use: Historical Consumed Volume

Continue to answer questions for water right(s) identified in question 36. Applications corroborating historical consumptive volume with the Historical Use Addendum (Form 606-HUA) may be eligible to skip parts of question 50; see the Form 606-HUA for more information.

49. What are the historical purposes? Mark each purpose and answer the applicable questions below. ☒ Irrigation. Answer question 50. ☐ Lawn and garden. Answer question 51. ☐ Stock. Answer question 52. ☐ Domestic and multiple domestic. Answer question 53. ☐ Municipal. Answer question 54. ☐ Other. Answer question 55.		
50. Irrigation		
a. Will you use Department standards for historical consumptive use as defined in ARM 36.12.1902?	☒ Y ☐ N	☐ F
i. If no,		
1. What method will you use to determine historical consumptive use? _____ _____	☐ A	☐ F
2. Submit a Historical Water Use Addendum (Form 606-HUA) to the Department. Form 606-HUA must be submitted to the Department before the Preapplication Meeting Form is completed.	☐ S	☐ F
ii. If yes,		
1. What is the historical irrigation method type and subtype? Irrigation method types include flood and sprinkler. Flood irrigation subtypes include level border, graded border, furrow, contour ditch, or wild flood. Sprinkler subtypes include wheel line and center pivot. Flood, furrow _____	☐ A	☐ F
2. What was the slope (%) of the historical place of use? _____		☒ F



3. Are there any factors beyond irrigation method type/subtype and place of use slope that may influence percent efficiency of irrigation?	☐ Y ☒ N	☐ F
a. If yes, submit evidence to support the modified percent efficiency of irrigation in the Historical Water Use Addendum (Form 606-HUA). These factors may include infrastructure age, soil characteristics, or field improvements. Form 606-HUA must be submitted to the Department before the Preapplication Meeting Form is completed.	☐ S	☐ F
4. Based on answers to the above questions, what is the percent efficiency of irrigation? _____		☒ F
5. What is the County Management Factor? 54.5%		☐ F
6. What is evapotranspiration (ET) based on the irrigation method and county? 26.68in		☐ F
7. What percent of applied water are irrecoverable losses per ARM 36.12.1902(17)? 5%		☐ F



51. Lawn and garden		
a. Will you use a Department standard for historical consumptive use volume for lawn and garden? Department standards include 2.5 acre-feet per acre, or a calculated volume based on Irrigation Water Requirements for turf grass.	☐ Y ☐ N	☐ F
i. If yes, which standard? _____		☐ F
ii. If no, please provide an estimate of historical water use based on expert analysis and methods used to determine this estimate. _____ _____	☐ A	☐ F

52. Stock		
a. Which volume standard for animal units applies to historical use and why? The standards are either 15 gallons per animal unit per day for new appropriations or 30 gallons per animal unit per day for claims. _____	☐ A	☐ F
b. How many animal units were historically served? _____		☐ F
c. Did these animal units rely entirely on the water right(s) proposed for change for their full water demand?	☐ Y ☐ N	☐ F
i. If no, explain. _____ _____	☐ A	☐ F



53. Domestic and multiple domestic		
a. How many households were served? _____		☐ F
b. Will the Department standard of 1 acre-foot per household be used? The same standard shall be applied to historical and proposed uses.	☐ Y ☐ N	☐ F
i. If no, what standard will be used? _____		☐ F
c. Did the historical use include wastewater disposal and treatment?	☐ Y ☐ N	☐ F
i. If yes, which of the following best describes the wastewater disposal and treatment system? Individual drain fields, central treatment facility with minimal consumption, or evaporation basin or land application? _____	☐ A	☐ F

54. Municipal		
a. What is the volume of water (AF) historically consumed for municipal purposes? _____		☐ F
b. Submit evidence to support historical municipal use. The data sources may include records that tie water use to the U.S Census, estimates of historical system capacity and estimates of leakage.	☐ S	☐ F

55. Other		
a. Specify the other purposes. _____		☐ F
b. What is the volume of water (AF) historically consumed for other purposes? _____		☐ F
c. Submit evidence to support the volume of water historically consumed.	☐ S	☐ F



Historical Use: Historical Places of Storage

(Continue to answer questions for water right(s) identified in question 36.)

56. Did the historical use include one or more places of storage? This does not include reservoirs, pits, pit-dams, or ponds with a capacity less than 0.1 AF; water tanks; or cisterns (ARM 36.12.113(6)).					☐ Y ☒ N	☐ F
a. If yes, for each historical place of storage please provide the surface area in acres (AC), capacity (AF), annual net evaporation (FT/YR), and number of times per year the place of storage was filled.					☐ A	☐ F
ID	Surface Area (AC)	Capacity (AF)	Annual Net Evaporation (FT/YR)	# of Annual Fillings		

Surface Water

☒ **Applicable**, move on to question 57. ☐ **Not Applicable**, skip to question 66.

The following questions are mandatory for changes to surface water rights and must be filled out before the Preapplication Meeting Form is determined to be complete.

Return Flow Analysis

<u>Questions, Narrative Responses, and Tables</u>	<u>Check-boxes</u>	<u>Follow-Up</u>
57. Do the purposes of the water rights proposed for change include irrigation?	☒ Y ☐ N	☐ F
a. If yes, does the proposed change include a change in place of use <i>and/or</i> a change in purpose? If you propose to retire acres in the historical place of use and/or add new acres outside the historical place of use, this constitutes a change in place of use.	☐ Y ☒ N	☐ F
i. If yes, a return flow analysis is required. Move on to answer question 58.		
ii. If no, this section is complete, and you may skip to question 94.		
58. Does the proposed change include a change in purpose?	☐ Y ☐ N	☐ F
a. If yes, consumptive use information is collected in the Change in Purpose section (questions 101 to 108), skip to question 59.		
b. If no, go to question 59.		
59. Does the proposed change include a change in place of use? If yes, move on to question 60. If no, skip to question 63.	☐ Y ☐ N	☐ F



60. Submit a map showing the new, unchanged historical, and retired historical places of use. Create map on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, and north arrow. If you have shapefiles associated with this map, in addition to submitting an image of the map, please submit electronic copies of the shapefiles to the Department.	☐ S	☐ F
61. How many acres, if any, will be retired from the historical place of use? _____		☐ F
62. Are irrigated acres proposed that are outside the historical place of use?	☐ Y ☐ N	☐ F
a. If yes,		
i. How many acres? _____		☐ F
ii. What is the proposed irrigation method type (e.g., flood or sprinkler) and subtype (e.g., level border, graded border, furrow, contour ditch, wild flood, center pivot, or wheel line) for the new acres? _____		☐ F
iii. What is the slope (%) of the new place of use? _____		☐ F
iv. Based on 62.a.ii to 62.a.iii, what is the percent efficiency of irrigation for the new acres? _____		☐ F
v. What is the County Management Factor for the new acres? _____		☐ F
vi. What is the ET based on the irrigation method and county for the new acres? _____		☐ F
vii. What percent of applied water are irrecoverable losses for new acres? _____		☐ F
63. Do you have information for the Department to consider about the source and location where return flows historically accrued?	☐ Y ☐ N	☐ F
a. If yes, submit this information to the Department.	☐ S	☐ F



Extended Return Flow Analysis

64. Based on the preliminary data provided by the Department at this preapplication meeting, to what surface water sources do return flows accrue before and after the proposed change? <i>*Return flow data provided by the Department at the preapplication meeting is preliminary and is subject to change during technical analyses. If the source or location of return flow data changes during technical analyses, then the analysis of impacts to identified surface water rights will reflect the technical analyses; this will not constitute a change of any element to the proposed application pursuant to ARM 36.12.1302(6)(a).</i> _____ _____	☐ A	☐ F
65. If an extended return flow analysis is necessary to analyze impacts to identified surface water rights for the purpose of evaluating adverse effect, do you elect to answer non-mandatory questions 149 to 154 to provide information required for this extended analysis?	☐ Y ☐ N	☐ F
a. If yes, go to question 149. This information will be used if an extended return flow analysis is necessary to analyze impacts to identified surface water rights for the purpose of evaluating adverse effect.		
b. If no, did you elect in question 1 for the Department to conduct technical analyses?	☐ Y ☐ N	☐ F
i. If yes, do you elect for the Department to use publicly available water quantity data for the extended return flow analysis? If the extended return flow analysis is needed and sufficient publicly available water quantity data are not available, then the Department will not be able to conduct the extended analysis. You will still have to prove a lack of adverse effect from the proposed change.	☐ Y ☐ N	☐ F
ii. If no, you may still include the extended return flow analysis with your technical analyses. The Department will include the extended analysis in its scientific credibility review of your technical analyses. You will still need to prove a lack of adverse effect from the proposed change.		



GROUNDWATER

☐ **Applicable**, move on to question 66. ☐ **Not Applicable**, skip to question 94.

The following questions are mandatory for changes to groundwater rights and must be filled out before the Preapplication Meeting Form is determined to be complete.

Groundwater Analysis for Changes

<u>Questions, Narrative Responses, and Tables</u>					<u>Check-boxes</u>	<u>Follow-Up</u>
66. Does the proposed change include a change in point of diversion?					☐ Y ☐ N	☐ F
a. If no, this section is complete; skip to question 77.						
b. If yes, a groundwater analysis for changes is required; answer questions specific to the groundwater diversion type.						
i. What is the groundwater diversion type? _____						☐ F
Well/Pumping Pit	Answer questions 67 to 72	Developed Spring	Answer question 73	Pond	Answer questions 74 to 76	

Groundwater Analysis: Well/Pumping Pit

☐ Applicable ☐ Not Applicable

67. Per ARM 36.12.121 a 24- or 72-hour aquifer test is required; do you propose not to conduct the test? An 8-hour test will be required, if no aquifer test is completed.	☐ Y ☐ N	☐ F
a. If yes, explain. The Department will let you know if the request is reasonable and identify additional data needs. _____ _____ _____ _____ _____	☐ A	☐ F



68. Submit Aquifer Test Data Form (Form 633) for each <i>new</i> well/pumping pit that will be constructed prior to technical analyses or <i>existing</i> well/pumping pit that is added by the change. If an aquifer test was already conducted for an <i>existing</i> well/pumping pit, and you would like to use that instead of conducting a new aquifer test, describe this in question 67.a. If a variance is requested, Form 633 must be submitted on or before the Variance Request Deadline. If no variance is requested, Form 633 is due by the time the preapplication meeting form is complete but may be submitted earlier. However, if the Department determines a variance is needed and the Variance Request Deadline has passed, to submit the Form 633 you must reschedule the preapplication meeting or submit the application without expedited fees and timelines (ARM 36.12.1302(6)).	☐ S	☐ F
69. Submit the Aquifer Testing Addendum (Form 600/606-ATA) and associated materials (e.g., well logs). If you request a variance, Form 600/606-ATA must be submitted on or before the Variance Request Deadline. If no variance is requested, Form 600/606-ATA is due by the time the preapplication meeting form is complete but may be submitted earlier. However, if the Department determines a variance is needed and the Variance Request Deadline has passed, to submit the Form 633 you must reschedule the preapplication meeting or submit the application without expedited fees and timelines (ARM 36.12.1302(6)).	☐ S	☐ F
70. Are you requesting a variance from ARM 36.12.121? If you are unsure if a variance request will be needed, mark follow-up and answer this question once Form 600/606-ATA and Form 633 are complete. A variance must be requested by the Variance Request Deadline.	☐ Y ☐ N	☐ F
a. If yes, submit Form 653, Form 600/606-ATA, and Form 633 together on or before the Variance Request Deadline.	☐ S	☐ F
b. If no, you may choose to submit Form 600/606-ATA and Form 633 before the Variance Request Deadline, and the Department will review these two forms. If the Department determines a variance is needed after the Variance Request Deadline, to submit the Form 653 you must reschedule the preapplication meeting or submit the application without expedited fees and timelines (ARM 36.12.1302(6)).		
71. Have all the wells/pumping pits been constructed?	☐ Y ☐ N	☐ F
a. If no,		
i. Submit a list of the POD IDs for all wells/pumping pits and mark whether they have or have not been constructed.	☐ S	☐ F
ii. When will the proposed wells/pumping pits be constructed? _____		☐ F



iii. Is the requested volume for each proposed well/pumping pit known?							☐ Y ☐ N	☐ F
1. If yes, list the flow rate and volume requested for each proposed well/pumping pit. Label with POD ID. _____ _____							☐ A	☐ F
2. If no, what is the total requested volume (AF) and the number of proposed PODs? _____								☐ F
72. What is the flow rate (GPM or CFS), volume (AF), and period of diversion (MM/DD-MM/DD) required at each new well/pumping pit ("new") or existing well/pumping pit that is added by the change ("existing")? If the well/pumping pit is not yet constructed, use the estimated volume based on question 71.a.iii.2. What is the well/pumping pit depth (FT), if available, or estimated well/pumping pit depth (FT)? Label using the same POD ID number as the Proposed Use Map (question 9) and, if available, GWIC ID. List whether the POD is <i>new</i> or an <i>existing</i> well added by the change.							☐ A	☐ F

POD ID	GWIC ID (if available)	Flow Rate			Volume AF	Period of Diversion MM/DD-MM/DD	Depth FT	Measured or Estimated	New or Existing
		Flow	GPM	CFS					
			☐	☐					
			☐	☐					
			☐	☐					
			☐	☐					
			☐	☐					

Groundwater Analysis: Developed Spring

☐ Applicable ☐ Not Applicable

73. Have you measured each <i>new</i> developed spring or <i>existing</i> developed spring that will be added by the change?		☐ Y ☐ N	☐ F
a. If yes, submit the measurements to the Department and answer the following questions:		☐ S	☐ F
i. Do you have flow rate (GPM or CFS) and volume measurements?		☐ Y ☐ N	☐ F
ii. With what method were measurements collected? _____ _____		☐ A	☐ F



iii. What is the interval of measurements? _____		☐ F
iv. Is the interval of measurements sufficient to comply with the Department standard of monthly flow measurements taken at regular intervals or at department-approved intervals during the proposed period of diversion?	☐ Y ☐ N	☐ F
b. If no, or if measurements do not comply with the Department standard, answer the following questions. The Department cannot deem the preapplication meeting form adequately completed until the Department receives measurements that meet the Department standard.		
i. When do you plan to measure? _____	☐ A	☐ F
ii. With what method and at what interval will measurements be collected? _____ _____	☐ A	☐ F

Groundwater Analysis: Pond

☐ Applicable ☐ Not Applicable

74. Submit Form 653 to apply for a variance from ARM 36.12.121 for the Aquifer Test on or before the Variance Request Deadline.	☐ S	☐ F
75. Submit bathymetry data, survey, or engineering plans for each <i>new</i> pond added or <i>existing</i> pond added or modified by the proposed change. Label using the same POD ID number as the Proposed Use Map (question 9). List whether the pond is <i>new</i> or an <i>existing</i> pond.	☐ S	☐ F
76. Are any of the <i>new</i> ponds, or <i>existing</i> ponds added or modified by the proposed change the pond, fed or drained by surface water in addition to groundwater?	☐ Y ☐ N	☐ F
a. If yes,		
i. Explain. _____ _____ _____	☐ A	☐ F
ii. Submit measurements of the connected surface water source. These may include inflow and outflow measurements.	☐ S	☐ F



Surface Water Depletion Analysis for Changes

77. Does the proposed change include any of the following scenarios that necessitate a surface water depletion analysis pursuant to ARM 36.12.1303(5)(c)? ☐ Y ☐ N					☐ F
- Change in point of diversion - Change in place of use, purpose of use, or place of storage that result in a change in consumptive use or pumping schedule.					
a. If no, this section is complete; skip to question 85.					
b. If yes, a surface water depletion analysis is required; answer questions specific to the groundwater diversion type.					
i. What is the groundwater diversion type? _____					☐ F
Well/Pumping Pit	Answer questions 78 to 79	Developed Spring	Answer question 80	Pond	Answer questions 81 to 82

Surface Water Depletion Analysis: Well/Pumping Pit

☐ Applicable ☐ Not Applicable

78. Provide the following information for each well/pumping pit on the current version of the water rights proposed for change that will either remain on the water rights after the change (" <i>unchanged</i> ") or will be retired (" <i>retired</i> "): flow rate (GPM or CFS), volume (AF), period of diversion required (MM/DD-MM/DD), well/pumping pit depth (FT) (if available, otherwise or estimated well/pumping pit depth (FT)), and whether it is <i>unchanged</i> or <i>retired</i> . Please use the same POD ID as the Historical Use Map (question 8) and, if available, provide the GWIC ID number.								☐ A	☐ F
POD ID	GWIC ID <i>(if available)</i>	Flow Rate			Volume	Period of Diversion	Depth	Measured or Estimated	Unchanged or Retired
		<i>Flow Rate</i>	<i>GPM</i>	<i>CFS</i>	<i>AF</i>	<i>MM/DD-MM/DD</i>	<i>FT</i>		
			☐	☐					
			☐	☐					
			☐	☐					
			☐	☐					
			☐	☐					



79. Provide the pumping schedule for each well/pumping pit (<i>new, existing, unchanged, or retired</i>) for both <i>before</i> and <i>after</i> the proposed change. Use the same POD ID as the project maps. For <i>new</i> and <i>existing</i> wells/pumping pits, use the Proposed Use Map (question 9). For <i>unchanged</i> and <i>retired</i> wells/pumping pits use the Historical Use Map (question 8). Attach any additional pumping schedules using “<i>Additional Pumping Schedule (606P)</i>” sheet. For <i>retired</i> wells/pumping pits, mark “N/A” checkbox for after the change and for <i>new</i> wells/pumping pits, mark “N/A” checkbox for before the change. Mark the checkbox “Diverted volume/# of Days” if it is a year-round use and the pump schedule is an allocation of diverted volume by the number of days in the month. Mark the checkbox “80% dry year IWR” if it is an irrigation/lawn and garden use and the pump schedule is the 80% dry year net irrigation requirement (IWR, NRCS 2003).	☐ A	☐ F
---	----------------------------	----------------------------

(Before) POD ID				(After) POD ID			
☐ Diverted volume/# of Days ☐ 80% dry year IWR ☐ N/A				☐ Diverted volume/# of Days ☐ 80% dry year IWR ☐ N/A			
Month	Volume (AF)	Month	Volume (AF)	Month	Volume (AF)	Month	Volume (AF)
January		July		January		July	
February		August		February		August	
March		September		March		September	
April		October		April		October	
May		November		May		November	
June		December		June		December	

Surface Water Depletion Analysis: Developed Spring

☐ Applicable ☐ Not Applicable

80. Is the type of groundwater diversion for your proposed project a developed spring? If yes, skip to question 85 because no surface water depletion analysis will be necessary.	☐ Y ☐ N	☐ F
--	---	----------------------------



Surface Water Depletion Analysis: Pond

☐ Applicable ☐ Not Applicable

81. Are there any ponds on the current version of the water rights proposed for change that will remain on the water rights unchanged (" <i>unchanged</i> ") or will be retired (" <i>retired</i> ")? If yes,	☐ Y ☐ N	☐ F
a. Did you skip questions 74 to 76 because there is no change in POD? If yes,	☐ Y ☐ N	☐ F
i. Submit Form 653 to apply for a variance from ARM 36.12.121 for the Aquifer Test on or before the Variance Request Deadline.	☐ S	☐ F
b. Submit bathymetry data, survey, or engineering plans for each <i>unchanged</i> pond or <i>retired</i> pond. Label the submittal with the POD ID and whether the pond is <i>unchanged</i> or <i>retired</i> .	☐ S	☐ F
c. Are any of the <i>unchanged</i> or <i>retired</i> ponds fed or drained by surface water, in addition to groundwater?	☐ Y ☐ N	☐ F
i. If yes,		
1. Explain. _____ _____ _____	☐ A	☐ F
2. Submit measurements of the connected surface water source. These may include inflow and outflow measurements.	☐ S	☐ F



82. Provide the schedule of diversions for out-of-pond use for each pond (<i>new, existing, unchanged, or retired</i>) for both <i>before</i> and <i>after</i> the proposed change. Use the same POD ID as the project maps. For <i>new</i> and <i>existing</i> ponds, use the Proposed Use Map (question 9). For <i>unchanged</i> and <i>retired</i> ponds use the Historical Use Map (question 8). Attach any additional diversion schedules using the same format as the table below. For <i>retired</i> ponds, mark "N/A" checkbox for after the change and for <i>new</i> ponds, mark "N/A" checkbox for before the change. Mark the checkbox "Diverted volume/# of Days" if it is a year-round use and the diversion schedule is an allocation of diverted volume by the number of days in the month. Mark the checkbox "80% dry year IWR" if it is an irrigation or lawn and garden use and the diversion schedule is the 80% dry year net irrigation requirement (IWR, NRCS 2003).								☐ A	☐ F
(Before) POD ID				(After) POD ID					
☐ Diverted volume/# of Days ☐ 80% dry year IWR ☐ N/A				☐ Diverted volume/# of Days ☐ 80% dry year IWR ☐ N/A					
Month	Diversions for Out-of-Pond Use Volume (AF)	Month	Diversions for Out-of-Pond Use Volume (AF)	Month	Diversions for Out-of-Pond Use Volume (AF)	Month	Diversions for Out-of-Pond Use Volume (AF)		
January		July		January		July			
February		August		February		August			
March		September		March		September			
April		October		April		October			
May		November		May		November			
June		December		June		December			

Extended Surface Water Depletion Analysis

83. Based on the preliminary net depletion data provided by the Department at this preapplication meeting, what are the hydraulically connected surface water sources before and after the proposed change? <i>*Net depletion data provided by the Department at the preapplication meeting are preliminary and are subject to change during the technical analyses. If the source or location of net depletion data changes during the technical analyses, then the extended surface water depletion analysis will reflect the technical analyses; this will not constitute a change of any element to the proposed application pursuant to ARM 36.12.1302(6)(a).</i> 								☐ A	☐ F
--	--	--	--	--	--	--	--	----------------------------	----------------------------



84. If an extended surface water depletion analysis is necessary to analyze impacts to identified surface water rights for the purpose of evaluating adverse effect, do you elect to answer non-mandatory questions 157 to 161 to provide information required for this extended surface water depletion analysis?	☐ Y ☐ N	☐ F
a. If yes, go to question 156. This information will be used if an extended surface water depletion analysis is necessary to analyze impacts to identified surface water rights for the purpose of evaluating adverse effect.		
b. If no, did you elect in question 1 for the Department to conduct technical analyses?	☐ Y ☐ N	☐ F
i. If yes, do you elect for the Department to use publicly available water quantity data for the extended surface water depletion analysis? If this extended surface water depletion analysis is needed and sufficient publicly available water quantity data are not available, then the Department will not be able to conduct the extended surface water depletion analysis. You will still need to prove a lack of adverse effect from the proposed change.	☐ Y ☐ N	☐ F
ii. If no, you may still include the extended surface water depletion analysis with your technical analyses. The Department will include the extended analysis in its scientific credibility review of your technical analyses. You will still need to prove a lack of adverse effect from the proposed change.		

Return Flow Analysis

85. Do the purposes of the water rights proposed for change include irrigation?	☐ Y ☐ N	☐ F
a. If yes, does the proposed change include a change in place of use <i>and/or</i> a change in purpose? If you propose to retire acres in the historical place of use and/or add new acres outside the historical place of use, this constitutes a change in place of use.	☐ Y ☐ N	☐ F
i. If yes, a return flow analysis is required. Move on to answer question 86.		
ii. If no, this section is complete, and you may skip to question 94.		
86. Does the proposed change include a change in purpose?	☐ Y ☐ N	☐ F
a. If yes, consumptive use information is collected in the Change in Purpose section (questions 101 to 108), skip to question 87.		
b. If no, skip to question 87.		
87. Does the proposed change include a change in place of use? If yes, move on to question 88. If no, skip to question 91.	☐ Y ☐ N	☐ F



88. Submit a map showing the new, unchanged historical, and retired historical places of use. Create map on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, and north arrow. If you have shapefiles associated with this map, in addition to submitting an image of the map, please submit electronic copies of the shapefiles to the Department.	☐ S	☐ F
89. How many acres, if any, will be retired from the historical place of use? _____		☐ F
90. Are irrigated acres proposed that are outside the historical place of use?	☐ Y ☐ N	☐ F
a. If yes,		
i. How many acres? _____		☐ F
ii. What is the proposed irrigation method type (e.g., flood or sprinkler) and subtype (e.g., level border, graded border, furrow, contour ditch, wild flood, center pivot, or wheel line) for the new acres? _____	☐ A	☐ F
iii. What is the slope (%) of the new place of use? _____		☐ F
iv. Based on question 90.a.ii to 90.a.iii, what is the percent efficiency of irrigation for the new acres? _____		☐ F
v. What is the County Management Factor for the new acres? _____		☐ F
vi. What is the ET based on the irrigation method and county for the new acres? _____		☐ F
vii. What percent of applied water are irrecoverable losses for new acres? _____		☐ F
91. Do you have information for the Department to consider about the source and location where return flows historically accrued?	☐ Y ☐ N	☐ F
a. If yes, submit this information to the Department.	☐ S	☐ F



Extended Return Flow Analysis

92. Based on the preliminary data provided by the Department at this preapplication meeting, to what surface water sources do return flows accrue before and after the proposed change? <i>*Return flow data provided by the Department at the preapplication meeting are preliminary and are subject to change during technical analyses. If the source or location of return flow data changes during technical analyses, then the analysis of impacts to identified surface water rights will reflect the technical analyses; this will not constitute a change of any element to the proposed application pursuant to ARM 36.12.1302(6)(a).</i> _____ _____	☐ A	☐ F
93. If an extended return flow analysis is necessary to analyze impacts to identified surface water rights for the purpose of evaluating adverse effect, do you elect to answer non-mandatory questions 149 to 155 to provide information required for this extended analysis?	☐ Y ☐ N	☐ F
a. If yes, go to question 149. This information will be used if an extended return flow analysis is necessary to analyze impacts to identified surface water rights for the purpose of evaluating adverse effect.		
b. If no, did you elect in question 1 for the Department to conduct technical analyses?	☐ Y ☐ N	☐ F
i. If yes, do you elect for the Department to use publicly available water quantity data for the extended return flow analysis? If the extended return flow analysis is needed and sufficient publicly available water quantity data are not available, then the Department will not be able to conduct the extended analysis. You will still have to prove a lack of adverse effect from the proposed change.	☐ Y ☐ N	☐ F
ii. If no, you may still include the extended return flow analysis with your technical analyses. The Department will include the extended analysis in its scientific credibility review of your technical analyses. You will still need to prove a lack of adverse effect from the proposed change.		



Mandatory Project-Specific Questions

The following questions are mandatory when applicable and must be filled out before the Preapplication Meeting Form is determined to be complete.

Temporary Change

<u>Questions, Narrative Responses, and Tables</u>	<u>Check-boxes</u>	<u>Follow-Up</u>
94. Does the proposal include a temporary change? <i>This includes proposing to add a place of use on State of Montana Trust Land, with all points of diversion on private land, because the change authorization will be temporary for the duration of the lease term.</i> If yes, answer the questions in this section (questions 95 to 100). If no, this section is complete; skip to question 100.	☐ Y ☒ N	☐ F
95. What elements of the water rights are being temporarily changed? _____		☐ F
96. For what purpose will the water rights be temporarily used? _____		☐ F
97. For how many years will the water rights be temporarily changed? _____		☐ F
98. Will the temporary change be intermittent over the years?	☐ Y ☐ N	☐ F
a. If yes, explain. _____	☐ A	☐ F
99. Is the quantity of water subject to the temporary change being made available from the development of a new water conservation or storage project?	☐ Y ☐ N	☐ F
a. If yes, explain the water conservation or storage project. _____ _____ _____	☐ A	☐ F
100. If you are answering Project-Specific Questions as they are referenced in Application Details, return to question 17 if you are proposing to add a place of use on State of Montana Trust Land and question 20.a.ii if you are proposing a temporary change that does not involve State of Montana Trust Land. If you are answering in consecutive order, go to question 101.		



Change in Purpose

101. Does the project involve a change in purpose? If yes, answer the questions in this section (questions 102 to 108). If no, this section is complete; skip to question 108.							☐ Y ☒ N	☐ F
102. Identify the new and unchanged purposes, flow rate (GPM or CFS), volume (AF), period of diversion, and period of use (MM/DD-MM/DD) for each purpose.							☐ A	☐ F
Purpose	New or Unchanged?	Period of Diversion (MM/DD-MM/DD)	Period of Use (MM/DD-MM/DD)	Flow Rate Flow Rate	GPM	CFS	Volume (AF)	
					☐	☐		
					☐	☐		
					☐	☐		
					☐	☐		
					☐	☐		
Total					☐	☐		

103. Answer the questions specific to each new and unchanged purpose identified in question 102.								
Lawn and garden	Question 104	Stock	Question 105	Domestic and multiple domestic	Question 106	Other purpose	Question 107	

104. Lawn and garden								
a. Will consumptive use be based on the standard of 2.5 acre-feet per acre or a calculated volume based on Irrigation Water Requirements for turf grass?							☐ Y ☐ N	☐ F
i. If yes, which standard? _____								☐ F
ii. If no, describe how consumptive use will be estimated. This must be based on expert analysis. _____ _____							☐ A	☐ F
105. Stock								
a. How many animal units will be served? _____								☐ F



106. Domestic and multiple domestic		
a. Households & bedrooms per household served? _____		☐ F
b. Will the Department volume standard be used to determine consumptive use?	☐ Y ☐ N	☐ F
i. If no, what volume standard will be used? _____	☐ A	☐ F
c. Will the proposed use include wastewater disposal and treatment?	☐ Y ☐ N	☐ F
i. If yes, which of the following best describes the wastewater disposal and treatment system? Individual drain fields, central treatment facility with minimal consumption, or evaporation basin or land application? _____		☐ F
107. Other purpose		
a. What is the other purpose (e.g., municipal, commercial)? _____		☐ F
b. What is the percentage of consumption for the proposed use? Please explain. _____ _____ _____	☐ A	☐ F
108. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 14 and if you are answering in consecutive order, go to question 109.		

Ditch-Specific Questions

Applications corroborating historical diverted volume with the Historical Use Addendum (Form 606-HUA) may be eligible to skip one or more questions in this section; see the Form 606-HUA for more information.

109. Does the historical use of water include at least one conveyance ditch? If yes, answer questions 110 to 111. If no, skip to question 112.	☐ Y ☒ N	☐ F
110. Submit a Historical Use Ditch Map that shows every ditch conveying water for the historical use of all water rights proposed for change. Label the ditch names, PODs, the POUs, and the ditch measurement locations (requested in question 111.d). The map should be created on a historical image or topographic map with the following: section corners, township and range, scale bar, and north arrow.	☐ S	☐ F



111. Answer question 111.a to 111.h one time for each historical conveyance ditch. If there is more than one historical conveyance ditch, use an "Additional Historical Ditch (606P)" sheet for each additional ditch.		
a. What is the ditch name? _____		☐ F
b. List the water rights proposed for change that were conveyed by the ditch. _____ _____		☐ F
c. What is the distance water was historically carried by the conveyance ditch? Only include segments between the POD and start of the POU; do not include segments within the POU. _____	☐ A	☐ F
d. Provide at least one set of ditch measurements, which include width (FT), depth (FT), and slope (%). Discuss ditch characteristics with DNRC to determine the minimum number of ditch measurements. Include the location of each measurement, labeled with the 2-digit measurement ID number, used on the map submitted for question 110.	☐ S	☐ F

ID #	Width (FT)	Depth (FT)	Slope (%)	Date of Measurement

e. What is a reasonable Manning's n value? List the factors used for estimation. If you do not know this value, please work through estimation with the Department. _____ _____	☐ A	☐ F
f. What type of soils compose the historical conveyance ditch? For lined ditches, write "lined" instead. _____ _____	☐ A	☐ F



g. Are other water rights conveyed by the historical conveyance ditch?	☐ Y ☐ N	☐ F
i. If yes,		
1. List the water right numbers and their flow rates. _____ _____ _____	☐ A	☐ F
2. What is the sum of the flow rates, including the water rights proposed for change? _____	☐ A	☐ F
3. Submit a map with your best estimate of the historical POUs for the other water rights conveyed by the historical conveyance ditch. Include only POUs between the historical POD and your historical POU. If you do not know this information, the Department can help you create the map. The map should be created on an aerial photograph or topographic map and show the following: section corners, township and range, scale bar, and north arrow.	☐ S	☐ F
h. Were any water rights proposed for change part of one historical water right that was split?	☐ Y ☐ N	☐ F
i. If yes, were all split water rights split in such a way to ensure each post-split water right could stand alone and not be reliant on the others for carriage water?	☐ Y ☐ N	☐ F
1. If no, do any of the water rights proposed for change have a carriage water requirement?	☐ Y ☐ N	☐ F
a. If yes,		
i. List the water rights with a carriage water requirement _____		☐ F
ii. Update your Historical Use Ditch Map (question 110) to label the ditch segments where a carriage water requirement exists for a water right proposed for change. Also, use your best estimate to label the POUs for all water rights included in the carriage water requirement. If you do not know this information, the Department can help you update the map.	☐ S	☐ F
112. Does the proposed use include at least one existing or new conveyance ditch? If yes, answer questions 113 to 114. If no, or if you answered these questions earlier in the preapplication meeting, this section is complete; skip to question 115.	☐ Y ☒ N	☐ F



113. Submit a Proposed Use Ditch Map that shows every ditch conveying the water rights proposed for change, including any unchanged portions. Label all unchanged and proposed PODs, all unchanged and proposed POU's, and additional ditch measurement locations (requested in question 114.e). The map should be created on an aerial photograph or topographic map with the following: section corners, township and range, scale bar, and north arrow.	☐ S	☐ F
114. Answer the questions 114.a to 114.i one time for each proposed use conveyance ditch. Use an "Additional Proposed Use Ditch (606P)" sheet for each additional ditch.		
a. What is the ditch name? _____		☐ F
b. Is this ditch a historical conveyance ditch detailed in questions 110 to 111?	☐ Y ☐ N	☐ F
i. If yes, have any of the following details changed, to the best of your knowledge, from historical conditions: ditch length, distance water conveyed, ditch lining, or water rights conveyed by the ditch?	☐ Y ☐ N	☐ F
1. If yes, answer questions 114.c to 114.i using current data.		
2. If no, do not answer questions 114.c to 114.i for this ditch because the information remains unchanged. Move on to the next proposed use conveyance ditch, or if none remain, skip to question 115.		
c. List the water rights proposed for change that are going to be conveyed by the ditch. _____		☐ F
d. What is the distance water will be carried by the conveyance ditch? Only include segments between the POD and start of the POU; do not include segments within the POU. _____ _____	☐ A	☐ F
e. Provide at least one set of ditch measurements, which include width (FT), depth (FT), and slope (%). Discuss ditch characteristics with DNRC to determine the minimum number of ditch measurements. Include the location of each measurement, labeled with the 2-digit measurement ID number, used on the map submitted for question 113.	☐ S	☐ F

ID #	Width (FT)	Depth (FT)	Slope (%)	Date of Measurement



f. What is a reasonable Manning's n value? List the factors used for estimation. If you do not know this value, please work through estimation with the Department. _____ _____	☐ A	☐ F
g. What type of soils compose the proposed conveyance ditch? For lined ditches, write "lined" instead. _____ _____	☐ A	☐ F
h. Are other water rights conveyed by the proposed conveyance ditch?	☐ Y ☐ N	☐ F
i. If yes,		
1. List the water right numbers and their flow rates. _____ _____ _____	☐ A	☐ F
2. What is the sum of the flow rates, including the water rights proposed for change? _____	☐ A	☐ F
3. Submit a map with your best estimate of the location of current POUs for the other water rights conveyed by the proposed conveyance ditch. Include only POUs between the POD and your proposed POU. If you do not know this information, the Department can help you create the map. The map should be created on an aerial photograph or topographic map and show the following: section corners, township and range, scale bar, and north arrow.	☐ S	☐ F
i. Were any water right(s) proposed for change identified as having a carriage water requirement in question 111.h.i.1.a.i?	☐ Y ☐ N	☐ F
i. If yes, update your Proposed Use Ditch Map (question 113) to label the ditch segments where a carriage water requirement exists for a water right proposed for change. Also, use your best estimate to label the POUs for all water rights included in the carriage water requirement. If you do not know this information, the Department can help you update the map.	☐ S	☐ F
115. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 15 and if you are answering in consecutive order, go to question 116.		



Change in Place of Storage

116. Does the project involve a change in place of storage? If yes, answer the questions in this section (questions 117 to 122) for each individual place of storage. Use an "Additional Place of Storage (606P)" sheet for additional places of storage. If no, this section is complete; skip to question 123.	☐ Y ☒ N	☐ F
117. Is this application to add a new place of storage or change an existing place of storage? _____		☐ F
a. If application is to change an existing place of storage, list the water rights that include the place of storage and a short description of the proposed change. _____ _____	☐ A	☐ F
118. Is the place of storage located on-stream?	☐ Y ☐ N	☐ F
a. If no, describe any losses related to conveyance that are not detailed in "Ditch-Specific Questions." _____ _____ _____	☐ A	
119. What is the proposed capacity of the place of storage? Use bathymetry data, survey, or engineering plans for capacity. Submit the data source used with this form. In lieu of these data sources, use the following equation: <i>Surface Acres x Maximum Depth (ft) x 0.5 = Capacity (AF)</i> _____	☐ S	☐ F
120. What is the proposed surface area of the place of storage? _____	☐ A	☐ F
121. What is the annual net evaporation of water from the place of storage based on the Department's gridded net evaporation layer? If you propose a different method, attach an explanation and justification of the method. _____	☐ A	☐ F
122. Will the place of storage be lined?	☐ Y ☐ N	☐ F
123. If you are answering Project-Specific Questions as they are referenced in Application Details, return to question 16 and if you are answering in consecutive order, go to question 109.		



Mitigation, Aquifer Recharge, and Marketing for Mitigation/Aquifer Recharge

124. Does your application include one of the following purposes? If no, this section is complete; skip to question 129.	☐ Y ☒ N	☐ F
a. Mitigation water. If yes, answer question 125 and 126.	☐ Y ☐ N	☐ F
b. Aquifer recharge water. If yes, answer question 125 and 127.	☐ Y ☐ N	☐ F
c. Marketing for mitigation/aquifer recharge. If yes, answer question 128.	☐ Y ☐ N	☐ F
125. Mitigation Water and Aquifer Recharge Water		
a. Identify the water right(s) for which the mitigation/aquifer recharge water will be used. _____	☐ A	☐ F
b. Identify the application or preapplication number where these water rights were identified as needing mitigation or aquifer recharge to meet the adverse effect criterion. _____	☐ A	☐ F
c. What is the timing, flow rate, and volume of net depletions identified as needing mitigation or aquifer recharge to meet the adverse effect criterion?	☐ A	☐ F

Month	Days	Flow Rate			Volume	Month	Days	Flow Rate			Volume
		Flow	GPM	CFS				Flow	GPM	CFS	
January			☐	☐		July			☐	☐	
February			☐	☐		August			☐	☐	
March			☐	☐		September			☐	☐	
April			☐	☐		October			☐	☐	
May			☐	☐		November			☐	☐	
June			☐	☐		December			☐	☐	



d. Will other water contribute to the need for mitigation or aquifer recharge water? This may include water rights with a mitigation or aquifer recharge purpose, marketing for mitigation contracts, or mitigation water secured via other types of contracts.	☐ Y ☐ N	☐ F
i. If yes, describe the origin of this water and in the table below, list how much it will contribute. 	☐ A	☐ F

Month	Days	Flow Rate			Volume AF	Month	Days	Flow Rate			Volume AF
		Flow	GPM	CFS				Flow	GPM	CFS	
January			☐	☐		July			☐	☐	
February			☐	☐		August			☐	☐	
March			☐	☐		September			☐	☐	
April			☐	☐		October			☐	☐	
May			☐	☐		November			☐	☐	
June			☐	☐		December			☐	☐	

126. Mitigation Water			
a. What is legal land description (¼ ¼ ¼ section of start and end) and length (ft) of the mitigation reach? 	☐ A	☐ F	
b. By what means will mitigation water be made available? You must submit a copy of all relevant discharge permits at application submittal (§85-2-364, MCA). 	☐ A	☐ F	
127. Aquifer Recharge Water			
a. What is the legal land description (¼ ¼ ¼ section) of the start of net depletions for which the aquifer recharge water will be used? 	☐ A	☐ F	



b. What is the volume of net depletions that will be offset by the aquifer recharge water? <i>The volume of aquifer recharge water injected may not equal the volume of net depletions.</i> _____	☐ A	☐ F
c. Describe the method of aquifer recharge. Include, if available, a preliminary design. You must submit a copy of all relevant discharge permits at application submittal (§85-2-364, MCA). _____ _____ _____ _____	☐ A	☐ F
d. Describe any constraints on the aquifer recharge schedule, such as priority date limitations. _____ _____	☐ A	☐ F
e. What is the proposed area or location of aquifer recharge? <i>The location is subject to refinement during technical analyses; this will not constitute a change of any element to the proposed application pursuant to ARM 36.12.1302(6)(a).</i> _____ _____ _____	☐ A	☐ F
128. Marketing for Mitigation/Aquifer Recharge		
a. What is the proposed location of the reach where water is to be marketed ($\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ section of the start and the end of the reach)? _____	☐ A	☐ F
b. Is this marketing for mitigation	☐ Y ☐ N	☐ F
i. If yes, by what means will water be made available? _____ _____ _____ _____	☐ A	☐ F



c. Is this marketing for aquifer recharge?	☐ Y ☐ N	☐ F
i. If yes,		
1. Describe the method of aquifer recharge. Include, if available, a preliminary design. You must submit a copy of all relevant discharge permits at application submittal (§85-2-364, MCA). _____ _____ _____ _____	☐ A	☐ F
2. What is the volume of water that will be used for aquifer recharge? _____	☐ A	☐ F
3. Describe any constraints on the aquifer recharge schedule, such as priority date limitations. _____ _____	☐ A	☐ F
4. What is the proposed area or location of aquifer recharge? <i>The location is subject to refinement during technical analyses; this will not constitute a change of any element to the proposed application pursuant to ARM 36.12.1302(6)(a).</i> _____ _____ _____	☐ A	☐ F
d. Describe your ability to measure and operate all existing diversions to adjust flow rate as water is sold or leased. _____ _____ _____ _____	☐ A	☐ F



e. How will you cease diversions for the existing beneficial use as water is sold or leased? _____ _____ _____	☐ A	☐ F
129. If you are answering Project-Specific Questions as they are referenced in Application Details, return to question 25 and if you are answering in consecutive order, go to question 130.		

Instream Flow

130. Does the project involve an instream flow change? If yes, answer the questions in this section (questions 131 to 136). If no, this section is complete; skip to question 136.	☐ Y ☒ N	☐ F
131. What is the source name where streamflow will be maintained or enhanced? _____		☐ F
132. What is the location (¼ ¼ ¼ section of start and end of reach) and length (FT) of the protected reach? _____	☐ A	☐ F
133. Describe the way the streamflow is to be maintained or enhanced. _____ _____	☐ A	☐ F
134. Do you propose to retire all water use associated with the historical purposes throughout the entire period of use? This includes conveyance loss associated with historical ditches.	☐ Y ☐ N	☐ F
a. If no, describe the proposed change to existing purposes, including flow rate, volume, and, if applicable, acres. _____ _____ _____ _____	☐ A	☐ F
135. Do historical and proposed return flows accrete to the source of supply? The Department provides an initial estimate of the source(s) that historical and proposed returns flows accrete to at the preapplication meeting.	☐ Y ☐ N	☐ F



136. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 27 and if you are answering in consecutive order, go to question 137.		
--	--	--

Salvage Water

137. Does this project involve salvage water? Salvage water does not include destroying phreatophytes, removing vegetation, converting to a less consumptive crop, or converting to a partial irrigation schedule. If yes, answer the questions in this section (questions 138 to 141). If no, this section is complete; skip to question 141.	☐ Y ☒ N	☐ F
138. What water saving method was implemented? This may include lining an unlined ditch or canal, converting unlined ditch or canal to pipeline, converting high profile or high-pressure sprinklers to low pressure, and others. _____ _____	☐ A	☐ F
139. How much water was salvaged from implementation of the water saving method? Include flow rate (GPM or CFS) and volume (AF). _____		☐ F
140. How did you determine the amount of water salvaged? _____ _____ _____ _____	☐ A	☐ F
141. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 28 and if you are answering in consecutive order, go to question 142.		



Non-Mandatory Questions for Criteria Analysis

The following questions are not mandatory. They should be discussed in the Preapplication Meeting, but do not need to be filled out before the Preapplication Meeting Form is determined to be complete.

Adverse Effect

<u>Questions, Narrative Responses, and Tables</u>	<u>Check-boxes</u>
142. Describe your plan to ensure that existing water rights will be satisfied during times of water shortage. Diversion can cease _____ _____ _____ _____	☐ A
143. Explain how you can control your diversion in response to call being made. Pump can be shut off if valid call is made _____ _____ _____	☐ A
144. Are you aware of any calls that have been made on any source of supply or depleted surface water source? a. If yes, explain. _____ _____	☐ Y ☒ N ☐ A
145. Does a water commissioner distribute water or oversee water distribution on your proposed source or depleted surface water source? a. If yes, list the sources and explain. _____ _____	☐ Y ☒ N ☐ A
146. Describe how the change will or will not affect your ability to make call. POD moved downstream. May be diversions in between historical and proposed POD. Appropriators in between may be subject to call that they were not subject to call historically. _____ _____	☐ A



147. When was the last time each water right proposed for change was appropriated and used beneficially? If there has been a period of nonuse, answer questions 147.a to 147.d. <u>April-October 2025</u>	
a. Why was the water right not used? _____ _____	☐ A
b. Why will a resumption of use not adversely affect other water users? _____ _____	☐ A
c. Is the period of nonuse greater than 10 years for any of the water rights proposed for change? If yes, list which water rights. _____	☐ Y ☐ N
d. Have water rights been authorized to use the source during the period of nonuse for any of the water rights proposed for change? If yes, explain. _____ _____	☐ Y ☐ N
148. Is this a point of diversion change?	☒ Y ☐ N
a. If yes,	
i. Are the proposed points of diversion upstream or downstream of the historical points of diversion? <u>Downstream</u>	
ii. Are there intervening water users between the historical and proposed points of diversion?	☒ Y ☐ N
1. If yes, list the water rights. <u>42K 175255 00, 42K 30071035, potentially more</u> _____	☐ A



iii. Will any new points of diversion or conveyance infrastructure be shared with one or more existing water rights?	☐ Y ☒ N
1. If yes, describe how capacity of the new shared point of diversion and/or conveyance infrastructure is sufficient for all water rights. 	☐ A

Adverse Effect: Evaluation of Impacts to Identified Surface Water Rights for Return Flow Analysis

149. Respond to questions in this section if you elected in questions 65 or 93 to answer optional questions 150 to 154. Answer one time for each surface water source receiving return flows. Use "Additional Return Flow Source (606P)" sheet if there is more than one source. If you did not elect to answer these questions or answered these questions earlier in the preapplication meeting, this section is complete; skip to question 155.	
150. What is the surface water source for which you are answering questions 151 to 154? 	
151. Are stream gage data available?	☐ Y ☐ N
a. If yes, answer question 152.	
b. If no, answer question 153.	
152. Stream gage data are available	
a. Is one stream gage located above, and one stream gage located below the location where return flows accrue?	☐ Y ☐ N
i. If no, is only one stream gage located near the location where return flows accrue?	☐ Y ☐ N
1. If yes, is the stream gage upstream or downstream? _____	
b. List the gage name(s). Write "N/A" for Gage 2 if one gage available. Gage 1: _____ Gage 2: _____	



c. What is the distance between the gage(s) and the location where return flows accrue? Write "N/A" for Gage 2 if one gage available. Gage 1: _____ Gage 2: _____	
d. Is there a limiting or controlling factor on the source between the stream gage(s) and the location where return flows accrue? This includes dams that control the flow and streams with large gaining and/or losing reaches.	☐ Y ☐ N
i. If yes, explain. _____ _____	☐ A
e. How long is the period of record? Write "N/A" for Gage 2 if one gage is available. Gage 1: _____ Gage 2: _____	
f. Who operates and maintains the gage(s)? Write "N/A" for Gage 2 if one gage is available. Gage 1: _____ Gage 2: _____	
g. Is each available stream gage operated and maintained by USGS or DNRC?	☐ Y ☐ N
i. If yes, skip to question 152.h.	
ii. If no, answer the following questions for each gage not operated and maintained by USGS or DNRC.	
1. How frequently are stage data recorded? Write "N/A" for Gage 2 if only one gage is not operated or maintained by USGS. Gage 1: _____ Gage 2: _____	
2. If data gaps were to occur, are they identified and left unfilled or estimated using interpolation, ice correction, or indirect discharge measurements methods?	☐ Y ☐ N
a. Gage 1.	☐ Y ☐ N
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____	☐ Y ☐ N



3. Was the rating curve established and maintained throughout the duration of the period of record using measurements taken near the reference gage and stage recorder according to USGS protocols?	☐ Y ☐ N
a. Gage 1.	☐ Y ☐ N
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____	☐ Y ☐ N
4. Were there requirements for maintaining a permanent gage datum and meeting specified accuracy limits?	☐ Y ☐ N
a. Gage 1.	☐ Y ☐ N
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____	☐ Y ☐ N
h. Do the data for one or more available stream gages meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months when return flows accrue?	☐ Y ☐ N
i. If yes, record how many meet the standard, then skip to question 155 because this section is complete. _____	
ii. If no, answer question 153.	
153. If no gage data are available or if available gage data do not meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months when return flows accrue, is the source otherwise measured?	☐ Y ☐ N
a. If no, measurements may be necessary. The Department cannot deem the preapplication meeting form adequately completed until the Department receives gage data and/or measurements that meet the Department's measurement standards or, in combination with an approved request to deviate from the Department's standards, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria. Skip to question 154.	
b. If yes,	
i. Submit measurements to the Department.	☐ S
ii. Who collected the measurements? _____	☐ A



iii. With what method were the data collected? _____ _____	☐ A
iv. What is the period of record? _____	
v. What is the frequency of measurement? _____	
vi. Are there gaps in the data?	☐ Y ☐ N
1. If yes, what is the nature of the gaps and how are gaps handled to ensure data quality? _____ _____	☐ A
vii. Is there a process for maintaining the data and meeting specified accuracy limits?	☐ Y ☐ N
1. If yes, explain. _____ _____	
viii. Do available measurement data meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months when return flows accrue?	☐ Y ☐ N
1. If yes, this section is complete. Skip to question 155.	
2. If no, answer question 154.	
154. Do the available measurement data, gage and/or otherwise measured, meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique?	☐ Y ☐ N
a. If yes,	
i. Describe how the measurements are representative of high, moderate, and low flows. _____ _____ _____	☐ A



ii. Describe the estimation technique. _____ _____ _____ _____ _____	☐ A
b. If no, but a Department-accepted estimation technique will be appropriate for the source receiving return flows:	
i. Will measurements be collected prior to submission of a completed Form 606P-B that meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique?	☐ Y ☐ N
1. If yes,	
a. With what method will the data be collected? _____ _____	☐ A
b. What will be the interval of measurement? _____	
c. Describe the proposed estimation technique. _____ _____ _____ _____	☐ A
2. If no, do you plan on requesting to deviate from the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique? Neither the Department's technical analyses nor scientific credibility review of your technical analyses can commence until the Department receives measurements that meet Department measurement standards, or in combination with an approved request for variance from these standards, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria.	☐ Y ☐ N



c. If no, because no Department-accepted estimation technique will be appropriate for the source receiving return flows:	
i. Describe why no Department-accepted estimation technique is appropriate for the source characteristics. _____ _____ _____	☐ A
ii. Do the available measurement data, gage and/or otherwise measured, meet the Department's standard for monthly measurements throughout the months when return flows accrue?	☐ Y ☐ N
1. If no, will measurements be collected prior to submission of a completed Form 606P that meet the Department's standard of monthly measurements throughout the months when return flows accrue?	☐ Y ☐ N
a. If yes, with what method will the data be collected? _____ _____	☐ A
b. If no, do you plan on requesting a variance to deviate from the Department's standard for monthly measurements throughout the months when return flows accrue? The Department's technical analyses or scientific credibility review of your technical analyses cannot commence until the Department receives measurements that meet Department measurement standards, or in combination with a request for a variance from these standards are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria.	☐ Y ☐ N
155. If you went straight to this section when referenced, go back to question 65 for surface water changes and question 93 for groundwater changes. If you waited to answer in consecutive order and have completed all prior sections, move to question 156.	

Adverse Effect: Evaluation of Impacts to Identified Water Rights for Surface Water Depletion Analysis

156. Respond to questions in this section if you elected in question 84 to answer optional questions 157 to 161. Answer one time for each hydraulically connected source. Use "Additional Hydraulically Connected Source (606P)" sheet if there is more than one source. If you did not elect to answer these questions or answered these questions earlier in the preapplication meeting, this section is complete; skip to question 162.	
--	--



157. What is the surface water source for which you are answering questions 158 to 161? _____	
158. Are stream gage data available?	☐ Y ☐ N
a. If yes, answer question 159.	
b. If no, answer question 160.	
159. Stream gage data are available	
a. Is one stream gage located above and one stream gage located below the point of net depletion accumulation?	☐ Y ☐ N
i. If no, is only one stream gage located near the point of net depletion accumulation?	☐ Y ☐ N
1. If yes, is the stream gage upstream or downstream? _____	
b. List the gage name(s). Write "N/A" for Gage 2 if one gage available. Gage 1: _____ Gage 2: _____	
c. What is the distance between the gage(s) and the point of net depletion accumulation? Write "N/A" for Gage 2 if one gage available. Gage 1: _____ Gage 2: _____	
d. Is there a limiting or controlling factor on the source between the stream gage(s) and the point where net depletions accrue? This includes dams that control the flow and streams with large gaining and/or losing reaches.	☐ Y ☐ N
i. If yes, explain. _____ _____	☐ A
e. How long is the period of record? Write "N/A" for Gage 2 if one gage is available. Gage 1: _____ Gage 2: _____	



f. Who operates and maintains the gage(s)? Write "N/A" for Gage 2 if one gage is available. Gage 1: _____ Gage 2: _____	
g. Is each available stream gage operated and maintained by USGS or DNRC?	☐ Y ☐ N
i. If yes, skip to question 159.h.	
ii. If no, answer the following questions for each gage not operated and maintained by USGS or DNRC.	
1. How frequently are stage data recorded? Write "N/A" for Gage 2 if only one gage is not operated or maintained by USGS. Gage 1: _____ Gage 2: _____	
2. If data gaps were to occur, are they identified and left unfilled or estimated using interpolation, ice correction, or indirect discharge measurements methods?	☐ Y ☐ N
a. Gage 1.	☐ Y ☐ N
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____	☐ Y ☐ N
3. Was the rating curve established and maintained throughout the duration of the period of record using measurements taken near the reference gage and stage recorder according to USGS protocols?	☐ Y ☐ N
a. Gage 1.	☐ Y ☐ N
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____	☐ Y ☐ N
4. Were there requirements for maintaining a permanent gage datum and meeting specified accuracy limits?	☐ Y ☐ N
a. Gage 1.	☐ Y ☐ N
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____	☐ Y ☐ N



h. Do the data for one or more available stream gages meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months with net depletions?	☐ Y ☐ N
i. If yes, record how many meet the standard, then skip to question 162 because this section is complete. _____	
ii. If no, answer question 160.	
160. If no gage data are available or if available gage data do not meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months with net depletions, is the source otherwise measured?	☐ Y ☐ N
a. If no, measurements may be necessary. The Department cannot deem the preapplication meeting form adequately completed until the Department receives gage data and/or measurements that meet the Department's measurement standards or, in combination with an approved request to deviate from the Department's standards, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria. Skip to question 161.	
b. If yes,	
i. Submit measurements to the Department.	☐ S
ii. Who collected the measurements? _____	☐ A
iii. With what method were the data collected? _____ _____	☐ A
iv. What is the period of record? _____	
v. What is the frequency of measurement? _____	
vi. Are there gaps in the data?	☐ Y ☐ N
1. If yes, what is the nature of the gaps and how are gaps handled to ensure data quality? _____ _____	☐ A



vii. Is there a process for maintaining the data and meeting specified accuracy limits?	☐ Y ☐ N
1. If yes, explain. _____ _____	
viii. Do available measurement data meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months with net depletions?	☐ Y ☐ N
1. If yes, this section is complete. Skip to question 162.	
2. If no, answer question 161.	
161. Do the available measurement data, gage and/or otherwise measured, meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique?	☐ Y ☐ N
a. If yes,	
i. Describe how the measurements are representative of high, moderate, and low flows. _____ _____ _____	☐ A
ii. Describe the estimation technique. _____ _____ _____ _____ _____	☐ A
b. If no, but a Department-accepted estimation technique will be appropriate for the hydraulically connected source:	
i. Will measurements be collected prior to submission of a completed Form 606P-B that meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique?	☐ Y ☐ N
1. If yes,	
a. With what method will the data be collected? _____ _____	☐ A



b. What will be the interval of measurement? _____	
c. Describe the proposed estimation technique. _____ _____ _____ _____	☐ A
2. If no, do you plan on requesting to deviate from the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique? The Department's technical analyses or scientific credibility review of your technical analyses cannot commence until the Department receives measurements that meet Department measurement standards, or in combination with a request to deviate, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria.	☐ Y ☐ N
c. If no, because no Department-accepted estimation technique will be appropriate for the hydraulically connected source:	
i. Describe why no Department-accepted estimation technique is appropriate for the source characteristics. _____ _____ _____	☐ A
ii. Do the available measurement data, gage and/or otherwise measured, meet the Department's standard for monthly measurements throughout the months with net depletions?	☐ Y ☐ N
1. If no, will measurements be collected prior to submission of a completed Form 606P that meet the Department's standard of monthly measurements throughout the months with net depletions?	☐ Y ☐ N
a. If yes, with what method will the data be collected? _____ _____	☐ A



b. If no, do you plan on requesting to deviate from the Department's standard for monthly measurements throughout the months with net depletions? The Department's technical analyses or scientific credibility review of your technical analyses cannot commence until the Department receives measurements that meet Department measurement standards, or in combination with a to deviate, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria.	☐ Y ☐ N
162. If you went straight to this section when referenced, go back to question 84. If you waited to answer in consecutive order and have completed all prior sections, move to question 163.	

Adequate Means of Diversion and Operation

163. Submit a diagram of how you will operate your system from the point of diversion to the place of use.	☐ S
164. Describe specific information about the capacity of the diversionary structure(s). This may include, where applicable: pump curves and total dynamic head calculations, headgate design specifications, and dike or dam height and length. _____ _____ _____	☐ A
165. Describe the size, materials, capacity, and configuration of infrastructure to convey water from point of diversion to place of use. _____ _____ _____ _____	☐ A
166. Does the proposed conveyance require easements?	☐ Y ☒ N
a. If yes, explain. _____ _____	☐ A
167. Do you propose to add a point of diversion?	☒ Y ☐ N
a. If yes, do you own the land where all proposed points of diversion are located?	☒ Y ☐ N
i. If no, documentation to show you have the right to use all points of diversion located on each property you do not own will be required upon application submittal. This may include, but is not limited to, a well agreement, an easement, or permission of the party that owns the property where the proposed point(s) of diversion are located.	



168. Describe your plan of operations, including specific information about how water is delivered within the place of use. This may include, where applicable, the range of flow rates needed for a pivot. _____ _____ _____	☐ A
169. Do you have any plans to measure your diversion and use?	☐ Y ☒ N
a. If yes, describe the plan and the type of measurements you will take. _____ _____	☐ A

Beneficial Use

170. Does the Department have a standard for any of the purposes for which water is used? Department standards can be found in ARM 36.12.112 and ARM 36.12.115.	☒ Y ☐ N
a. If yes, list the purposes for which the Department has a standard and note whether the water use falls within or outside the standard. Irrigation, volume is outside standard (volume is 4 AF/AC), volume may be necessary for sandy soils _____ _____	
171. If no standard exists for any proposed purpose or if any proposed purpose falls outside of Department standards, explain how the use is reasonable for that purpose. _____ _____ _____ _____	☐ A
172. Will your proposed project be subject to DEQ requirements for a public water supply (PWS) system or Certificate of Subdivision Approval (COSA)?	☐ Y ☒ N
a. If yes, have you researched or consulted with DEQ regarding those requirements?	☐ Y ☐ N
173. Are you proposing to use surface water for in-house domestic use?	☐ Y ☒ N
a. If yes, does a COSA exist for the proposed place of use?	☐ Y ☐ N
i. If yes, please submit the COSA.	☐ S
ii. If no, have you researched or consulted with DEQ regarding their requirements?	☐ Y ☐ N



Possessory Interest

174. Do you meet one of the exceptions to possessory interest requirements, pursuant to ARM 36.12.1802? Exceptions include cases where the application is for sale, rental, distribution, or is a municipal use, or in any other context in which water is being supplied to another and it is clear that the ultimate user will not accept the supply without consenting to the use of water on the user's place of use.	☐ Y ☒ N
a. If yes, explain. _____ _____ _____ _____	☐ A
b. If no, do you own all proposed places of use?	☒ Y ☐ N
i. If no, explain. Documentation that shows you either have possessory interest or written permission of the parties with possessory interest of the place of use will be required at application submittal. _____ _____ _____	☐ A

Non-Mandatory Project-Specific Questions

Change in Place of Storage

175. Does the project include one or more places of storage? If yes, answer questions 176 to 178 for each individual place of storage (use "Additional Place of Storage (606P)" sheet for additional places of storage). A Change Storage Addendum (606-SA) will be required at application submittal. If no, this section is complete; skip to question 179.	
176. Are preliminary designs available? Preliminary designs will be required at application submittal.	☐ Y ☐ N
a. If yes, submit preliminary designs.	☐ S
177. Will a drainage device be installed?	☐ Y ☐ N
178. Is the place of storage capacity calculated to be greater than 50 acre-feet?	☐ Y ☐ N
a. If yes, have you made an application to the DNRC Water Operations Bureau for a determination of whether the dam or reservoir is a high-hazard dam?	☐ Y ☐ N



179. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 16 and if you are answering in consecutive order, go to question 180.	
--	--

Instream Flow Change

180. You may respond to the questions in this section if the project involves an instream flow purpose and you choose to answer the non-mandatory questions. Otherwise, this section is complete, skip to question 184.	
181. Does the protected reach begin at the existing point of diversion?	☐ Y ☐ N
a. If no, does the protected reach begin upstream of or downstream from the existing point of diversion? _____	
182. Provide initial details about a streamflow measuring plan, which include the points where measurements occur, the interval of measurement, and the methods and equipment used. A complete streamflow measuring plan will be required for the application. _____ _____ _____ _____ _____ _____	☐ A
183. Provide initial details about an operation plan, which may include the proposed protected flow rate (GPM or CFS), proposed protected volume (AF), and the proposed protected period. If you propose a trigger flow, please explain. A complete operation plan, based on the technical analyses, will be required for the application. _____ _____ _____ _____	☐ A
184. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 27 and if you are answering in consecutive order, go to question 185.	



Mitigation, Aquifer Recharge, and Marketing for Mitigation

185. You may respond to the questions in this section if the project involves mitigation, aquifer recharge, or marketing for mitigation, and you choose to answer the non-mandatory questions. Otherwise, this section is complete, skip to question 190. For mitigation water, answer questions 186, 187, and 188. For aquifer recharge water, answer questions 187 and 188. For marketing for mitigation/aquifer recharge, answer question 189.	
186. Do the water rights proposed for change to mitigation water have a period of use that is greater than or equal to the period when mitigation is necessary?	☐ Y ☐ N
a. If no, how will mitigation water be made available during the entire period when mitigation is necessary? _____ _____ _____	☐ A
187. How do the priority dates of the water rights proposed for change compare to other water rights on the source? _____ _____	☐ A
188. Do you have measurement records or Water Commissioner records that show the reliability of the water rights proposed for change to a mitigation water or aquifer recharge purpose?	☐ Y ☐ N
a. If yes, submit them to the Department.	☐ S
189. Describe the need for marketing for mitigation/aquifer recharge. _____ _____ _____ _____	☐ A
190. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 25 and if you are answering in consecutive order, go to question 191.	

Water Marketing

191. You may respond to the questions in this section if the project includes the water marketing purpose, and you choose to answer the non-mandatory questions. This does not include marketing for mitigation. Otherwise, this section is complete, skip to question 195.	☐ Y ☐ N
---	---



192. How will you control or limit access to the water? _____ _____	☐ A
193. Do you have contracts for the entire volume and flow rate sought?	☐ Y ☐ N
194. Submit a service area map. Create map on an aerial photograph or topographic map and show the following: general service area boundary, section corners, township and range, scale bar, and north arrow.	☐ S
195. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 26 and if you are answering in consecutive order, go to Follow-Up section.	



FOLLOW-UP

The table below will identify all questions marked for follow-up. Applicant follow-up will be submitted with the completed Preapplication Meeting Form: Part B (Form 606P-B). Applicant will provide all responses to questions marked for follow-up on a separate document entitled "Follow-up Responses." At the preapplication meeting, the Department may offer to provide the Applicant with information pertinent to identified follow-up. In this case, record in the notes column what information the Department will provide and the date by which the Department will email this information to the Applicant. This information will supplement but not replace Applicant follow-up. It is the responsibility of the Applicant to provide all follow-up, including questions supplemented by Department information, in the "Follow-up Responses" document.

The "Follow-up Responses" document must conform to the following standards. Label all responses with the question number. Answer questions in the same format as the form. For responses in the form of checkboxes, write "Y", "N", "S". Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative. Label units in narrative responses and tables. Tables must have the exact headings found on the form. Questions that require items to be submitted to the Department may be marked "S" when the required item is attached to the Preapplication Meeting Form. Label all submitted items with the question number for which they were submitted.

The Applicant may not alter the Preapplication Meeting Form: Part A (Form 606P-A) signed at the Preapplication Meeting. Instead, the Applicant must use the Amended Responses procedure defined in Form 606P-B. Do not include additional information for questions that were not marked for follow-up on this table; instead include any additional information pursuant to the process for amending responses defined in Form 606P-B.

QUESTION #	NOTES
8 & 37	Historical use map, meeting all criteria (can be same map as Q9 with proposed POD included)
9	Proposed use map, meeting all criteria (can be same map as Q8 with historical POD included)
48	Did diversion regularly cease due to inadequate supply or call for pre-73 use. Consider answering 48a if necessary.
50.a.ii.2	Slope of fields pre-73
50.a.ii.4	Percent efficiency, depends on slope of field (50.a.ii.2) pre-73 - ARM 36.12.115(2)(e)



PREAPPLICATION MEETING AFFIDAVIT & CERTIFICATION

"We attest that the information on this form accurately describes the proposed project discussed during the preapplication meeting and that the items marked for follow-up will require the applicant to provide additional information before the form is deemed complete."

"Applicant acknowledges that any information provided by the Department during the preapplication meeting is preliminary and subject to change."

"Applicant acknowledges that if the follow-up information provided to the Department substantially changes the proposed project, for example in a way that alters which sections of the form are applicable or which technical analyses are required, or who is to complete the technical analyses, the applicant will need to schedule a new preapplication meeting so that the Department can identify any additional information necessary for completion of the technical analyses (ARM 36.12.1302(3)(c))."

Upon Department receipt of the completed form (within 180 days following the meeting), the Department reserves five business days to return the form to the applicant if:

- 1 – the completed form does not include all necessary follow-up information identified in the meeting, OR
- 2 – the completed form is not adequate for the Department to proceed with technical analyses, OR
- 3 – the applicant has elected to complete technical analyses and has not submitted each piece of technical analysis required, OR
- 4 – the applicant has substantially changed the details of the proposed project, such as in a way that alters which sections of the form are applicable, which technical analyses are required, or who is to complete the technical analyses.

If the Department returns the form to the Applicant within these five days due to reasons 1-3 above, the Applicant can use the balance of their 180-day period in ARM 36.12.1302(4) or (5) to gather the remaining follow-up information needed. If there is no time remaining in the 180-day period, the Applicant can submit a written request for a new preapplication meeting, pursuant to ARM 36.12.1302(2). Even if there is still time remaining, the Applicant can choose to schedule a new preapplication meeting. The Department shall transfer the \$500 payment received to the new preapplication meeting, or refund the payment to the Applicant if the Applicant desires. If the Department returns the form to the Applicant within these five days due to reason (4) above, the Applicant must submit a written request for a new preapplication meeting, pursuant to ARM 36.12.1302(2). The Department shall transfer the \$500 payment received to the new preapplication meeting, or refund the payment to the Applicant if the Applicant desires.



Swope Ranch LLC

Member

12/5/2025

Applicant Signature

Date

Applicant Signature

Date



12/10/2025

Department Signature

Date



FORM 606P-A

PREAPPLICATION MEETING AFFIDAVIT & CERTIFICATION



REQUEST FOR PREAPPLICATION MEETING

ARM 36.12.1302(2)

(Revised 02/2025)

Instructions

Use this optional form to submit a written request for a preapplication meeting, as required in ARM 36.12.1302(2) for applicants electing to complete a preapplication meeting with the department prior to submitting an application for a beneficial water use permit or change in appropriation right pursuant to § 85-2-302, MCA. Use additional sheets as necessary.

Submit this form to the appropriate regional office; see contact information on the last page of this form.

For Department Use Only

Date Received _____

Received By _____

Scheduled Meeting Date _____

1. Applicant Name Swope Ranch LLC (previously Wanda J Swope)

Mailing Address 1110 Kinsey Road

City MILES CITY State MT Zip 59301

Home Phone 4068535027 Other Phone 4069510030

Email: jacob_102@hotmail.com

2. Representative Name (if other than Applicant) _____

☐ Representative is Consultant ☐ Representative is Attorney ☐ Representative is Other

Mailing Address _____

City _____ State _____ Zip _____

Home Phone _____ Other Phone _____

Email: _____

3. Are you requesting a preapplication meeting for a permit or change application?

☐ Permit ☒ Change

4. Describe your project:

Changing POD for an existing water right. Changing the location of POD #1 to POD #2's location listed below.



5. Identify the following elements of the proposed permit or change in appropriation.

a) The flow rate and volume of water required:

Flow Rate 6.68 ☐ GPM ☒ CFS Volume 395.20 Acre-Feet

b) The point of diversion:

Point of Diversion #1 SW 1/4 SW 1/4 SW 1/4 Section 14, Township 8 ☒ N ☐ S, Range 47 ☒ E ☐ W
County Custer

Lot/Tract _____ Block _____ Subdivision Name _____

Point of Diversion #2 SE 1/4 NW 1/4 SW 1/4 Section 14, Township 8 ☒ N ☐ S, Range 47 ☒ E ☐ W
County Custer

Lot/Tract _____ Block _____ Subdivision Name _____

c) The place of use:

15 Acres _____ Lot _____ Block E2 1/4 E2 1/4 SE 1/4 Sec 15, Twp 8 ☒ N ☐ S, Rge 47 ☒ E ☐ W
83.80 Acres _____ Lot _____ Block W2 1/4 _____ 1/4 _____ 1/4 Sec 14, Twp 8 ☒ N ☐ S, Rge 47 ☒ E ☐ W
_____ Acres _____ Lot _____ Block _____ 1/4 _____ 1/4 _____ 1/4 Sec _____, Twp _____ ☐ N ☐ S, Rge _____ ☐ E ☐ W
_____ Acres _____ Lot _____ Block _____ 1/4 _____ 1/4 _____ 1/4 Sec _____, Twp _____ ☐ N ☐ S, Rge _____ ☐ E ☐ W
_____ Acres _____ Lot _____ Block _____ 1/4 _____ 1/4 _____ 1/4 Sec _____, Twp _____ ☐ N ☐ S, Rge _____ ☐ E ☐ W

d) The source of water: Yellowstone River

e) The proposed purpose: Flood Irrigation

f) For a change in appropriation right, the water right(s) proposed for change:

Type of water right _____ Basin _____ Water Right # _____

Type of water right _____ Basin _____ Water Right # _____

Type of water right _____ Basin _____ Water Right # _____

Identify the water right elements proposed for change, with a checkmark for each water right proposed for change.

Water Right #	175169-00				
Point of diversion	☒	☐	☐	☐	☐
Place of use	☐	☐	☐	☐	☐
Purpose of use	☐	☐	☐	☐	☐
Place of storage	☐	☐	☐	☐	☐

g) For a change in appropriation right, an explanation of historical use of the right(s) proposed for change:

h) Any proposed place of storage, if applicable (only if storage capacity is greater than 0.1 acre-feet):

#1 Capacity: Surface Acres _____ x Max Depth (feet) _____ x (.4 for dams/.5 for pits) = _____ Acre-Feet

Location: ____ 1/4 ____ 1/4 ____ 1/4 Section ____, Township ____ ☐ N ☐ S, Range ____ ☐ E ☐ W

#2 Capacity: Surface Acres _____ x Max Depth (feet) _____ x (.4 for dams/.5 for pits) = _____ Acre-Feet

Location: ____ 1/4 ____ 1/4 ____ 1/4 Section ____, Township ____ ☐ N ☐ S, Range ____ ☐ E ☐ W

#3 Capacity: Surface Acres _____ x Max Depth (feet) _____ x (.4 for dams/.5 for pits) = _____ Acre-Feet

Location: ____ 1/4 ____ 1/4 ____ 1/4 Section ____, Township ____ ☐ N ☐ S, Range ____ ☐ E ☐ W

i) For applications proposing a well or wells, the well depth(s) and location. If more than two wells, attach a separate sheet to this request:

Well #1 ☐ New Well ☐ Existing Well

For existing well, if available, Water Right # _____ GWIC ID _____

1/4 ____ 1/4 ____ 1/4 Section ____, Township ____ ☐ N ☐ S, Range ____ ☐ E ☐ W

County _____

Lot/Tract _____ Block _____ Subdivision Name _____

Estimated Well Depth _____ Feet

Well #2 ☐ New Well ☐ Existing Well

For existing well, if available, Water Right # _____ GWIC ID _____

____ 1/4 ____ 1/4 ____ 1/4 Section ____, Township ____ ☐ N ☐ S, Range ____ ☐ E ☐ W

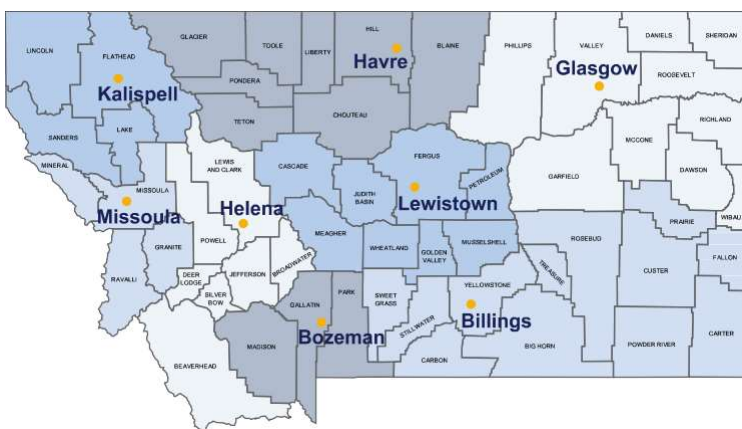
County _____

Lot/Tract _____ Block _____ Subdivision Name _____

Estimated Well Depth _____ Feet



WATER RESOURCES REGIONAL OFFICES



BILLINGS

Airport Industrial Park, 1371 Rimtop Dr
Billings, MT 59105-9702

PHONE 406-247-4415 FAX 406-247-4416

EMAIL DNRCBillingsWater@mt.gov

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



BOZEMAN

2273 Boot Hill Court, Suite 110
Bozeman, MT 59715-7249

PHONE 406-586-3136 FAX 406-587-9726

EMAIL DNRCBozemanWater@mt.gov

Gallatin, Madison, and Park Counties



GLASGOW

222 6th Street South, PO Box 1269
Glasgow, MT 59230-1269

PHONE 406-228-2561

EMAIL DNRCGlasgowWater@mt.gov

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



HAVRE

210 6th Ave., PO Box 1828
Havre, MT 59501-1828

PHONE 406-265-5516

EMAIL DNRCHavreWater@mt.gov

Blaine, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, and Toole Counties



HELENA

1424 9th Ave., PO Box 201601,
Helena, MT 59620-1601

PHONE 406-444-6999 FAX 406-444-9317

EMAIL DNRCHelenaWater@mt.gov

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



KALISPELL

655 Timberwolf Parkway, Suite 4
Kalispell, MT 59901-1215

PHONE 406-752-2288

EMAIL DNRCKalispellWater@mt.gov

Flathead, Lake, Lincoln, and Sanders Counties



LEWISTOWN

613 Northeast Main St., Suite E
Lewistown, MT 59457-2020

PHONE 406-538-7459

EMAIL DNRCLEWISTOWNWater@mt.gov

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



MISSOULA

2705 Spurgin Rd. Bldg. C, PO Box 5004
Missoula, MT 59806-5004

PHONE 406-721-4284 FAX 406-542-5899

EMAIL DNRCMissoulaWater@mt.gov

Granite, Mineral, Missoula, and Ravalli Counties



MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
Water Resources Division – Water Rights Bureau
<https://dnrc.mt.gov/Water-Resources/Water-Rights/>