

Application Materials

- Application
- Any information submitted with Application including maps

Application Materials



DNRC Helena Regional Office
PO Box 201601
Helena, MT 59620-601

March 9, 2026

Clark Fork Coalition
140 S 4th St W #1
Missoula, MT 59801

Subject: Correct and Complete Application for Change 76G 30165115

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.

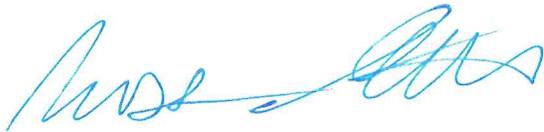


Following issuance of the Draft Preliminary Determination, you (Applicant) will have 15 business days to request an extension of time to submit additional information, if desired pursuant to §85-2-307(3)(a), MCA.

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.



Russ Gates
Hydrologist/Water Resource Specialist
Helena Regional Office
Water Resources Division
406-444-6602
rgates@mt.gov





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

For Department Use Only

RECEIVED

FEB 17 2026

DNRC-HRO

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 # 30165115 Basin 76 G
 Priority Date _____ Time _____ AM/PM
 Rec'd By RG
 Fee Rec'd \$ 1000.00 Check # NRDP transfer
 Deposit Receipt # _____
 Payor _____
 Refund \$ _____ Date _____

Applicant Information: Add more as necessary.

Applicant Name Clark Fork Coalition
 Mailing Address 140 S 4th St W #1 City Missoula State MT Zip 59801
 Phone Numbers: Home _____ Work 406-542-0539 Cell _____
 Email Address _____

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 Eric Hull
 Mailing Address 140 S 4th St W #1 City Missoula State MT Zip 59801
 Phone Numbers: Home 406-274-0411 Work _____ Cell _____
 Email Address eric@clarkfork.org

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)).





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CHANGE A WATER RIGHT**

§ 85-2-302, MCA
Form No. 606 (Revised 10/2025)

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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 # _____ Basin _____
 Priority Date _____ Time _____ AM/PM
 Rec'd By _____
 Fee Rec'd \$ _____ Check # _____
 Deposit Receipt # _____
 Payor _____
 Refund \$ _____ Date _____

Applicant Information: Add more as necessary.

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 _____

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.
[See Note for question 11. on attachment titled "Attachment - DNRC Form No. 606"](#)

APPLICATION DETAILS

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

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	
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	

14. Is the source surface water or groundwater? _____

15. What is the source name? _____

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

Water Right No.					
Point of Diversion	<input type="checkbox"/>				
Place of Use	<input type="checkbox"/>				
Purpose of Use	<input type="checkbox"/>				
Place of Storage	<input type="checkbox"/>				

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).

POD ID	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Lot	Block	Tract	Subdivision	Gov. Lot	New or Unchanged



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
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	
				<input type="checkbox"/>	<input type="checkbox"/>	

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.

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

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.



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?

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?

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.

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.

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.

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."



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)? _____

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 _____

Applicant Signature _____ Date: _____

Printed Name _____

Applicant Signature _____ Date: _____

Printed Name _____

Applicant Signature _____ Date: _____



Attachment – DNRC Form No. 606

Application #30165115 – Clark Fork Coalition

Water Right #s: 76G 5191, 76G 5192, 76G 5193, 76G 215144

11. The means of conveyance for all four water rights was Beaumont Ditch; no other water rights share a point of diversion or means of conveyance. Note that there is another ditch in the area called the Beck-Beaumont-Elberson Ditch, but it is separate from Beaumont Ditch and has a different point of diversion.

17. See attached historical use map titled “17. Historical Use Map.”

18. See attached proposed use map titled “18. Proposed Use Map.”

32. See proposed use map from question 18 and map attached to Form 606-IFA titled “606-IFA Map.”

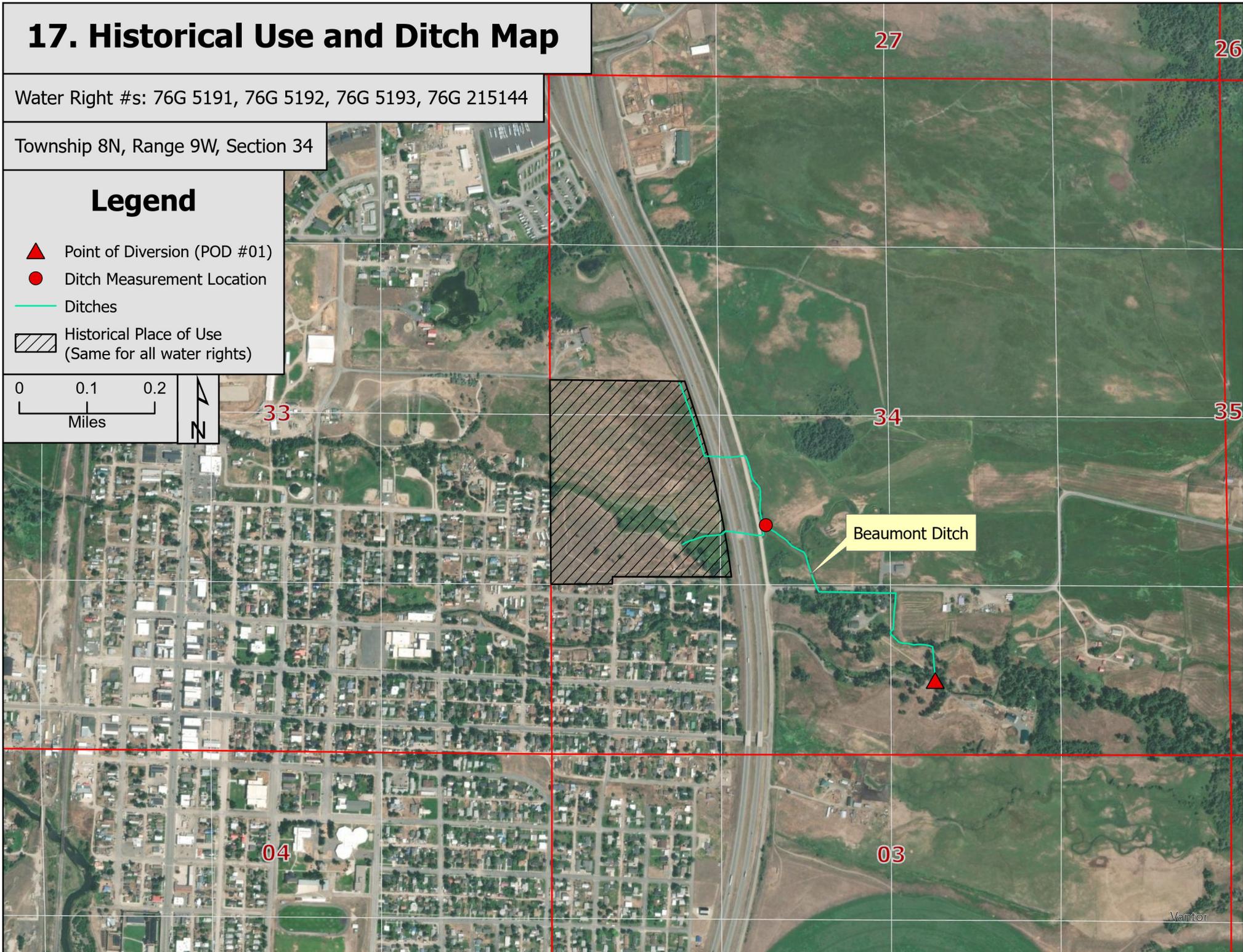
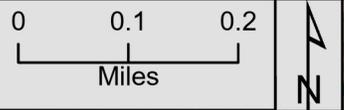
17. Historical Use and Ditch Map

Water Right #s: 76G 5191, 76G 5192, 76G 5193, 76G 215144

Township 8N, Range 9W, Section 34

Legend

- ▲ Point of Diversion (POD #01)
- Ditch Measurement Location
- Ditches
- ▨ Historical Place of Use (Same for all water rights)



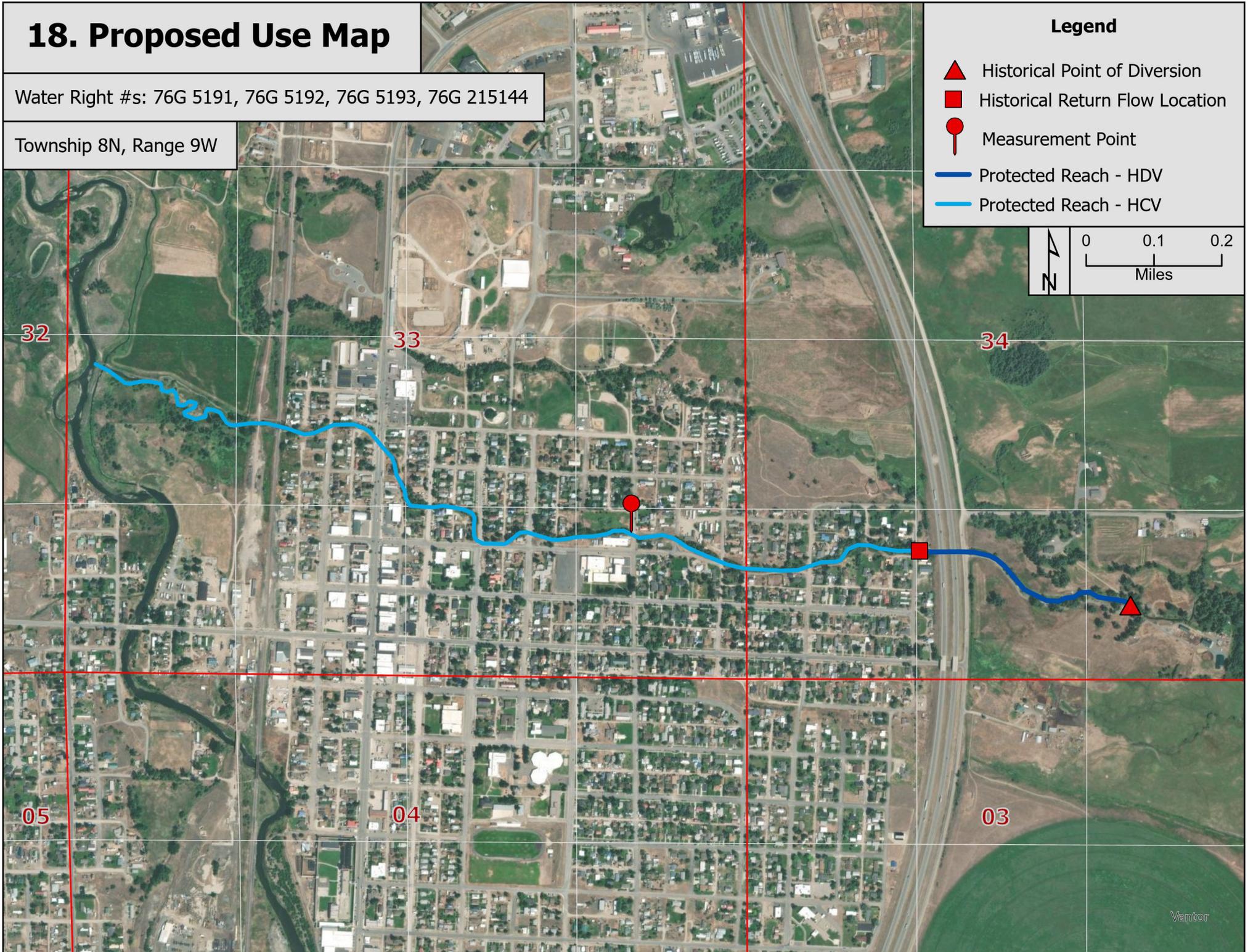
18. Proposed Use Map

Water Right #s: 76G 5191, 76G 5192, 76G 5193, 76G 215144

Township 8N, Range 9W

Legend

-  Historical Point of Diversion
-  Historical Return Flow Location
-  Measurement Point
-  Protected Reach - HDV
-  Protected Reach - HCV





APPLICATION TO CHANGE A WATER RIGHT CHANGE TO INSTREAM FLOW ADDENDUM

§§ 85-2-402, 85-2-436, MCA

It is highly recommended that Technical Analyses are complete before filling out this addendum. The operation plan must define the flow rate(s) and volume(s) protected instream over specific time intervals. The maximum quantity of water that can be changed to instream flow protected at the historical point of diversion, or the point where return flow historically accrued, is the amount historically diverted. However, only the amount historically consumed from the source, or a smaller amount if specified by the department, may be used to protect, maintain, or enhance streamflow below the historical point of diversion or the point where return flows historically accrued. The protected flow rate may be no higher than the historical flow rate at the historical point of diversion. The flow rate protected downstream of the historical point of diversion, when protected over the time interval defined for protection, cannot result in a volume that is higher than the protectable volume. The measurement plan should include one or more measurement points, sufficient to show beneficial use and lack of adverse effect. Ideally, measurement points are located as close as possible to the start and end of the protected reach.

Answer every question and applicable follow-up questions. Use the checkboxes to denote yes (“Y”) or no (“N”). 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 Technical Analyses Addendum. 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, mark the “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. Label all units in narrative responses.

1. **S** Submit a map labeling all historical points of diversion, the protected reach, the locations where historical return flows accrued, and all water rights diverted from the source between the upstream-most historical point of diversion and the end of the protected reach.

2. **Y** **N** **NA** Do all historical return flows go back to the source of supply?

If no,

2.1. What is the name of the other sources where historical return flows accrued?

2.2. What are the monthly volumes of return flows that do not return to the source of supply?

2.3. **Y** **N** Are any water rights diverted from the sources identified in question 2.1 within the Area of Potential Adverse Effect identified in the Extended Return Flow Analysis: Evaluation of Impacts to Identified Water Rights? **If yes**, add these water rights to the map submitted for question 1.



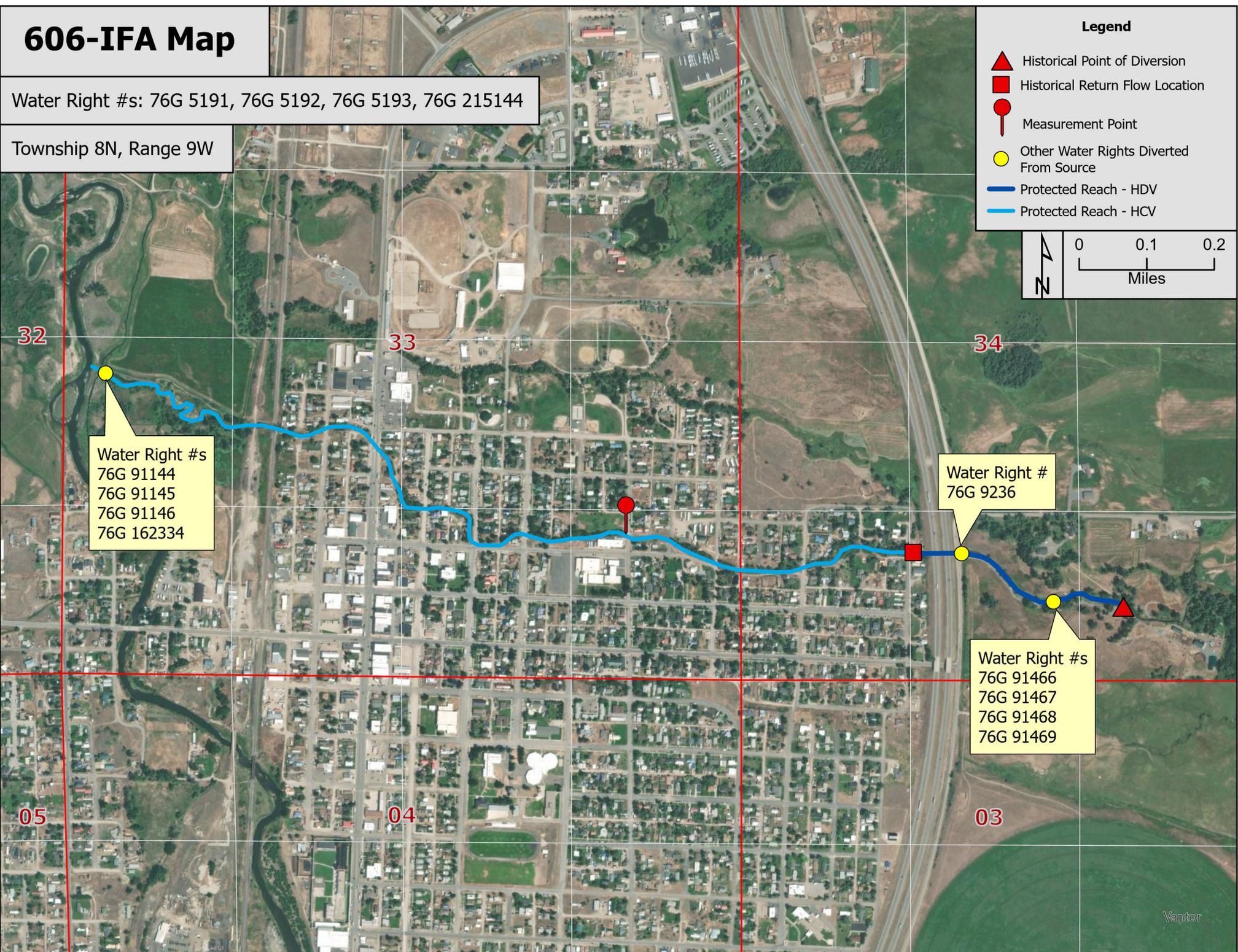
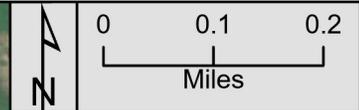
606-IFA Map

Water Right #s: 76G 5191, 76G 5192, 76G 5193, 76G 215144

Township 8N, Range 9W

Legend

-  Historical Point of Diversion
-  Historical Return Flow Location
-  Measurement Point
-  Other Water Rights Diverted From Source
-  Protected Reach - HDV
-  Protected Reach - HCV



Technical Analyses Report/ Scientific Credibility Review

- Departmental Technical Analyses Report/ Scientific Credibility Review
- Any correspondence relating to the Technical Analyses Report

Technical Analyses Report / Scientific Credibility Review



DNRC Helena Regional Office
PO Box 201601

August 22, 2025

Clark Fork Coalition
140 S 4th St W #1
Missoula, MT 59801

Subject: Completed Technical Analyses Report for Change Preapplication No. 76 30165115

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. 76G 30165115 based on the information provided in your Preapplication Meeting Form accepted by the Department on July 9, 2025. The technical analyses can be found in the attached report. Please note this Change Preapplication Technical Analyses Report is a two-part publication, comprised of a Part A completed by Russ Gates, Helena Regional Office, and a Part B completed by Evan Norman, Water Sciences Bureau.



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 Helena Regional Office by February 18, 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.



Russ Gates

Hydrologist/Water Resource Specialist

Helena Regional Office

406-44-6602





Surface Water Change Technical Analyses Report – Part A

Department of Natural Resources and Conservation (DNRC or Department) Water Resources Division

Russ Gates, Hydrologist/Water Resource Specialist, Helena Regional Office

Application No.	76G 30165115	Proposed Diversion	Point of	SWSWSE Section 34, T8N, R9W, Powell County
Applicant	Clark Fork Coalition			

Overview

This report is Part A of a two-part publication which analyzes data submitted by the Applicant in support of the above-mentioned water right 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).

* Calculated values in the tables found throughout this document may include rounding differences that could result in slight variation of final values depending on the point at which intermediate values are calculated.

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

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1.0 Application Details

The Applicant proposes to change the place of use (POU) and purpose for Statements of Claim 76G 5191-00, 76G 5192-00, 76G 5193-00, and 76G 215144-00. The proposed place of use is the reach of Cottonwood Creek starting at the historical point of diversion (POD) for these claims in the SWSWSE Section (S) 34 and ending at the confluence with the Clark Fork River in the NWNWSW S33, all Township (T) 8 North (N), Range (R) 9 West (W). The project is in Powell County and the source is Cottonwood Creek.

Figure 1: Historic use map

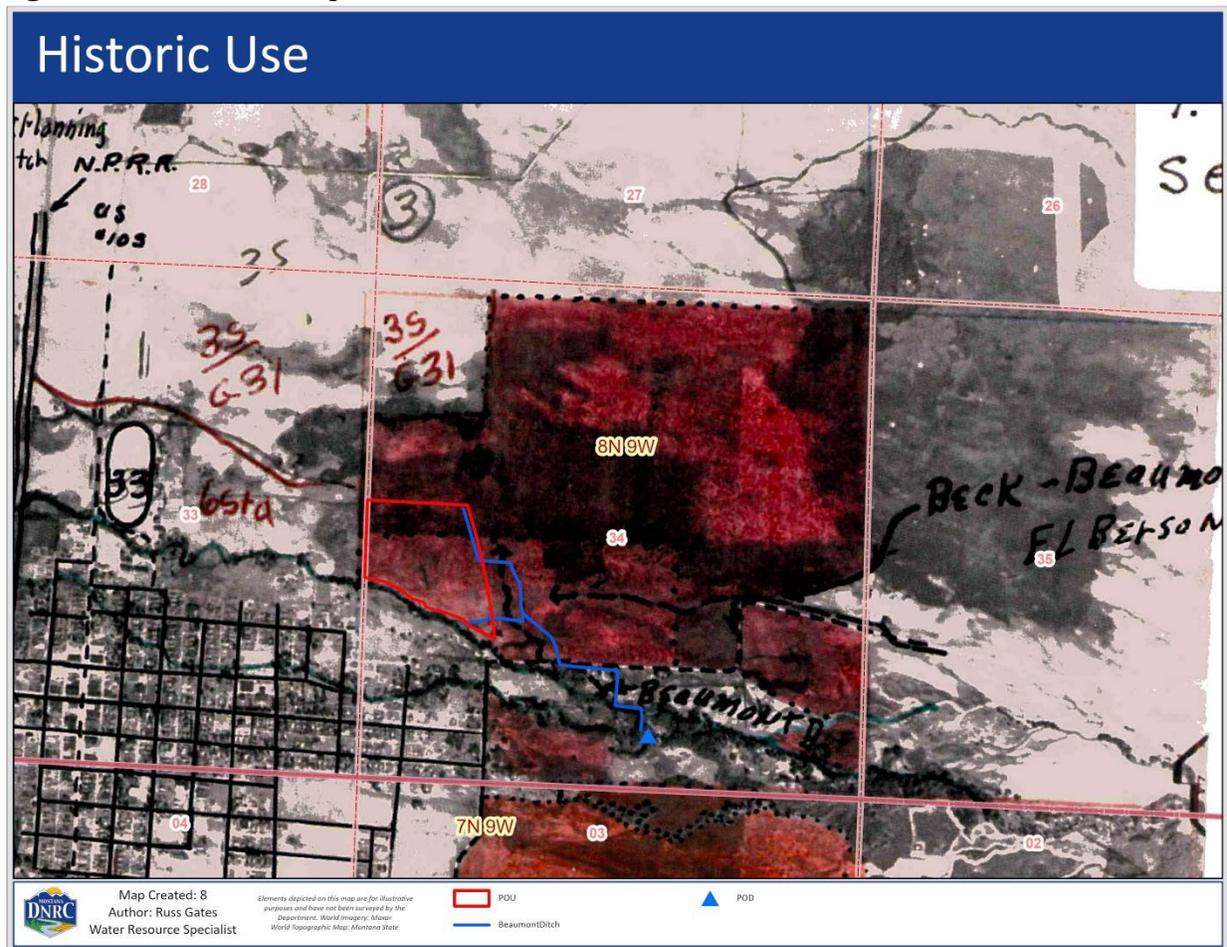


Figure 2: Map of the Applicant’s proposed POD on the source and proposed place of use.



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. Irrecoverable losses (IL) are 5% of the field applied volume for flood irrigation or 10% for sprinkler 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 total consumed volume.

The water rights proposed for change in this Application claim 56.62 acres of flood irrigation in the NW and SW of S34, T8N, R9W, Powell County. The Department identified 31.07 acres of



historical irrigation within the historically claimed POU based on Water Resources Survey aerial photography dated August 17, 1947 and USDA aerial photography from 1979. Water was diverted from Cottonwood Creek into the Beaumont Ditch via a headgate in the SWSWSE S34, T8N, R9W and conveyed 2112 ft to the place of use. The historical method of irrigation was wild flood with a field efficiency of 25%. All four claims proposed for change in this application were 100% supplemental on the same 31.07 acre POU.

The historical consumed and field applied volumes have been calculated with the inputs shown in Table 1 following the methods described above and in ARM 36.12.1902.

Table 1: Historical use.

Irrigation Method	Acres	IWR (in) ¹	Mgmt. Factor ²	Field Efficiency	Crop Consumption (AF)	Applied Volume (AF)	IL (AF)	Total Consumed Volume (AF)	Field Application Volume (AF)
Flood Irrigation, Wheeline & Handline	31.07	13.14	0.78	0.25	26.4	100.32	5.28	31.68	105.6

¹Deer Lodge IWR Weather Station

²Powell County Historical Use Management Factor 1964 - 1973

All four water rights proposed for change in this application are 100% supplemental on the same 31.07-acre POU. The total historical consumptive volume for the POU was apportioned between each claim based on the corresponding percentage of the total flow rate contributed by each right as shown in Table 2 below:

Table 2: Apportionment of historical use by water right

Water Right No.	Flow Rate (CFS)	Percentage of Flow	Apportioned HCV (Including IL) (AF)	Apportioned Field Application Volume (AF)
76G 5191-00	0.28	9	2.83	9.45
76G 5192-00	0.28	9	2.83	9.45
76G 5193-00	0.58	19	5.87	19.57
76G 215144-00	1.99	64	20.14	67.14
Total	3.13	100%	31.67	105.61

2.2 Historical Conveyance Losses

Per ARM 36.12.1902(10), the historical conveyance loss volume is equal to the sum of the historical seepage loss, vegetation loss, and ditch evaporation volumes.

The Applicant provided a ditch bottom width of 3 ft and a top width of 5 ft, a depth of 2 ft, a length of 0.4 miles or 2112 ft, and a slope of 0.2%. The ditch dimensions result in a wetted perimeter value of 7.08 ft. The soil material was identified by the Applicant as loam, which the Department determined has a loss rate of 1.4 ft³/ft²/day. The total number of days irrigated was split into three periods: Beaumont A from March 10 to April 30 (76 days) when only Claim 76G 215144-



00 is being used, Beaumont B from May 1 to July 15 (75 days) when all four claims are being used, and Beaumont C from July 16 to October 1 (77 days) when only Claims 76G 5191-00, 76G 5192-00, and 76G 5193-00 are being used. Adjusted net evaporation rates of 2.06 in, 4.97 in, and 11.16 in were applied to each of these periods respectively. The conveyance losses were calculated for each of these time periods, then apportioned to each right within these periods based on relative proportion of flow rate for each right as shown in Table 3 and Table 4. The Department utilized the procedures outlined in the Department Memo dated September 13, 2012, regarding the development of standardized methodologies to determine Historic Diverted Volume to calculate the values found in Table 3 below.

Table 3: Conveyance loss apportionment by period of diversion

Ditch Leg	Length (ft)	Flow Rate (CFS)	Width (ft)	Wetted Perimeter (ft)	Ditch Loss Rate (ft ³ /ft/day)	Number of Days Irrigated	Adj. Net Evap (in)	Seepage Loss (AF)	Vegetation Loss (AF)	Evaporative Loss (AF)	Total Conveyance Loss (AF)
Beaumont A	2112	1.99	3	4.24	1.4	76	2.06	21.87	0.91	0.03	22.81
Beaumont B	2112	3.13	3	4.63	1.4	75	4.97	23.57	1.41	0.08	25.06
Beaumont C	2112	1.14	3	3.88	1.4	77	11.16	20.28	0.53	0.16	20.97
Total								65.72	2.84	0.27	68.84

Table 4: Conveyance loss apportionment by water right

Ditch Leg	Water Right Number	Flow Rate (CFS)	Conveyance Loss Volume (by Leg) (AF)	% of Flow	CL Volume (by WR) (AF)
Beaumont A	76G 215144-00	1.99	22.81	100	22.81
Beaumont B	76G 5191-00	3.13	25.06	9	2.26
	76G 5192-00			9	2.26
	76G 5193-00			18	4.51
	76G 215144-00			64	16.03
Beaumont C	76G 5191-00	1.14	20.97	25	5.24
	76G 5192-00			25	5.24
	76G 5193-00			50	10.49
Total			68.84		68.84

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 historical conveyance loss volume. Table 5 below summarizes the historical field applied and conveyance loss volumes.



Table 5: Historic Diverted Volume for each right

Water Right No.	Field Application Apportionment (%)	Apportioned Field Application Volume (AF)	Apportioned Conveyance Volume (AF) Loss	Apportioned HDV (AF)
76G 5191-00	9	9.45	7.50	16.95
76G 5192-00	9	9.45	7.50	16.95
76G 5193-00	19	19.57	15.00	34.57
76G 215144-00	64	67.14	38.84	105.98
Total	100%	105.6	68.84	174.45

The Applicant has established a gaging site based on a stage-discharge relationship downstream of the historical point of diversion. The Applicant submitted 2024 hourly stage and discharge data from May 30 through October 17, and four measured discharge readings along with the rating curve for the site. Average daily flow from the Applicant’s data can be found in Appendix B. The discharge measurements can be found in Table 6 below.

Table 6: Applicant supplied discharge measurements

Date:	Time of Measurement:	Flow (CFS):	Staff gauge (ft):
5/30/2024	10:08 AM	4.91	0.99
6/11/2024	3:12 PM	10.8	1.19
7/25/2024	1:56 PM	2.061	0.83
9/24/2024	2:30 PM	2.099	0.82

2.4 Summary of Historical Use

The Department will consider the following values from Table 7 when evaluating the historical use of the water rights proposed for change in this application for the adverse effect criterion:



Table 7: Summary of historical use

Water Right No.	Historical Purpose	Maximum Historical Acres/ Au	Historical Place of Use	Historical Point of Diversion	Maximum Historical Flow Rate (CFS)	Historically Consumed Volume (AF)	Historically Diverted Volume (AF)
76G 5191-00	Irrigation	31.07	NWSW, S2SWNW S34 T8N R9W Powell County	SWSWSE S34 T8N R9W Powell County	0.28	2.83	16.95
76G 5192-00	Irrigation	31.07	NWSW, S2SWNW S34 T8N R9W Powell County	SWSWSE S34 T8N R9W Powell County	0.28	2.83	16.95
76G 5193-00	Irrigation	31.07	NWSW, S2SWNW S34 T8N R9W Powell County	SWSWSE S34 T8N R9W Powell County	0.58	5.87	34.57
76G 215144-00	Irrigation	31.07	NWSW, S2SWNW S34 T8N R9W Powell County	SWSWSE S34 T8N R9W Powell County	1.99	20.14	105.98

3.0 Analysis of Impacted Surface Water Sources

3.1 Summary of Proposed Use

The Applicant proposes to protect historically diverted water instream. The historically diverted volume of 174.45 AF can be protected in the upper reach above the point where historical return flows began to accrete to Cottonwood Creek in the NWSESW S34 T8N R9W, and the historically consumed volume of 31.67 AF can be protected in the lower reach below this point.



Table 8: Summary of the proposed use.

Water Right No.	Proposed Purpose	Proposed Place of Use	Proposed Point of Diversion	Proposed Flow Rate (CFS)	Proposed Consumptive Volume (AF)	Proposed Upper Reach Protected Volume (AF)	Proposed Lower Reach Protected Volume (AF)
76G 5191-00	Instream	W2SWSE, N2S2SW S34, S2 S35 T8N R9W Powell County	SWSWSE S34 T8N R9W Powell County	0.28	0	16.95	2.83
76G 5192-00	Instream	W2SWSE, N2S2SW S34, S2 S35 T8N R9W Powell County	SWSWSE S34 T8N R9W Powell County	0.28	0	16.95	2.83
76G 5193-00	Instream	W2SWSE, N2S2SW S34, S2 S35 T8N R9W Powell County	SWSWSE S34 T8N R9W Powell County	0.58	0	34.57	5.87
76G 215144-00	Instream	W2SWSE, N2S2SW S34, S2 S35 T8N R9W Powell County	SWSWSE S34 T8N R9W Powell County	1.99	0	105.98	20.14
Total				3.13	0	174.45	31.67

Table 9: Comparison of volumes associated with historical and proposed use.

Purpose	Historically Consumed Volume (AF)	Proposed Consumptive Volume (AF)	Historically Diverted Volume (AF)	Proposed Protected Volume (AF)
Irrigation	31.68	0	174.45	0
Instream	0	0	0	174.45
Total	31.68	0	174.45	174.45



3.2 Impacted Surface Water Sources

The Department has considered an area of potential adverse effect on the source of supply. This reach was determined by accounting for the location of the proposed and historical point of diversion. This reach extends from the historical point of diversion in the SWSWSE S34 T8N R9W Powell County downstream to the confluence with the Clark Fork River in the NWNWSW S33 T8N R9W Powell County.

Department Groundwater Hydrologist Evan Norman completed the attached Surface Water Change Technical Analysis Report Part B. The historical non-consumed volume is 73.92 AF, and the location of historical return flows is to Cottonwood Creek downstream of the NWSESW S34 T8N R9W Powell County. Historically diverted flows will be left instream in Cottonwood Creek during the historical period of diversion below the point of diversion and where return flows historically returned to the source. Therefore, the return flow analysis does not include a monthly breakdown of the rate and time of return flows.



Review

This document has been reviewed by the Department on August 20, 2025.

References

Department Standard Practice for Determining Historical Use
Department Standard Practice to Analyze Return Flows
Department Surface Water Change Technical Analysis Report Part B



Appendix A: Water Rights within the Area of Potential Adverse Effect

Water Right	Owner	Priority Date	Flow Rate
76G 91146 00	KOHRS & MANNING DITCH CO	12/31/1868	8 CFS
76G 91467 00	DOUGLAS W JOHNSON	4/1/1877	337 GPM
76G 91469 00	DOUGLAS W JOHNSON	4/1/1877	n/a
76G 91468 00	DOUGLAS W JOHNSON	8/1/1894	170.54 GPM
76G 91466 00	DOUGLAS W JOHNSON	3/3/1906	3.87 CFS
76G 91145 00	KOHRS & MANNING DITCH CO	12/17/1931	40 CFS
76G 162334 00	USA (DEPT OF INTERIOR NATIONAL PARK SERVICE)	8/5/1940	n/a
76G 9326 00	LORRIE M DUNCAN	3/1/1944	40 GPM



Appendix B: Average Daily Discharge for Gaging Station Established by Applicant

Date	Average Discharge
30-May	5.4
31-May	5.2
1-Jun	4.9
2-Jun	4.8
3-Jun	7.3
4-Jun	16.6
5-Jun	11.6
6-Jun	12.3
7-Jun	13.0
8-Jun	13.7
9-Jun	11.6
10-Jun	22.8
11-Jun	12.6
12-Jun	7.0
13-Jun	5.5
14-Jun	5.1
15-Jun	4.6
16-Jun	4.9
17-Jun	4.9
18-Jun	4.6
19-Jun	4.0
20-Jun	3.6
21-Jun	3.3
22-Jun	3.1
23-Jun	3.1
24-Jun	2.8
25-Jun	2.9
26-Jun	2.8
27-Jun	6.4
28-Jun	6.8
29-Jun	6.0
30-Jun	5.3



1-Jul	5.3
2-Jul	5.1
3-Jul	4.8
4-Jul	6.3
5-Jul	5.2
6-Jul	4.7
7-Jul	4.6
8-Jul	3.9
9-Jul	3.5
10-Jul	3.9
11-Jul	4.1
12-Jul	3.8
13-Jul	3.6
14-Jul	3.5
15-Jul	3.9
16-Jul	3.8
17-Jul	3.5
18-Jul	3.2
19-Jul	3.1
20-Jul	3.0
21-Jul	2.8
22-Jul	2.8
23-Jul	2.7
24-Jul	2.6
25-Jul	2.5
26-Jul	2.4
27-Jul	2.3
28-Jul	2.3
29-Jul	2.2
30-Jul	2.3
31-Jul	2.3
1-Aug	2.2
2-Aug	2.1
3-Aug	2.0
4-Aug	2.0
5-Aug	2.1
6-Aug	2.1
7-Aug	2.2
8-Aug	2.1
9-Aug	2.1



10-Aug	2.2
11-Aug	2.3
12-Aug	2.2
13-Aug	2.2
14-Aug	2.3
15-Aug	2.2
16-Aug	2.1
17-Aug	2.0
18-Aug	1.9
19-Aug	2.0
20-Aug	2.0
21-Aug	1.9
22-Aug	1.9
23-Aug	1.7
24-Aug	1.9
25-Aug	1.9
26-Aug	1.9
27-Aug	1.7
28-Aug	1.9
29-Aug	1.8
30-Aug	1.8
31-Aug	1.7
1-Sep	1.7
2-Sep	1.6
3-Sep	1.7
4-Sep	1.7
5-Sep	1.7
6-Sep	1.7
7-Sep	1.6
8-Sep	1.6
9-Sep	1.5
10-Sep	1.6
11-Sep	1.8
12-Sep	1.9
13-Sep	1.8
14-Sep	1.9
15-Sep	1.8
16-Sep	1.8
17-Sep	2.0
18-Sep	2.0



19-Sep	1.9
20-Sep	1.9
21-Sep	2.0
22-Sep	2.0
23-Sep	2.0
24-Sep	2.0
25-Sep	1.9
26-Sep	1.9
27-Sep	2.0
28-Sep	2.0
29-Sep	2.2
30-Sep	2.3
1-Oct	2.4
2-Oct	2.4
3-Oct	2.6
4-Oct	2.5
5-Oct	2.8
6-Oct	2.7
7-Oct	2.5
8-Oct	2.4
9-Oct	2.4
10-Oct	2.6
11-Oct	2.7
12-Oct	2.7
13-Oct	2.8
14-Oct	2.9
15-Oct	2.8
16-Oct	2.9
17-Oct	3.1



Surface Water Change Technical Analyses Report - Part B

Department of Natural Resources and Conservation (DNRC)

Water Resource Division

Evan Norman, Groundwater Hydrologist, Water Sciences Bureau

Applicant	Clark Fork Coalition	Point of Diversion Legal Land Description	SWSWSE Section 34, Township 08 North Range 09 West, Powell County
Application No.	76G 30165115		

Overview

This report is Part B of a two-part publication which 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). For applications in closed basins, this report fulfills the requirements of MCA 85-2-361.

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

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1.0 Executive Summary	2
2.0 Methodology	2
3.0 Adverse Effect – Return Flow Analysis	3
3.1. Non-Consumed Volume	3
3.2 Hydraulically Connected Surface Water(s)	4
3.3 Location of Return Flows	6
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1.0 Executive Summary

Water Right Details

The Applicant requests to change the purpose and place of use of Statement of Claim Nos. 76G 5191-00, 76G 5192-00, 76G 5193-00 and 76G 215144-00 from irrigation to an instream flow purpose on Cottonwood Creek. The four water rights proposed for change were supplemental and historically used for flood irrigation of 31.07 acres with a cumulative flow rate of 3.13 cubic feet per second (cfs). Water was diverted from Cottonwood Creek via a headgate and into the Beaumont Ditch. The total diverted volume for the supplemental water rights associated with the place of use is 174.45 acre-feet (AF). The period of diversion and period of use for Statement of Claim Nos. 76G 5191-00, 76G 5192-00 and 76G 5193-00 is May 1 to October 1. The period of diversion and period of use for Statement of Claim No. 76G 215144-00 is March 15 to July 15.

WSB Technical Analysis Findings

Based on information submitted, the WSB quantified the historical non-consumed volume and location of historical return flows. These analyses are in support of the following criteria assessment: adverse effect. A summary of WSB findings described in subsequent sections are listed below.

TECHNICAL ANALYSES FINDINGS

ADVERSE EFFECT (RETURN FLOWS)	The historical non-consumed volume is 73.92 AF, and the location of historical return flows as identified in Figure 1 is to Cottonwood Creek downstream of the NWSESW Section 34, Township 08 North, and Range 09 West, Powell County.
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2.0 Methodology

DNRC will analyze the change to determine if:

- a. Return flows will enter back into the source where they have historically returned upstream of or at the location of the next downstream appropriator; or,
- b. Water is left instream so historically diverted flows are available during the historical period of diversion either below the point of diversion or where return flows historically returned to the source.

If the change in return flows impacts existing water rights, the return flow analysis must include a monthly breakdown of the rate and timing of return flows and evaluate impacts to the identified rights.

Return flows are evaluated by determining the volume of water that infiltrates past the root zone and identifying the likely receiving stream(s). The assumption is made that water applied for irrigation that is not consumed by a crop infiltrates to groundwater becoming return flow and does not run off. The amount of water not consumed is the difference between the amount of water consumed and the amount of water applied to a field. The receiving stream is determined



by proximity and evidence of hydraulic connection to groundwater and generally does not depend on groundwater flow direction or land slope (Leake, 2011).

Historical consumed volumes for irrigation are calculated following the procedures described in DNRC consumptive use rules in ARM 36.12.1902. The amount of water consumed at the field is equal to crop consumption plus irrecoverable losses calculated as a percent of applied amounts. The amount of water applied to a field is determined from estimates of application efficiency and crop consumption. The amount of water not consumed is the difference between the amount of water consumed and the amount of water applied to a field.

Historically diverted flows will be left instream on Cottonwood Creek during the historical period of diversion below the point of diversion and where return flows historically returned to the source. Therefore, the return flow analysis does not include a monthly breakdown of the rate and time of return flows.

3.0 Adverse Effect – Return Flow Analysis

3.1. Non-Consumed Volume

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. Irrecoverable losses (IL) are 5% of the field applied volume for flood irrigation or 10% for sprinkler 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 total consumed volume.

The historical consumed and non-consumed volumes have been calculated with the inputs shown in **Table 2**. The proportion of volumes assigned to the supplemental water rights are the contribution of each water right flow rate to the maximum flow rate of 3.13 cfs shown in **Table 1**.

Table 1: Proportion of total flow rate for supplemental water rights associated with Application No. 76G 30165115.

Water Right No.	Flow Rate (CFS)	Supplemental Proportion
76G 5191-00	0.28	0.09
76G 5192-00	0.28	0.09
76G 5193-00	0.58	0.19
76G 215144-00	1.99	0.64
Total	3.13	1.0



Table 2: Historical use for the 31.07 acres of flood irrigation.

Statement of Claim Nos. (76G)	Acres	IWR (in) ¹	Mgmt. Factor ²	Field Efficiency (%)	Crop Consumption (AF)	Field Applied Volume (AF)	IL (AF)	Total Consumed Volume (AF)	Non-Consumed Volume (AF)
5191-00	31.07	13.14	0.776	25	2.36	9.45	0.47	2.83	6.61
5192-00	31.07	13.14	0.776	25	2.36	9.45	0.47	2.83	6.61
5193-00	31.07	13.14	0.776	25	4.89	19.57	0.98	5.87	13.70
215144-00	31.07	13.14	0.776	25	16.79	67.14	3.36	20.14	47.00
Total	31.07	---	---	---	26.40	105.60	5.28	31.68	73.92

¹Deer Lodge IWR Weather Station

²Powell County Historical Use Management Factor

3.2 Hydraulically Connected Surface Water(s)

Potentially affected surface waters in return flow evaluation are identified by their hydraulic connection, both direct and indirect, to the aquifer below the irrigation place of use. Hydraulic connection depends on the depth to groundwater beneath the beds of surface waters, connection between deep and overlying shallow aquifers, vertical gradients, and can vary along a reach and with time of year.

Procedures for evaluating hydraulic connection and identifying one or more potentially affected surface water(s) for return flow analyses can be found in DNRC (2018) and DNRC (2019), respectively. Return flows are apportioned between multiple potentially affected surface waters generally following procedures described in Section 3.2 of a guidance document developed by the Province of British Columbia (2016). Not all data may be available for each project and is noted as “NA” when that occurs.

As shown in **Figure 1**, DNRC identifies Cottonwood Creek and Johnson Creek as the closest surface water sources to the historical place of use and potential sources to receive return flows. Following protocols in DNRC (2018), **Table 3** identifies published information used to assess hydraulically connected surface water(s). Based on the information in **Table 3**, Cottonwood Creek is the only perennial surface water source that will receive the full return flow volume.



Table 3: Published information used to identify hydraulically connected surface water(s).

Published Information	Surface Water Source	Surface Water Source
	Cottonwood Creek	Johnson Creek
USGS National Hydrographic Dataset (NHD) ¹	Perennial at Interstate-90	Intermittent
USGS PROSPER SPP Rating ²	0.47 (Nonperennial) (less confident)	0.0 (Nonperennial) (more confident)
MBMG GWIC wells, less than 50 ft deep, within 1,000 ft of surface water, static water levels above or within 10 ft of elevation of stream bed (DNRC, 2018) ³	GWIC IDs 57431, 252522, 57437, 57436, 57443	GWIC IDs 57431, 57446, 57449, 57447, 57448
Published Water Table Maps, Publications, Previous Water Rights, etc. ⁴	Waren and LaFave (2011)	Waren and LaFave (2011)
Gridded National Soil Survey Geographic Database ⁵	Hydric conditions mapped along source (Figure 1)	Hydric conditions mapped along source (Figure 1)
Aerial imagery	Wet channel (NAIP 2013-2023)	Dry/wet channel (NAIP 2013-2023)
Affidavits, photographs, etc.	DNRC stream gage ID 76G 04000 (Figure 1); stream gage site visits.	Applicant states that source only flows during runoff and historically operated as a ditch.

¹ Review of NHD to identify perennial, intermittent, and ephemeral classifications for surface water sources most proximal to the proposed diversion(s).

² USGS PROSPER streamflow permanence probability (SPP) ratings greater than 0.5 suggest a perennial location, lower than 0.5 suggest a non-perennial location, values close to 0.5 are subject to error.

³ Per DNRC (2018) and DNRC (2019) hydraulic connection of individual stream reaches to ground water is evaluated by comparing streambed elevations to static ground water elevations measured in MBMG GWIC wells less than 50 ft deep and within 1,000 ft of surface water or from published water table maps. Surface water within that area is considered hydraulically connected to the unconfined aquifer if static ground water elevations are above or within 10 ft of the elevation of the stream bed.

⁴Water table maps from Waren and LaFave (2011) suggest groundwater discharge to Cottonwood Creek west of Interstate-90, and groundwater flow that is parallel to Johnson Creek along its entirety.

⁵ Review of Gridded National Soil Survey Geographic Database (SSURGO (NRCS, 2025)) to identify hydric soils or shallow water tables near surface water sources.

WSB Scientific Findings

Based on the review of the published information in **Table 3**, Cottonwood Creek is the nearest hydraulically connected surface water source. Johnson Creek, a nearby intermittent source, is not considered hydraulically connected surface water source.



3.3 Location of Return Flows

The location of return flows from 31.07 acres of historical irrigation is Cottonwood Creek downstream of NWSEW Section 34, Township 08 North, Range 09 West, Powell County (**Figure 1**). The Applicant proposes to leave the total diverted volume of water used for historical irrigation of 31.07 acres instream at the historical point of diversion located in the SWSWSE Section 34, Township 08 North, Range 09 West.

As identified in **Figure 1** the starting point of return flow is to NWSEW Section 34, Township 08 North, Range 09 West, Powell County.

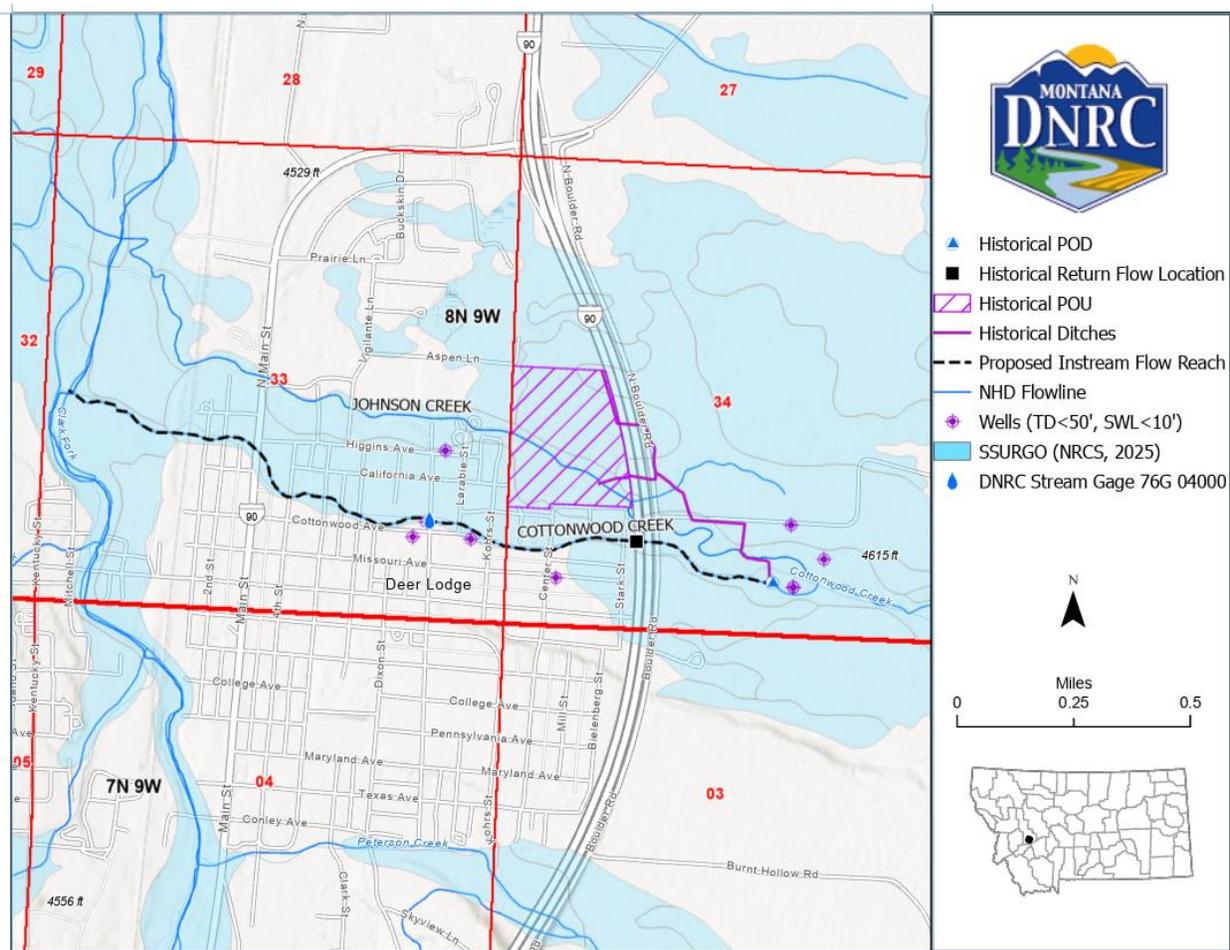


Figure 1: Historical and proposed project information, and data used to identify hydraulic connection.



Review

This document has been reviewed on August 11, 2025 in accordance with Category 7 of [DNRC's Water Sciences Bureau Minimum Standards of Review](#), Version 2, February 2024.

References

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Waren, K.B., and LaFave, J.I., 2011, Potentiometric surface map of basin fill and selected bedrock aquifers: Deer Lodge, Granite, Powell, and Silver Bow Counties, Montana: Montana Bureau of Mines and Geology Montana Ground-Water Assessment Atlas 5-03, 1 sheet.

Preapplication Materials

- **Preapplication Meeting Request**
- **Preapplication Meeting Form**
- **All attachments**
- **All correspondence prior to application receipt**

Preapplication Materials

THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

GOVERNOR GREG GIANFORTE



DNRC DIRECTOR AMANDA KASTER

Helena Regional Office
1424 Ninth Avenue P.O. Box 201601
Helena, MT 59620-1601
406-444-6999

July 9, 2025

Clark Fork Coalition
140 S 4th St W#1
Missoula, MT 59801

Subject: Complete Preapplication for Change Application No. 76G 30165115

Dear Applicant,

The Helena Regional Office of the Department of Natural Resources and Conservation (DNRC or Department) received your Preapplication Meeting Form and preapplication meeting fee on July 3, 2025, and the Department deemed the submitted Preapplication Meeting Form to be successfully completed per ARM 36.12.1302 on 7/9/2025.

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 July 9, 2025

Sincerely,

Savannah Telander

Water Resources Specialist

406-444-6810

Savannah.Telander@mt.gov

CC: Eric Hull, eric@clarkfork.org



DNRC.MT.GOV

WORK COPY

Follow Up Responses – DNRC From No. 606P

Application #30165115 – Clark Fork Coalition

Water Rights #s: 76G 5191, 76G 5192, 76G 5193, 76G 215144

- ✓ 5. See attached historical use map titled “5. Historical Use and Ditch Map.”
- ✓ 6. See attached proposed use map titled “6. Proposed Use Map.”
- ✓ 9. a. ii.

SWSE Section 34?
this portion is
included in 138

Acres	Gov't Lot	¼	¼	¼	Sec	Twp	Rge	County
0	n/a	N2	SE	SW	34	8N	9W	Powell
0	n/a	N2	SW	SW	34	8N	9W	Powell
0	n/a	N2	SE	SE	33	8N	9W	Powell
0	n/a	N2	SW	SE	33	8N	9W	Powell
0	n/a	SW	NW	SE	33	8N	9W	Powell
0	n/a		NE	SW	33	8N	9W	Powell
0	n/a	N2	NW	SW	33	8N	9W	Powell

- ✓ 28. Yes, all water rights have the same historical place of use. See attached historical use map from question 5.
- ✓ 45. See attached historical use and proposed use map from questions 5 and 6.
- ✓ 121. See attached historical use map from question 5.
- ✓ 122. d.

ID #	Width (FT)	Depth (FT)	Slope (%)	Date of Measurement
01	3' at bottom, 5' at top	2'	0.2	6/22/24

- ✓ 122. f. Loam.
- ✓ 138. Upstream start location: SWSWSE Section 34 T8N R9W
Downstream end location: NWNWSW Section 33 T8N R9W
Total length of stream reach = 1.75 miles
- ✓ 141. Streamflow will be maintained or enhanced in accordance with final measuring and operation plans. Initial details about measuring and operation plans are described in questions 142 and 143. Generally, water that was historically diverted into Beaumont ditch will be left instream for the benefit of the fishery and aquatic ecosystem. After the water

rights change to an instream flow beneficial use has been approved by DNRC, CFC will monitor flows and enforce the water rights up to the protectable volume through our internal monitoring program.

✓142. We plan to utilize the DNRC gage recently installed on Cottonwood Creek within the city limits of Deer Lodge to measure and enforce these water rights once changed to an instream flow purpose. Real time flow data is recorded at 15-minute intervals and is publicly available online throughout the irrigation season. If the DNRC gage is discontinued at any point, CFC will measure flows at least every two weeks using a Department approved method at the same location as the DNRC gage during the period of use.

✓143. For the operation plan of the proposed volume, we propose a total flow rate and “trigger flow” of 3.13 CFS, comprised of 1.99 CFS associated with the junior water right (76G 215144) and 1.14 CFS associated with the senior water rights (76G 5191, 76G 5192, and 76G 5193). We estimate a historically diverted volume of approximately 215 AF/year, and propose attributing 33% of the total HDV to the junior water right and 67% of the total HDV to the senior water rights. Using the 2024 water year as an example, the trigger flow of 3.13 CFS was met on June 23. The junior water right period of use ends on July 10, which is 18 days after the trigger flow was met and equates to approximately 71 AF (33% of the HDV) at the flow rate of 1.99 CFS. The remaining protectable volume of 144 AF would be fulfilled by the senior water rights at total flow rate of 1.14 CFS, yielding approximately 45 days until the protectable volume is exhausted (around August 25).

✓161. Yes, gage data is available.

✓161. b. i. 1. See attached Excel file of measurement data titled, “Cottonwood @ DL_2024.”

✓161. b. i. 8. Yes.

per department calculations
76G 215144-00 is 59% of
the total diverted volume

HDV = 248.03

Follow Up Responses – DNRC From No. 606P

Application #30165115 – Clark Fork Coalition

Water Rights #s: 76G 5191, 76G 5192, 76G 5193, 76G 215144

5. See attached historical use map titled “5. Historical Use and Ditch Map.”

6. See attached proposed use map titled “6. Proposed Use Map.”

9. a. ii.

Acres	Gov't Lot	¼	¼	¼	Sec	Twp	Rge	County
0	n/a	N2	SE	SW	34	8N	9W	Powell
0	n/a	N2	SW	SW	34	8N	9W	Powell
0	n/a	N2	SE	SE	33	8N	9W	Powell
0	n/a	N2	SW	SE	33	8N	9W	Powell
0	n/a	SW	NW	SE	33	8N	9W	Powell
0	n/a		NE	SW	33	8N	9W	Powell
0	n/a	N2	NW	SW	33	8N	9W	Powell

28. Yes, all water rights have the same historical place of use. See attached historical use map from question 5.

45. See attached historical use and proposed use map from questions 5 and 6.

121. See attached historical use map from question 5.

122. d.

ID #	Width (FT)	Depth (FT)	Slope (%)	Date of Measurement
01	3' at bottom, 5' at top	2'	0.2	6/22/24

122. f. Loam.

138. Upstream start location: SWSWSE Section 34 T8N R9W

Downstream end location: NWNWSW Section 33 T8N R9W

Total length of stream reach = 1.75 miles

141. Streamflow will be maintained or enhanced in accordance with final measuring and operation plans. Initial details about measuring and operation plans are described in questions 142 and 143. Generally, water that was historically diverted into Beaumont ditch will be left instream for the benefit of the fishery and aquatic ecosystem. After the water

rights change to an instream flow beneficial use has been approved by DNRC, CFC will monitor flows and enforce the water rights up to the protectable volume through our internal monitoring program.

142. We plan to utilize the DNRC gage recently installed on Cottonwood Creek within the city limits of Deer Lodge to measure and enforce these water rights once changed to an instream flow purpose. Real time flow data is recorded at 15-minute intervals and is publicly available online throughout the irrigation season. If the DNRC gage is discontinued at any point, CFC will measure flows at least every two weeks using a Department approved method at the same location as the DNRC gage during the period of use.

143. For the operation plan of the proposed volume, we propose a total flow rate and “trigger flow” of 3.13 CFS, comprised of 1.99 CFS associated with the junior water right (76G 215144) and 1.14 CFS associated with the senior water rights (76G 5191, 76G 5192, and 76G 5193). We estimate a historically diverted volume of approximately 215 AF/year, and propose attributing 33% of the total HDV to the junior water right and 67% of the total HDV to the senior water rights. Using the 2024 water year as an example, the trigger flow of 3.13 CFS was met on June 23. The junior water right period of use ends on July 10, which is 18 days after the trigger flow was met and equates to approximately 71 AF (33% of the HDV) at the flow rate of 1.99 CFS. The remaining protectable volume of 144 AF would be fulfilled by the senior water rights at total flow rate of 1.14 CFS, yielding approximately 45 days until the protectable volume is exhausted (around August 25).

161. Yes, gage data is available.

161. b. i. 1. See attached Excel file of measurement data titled, “Cottonwood @ DL_2024.”

161. b. i. 8. Yes.



**PREAPPLICATION MEETING FORM
CHANGE**

§ 85-2-302(3)(b)
Form No. 606P (Revised 4/2024)

For Department Use Only

Application # 30165115 Basin 76G
Meeting Date 1/7/2025 Time 13:00 AM/PM
Completed Form Deadline 7/6/2025

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)).

RECIEVED
07/03/2025
HELENA RO
DNRC

Completed Form Received 7/3/2025
Fee Rec'd \$ 7/3/2025 Check # _____
Deposit Receipt # _____
Payor NRDP
Refund \$ _____ Date _____

The Department will fill out Form No. 606P and will identify follow-up during the preapplication meeting. The Department and Applicant will sign the Preapplication Meeting Affidavit and Certification within five business days. Within 180 days of the preapplication meeting, the Applicant will complete identified follow-up on a separate document with the question numbers clearly labeled.

Applicant Information: Add more as necessary.

Applicant Name Clark Fork Coalition
Mailing Address 140 S 4th St W #1 City Missoula State MT Zip 59801
Phone Numbers: Home _____ Work 406-542-0539 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 (describe) _____
Contact/Representative Name Eric Hull
Mailing Address 140 S 4th St W #1 City Missoula State MT Zip 59801
Phone Numbers: Home 406-274-0411 Work _____ Cell _____
Email Address eric@clarkfork.org

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.

Meeting Attendees: Add more as necessary.

Name	Organization	Position
Jen Daly	DNRC	Regional Manager
Russ Gates	DNRC	Hydrologist/Water Resource Specialist
Savannah Telander	DNRC	Water Resource Specialist
Evan Norman	DNRC	Groundwater Hydrologist
Eric Hull	Clark Fork Coalition	Streamflow Project Manager
Andy Fischer	Clark Fork Coalition	Project Manager

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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. Label units in narrative responses. Responses in the form of a table may be entered into the table provided on this form or in an attachment. Responses in the form of a table that are larger than the table provided on this form should be placed 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. For tables in this form, circle correct unit at header of column when faced with a choice of units. For tables in attachments, label all units. 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”.

<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?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
2. Which water right(s) are proposed for change? Include water right number, currently authorized flow rate (GPM or CFS), and flow rate needed for project (GPM or CFS).	<input type="checkbox"/> A	<input type="checkbox"/> F

Water Right Number	Current Flow Rate (GPM or CFS)	Flow Rate Needed for Project (GPM or CFS)
76G 5191-00	125.7 GPM	125.7 GPM
76G 5192-00	125.66 GPM	125.66 GPM
76G 5193-00	260.3 GPM	260.3 GPM
76G 215144-00	1.99 CFS	1.99 CFS

3. Is the proposed change on a non-filed water project?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> 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.	<input type="checkbox"/> S	<input type="checkbox"/> F
4. How many change applications will be needed for this project? Please refer to ARM 36.12.1305 for more information. 1 _____		<input type="checkbox"/> F
5. Please submit a historical use map created on an aerial photograph or topographic map that shows the following: section corners, township and range, a north arrow, all historical points of diversion (POD) labeled with a unique POD ID letter, all historical places of use (POU), all historical conveyance structures, all historical places of storage, and historical place of	<input type="checkbox"/> S	<input checked="" type="checkbox"/> F



use for all overlapping water rights.		
6. Please submit a proposed use map created on an aerial photograph or topographic map that shows the following: section corners, township and range, a north arrow, all proposed points of diversion labeled with a unique POD ID 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.	<input type="checkbox"/> S	<input checked="" type="checkbox"/> F
7. Identify the water right elements proposed for change, with an "X", for each water right proposed for change.	<input type="checkbox"/> A	<input type="checkbox"/> F

Water Right #	76G 5191-00	76G 5192-00	76G 5193-00	76G 215144-00			
Point of diversion							
Place of use	X	X	X	X			
Purpose of use	X	X	X	X			
Place of storage							

8. Does the change involve a change in point of diversion?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, describe the proposed location of the new point(s) of diversion to the nearest 10 acres, if source is groundwater (GW) or surface water (SW), source name, and means of diversion (e.g., pump, headgate, well). Label POD ID with the same numbers as the proposed use map (Question 6).	<input type="checkbox"/> A	<input type="checkbox"/> F

POD #	¼	¼	¼	Sec	Twp	Rge	County	Lot	Block	Tract	Subdivision	Gov Lot	GW or SW	Source Name	Means

9. Does the change involve a change in place of use?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. What are the geocodes of the proposed place of use?	<input type="checkbox"/> A	<input type="checkbox"/> F

n/a - Instream Flow	



iii. Are you filing on behalf of another entity? If yes, describe. _____	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
iv. Are all owners of the historical place of use willing to sign the application?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If no,		
a. A Form 641 or 642 to split the water right(s) being changed must be received and processed by the Department prior to application submittal	<input type="checkbox"/> S	<input type="checkbox"/> F
b. Describe how the water right(s) will be split, and which part of the split water right(s) will be proposed for change. _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
14. Is the proposed use temporary? If yes, answer questions 99 to 105 for temporary changes.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
15. 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.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
16. Will you be transporting water for use outside of Montana? If yes, you will need 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.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
17. Is the project located in designated sage grouse habitat? If yes, you must have a consultation with and review of your project by the Montana Sage Grouse Habitat Conservation Program. The review letter will be required at application submittal.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
18. Does the application include the water marketing purpose? If yes, answer questions 127 to 134 for water marketing. A Water Marketing Purpose Addendum (Form 600/606-WMA) will be required with application submittal.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
19. Does the proposed purpose include instream flow? If yes, answer questions 135 to 145 for Instream Flow Changes. A Change to Instream Flow Addendum (Form 606-IFA) will be required with application submittal.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
20. Will the proposed use include salvage water? If yes, answer questions 146 to 150 for Salvage Water.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> 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>
21. What type of water right(s) are proposed for change? Answer question 22 for each Statement of Claim, 23 for each Provisional Permit, and 24 for other types of water rights. All SOC _____ _____					<input type="checkbox"/> A	<input type="checkbox"/> F
22. In the table below, write the water right number for each Statement of Claim proposed for change in the “Statement of Claim” column. If there is one or more previous change authorizations, write the application numbers for the change authorizations in the “Previous Change Authorization” column and if there are no previous change authorizations, write “none” instead. Write the date of the Project Completion Notice for each previous change authorization in the “Project Completion Notice” column and if the previous change authorization does not have a Project Completion Notice, write “none” instead. In the “Previous Historical Use Analysis” column, write “full” or “partial” if a historical use analysis was conducted for the previous change authorization, and “none” if no previous historical use analysis was conducted. In the “Use Historical Use Analysis for Current Application” column, write “yes” if the previous historical use analysis will be used for the current application and “no” if a new historical use analysis will be conducted.					<input type="checkbox"/> A	<input type="checkbox"/> F
Statement of Claim	Previous Change Authorization	Project Completion Notice	Previous Historical Use Analysis	Use Historical Use Analysis for Current Application		
76G 5191-00	none		none			
76G 5192-00	none		none			
76G 5193-00	none		none			
76G 215144-00	none		none			
23. In the table below, write the water right number for each Provisional Permit proposed for change in the “Provisional Permit” column. If a Project Completion Notice has been submitted, write the date in the “Project Completion Notice” column, and if no Project Completion Notice has been submitted, write “none” instead. For each Provisional Permit proposed for change, if there are one or more previous change authorizations, write the application number for the change authorizations in the “Previous Change Authorization” column. If there are no previous change authorizations, write “none” in the “Previous Change Authorization” column and “NA” in all the remaining columns. Write the date of the Project					<input type="checkbox"/> A	<input type="checkbox"/> F



Completion Notice for each previous change authorization in the “Previous Change Project Completion Notice” column and if the previous change authorization does not have a Project Completion Notice, write “none” instead. In the “Previous Change Historical Use Analysis” column, write “full” or “partial” if a historical use analysis was conducted for the previous change authorization, and “none” if no previous historical use analysis was conducted. In the “Use Historical Use Analysis for Current Application” column, write “yes” if the previous historical use analysis will be used for the current application, “no” if a new historical use analysis will be conducted.

Provisional Permit	Project Completion Notice	Previous Change Authorization	Previous Change Project Completion Notice	Previous Change Historical Use Analysis	Use Historical Use Analysis for Current Application
none					

24. In the table below, write the water right number for each water right with another type proposed for change, the type of water right, and the date of issuance. A F

Other Water Right Type Number	Other Water Right Type Description	Date of Issuance
none		

25. 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.
Case 76G-2 but does not affect the claims in this change

A F



26. Fill in the table below based on ARM 36.12.1902(1) and the information provided in questions 21 to 25. In column “Water Right Number” list all water rights proposed for change. Select one of the three options from column “Historical Use Analysis Options” and fill in the “Information Required for Historical Use” associated with that option. Select “Full Historical Use Analysis NA” 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 NA” option is selected, skip to question 42 because this section is complete.

<input type="checkbox"/> A	<input type="checkbox"/> F
----------------------------	----------------------------

Water Right No. Proposed for Change	Historical Use Analysis Option and Information Required for Historical Use	
76G 5191-00	<input checked="" type="checkbox"/> New Historical Use Analysis. 7/1/1973 Date for new Historical Use Analysis: _____	
	<input type="checkbox"/> Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: _____	
	<input type="checkbox"/> Full Historical Use Analysis NA. Water right number serving as historical use in lieu of analysis: _____	
76G 5192-00	<input checked="" type="checkbox"/> New Historical Use Analysis. 7/1/1973 Date for new Historical Use Analysis: _____	
	<input type="checkbox"/> Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: _____	
	<input type="checkbox"/> Full Historical Use Analysis NA. Water right number serving as historical use in lieu of analysis: _____	
76G 5193-00	<input checked="" type="checkbox"/> New Historical Use Analysis. 7/1/1973 Date for new Historical Use Analysis: _____	
	<input type="checkbox"/> Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: _____	
	<input type="checkbox"/> Full Historical Use Analysis NA. Water right number serving as historical use in lieu of analysis: _____	



76G 215144-00	<input checked="" type="checkbox"/> New Historical Use Analysis. Date for new Historical Use Analysis: <u>7/1/1973</u>
	<input type="checkbox"/> Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: _____
	<input type="checkbox"/> Full Historical Use Analysis NA. Water right number serving as historical use in lieu of analysis: _____
	<input type="checkbox"/> New Historical Use Analysis. Date for new Historical Use Analysis: _____
	<input type="checkbox"/> Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: _____
	<input type="checkbox"/> Full Historical Use Analysis NA. Water right number serving as historical use in lieu of analysis: _____
	<input type="checkbox"/> New Historical Use Analysis. Date for new Historical Use Analysis: _____
	<input type="checkbox"/> Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: _____
	<input type="checkbox"/> Full Historical Use Analysis NA. Water right number serving as historical use in lieu of analysis: _____
27. Do you have actual knowledge of historical use?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> F
a. If yes,	
i. Is this firsthand knowledge?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N <input type="checkbox"/> F
ii. Who has this knowledge and what was their role? <u>Bambi Roberts - child of land owner from pre-1973</u>	<input type="checkbox"/> A <input type="checkbox"/> F



b. If no,		
i. Where will the historical use data be derived? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F

Historical Use: Place of Use

28. The historical use map provided for question 5 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?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input checked="" type="checkbox"/> F
29. Are you proposing to change all water right(s) associated with the historical place of use?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, identify the water right(s) 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.	<input type="checkbox"/> A	<input type="checkbox"/> F

Water Right No.	Priority Date	Reason Not Included in Change

30. Answer the questions below related to the historical purpose for each of the water right(s) being changed.		
a. Irrigation		
i. Is the water right being changed a Statement of Claim?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes,		
a. Does the Water Resources Survey corroborate the acres irrigated listed on the abstract?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If no, provide aerial photograph(s) that can corroborate the historical place of use.	<input type="checkbox"/> S	<input type="checkbox"/> F
b. Does the legal land description from the abstract match the actual location of the historical place of use?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If no, provide documentation of a written request submitted to the Water Court for amendment of the Claim as well as information to substantiate the requested amendment.	<input type="checkbox"/> S	<input type="checkbox"/> F



2. If no, provide one or more aerial photographs that can corroborate the historical place of use.	<input type="checkbox"/> S	<input type="checkbox"/> F
b. Lawn and garden		
i. Provide aerial photographs that can corroborate the historical place of use.	<input type="checkbox"/> S	<input type="checkbox"/> F
c. Stock		
i. Provide aerial photographs, grazing records, or other records to corroborate the historical place of use.	<input type="checkbox"/> S	<input type="checkbox"/> F
ii. Did the stock drink direct from source or direct from ditch?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If no, provide data sources that make clear the location of the stock watering infrastructure.	<input type="checkbox"/> S	<input type="checkbox"/> F
d. Multiple domestic, domestic, municipal, mining, commercial, and other purposes		
i. Provide aerial photographs, deeds, other recorded documents or records, affidavits, or other published documents, such as magazine articles, to corroborate the historical place of use.	<input type="checkbox"/> S	<input type="checkbox"/> F

Historical Use: Point of Diversion

31. For all historical point(s) 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 5).	<input type="checkbox"/> A	<input type="checkbox"/> F
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POD ID	Means	Location (¼ ¼ ¼ Section)	Proposed for Change?
1	Headgate	SWSWSE S34 T8N R9W Powell County	no

32. Does the legal land description from the abstract match the actual location of the historical point(s) of diversion?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, do you have aerial photograph(s) that clearly show the location of the historical point(s) of diversion?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes,		
1. Provide the photograph(s).	<input type="checkbox"/> S	<input type="checkbox"/> F
2. Provide an explanation for the discrepancy and, if a Statement of Claim, provide documentation of a written request submitted to the Water Court for amendment of the Claim.	<input type="checkbox"/> S	<input type="checkbox"/> F
33. Answer questions below related to the diversion means for each of the historical point(s) 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 CFS and the method used to estimate historical capacity. Label using the same POD ID letter as for the Historical Use Map (question 5).	<input type="checkbox"/> A	<input type="checkbox"/> F



POD ID	Dimensions (FT)	Slope (%)	Material	Estimated Capacity (GPM or CFS)	Method
1	5x2	0.2	Loam	18.2 CFS	mannings estimate from ditch approx. 200 yards below HG

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 5).		<input type="checkbox"/> A	<input type="checkbox"/> F

POD ID	Estimated Capacity (GPM or CFS)	Method

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 5).		<input type="checkbox"/> A	<input type="checkbox"/> F

POD ID	Estimated Capacity (GPM or CFS)	Method

34. Do other water rights share the point(s) of diversion?		<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> 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 5).		<input type="checkbox"/> A	<input type="checkbox"/> F



i. If the crop(s) grown include hay, how many cuttings were there per season and how many days did they last? <u>1 cutting, then pasture</u>		<input type="checkbox"/> F
b. Did diversions ever temporarily cease within the period of use? This may include water shortages or calls based on priority date.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, please explain. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F

Historical Use: Historical Diverted Volume

39. Answer the questions below related to the historical purposes of the water rights being changed.		
a. Irrigation		
i. Do you want ARM 36.12.1902(11) to be used to calculate historical diverted volume?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If no, provide a Historical Water Use Addendum (Form 606-HUA). Form 606-HUA must be submitted to the Department before the Preapplication Meeting Form is completed.	<input type="checkbox"/> S	<input type="checkbox"/> F
b. Non-irrigation		
i. How often was water historically diverted? _____		<input type="checkbox"/> F
ii. What was the duration of each historical diversion? _____		<input type="checkbox"/> F
iii. Was wastewater historically discharged? If yes, what amount was discharged? _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
iv. What is the volume of water historically diverted (AF)? _____		<input type="checkbox"/> F
v. How did you determine the volume of water historically diverted? _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
vi. Did the historical diverted volume serve more than one purpose of use?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F



<p>1. If yes, how much of the diverted volume served each purpose of use and how did you determine this?</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
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Historical Use: Historical Consumed Volume

40. Answer the questions below related to the historical purpose of the water rights being changed.		
a. Irrigation		
i. Will you use Department standards for historical consumptive use as defined in ARM 36.12.1902?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If no,		
a. What method will you use to determine historical consumptive use?	<input type="checkbox"/> A	<input type="checkbox"/> F

b. Provide 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.	<input type="checkbox"/> S	<input type="checkbox"/> F
2. If yes,		
a. 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.	<input type="checkbox"/> A	<input type="checkbox"/> F
<u>flood, wild flood</u>		

b. What was the slope of the historical place of use?		<input type="checkbox"/> F
1.5 %		
c. Are there any factors beyond irrigation method type/subtype and place of use slope that may influence percent efficiency of irrigation?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, provide 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	<input type="checkbox"/> S	<input type="checkbox"/> F



completed.			
d. Based on answers to the above questions, what is the percent efficiency of irrigation? 25			<input type="checkbox"/> F
e. What is the County Management Factor? 77.6			<input type="checkbox"/> F
f. What is evapotranspiration (ET) based on the irrigation method and county? 13.14			<input type="checkbox"/> F
g. What percent of applied water are irrecoverable losses per ARM 36.12.1902(17)? 5			<input type="checkbox"/> F
h. Do other water rights supplement or overlap the historical place of use that contribute to the irrigation water demand?		<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
i. If yes,			
1. How were the water rights operated to serve the irrigation purpose? _____ _____ _____ _____ _____		<input type="checkbox"/> A	<input type="checkbox"/> F
2. 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 to the total irrigation water demand.		<input type="checkbox"/> A	<input type="checkbox"/> F

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



b. Lawn and garden		
i. Will you use the Department standards 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.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, which standard? _____		<input type="checkbox"/> F
2. If no, please provide an estimate of historical water use based on expert analysis and methods used to determine this estimate. _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
c. Stock		
i. Which volume standard for animal units applies to historical use and why? The standards are either 15 or 30 gallons per animal unit per day. _____		<input type="checkbox"/> F
ii. How many animal units were historically served? _____		<input type="checkbox"/> F
iii. Did these animal units rely entirely on the water right(s) proposed for change for their full water demand?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If no, explain. _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
d. Domestic and multiple domestic		
i. How many households were served? _____		<input type="checkbox"/> F
ii. Will the Department standard of 1 acre-foot per household be used? The same standard shall be applied to historical and proposed uses.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If no, what standard will be used? _____		<input type="checkbox"/> F
iii. Did the historical use include wastewater disposal and treatment?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F



1. 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? _____	<input type="checkbox"/> A	<input type="checkbox"/> F
e. Municipal		
i. What is the volume of water (AF) historically consumed for municipal purposes? _____		<input type="checkbox"/> F
ii. Provide evidence to support historical municipal use such as commercial, lawn and garden, and/or multiple domestic uses. The data sources may include records that tie water use to the U.S Census, estimates of historical system capacity and estimates of leakage.	<input type="checkbox"/> S	<input type="checkbox"/> F
f. Other		
i. What is the volume of water (AF) historically consumed for other purposes? _____		<input type="checkbox"/> F
ii. Please submit to the Department evidence to support the volume of water historically consumed.	<input type="checkbox"/> S	<input type="checkbox"/> F

Historical Use: Historical Places of Storage

41. Did the historical use include one or more place(s) of storage, which may include reservoirs, ponds, and pits that are greater than 0.1 acre-feet in volume?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F		
a. If yes, for each historical place of storage please provide the surface area in acres (AC), capacity (AF), annual net evaporation (FT/year), and number of times per year the place of storage was filled.	<input type="checkbox"/> A	<input type="checkbox"/> F		
ID	Surface Area (AC)	Capacity (AF)	Annual Net Evaporation (FT/YR)	# of Annual Fillings



Surface Water

Applicable, move on to question 42. **Not Applicable**, skip to question 67.

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.

Surface Water: Return Flow Analysis

<u>Questions, Narrative Responses, and Tables</u>	<u>Check- boxes</u>	<u>Follow -Up</u>
42. Do the purposes of the water rights proposed for change include irrigation?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, does the proposed change include a change in place of use <i>and/or</i> a change in purpose? A change in place of use includes retiring acres in the historical place of use and adding any new acres outside the historical place of use.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, a return flow analysis is required. Move on to answer question 43.		
ii. If no, this section is complete, and you may skip to question 51.		
43. Does the proposed change include a change in purpose?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
a. If yes, what is the consumptive use for the proposed non-irrigation purpose? Please explain. <u>non-consumptive - instream flow</u> _____ _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
44. Does the proposed change include a change in place of use? If yes, move on to question 45. If no, this section is complete, and you may skip to question 51.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	
45. Provide a map showing the historical and proposed places of use created on an aerial photograph or topographic map with section corners, township and range, and a north arrow.	<input type="checkbox"/> S	<input checked="" type="checkbox"/> F
46. How many acres, if any, will be retired from the historical place of use? <u>all</u>		<input type="checkbox"/> F
47. Are irrigated acres proposed that are outside the historical place of use?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. How many acres? _____		<input type="checkbox"/> 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? _____			<input type="checkbox"/> F	
iii. What is the slope of the new place of use? _____			<input type="checkbox"/> F	
iv. Based on 47.a.ii to 47.a.iii, what is the percent efficiency of irrigation for the new acres? _____			<input type="checkbox"/> F	
v. What is the County Management Factor for the new acres? _____			<input type="checkbox"/> F	
vi. What is the ET based on the irrigation method and county for the new acres? _____			<input type="checkbox"/> F	
vii. What percent of applied water are irrecoverable losses for new acres per ARM 36.12.1902(17)? _____			<input type="checkbox"/> F	
viii. Do other water rights supplement or overlap the new place of use that contribute to the irrigation water demand?		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F	
1. If yes,				
a. How will the water rights be operated to serve the irrigation purpose? _____ _____ _____ _____		<input type="checkbox"/> A	<input type="checkbox"/> F	
b. 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 to the total irrigation water demand.		<input type="checkbox"/> A	<input type="checkbox"/> F	
Water Right No.	Avg. Period of Diversion (MM/DD-MM/DD)	Avg. Period of Use (MM/DD-MM/DD)	Flow Rate (GPM or CFS)	Volume Contributed (AF)



48. Do you have information for the Department to consider about the source and location where return flows historically accrued?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, explain. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
49. 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 the Technical Analysis.</i> <u>Cottonwood Creek due to intermittent nature of Johnson Creek and historical evidence that Johnson Creek may have been a ditch at one point. Alternatively, "Johnson Creek" may be the topographical low point where return flows accrued, which eventually would have accrued to the Clark Fork River downstream of Cottonwood Creek.</u>	<input type="checkbox"/> A	<input type="checkbox"/> F
50. If an analysis of impacts to identified surface water rights is required as part of the return flow analysis, pursuant to ARM 36.12.1303(3)(c)(iii), do you elect to answer non-mandatory questions 161 to 163 to provide information required for this extended return flow analysis?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, go to question 161. If an analysis of impacts to identified surface water rights is required, this information will be used for the analysis.		
b. If no, did you elect in question 1 for the Department to conduct technical analyses?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, do you elect for the Department to use publicly available water quantity data for the analysis of impacts to identified surface water rights? If the extended return flow analysis is required and sufficient publicly available water quantity data is 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.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
ii. If no, an analysis of impacts to identified surface water rights will need to be completed as part of the extended return flow analysis. The Department will include the extended analysis in its scientific credibility review of the Technical Analyses.		

Surface Water: Mitigation Analysis

51. Are you changing the purpose to mitigation to meet the criteria of issuance for another application? If yes, answer the questions in this section (questions 52 to 60). If no, this section is complete, and you can skip to question 61.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
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52. Identify the water right(s) proposed for change to a mitigation purpose, the water right(s) identified as needing mitigation and the application number for the water right(s) identified as needing mitigation. _____	<input type="checkbox"/> A	<input type="checkbox"/> F																																																								
53. What source(s) have been identified as needing mitigation water? _____		<input type="checkbox"/> F																																																								
54. By what means will mitigation water be made available (e.g., infiltration gallery, water left instream)? You must provide a copy of all relevant discharge permits at application submittal (§85-2-364, MCA). _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F																																																								
55. What is the location (¼ ¼ ¼ section of start and end of reach) and length (FT) of the mitigation reach? _____		<input type="checkbox"/> F																																																								
56. What is the amount, timing, and location (¼ ¼ ¼ section) of water needed for mitigation?	<input type="checkbox"/> A	<input type="checkbox"/> F																																																								
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:12.5%;">Month</th> <th style="width:12.5%;">Days</th> <th style="width:12.5%;">Amount</th> <th style="width:12.5%;">Location</th> <th style="width:12.5%;">Month</th> <th style="width:12.5%;">Days</th> <th style="width:12.5%;">Amount</th> <th style="width:12.5%;">Location</th> </tr> </thead> <tbody> <tr> <td>January</td><td></td><td></td><td></td><td>July</td><td></td><td></td><td></td> </tr> <tr> <td>February</td><td></td><td></td><td></td><td>August</td><td></td><td></td><td></td> </tr> <tr> <td>March</td><td></td><td></td><td></td><td>September</td><td></td><td></td><td></td> </tr> <tr> <td>April</td><td></td><td></td><td></td><td>October</td><td></td><td></td><td></td> </tr> <tr> <td>May</td><td></td><td></td><td></td><td>November</td><td></td><td></td><td></td> </tr> <tr> <td>June</td><td></td><td></td><td></td><td>December</td><td></td><td></td><td></td> </tr> </tbody> </table>	Month	Days	Amount	Location	Month	Days	Amount	Location	January				July				February				August				March				September				April				October				May				November				June				December					
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57. How do the priority dates of the water rights proposed for change to mitigation compare to other water rights on the source? _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F																																																								
58. Do you have measurement records or Water Commissioner records that show the reliability of the water right(s) proposed for change to a mitigation purpose?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F																																																								



a. If yes, describe and submit them to the Department.								<input type="checkbox"/> S	<input type="checkbox"/> F
59. Do the water rights proposed for change to mitigation have a period of use that is greater than or equal to the period when mitigation is necessary?								<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, how will mitigation water be made available during the entire period when mitigation is necessary?								<input type="checkbox"/> A	<input type="checkbox"/> F
60. Will other water rights contribute to mitigation water?								<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, what amount, at what timing, and at which location (¼ ¼ ¼ section) will they contribute?								<input type="checkbox"/> A	<input type="checkbox"/> F
Month	Days	Amount	Location	Month	Days	Amount	Location		
January				July					
February				August					
March				September					
April				October					
May				November					
June				December					

Surface Water: Aquifer Recharge Analysis

61. Are you changing the purpose to aquifer recharge to serve a current purpose or changing the purpose to marketing for mitigation/aquifer recharge for a future mitigation purpose? If yes, answer the questions in this section (questions 62 to 66). If no, this section is complete, and you can skip to question 67.								<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
62. Is this aquifer recharge for a current mitigation need or marketing for mitigation/aquifer recharge for a future mitigation need?									<input type="checkbox"/> F
63. What sources have been identified as having net depletions in need of mitigation or as benefiting from marketing for mitigation/aquifer recharge water?									<input type="checkbox"/> F



<p>64. By what means will aquifer recharge water be made available? You must provide a copy of all relevant discharge permits at application submittal (§85-2-364, MCA).</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>65. How do the priority dates of the water rights proposed for change to aquifer recharge compare to other water rights on the source?</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>66. Do you have measurement records or Water Commissioner records that show the reliability of the water rights proposed for change to aquifer recharge?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>a. If yes, describe and submit them to the Department.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> S	<input type="checkbox"/> F



Groundwater

Applicable, move on to question 67. **Not Applicable**, skip to question 99.

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: Adequacy of Diversion

<u>Questions, Narrative Responses, and Tables</u>	<u>Check-boxes</u>	<u>Follow-Up</u>
67. What is the flow rate (GPM or CFS), volume (AF), and period of diversion (MM/DD-MM/DD) required at each new groundwater point of diversion? Label using the same POD ID number as the Proposed Use Map (question 6) to match this information with the location information.	<input type="checkbox"/> A	<input type="checkbox"/> F

POD #	Flow Rate (GPM or CFS)	Volume (AF)	Period of Diversion (MM/DD-MM/DD)

68. Will the monthly pumping schedule differ from an allocation of diverted volume by the number of days in the month for year-round uses or the IWR 80% net irrigation requirements for irrigation/lawn & garden uses (IWR, NRCS 2003)?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, provide the monthly pumping schedule in the table below. Label using the same POD ID number as the Proposed Use Map (question 6).	<input type="checkbox"/> A	<input type="checkbox"/> F

Month	POD #	Volume (AF)	Month	POD #	Volume (AF)
January			July		
February			August		
March			September		
April			October		
May			November		
June			December		

69. Answer the following questions specific to the means of groundwater diversion.							
Well/Pit	Questions 70 to 71	Developed Spring	Question 72	Pond	Questions 73 to 76		



Groundwater: Adequacy of Diversion: Well/Pit

Applicable Not Applicable

70. Have you submitted a completed Form 633 to DNRC for review?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, submit Form 633 to DNRC for review. Form 633 is required by the time the Preapplication Meeting Form is deemed complete.	<input type="checkbox"/> S	<input type="checkbox"/> F
b. If yes, did the Department identify deficiencies?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, are variances from ARM 36.12.121 needed?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. Do you have data for aquifer characteristics?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, provide the data to the Department.	<input type="checkbox"/> S	<input type="checkbox"/> F
ii. Have you submitted Form 653 to the Department?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, was the variance granted?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
71. Have all the wells/pits been constructed?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, provide a map with the location of each well/pit labeled, the well/pit depth, and, if available, the GWIC ID. Create map on an aerial photograph or topographic map and include the following: well/pit location, well/pit depth, GWIC ID (if available), section corners, township and range, and a north arrow.	<input type="checkbox"/> S	<input type="checkbox"/> F
b. If no,		
i. When will the wells/pits be constructed? _____		<input type="checkbox"/> F
ii. Do you have an initial map with the proposed location of wells/pits?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, provide an initial map to the Department. Create map on an aerial photograph or topographic map and include the following: proposed well/pit location, section corners, township and range, and a north arrow.	<input type="checkbox"/> S	<input type="checkbox"/> F
iii. What is the anticipated depth for each new well/pit? Label on the initial map if the proposed location is known. Otherwise provide the depth(s) here: _____ _____	<input type="checkbox"/> S	<input type="checkbox"/> F
iv. Is the requested volume for each new well/pit known?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If no, what is the total requested volume (AF) and the number of new PODs? _____		<input type="checkbox"/> F



Groundwater: Adequacy of Diversion: Developed Spring

Applicable Not Applicable

72. Have you measured the source?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. Submit measurements to the Department.	<input type="checkbox"/> S	<input type="checkbox"/> F
ii. With what method were measurements collected? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
iii. What is the interval of measurements? _____		<input type="checkbox"/> F
iv. Is the interval of measurements sufficient to comply with ARM 36.12.1703(1)?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
b. If no, or if measurements do not comply with ARM 36.12.1703(1),		
i. When do you plan to measure? _____		<input type="checkbox"/> F
ii. With what method and at what interval will measurements be collected? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F

Groundwater: Adequacy of Diversion: Pond

Applicable Not Applicable

73. Have you submitted Form 653 to apply for a variance from ARM 36.12.121 for the Aquifer Test?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, did the Department approve the variance request?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
74. Submit pond bathymetry data, survey, or engineering plans to the Department.	<input type="checkbox"/> S	<input type="checkbox"/> F
75. Submit a map identifying the location of the proposed pond to the Department. Create map on an aerial photograph or topographic map and include the following: pond location, section corners, township and range, and a north arrow.	<input type="checkbox"/> S	<input type="checkbox"/> F
76. If you are conducting Technical Analyses, what is your plan to determine depth, surface area, and net evaporation of the pond? If the Department is conducting Technical Analyses, write N/A. _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F



Groundwater: Adverse Effect to Existing Groundwater Rights

All information to calculate the one-foot drawdown contour was collected in previous questions.

Groundwater: Adverse Effect to Surface Water Rights

Groundwater: Adverse Effect to Surface Water Rights: Surface Water Depletion Analysis

<p>77. Does the proposed change include a change in point of diversion or a change in place of use or purpose that will lead to a change in consumptive use or pumping schedule? If you do not know if a change in place of use or purpose will lead to a change in consumptive use or pumping schedule, work through this with the Department. If yes, a surface water depletion analysis is required; move on to question 78. If no, this section is complete; skip to question 80.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>78. Based on the preliminary 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 is preliminary and is subject to change during the Technical Analysis.</i></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>79. If an analysis of impacts to identified surface water rights is required as part of the surface water depletion analysis, pursuant to ARM 36.12.1903(2)(f), do you elect to answer non-mandatory questions 166 to 168 to provide information required for this extended surface water depletion analysis?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>a. If yes, go to question 166. If an analysis of impacts to identified surface water rights is required for the surface water depletion analysis, this information will used for the analysis.</p>		
<p>b. If no, did you elect in question 1 for the Department to conduct technical analyses?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>i. If yes, do you elect for the Department to use publicly available water quantity data for the analysis of impacts to identified surface water rights for the surface water depletion analysis? If this extended surface water depletion analysis is required and sufficient publicly available water quantity data is not available, then the Department will not be able to conduct the extended surface water depletion analysis. You will still have to prove a lack of adverse effect from the proposed change.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>ii. If no, you may still include the analysis of impacts to identified surface water rights with the surface water depletion analysis. The Department will include the extended analysis in its scientific credibility review of the Technical Analyses.</p>		



Groundwater: Adverse Effect to Surface Water Rights: Return Flow Analysis

80. Do the purposes of the water rights proposed for change include irrigation?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, does the proposed change include a change in place of use <i>and/or</i> a change in purpose? A change in place of use includes retiring acres in the historical place of use and adding any new acres outside the historical place of use.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, a return flow analysis is required. Move on to answer question 81.		
ii. If no, this section is complete, and you may skip to question 89.		
81. Does the proposed change include a change in purpose?	<input type="checkbox"/> Y <input type="checkbox"/> N	
a. If yes, what is the consumptive use for the proposed non-irrigation purpose? Please explain.	<input type="checkbox"/> A	<input type="checkbox"/> F

82. Does the proposed change include a change in place of use? If yes, move on to question 83. If no, this section is complete, and you may skip to question 89.	<input type="checkbox"/> Y <input type="checkbox"/> N	
83. Provide a map showing the historical and proposed places of use. Create map on an aerial photograph or topographic map that shows the following: section corners, township and range, and a north arrow.	<input type="checkbox"/> S	<input type="checkbox"/> F
84. How many acres, if any, will be retired from the historical place of use? _____		<input type="checkbox"/> F
85. Are irrigated acres proposed that are outside the historical place of use?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. How many acres? _____		<input type="checkbox"/> F
ii. What is the proposed irrigation method type and subtype (e.g., level border, graded border, furrow, contour ditch, or wild flood) for the new acres?		<input type="checkbox"/> F

iii. What is the slope of the new place of use? _____		<input type="checkbox"/> F
iv. Based on question 85.a.ii to 85.a.iii, what is the percent efficiency of irrigation for the new acres?		<input type="checkbox"/> F



v. What is the County Management Factor for the new acres? _____		<input type="checkbox"/> F
vi. What is the ET based on the irrigation method and county for the new acres? _____		<input type="checkbox"/> F
vii. What percent of applied water are irrecoverable losses for new acres? _____		<input type="checkbox"/> F
viii. Do other water rights supplement or overlap the new place of use that contribute to the irrigation water demand?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes,		
a. How will the water rights be operated to serve the irrigation purpose? _____ _____ _____ _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
b. 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 to the total irrigation water demand.	<input type="checkbox"/> A	<input type="checkbox"/> F

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

86. Do you have information for the Department to consider about the source and location where return flows historically accrued?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
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<p>a. If yes, explain.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>87. Based on the preliminary data provided at this preapplication meeting, to what surface water sources will 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 the Technical Analysis.</i></p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>88. If an analysis of impacts to identified surface water rights is required as part of the return flow analysis, pursuant to ARM 36.12.1303(5)(d)(iii), do you elect to answer non-mandatory questions 161 to 163 to provide information required for this extended analysis?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>a. If yes, go to question 161. If an analysis of impacts to identified surface water rights is required as part of the return flow analysis, this information will used for the analysis.</p>		
<p>b. If no, did you elect in question 1 for the Department to conduct technical analyses?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>i. If yes, do you elect for the Department to use publicly available water quantity data for the analysis of impacts to identified surface water rights? If this extended return flow analysis is required and sufficient publicly available water quantity data is 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.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>ii. If no, an analysis of impacts to identified surface water rights will need to be completed as part of the return flow analysis. The Department will include the extended analysis in its scientific credibility review of the Technical Analyses.</p>		

Groundwater: Mitigation

<p>89. Do you require mitigation water to meet the criteria of issuance for this change application or for a different application? If yes, answer the questions in this section (questions 90 to 98). If no, this section is complete, and you can skip to question 99.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>90. Please identify the water rights proposed for change to a mitigation purpose and the water rights identified as needing mitigation. _____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F



91. What sources have been identified as needing mitigation water? _____		<input type="checkbox"/> F
92. By what means will mitigation water be made available? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
93. What is the location (¼ ¼ ¼ section of start and end of reach) and length (feet) of the mitigation reach? _____		<input type="checkbox"/> F
94. What is the amount, timing, and location (¼ ¼ ¼ section) of water needed for mitigation?	<input type="checkbox"/> A	<input type="checkbox"/> F

Month	Days	Amount	Location	Month	Days	Amount	Location
January				July			
February				August			
March				September			
April				October			
May				November			
June				December			

95. How do the priority dates of the water rights proposed for change to mitigation compare to other water rights on the source? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
96. Do you have measurement records or Water Commissioner records that show the reliability of the water right(s) proposed for change to a mitigation purpose?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, describe and submit them to the Department. _____ _____ _____	<input type="checkbox"/> S	<input type="checkbox"/> F
97. Do the water rights proposed for change to mitigation have a period of use that is greater than or equal to the period when mitigation is necessary?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F



a. If no, how will mitigation water be made available during the entire period when mitigation is necessary? _____ _____ _____							<input type="checkbox"/> A	<input type="checkbox"/> F
98. Will other water rights contribute to mitigation water?							<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, what amount, at what timing, and at which location (¼ ¼ ¼ section) will they contribute?							<input type="checkbox"/> A	<input type="checkbox"/> F
Month	Days	Amount	Location (¼ ¼ ¼ Section)	Month	Days	Amount	Location (¼ ¼ ¼ Section)	
January				July				
February				August				
March				September				
April				October				
May				November				
June				December				

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>
99. Does the proposal include a temporary change? If yes, please answer the questions in this section (questions 100 to 105) for each water right being changed. If no, or if you answered these questions earlier in the preapplication meeting, this section is complete and you can skip to question 106.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
100. What element(s) of the water right(s) are being temporarily changed? Purpose and POU _____		<input type="checkbox"/> F
101. For how many years will the water right(s) be temporarily changed? <u>10</u>		<input type="checkbox"/> F
102. Will the temporary change be intermittent over the years?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, explain. _____	<input type="checkbox"/> A	<input type="checkbox"/> F
103. For what purpose will the water rights be temporarily used? Instream flow _____		<input type="checkbox"/> F



104. Is the quantity of water subject to the temporary change being made available from the development of a new water conservation or storage project?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, explain the water conservation or storage project. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
105. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 10 if you are proposing to add a place of use on State of Montana Trust Land and question 15 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 106.		

Change in Purpose

106. Does the project involve a change in purpose? If yes, answer the questions in this section (questions 107 to 109). If no, of if you answered these questions earlier in the preapplication meeting, this section is complete and you can skip to question 110.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F		
107. Identify the proposed new purpose, flow rate (GPM or CFS), volume (AF), and period of use (MM/DD-MM/DD) for each purpose.	<input type="checkbox"/> A	<input type="checkbox"/> F		
Purpose	Flow Rate (GPM or CFS)	Volume (AF)	Period of Use Start (MM/DD-MM/DD)	Period of Use End (MM/DD-MM/DD)
Instream Flow	3.13	215	historic	historic

108. Explain why the requested flow rate and volume is the amount needed for the purpose. <u>maintain stream flow for fishery and connectivity to Clark Fork River</u> _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
109. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 11 and if you are answering in consecutive order, go to question 110.		



Change in Place of Storage

110. Does the project involve a change in place of storage? If yes, answer the questions in this section (questions 111 to 119) for each individual place of storage (use additional Change in Place of Storage sheet for additional places of storage). If no, or if you answered these questions earlier in the preapplication meeting, this section is complete; skip to question 120.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
111. Submit a map showing the location of the place of storage. Create map on an aerial photograph or topographic map that shows the following: place of storage, section corners, township and range, and a north arrow.	<input type="checkbox"/> S	<input type="checkbox"/> F
112. Is this application to add a new place of storage or change an existing place of storage? _____		<input type="checkbox"/> 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. _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
113. Is the place of storage located on-stream?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, explain the conveyance means to and from the off-stream place of storage and any losses that may occur with that conveyance. _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
114. 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 (0.4-0.6 depending on side slope) = Capacity (AF)</i> _____	<input type="checkbox"/> S	<input type="checkbox"/> F
115. Will the place of storage include primary and/or emergency spillways? Preliminary design specifications for primary and emergency spillways must be included with application submittal (ARM 36.12.113).	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
116. Will the place of storage be lined?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
117. What is the annual net evaporation of water from the place of storage using the standards in ARM 36.12.116(1) and the Department's Gridded Net Evaporation Layer? _____		<input type="checkbox"/> F
118. Is the place of storage capacity calculated to be greater than 50 acre-feet?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
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?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F



119. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 12 and if you are answering in consecutive order, go to question 120.		
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Ditch-Specific Questions

120. Does the historical use of water include at least one conveyance ditch? If yes, answer questions 121 to 122. If no, or if you answered these questions earlier in the preapplication meeting, skip to question 123.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
121. Submit a Historical Use Ditch Map that shows every ditch conveying water for the historical use of all water right(s) proposed for change. Label the ditch name(s), POD(s), the POU(s), and the ditch measurement locations (requested in question 122.d). The map should be created on an aerial photograph or topographic map with the following: section corners, township and range, and a north arrow.	<input type="checkbox"/> S	<input checked="" type="checkbox"/> F
122. For each historical conveyance ditch, answer question 122.a to 122.h. If there is more than one historical conveyance ditch, use an Additional Historical Ditch Sheet for each additional ditch.		
a. What is the ditch name? <u>Beaumont Ditch</u>		<input type="checkbox"/> F
b. List the water right(s) proposed for change that were conveyed by the ditch. <u>all 4</u>		<input type="checkbox"/> 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. <u>0.4 miles</u>	<input type="checkbox"/> A	<input type="checkbox"/> 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 121.	<input type="checkbox"/> S	<input checked="" type="checkbox"/> F

ID #	Width (FT)	Depth (FT)	Slope (%)	Date of Measurement
01	5 ft	2 ft	0.2	6/22/24

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. <u>0.03</u>		
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f. What type of soils compose the historical conveyance ditch? For lined ditches, write “lined” instead. Loam _____ _____	<input type="checkbox"/> A	<input checked="" type="checkbox"/> F
g. Are other water rights conveyed by the historical conveyance ditch?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
i. If yes,		
1. What are the water right numbers? _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
2. What is the sum of the flow rates (GPM or CFS) for all water rights conveyed? _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
3. Provide 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, and a north arrow.	<input type="checkbox"/> S	<input type="checkbox"/> F
h. Were any water rights proposed for change part of one historical water right that was split?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> 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?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If no, do any of the water right(s) proposed for change have a carriage water requirement?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. List the water right(s) with a carriage water requirement _____		<input type="checkbox"/> F
ii. Update your Historical Use Ditch Map 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.	<input type="checkbox"/> S	<input type="checkbox"/> F
123. Does the proposed use include at least one existing or new conveyance ditch? If yes, answer questions 124 to 126. If no, or if you answered these questions earlier in the preapplication meeting, this section is complete; skip to question 127.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F



124. Submit a Proposed Use Ditch Map that shows every ditch conveying the water right(s) proposed for change, including any unchanged portions. Label all unchanged and proposed PODs, all unchanged and proposed POUs, and additional ditch measurement locations (requested in question 125.e). The map should be created on an aerial photograph or topographic map with the following: section corners, township and range, and a north arrow.	<input type="checkbox"/> S	<input type="checkbox"/> F
125. For each proposed use conveyance ditch, answer the questions 125.a to 125.i. If there is more than one proposed use conveyance ditch, use an Additional Proposed Use Ditch Sheet for each additional ditch.		
a. What is the ditch name? _____		<input type="checkbox"/> F
b. Is this ditch a historical conveyance ditch detailed in questions 121 to 122?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> 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?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, answer questions 125.c to 125.i using current data.		
2. If no, do not answer questions 125.c to 125.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 127.		
c. List the water right(s) proposed for change that are going to be conveyed by the ditch. _____		<input type="checkbox"/> 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. _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> 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 124.	<input type="checkbox"/> S	<input type="checkbox"/> F

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



<p>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.</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>g. What type of soils compose the proposed conveyance ditch? For lined ditches, write “lined” instead.</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>h. Are other water rights conveyed by the proposed conveyance ditch?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>i. If yes,</p>		
<p>1. What are the water right numbers?</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>2. What is the sum of the flow rates (GPM or CFS) for all water rights conveyed?</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>3. Provide a map with your best estimate of the 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, and a north arrow.</p>	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>i. Were any water right(s) proposed for change identified as having a carriage water requirement in question 122.h.i.1.a.i?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>i. If yes, update your Proposed Use Ditch Map 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.</p>	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>126. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 13 and if you are answering in consecutive order, go to question 127.</p>		



Water Marketing

127. Does this project involve water marketing? If yes, answer the questions in this section (questions 128 to 134). If no, or if you answered these questions earlier in the preapplication meeting, this section is complete; skip to question 135.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
128. Identify the flow rate (GPM or CFS) and volume of water (AF) that will be marketed. _____		<input type="checkbox"/> F
129. Will the marketed water return to the source?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, explain how that determination was made. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
130. For what purpose(s) will the marketed water be used? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
131. How will you control or limit access to the water? _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
132. Do you have contracts for the entire volume and flow rate sought?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
133. Provide a service area map. Create map on an aerial photograph or topographic map and shows the following: general service area boundary, section corners, township and range, and a north arrow.	<input type="checkbox"/> S	<input type="checkbox"/> F
134. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 19 and if you are answering in consecutive order, go to question 135.		

Instream Flow Change

135. Does the project involve an instream flow change? If yes, answer the questions in this section (questions 136 to 145). If no, or if you answered these questions earlier in the preapplication meeting, this section is complete; skip to question 146.	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
136. Is the proposal to retire all the use from the historical purpose throughout the entire period of use?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, describe why not in detail. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F



<p>137. What is the name of the source of water where streamflow will be maintained or enhanced? <u>Cottonwood Creek</u></p>		<input type="checkbox"/> F
<p>138. Provide specific information on the location (¼ ¼ ¼ section of start and end of reach) and length (FT) of the stream reach in which the streamflow is to be maintained or enhanced. _____</p>	<input type="checkbox"/> A	<input checked="" type="checkbox"/> F
<p>139. Does the protected reach begin at the existing point of diversion? a. If no, does the proposed protected reach begin upstream of or downstream from the existing point of diversion? _____</p>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>140. Does return flow go back to the source of supply? The Department provides an initial estimate of the sources where return flow historically accrued at the preapplication meeting.</p>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>141. Describe the way the streamflow is to be maintained or enhanced. _____ _____ _____</p>	<input type="checkbox"/> A	<input checked="" type="checkbox"/> F
<p>142. 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. <u>utilize existing DNRC gage</u> _____ _____ _____ _____</p>	<input type="checkbox"/> A	<input checked="" type="checkbox"/> F
<p>143. Provide initial details about an operation plan, which include the proposed flow rate (GPM or CFS) to be protected up to the proposed volume (AF) and the period when protection is to occur. If there is a “trigger flow” associated with your operation plan, please explain. A complete operation plan, based on the Technical Analysis, will be required for the application. _____ _____ _____ _____</p>	<input type="checkbox"/> A	<input checked="" type="checkbox"/> F



144. Is the amount of water proposed for change in the application made available through creation of a “water saving method,” as defined in ARM 36.12.101?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, complete the Salvage Water section (questions 146 to 150).	<input type="checkbox"/> S	<input type="checkbox"/> F
145. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 20 and if you are answering in consecutive order, go to question 146.		

Salvage Water

146. 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 147 to 150). If no, or if you answered these questions earlier in the preapplication meeting, this section is complete and you can skip to question 151.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
147. 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 other (explain). _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
148. How much water was salvaged from creation of the water saving method? Include flow rate (GPM or CFS) and volume (AF). _____		<input type="checkbox"/> F
149. How did you determine the amount of water salvaged? _____ _____ _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
150. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 21 and if you are answering in consecutive order, go to question 151.		



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>
151. Once the historical use analysis is complete for the application, be ready to compare the historical use with the proposed use. Do you have evidence the proposed use exceeds the historical use for flow rate, consumed volume, or diverted volume?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
a. If yes, what is your plan to address this with the permitting process? _____ _____	<input type="checkbox"/> A
152. Describe your plan to ensure that existing water rights will be satisfied during times of water shortage. _____ _____ _____	<input type="checkbox"/> A
153. Explain how you can control your diversion in response to call being made. <u>instream flow, no diversion</u> _____ _____	<input type="checkbox"/> A
154. Are you aware of any calls that have been made on the source of supply or depleted surface water source?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, explain. <u>overallocated source with a commissioner appointed most years, primarily above the rights proposed for change</u> _____	<input type="checkbox"/> A
155. Does a water commissioner distribute water or oversee water distribution on your proposed source or depleted surface water source?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
156. Will the proposed use change the ability for you to make call?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N



157. When was the last time water was appropriated and used beneficially? <u>2023</u> If there has been a period of nonuse, explain below:	
a. Why the water right was not used. <u>land sold to developer, water rights severed</u>	<input type="checkbox"/> A
b. Why a resumption of use will not adversely affect other water users. _____ _____	<input type="checkbox"/> A
c. Is the period of nonuse greater than 10 years?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
d. Have water rights been authorized to use the source during the period of nonuse?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
158. For point of diversion changes:	
a. Is the proposed point of diversion upstream or downstream of the historical point of diversion? _____	
b. Are there intervening water users between the historical and proposed point of diversion?	<input type="checkbox"/> Y <input type="checkbox"/> N
c. Does the proposed point of diversion allow for diverting water longer during times of shortage?	<input type="checkbox"/> Y <input type="checkbox"/> N
159. For place of use changes, will changes to the rate, location, volume, or timing of return flows adversely affect other appropriators?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N

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

160. Respond to questions in this section if you elected in questions 50 or 88 to answer optional questions 161 to 163. 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 165.	
161. For each surface water source receiving return flows, is gage data available?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, answer the following questions for the number of stream gages that are available.	
i. One stream gage is available	
1. What is the gage name? <u>Cottonwood Creek</u>	
2. Who operates and maintains the gage? <u>DNRC, only one year of record</u>	



3. Is the stream gage upstream or downstream of the point(s) of diversion? <u>downstream</u>	
4. Is there a limiting or controlling factor that would make the Drainage Area Method not practical? This includes dams that control the flow and streams with large gaining and/or losing reaches. If you have questions about this, please contact the Regional Hydro-Specialist or the Water Sciences Bureau.	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
5. Is the period of record greater than or equal to 10 years?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
6. How frequently is stage data recorded? <u>15 minutes</u>	
7. If data gaps were to occur, are they identified and left unfilled or estimated using interpolation, ice correction, or indirect discharge measurements methods?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
8. 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?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
9. Were there requirements for maintaining a permanent gage datum and meeting specified accuracy limits?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
10. Does the gage data meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the proposed months of diversion?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
a. If yes, skip to question 163.	
b. If no, answer question 161.b.	
ii. More than one stream gage is available	
1. List the gage names. _____	
2. Who operates and maintains the gages? _____	
3. Is one stream gage upstream and one downstream of point(s) of diversion?	<input type="checkbox"/> Y <input type="checkbox"/> N
4. Do the stream gages have similar periods of record?	<input type="checkbox"/> Y <input type="checkbox"/> N
5. Are the periods of record each greater than or equal to 10 years?	<input type="checkbox"/> Y <input type="checkbox"/> N
6. How frequently is stage data recorded at each gage? _____	
7. For each gage, if data gaps were to occur, are they identified and left unfilled or estimated using interpolation, ice correction, or indirect discharge measurements methods?	<input type="checkbox"/> Y <input type="checkbox"/> N



8. Were the rating curves established and maintained throughout the duration of the period of record using measurements taken near the reference gages and stage recorders according to USGS protocols?	<input type="checkbox"/> Y <input type="checkbox"/> N
9. For each gage, were there requirements for maintaining a permanent gage datum and meeting specified accuracy limits?	<input type="checkbox"/> Y <input type="checkbox"/> N
10. Does the gage data meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the proposed months of diversion?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, skip to question 163.	
b. If no, answer question 161.b.	
b. If no gage data is available or if available gage data does not meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the proposed months of diversion, is the source otherwise measured?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
i. If yes,	
1. Submit measurements to the Department.	<input type="checkbox"/> S
2. Who collected the measurements? <u>Applicant</u>	<input type="checkbox"/> A
3. With what method was the data collected? <u>stage-discharge relationships</u>	<input type="checkbox"/> A
4. What is the period of record? <u>2009 - present</u>	
5. What is the frequency of measurement? <u>up to every half-hour after high water</u>	
6. Are there gaps in the data?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, what is the nature of the gaps and how are gaps handled to ensure data quality? <u>missing records due to equipment issues or hydrologic conditions</u>	<input type="checkbox"/> A
7. Is there a process for maintaining the data and meeting specified accuracy limits?	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N



<p>a. If yes, explain. <u>instrumentation calibration, rating curve calibration</u> _____ _____</p>	<input type="checkbox"/> A
<p>8. Does 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 proposed months of diversion?</p>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If yes, skip to question 163.</p>	
<p>b. If no, answer question 162.</p>	
<p>162. For each surface water source receiving return flows, does 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 validation of a department-accepted estimation technique?</p>	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If yes, describe the estimation technique. <u>n/a</u> _____ _____</p>	<input type="checkbox"/> A
<p>b. If no, will measurements be collected prior to submission of a completed Form No. 606P that meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for validation of a department-accepted estimation technique?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>i. If yes,</p>	
<p>1. With what method will the data be collected? _____ _____ _____</p>	<input type="checkbox"/> A
<p>2. What will be the interval of measurement? _____</p>	



<p>3. Describe the proposed estimation technique.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A
<p>ii. If no, describe your plan supply measurements for return flow receiving sources.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A
<p>163. If you are conducting Technical Analysis, how will the Area of Potential Adverse Effect be defined for evaluating return flow impacts? If the Department is conducting Technical Analyses, write N/A.</p> <p>n/a _____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A
<p>164. If you went straight to this section when referenced, go back to question 51 for surface water changes and question 88 for groundwater changes. If you waited to answer in consecutive order and have completed all prior sections, move to question 165.</p>	

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

<p>165. Respond to questions in this section if you elected in question 79 to answer optional questions 166 to 168. 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 170.</p>	
<p>166. For each hydraulically connected surface water source, is gage data available?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If yes, answer the following questions for the number stream gages are available.</p>	
<p>i. One stream gage is available</p>	
<p>1. What is the gage name?</p> <p>_____</p>	



2. Who operates and maintains the gage? _____	
3. Is the stream gage upstream or downstream of the start of the depletion? _____	
4. Is there a limiting or controlling factor that would make the Drainage Area Method not practical? This includes dams that control the flow and streams with large gaining and/or losing reaches. If you have questions about this, please contact the Regional Hydro-Specialist or the Water Sciences Bureau.	<input type="checkbox"/> Y <input type="checkbox"/> N
5. Is the period of record greater than or equal to 10 years?	<input type="checkbox"/> Y <input type="checkbox"/> N
6. How frequently is stage data recorded? _____	
7. If data gaps were to occur, are they identified and left unfilled or estimated using interpolation, ice correction, or indirect discharge measurements methods?	<input type="checkbox"/> Y <input type="checkbox"/> N
8. 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?	<input type="checkbox"/> Y <input type="checkbox"/> N
9. Were there requirements for maintaining a permanent gage datum and meeting specified accuracy limits?	<input type="checkbox"/> Y <input type="checkbox"/> N
10. Does the gage data meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the proposed months of diversion?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, skip to question 168.	
b. If no, answer question 166.b.	
ii. More than one stream gage is available	
1. List the gage names. _____	
2. Who operates and maintains the gages? _____	
3. Is one stream gage upstream and one downstream of the start of the depletion?	<input type="checkbox"/> Y <input type="checkbox"/> N
4. Do the stream gages have similar periods of record?	<input type="checkbox"/> Y <input type="checkbox"/> N
5. Are the periods of record each greater than or equal to 10 years?	<input type="checkbox"/> Y <input type="checkbox"/> N
6. How frequently is stage data recorded at each gage? _____	



7. For each gage, if data gaps were to occur, are they identified and left unfilled or estimated using interpolation, ice correction, or indirect discharge measurements methods?	<input type="checkbox"/> Y <input type="checkbox"/> N
8. Were the rating curves established and maintained throughout the duration of the period of record using measurements taken near the reference gages and stage recorders according to USGS protocols?	<input type="checkbox"/> Y <input type="checkbox"/> N
9. For each gage, were there requirements for maintaining a permanent gage datum and meeting specified accuracy limits?	<input type="checkbox"/> Y <input type="checkbox"/> N
10. Does the gage data meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the proposed months of diversion?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, skip to question 168.	
b. If no, answer question 166.b.	
b. If no gage data is available or if available gage data does not meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the proposed months of diversion, is the source otherwise measured?	<input type="checkbox"/> Y <input type="checkbox"/> N
i. If yes,	
1. Submit available measurements to the Department	<input type="checkbox"/> S
2. Who collected the measurements? _____	<input type="checkbox"/> A
3. With what method was the data collected? _____ _____	<input type="checkbox"/> A
4. What is the period of record? _____	
5. What is the frequency of measurement? _____	
6. Are there gaps in the data?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, what is the nature of the gaps and how are gaps handled to ensure data quality? _____ _____ _____	<input type="checkbox"/> A
7. Is there a process for maintaining the data and meeting specified accuracy limits?	<input type="checkbox"/> Y <input type="checkbox"/> N



<p>a. If yes, explain.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A
<p>8. Does 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 proposed months of diversion?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If yes, skip to question 168.</p>	
<p>b. If no, answer question 167.</p>	
<p>167. For each hydraulically connected surface water source, does 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 validation of a department-accepted estimation technique?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If yes, describe the estimation technique.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A
<p>b. If no,</p>	
<p>i. Will measurements be collected prior to submission of a completed Form No. 606P that meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for validation of a department-accepted estimation technique?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>1. If yes,</p>	
<p>a. With what method will the data be collected?</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A
<p>b. What will be the interval of measurement?</p> <p>_____</p>	



<p>c. Describe the proposed estimation technique.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A
<p>2. If no, describe your plan to comply with the measurement requirements for hydraulically connected surface water sources.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A
<p>168. If you are conducting Technical Analysis, how will the Area of Potential Adverse Effect be defined for evaluating changes to net depletions? If the Department is conducting Technical Analyses, write N/A.</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A
<p>169. If you went straight to this section when referenced, go back to question 80. If you waited to answer in consecutive order and have completed all prior sections, move to question 170.</p>	

Adequate Means of Diversion and Operation

<p>170. Provide a diagram of how you will operate your system from the point of diversion to the place of use.</p>	<input type="checkbox"/> S
<p>171. 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.</p> <p><u>n/a - instream flow</u></p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A
<p>172. Is the diversion capable of providing the full amount requested through the period of diversion?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N



<p>173. Describe the size and configuration of infrastructure to convey water from point of diversion to place of use. This may include, where applicable: ditch capacity and/or pipeline size and configuration.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A
<p>174. Describe any losses related to conveyance.</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A
<p>175. Is the conveyance infrastructure capable of providing the required flow and volume and any losses?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>176. Does the proposed conveyance require easements?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If yes, explain.</p> <p>_____</p>	<input type="checkbox"/> A
<p>177. Describe any places of storage, including whether drainage devices will be installed, and provide preliminary designs, if available. Preliminary designs will be required at application submittal.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A
<p>178. Describe 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 and output and configuration of sprinkler heads.</p> <p>_____</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A
<p>179. Is the water delivery system capable of providing the requested beneficial use?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>180. Will your system be designed to discharge water from the project?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If yes, explain the way water will be discharged and the wastewater disposal method.</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> A



181. Provide a plan of operations. _____ _____ _____	<input type="checkbox"/> A
182. Can the plan of operations deliver the flow rate and volume for the beneficial use being requested?	<input type="checkbox"/> Y <input type="checkbox"/> N
183. Do you have any plans to measure your diversion and use?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, describe the plan and the type of measurements you will take. _____ _____	<input type="checkbox"/> A
184. Is the means of diversion a well?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, are well log(s) available?	<input type="checkbox"/> Y <input type="checkbox"/> N
i. If yes, submit well log(s) to DNRC	<input type="checkbox"/> S
ii. If no, who drilled the well? _____	

Beneficial Use

185. Why is the requested flow rate and volume the amount needed for the purpose? <u>increase streamflow to maintain fishery and to maintain connectivity to Clark Fork</u> _____ _____	<input type="checkbox"/> A
186. Does the Department have a standard for the purposes for which water is used? Department standards can be found in ARM 36.12.112.	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, does the proposed beneficial use fall within Department standards?	<input type="checkbox"/> Y <input type="checkbox"/> N
187. If no standard or if proposed beneficial use falls outside of Department standards, explain how the use is reasonable for the purpose. <u>any increase in flow is beneficial to the source as it is dewatered</u> _____ _____ _____	<input type="checkbox"/> A
188. Will your proposed project be subject to DEQ requirements for a public water supply (PWS) system or Certificate of Subdivision Approval (COSA)?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N



a. If yes,	
i. Have you researched or consulted with DEQ regarding those requirements?	<input type="checkbox"/> Y <input type="checkbox"/> N
189. Are you proposing to use surface water for in-house domestic use?	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N
a. If yes, does a COSA exist for the proposed place of use?	<input type="checkbox"/> Y <input type="checkbox"/> N
i. If yes, please submit the COSA.	<input type="checkbox"/> S
ii. If no, have you researched or consulted with DEQ regarding their requirements?	<input type="checkbox"/> Y <input type="checkbox"/> N

Possessory Interest

190. Do you have possessory interest, or the permission of the party with possessory interest, of the proposed place of use? Proof of possessory interest or permission of the party with possessory interest is required at application submittal.	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If no, explain. <u>n/a - instream flow</u> _____ _____ _____	<input type="checkbox"/> A



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 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 the first five days of the 45-day period in ARM 36.12.1302(4) or (5) 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.

Eric Hull

Digitally signed by Eric Hull

Date: 2025.01.13 11:42:25 -07'00'

Applicant Signature

Date

Applicant Signature

Russ Gates

Digitally signed by Russ Gates

Date: 2025.01.15 08:54:38 -07'00'

Department Signature

Date



FOLLOW-UP PAGE

Applicant will provide all responses to questions marked for follow-up on a separate document entitled “Follow-up Responses” with the question number labeled. Answer questions in the same format as the form. 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 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 signed at the Preapplication Meeting. Instead, the Applicant must use the Amended Responses procedure defined below. Do not include additional information for questions not marked for follow-up here; instead include any additional information pursuant to the process for amending responses defined below.

Questions marked for follow-up

-5	-
-6	-
-9.a.ii.	-
-28	-
-45	-
-121	-
-122.d, f.	-
-138	-
-141	-
-142	-
-143	-
-	-
-	-
-	-
-	-
-	-
- Non-Mandatory Questions	-
-161	-
-161.b.i.1	-
-161.b.i.8	-
-	-
-	-



FOLLOW-UP PAGE AFFIDAVIT & CERTIFICATION

“I/we attest that this preapplication meeting form, follow-up page, and amended responses page accurately portray my 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 and follow-up materials (ARM 36.12.1302(6)(a)).”

Eric Hull

Digitally signed by Eric Hull
Date: 2025.07.03 11:47:07 -06'00'

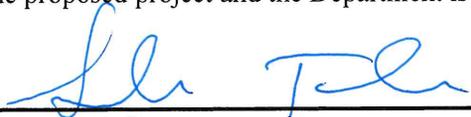
Applicant Signature

Date

Applicant Signature

Date

“We confirm that the preapplication form and follow-up information are adequate for the Department to proceed with technical analyses in ARM 36.12.1303. If the applicant has elected to complete technical analyses, we confirm they have submitted each piece of technical analysis required based on the proposed project and the Department is able to proceed with the scientific credibility review (ARM 36.12.1303(8)).”



Department Signature

7/9/2025

Date

Department Signature

Date



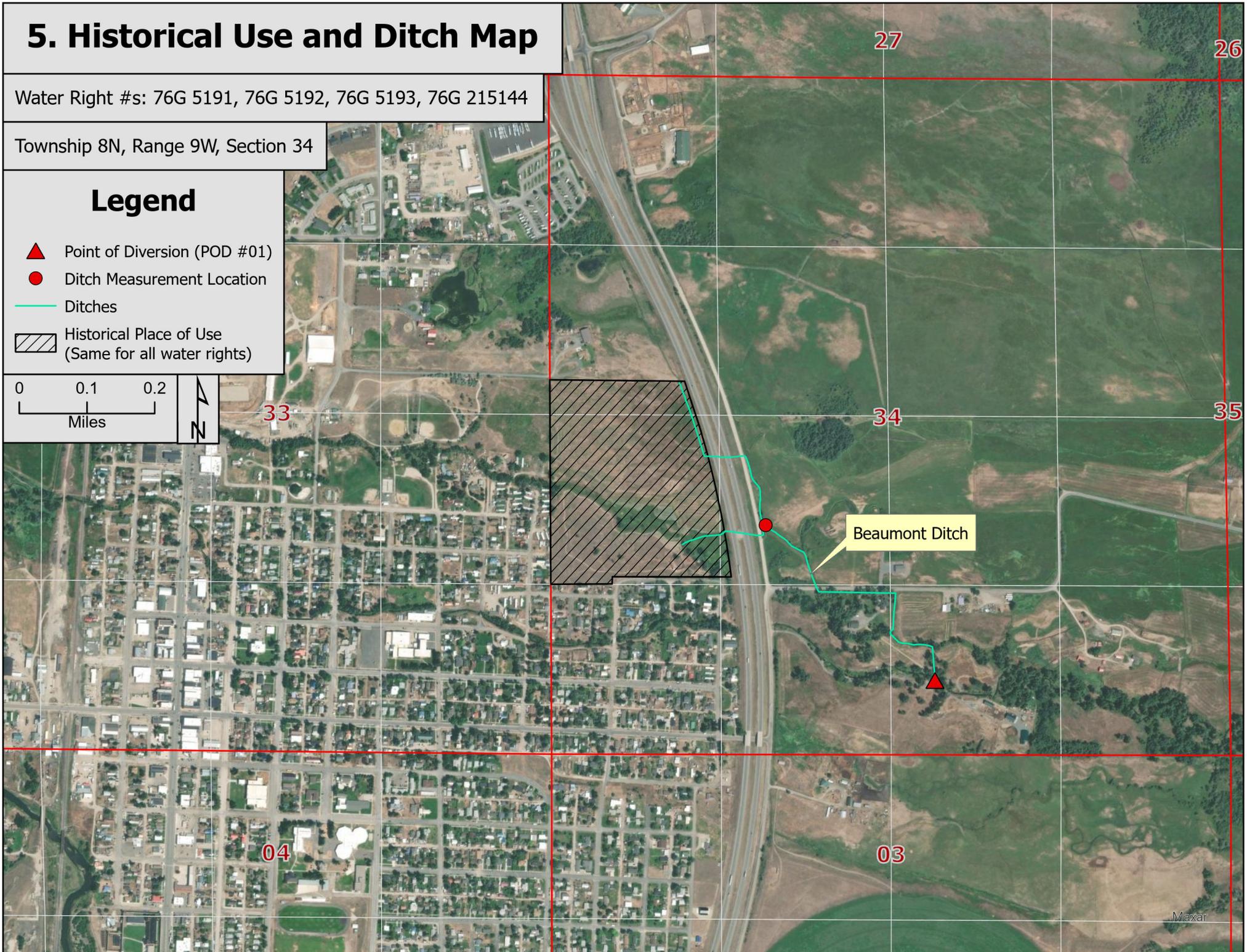
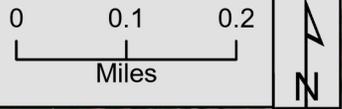
5. Historical Use and Ditch Map

Water Right #s: 76G 5191, 76G 5192, 76G 5193, 76G 215144

Township 8N, Range 9W, Section 34

Legend

- ▲ Point of Diversion (POD #01)
- Ditch Measurement Location
- Ditches
- ▨ Historical Place of Use (Same for all water rights)



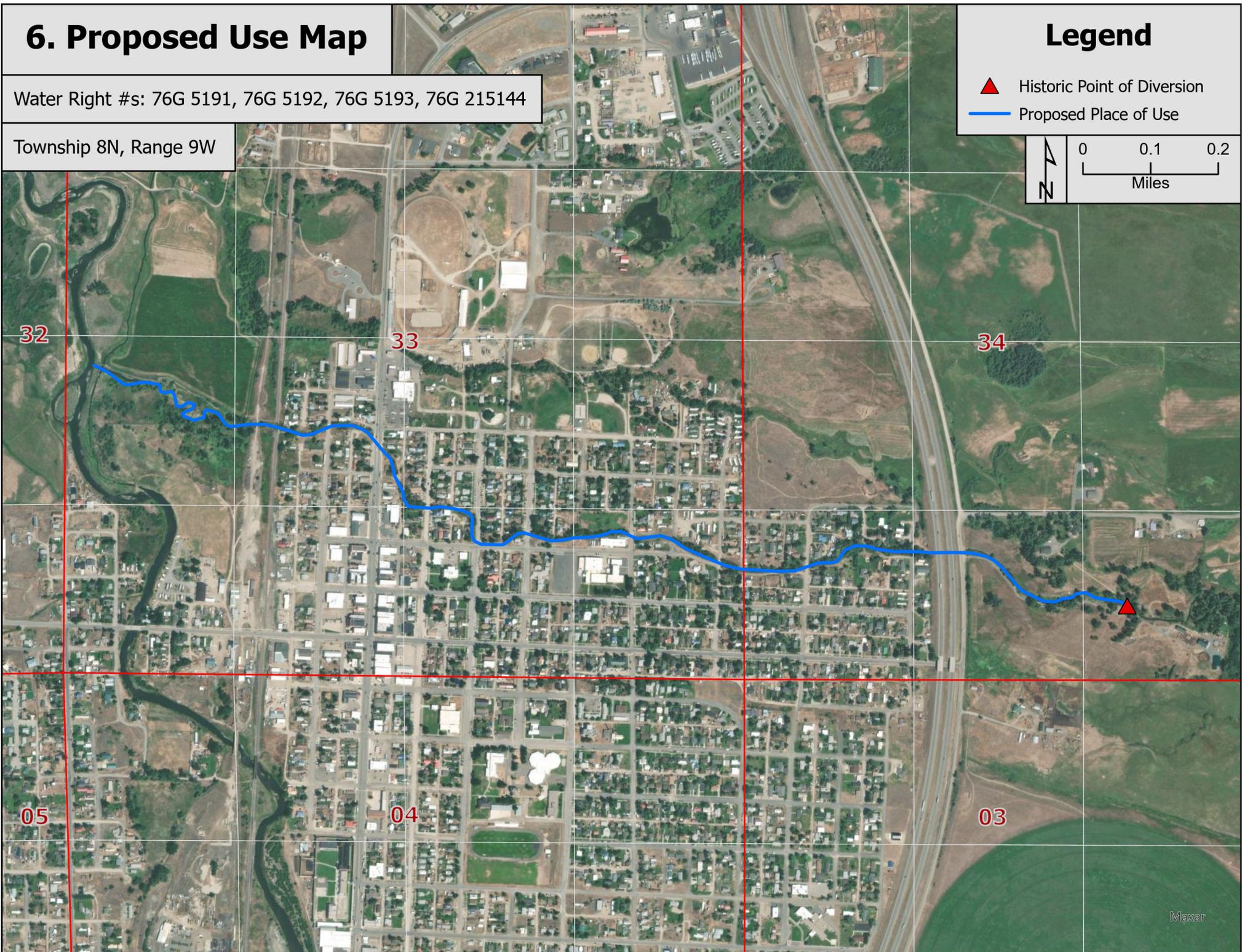
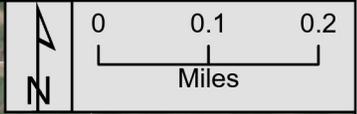
6. Proposed Use Map

Water Right #s: 76G 5191, 76G 5192, 76G 5193, 76G 215144

Township 8N, Range 9W

Legend

-  Historic Point of Diversion
-  Proposed Place of Use





REQUEST FOR PREAPPLICATION MEETING

ARM 36.12.1302(2)
(Revised 01/2024)

For Department Use Only

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.

Date Received _____
Received By _____
Scheduled Meeting Date _____

1. Applicant Name _____
Mailing Address _____
City _____ State _____ Zip _____
Home Phone _____ Other Phone _____
Email: _____

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

- a) The flow rate and volume of water required:
Flow Rate _____ GPM CFS Volume _____ Acre-Feet
- b) The point of diversion:
Point of Diversion #1 _____ 1/4 _____ 1/4 _____ 1/4 Section _____, Township _____ N S, Range _____ E W
County _____
Lot/Tract _____ Block _____ Subdivision Name _____
Point of Diversion #2 _____ 1/4 _____ 1/4 _____ 1/4 Section _____, Township _____ N S, Range _____ E W
County _____
Lot/Tract _____ Block _____ Subdivision Name _____
- c) The place of use:
_____ 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
_____ 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: _____

e) The proposed purpose: _____

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 # _____

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 new well or wells, the well depth(s) and location:

New Well #1 _____ 1/4 _____ 1/4 _____ 1/4 Section _____, Township _____ N S, Range _____ E W

County _____

Lot/Tract _____ Block _____ Subdivision Name _____

Estimated Well Depth _____ Feet

New Well #2 _____ 1/4 _____ 1/4 _____ 1/4 Section _____, Township _____ N S, Range _____ E W

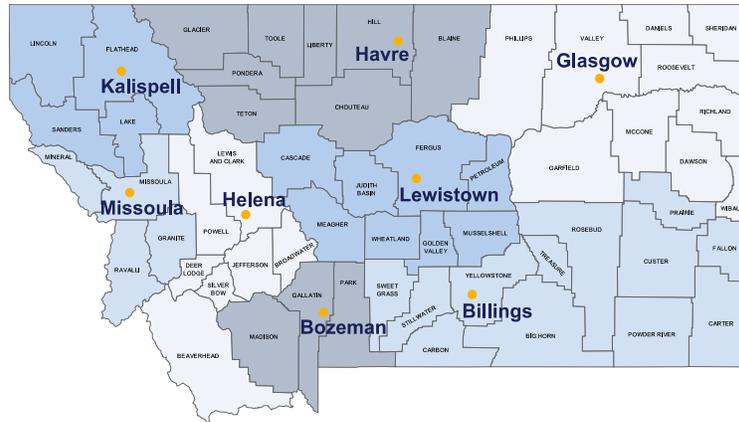
County _____

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

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

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

KALISPELL

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

PHONE 406-752-2288
EMAIL DNRCKalispellWater@mt.gov

Flathead, Lake, Lincoln, and Sanders 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

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

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

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

