Missoula Water Resources Regional Office
PO Box 5004
2705 Spurgin Road, Bldg. C
Missoula, MT 59806-5004
(406) 721-4284

November 19, 2025
Peak Health Management Company
3565 Pattee Canyon Rd
Missoula, MT 59803-1826
Subject: Correct and Complete Application for Change No. 76H 30171414

Dear Applicant,

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

The Department will issue a Draft Preliminary Determination within 60 days of the date of this letter per §85-2-307(2)(b), MCA. Following issuance of the Draft Preliminary Determination, you (Applicant) will have 15 business days to request an extension of time to submit additional information, if desired pursuant to §85-2-307(3)(a), MCA.

If no extension of time is requested and the Draft Preliminary Determination decision is to grant your application or grant your application in modified form, the Department will prepare a notice of opportunity to provide public comment, per §85-2-307(4)(a), MCA. If no extension of time is requested and the Draft Preliminary Determination decision is to deny your application, the Department will adopt the Draft Preliminary Determination as the final determination per §85-2-307(3)(d)(ii), MCA.

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

Sincerely,

Benjamin Thomas

Benjamin Thomas
Water Conservation Specialist
Missoula Regional Office
(406) 542-5883 | benjamin.thomas@mt.gov

cc: Julie Merritt, WGM Group

Groundwater Permit Technical Analyses Report – Part A – Notice of Erratum

The Montana Department of Natural Resources and Conservation (DNRC)
Water Resources Division

Kim Bolhuis, Groundwater Hydrologist, Water Sciences Bureau (WSB)

Applicant Name	Peak Health Management Company LLC
Application No.	76H 30171414
Point of Diversion Legal Land Description	2 Wells in Section 2, Township 12 North, Range 20 West, Missoula County

Overview

This Notice of Erratum documents a correction to the Groundwater Permit Technical Analyses Report-Part A prepared for the above-mentioned water right permit application.

Contents

Executive Summary

An error was identified in **Table 1** of the Technical Analysis concerning the flow rates associated with the monthly historical and proposed net depletions and the net effect from the proposed groundwater use change. The monthly and annual volumetric depletions for the historical and proposed uses and the net effect from the change are correct, however, the flow rate for each use and the difference were incorrect.

The following information has been corrected from the original Groundwater Permit Technical Analyses Report:

- The monthly rate of depletions for the historical and proposed use and the net effect of the proposed change in **Table 1.**

Due to the depth of the pumped aquifer, adverse effects to the Bitterroot River from groundwater withdrawal were and would be considered to be year-round from both the historical and proposed uses. As the volumes used in the original Technical Analysis are correct and net effect to the Bitterroot River was calculated using those volumes, no change in the findings of the original Technical Analysis will occur from this correction to the depletion rates and net effect. The updated **Table 1** is illustrated below.

Table 1: Net effect to the Bitterroot River from historical and proposed uses.

Month	HISTORICAL USE			PROPOSED			DIFFERENCE	
	Consumed Volume (AF)	Net Depletion (AF)	Net Depletion (gpm)	Consumed Volume (AF)	Net Depletion (AF)	Net Depletion (gpm)	Net Effect (AF)	Net Effect (gpm)
January	0.00	0.14	1.1	0.00	0.08	0.6	0.07	0.5
February	0.00	0.13	1.1	0.00	0.07	0.6	0.06	0.5
March	0.00	0.14	1.1	0.00	0.08	0.6	0.07	0.5
April	0.04	0.14	1.1	0.02	0.08	0.6	0.06	0.5
May	0.21	0.14	1.1	0.11	0.08	0.6	0.07	0.5
June	0.34	0.14	1.1	0.18	0.08	0.6	0.06	0.5
July	0.47	0.14	1.1	0.26	0.08	0.6	0.07	0.5
August	0.41	0.14	1.1	0.22	0.08	0.6	0.07	0.5
September	0.21	0.14	1.1	0.12	0.08	0.6	0.06	0.5
October	0.02	0.14	1.1	0.01	0.08	0.6	0.07	0.5
November	0.00	0.14	1.1	0.00	0.08	0.6	0.06	0.5
December	0.00	0.14	1.1	0.00	0.08	0.6	0.07	0.5
Total	**1.70**	**1.70**		**0.92**	**0.92**		**0.78**	

Review

This document has been reviewed on October 28, 2025, in accordance with Category 7 of DNRC's Water Sciences Bureau Minimum Standards of Review, Version 2, February 2024.

References

DNRC, 2018. Technical Memorandum: Net Surface Water Depletion from Ground Water Pumping, dated July 6, 2018.

DNRC, 2019. Technical Memorandum: Physical and Legal Availability of Ground Water, dated April 22, 2019.

WGMGROUP
Community Values. Inspired Futures.

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406.728.4611
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MEMORANDUM

DATE: October 24, 2025

TO: Benjamin Thomas, Water Conservation Specialist II, MRO WRD DNRC

FROM: Julie A. Merritt, Sr. Water Resource Specialist, WGM Group, Inc.

CC: Charlie Eiseman, Owner Peak Health Management Co, LLC
Ross Miller, Attorney for Peak Health Management Co, LLC

RE: Response to Deficiency Letter for Change Application No. 76H 30171414

Following are the Applicant's responses to the deficiencies identified by the Department in its Oct 24, 2025 communication.

Q. 2.a Submit the Technical Analyses Addendum (Form 606-TAA).
The Department did not receive Form 606-TAA in the filing. Q.2.a-b should be left blank if you intend to go through the technical analysis process after the application is filed, while Q.2.c-e should be filled if you intend to use the technical analysis from the preapplication process. Please clarify which route you are seeking and provide the TAA if you intend to go forwards with a TA other than the one from the preapplication process.

Regarding items 2.a. and 2.b on the application form, boxes under these items were checked inadvertently. The Applicant elects for the Department technical analyses to be used for the criteria assessment.

Q. 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.
The volumes provided do not match those in the Department's technical analysis. Please use the values found by the Department if you intend to use the DNRC analysis. If you do not intend to use the DNRC analysis, please correct the answers to Q. 2.

Please revise the table in item 21.a.ii. to read as follows per the Department's technical analyses:

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*
76H 65902	1/1-12/31	1/1-12/31	96.6	☑	☐	3.79
76H 62593	1/1-12/31	1/1-12/31	23.4	☑	☐	3.5 (2.43+1.07 see TA)
				☐	☐	
				☐	☐	

606-MIT Q.2 Which of the following scenarios best describes the proposed project? Check all that apply and answer the questions specific to each scenario; then answer question 6 and 7.
On the form you submitted, you identify the first and third scenario (i.e. that you require mitigation/aquifer recharge and that you also intend to market mitigation/aquifer recharge water). However, you mark Q. 5, which deals with marketing, as not applicable. If you intend to apply for a marketing for mitigation purpose, please answer question 5. If not, please alter your response to Q. 2.

The form is somewhat ambiguous as the bold face type of the third scenario under item 2 reads "Marketing for mitigation/aquifer recharge:" The third box was checked because the application does indeed include aquifer recharge. Upon closer reading, it appears the actual meaning of the bold face type is 'Marketing for Mitigation and/or Marketing for Aquifer Recharge'. With that understanding, it is clear that the third scenario box should not have been checked as this application is not intended to include any marketing for any purpose.

606-MIT Q.3 If the hydrogeologic report conducted pursuant to §85-2-361, MCA predicts a net depletion for surface water, submit an aquifer recharge or mitigation plan.
The submitted mitigation plan is nearly entirely devoted to describing Change Application 76H 30150414. This is relevant information per 606-MIT 1.a.i., however, it also necessary to answer all parts of 606-MIT Q3 for the mitigation plan for water left instream via retirement.

See below for responses to all parts of 606-MIT Q3.b.

3.b.i. where and how the water in the plan will be put to beneficial use;

At the location of the existing points of diversion in NWNWSE SEC 2, TWP 12N, RGE 20W the water for this part of the plan will be left in the aquifer.

3.b.ii. when and where, generally, water for aquifer recharge or mitigation will be required;

Per the Depletion and Mitigation Report dated 11/16/2021 (emphasis added);

- "Depletion by pumping in the bedrock aquifer primarily occurs through propagation of drawdown through fractures in the confining unit to the Bitterroot River alluvium and to the Bitterroot River. The new use from the existing wells is assumed to be constant year-round for commercial use; therefore, depletions are expected to be constant year-round" and
- "…stream depletion from the proposed use [Permit Application 76H 30150412] is expected to accumulate in the Bitterroot River downstream of the southern boundary of Section 2, Township 12 North, Range 20 West."

3.b.iii. the amount of water that is required for aquifer recharge or mitigation;

The total amount of water required for mitigation of Permit Application 76H 30150412 is 1.99 AF.

3.b.iv. how the proposed project or beneficial use for which the aquifer recharge or mitigation plan is required will be operated;

The water for this part of the plan will be left in the aquifer.

3.b.v. evidence that an application for a change in appropriation right, if necessary, has been submitted;

The Department records show that this application was submitted on 10/3/2025 and the associated change application no. 76H 30150414 was submitted on 3/26/2021.

3.b.vi. evidence of water availability;

The Department's Groundwater Permit Application Technical Report dated 7/11/2022 discusses physical and legal availability. See permit application file 76H 30150412.

3.b.vii. evidence of how the aquifer recharge or mitigation plan will offset the required amount of net depletion of surface water in a manner that will offset an adverse effect on a prior appropriator; and

Table 1 below lists the monthly volume and flow rate associated with the practice of leaving the water under this application in the aquifer as per the Department's technical analyses. This is one part of the overall mitigation plan that is intended to offset any potential adverse effects to prior appropriators.

TABLE 1. PROPOSED PERMIT DEPLETIONS, ACCRETIONS FROM CHANGE APPLICATION 76H 30171414 AND REMAINING VOLUME AND FLOW RATE NEEDED FOR FULL MITIGATION

Month	Permit Application Depletions (AF)	Accretions from CHG 76H 30171414 (AF)	Remaining Mitigation Vol Needed (AF)	Remaining Mitigation Flow Needed (GPM)
January	-0.17	0.07	-0.10	-0.75
February	-0.15	0.06	-0.09	-0.75
March	-0.17	0.07	-0.10	-0.75
April	-0.16	0.06	-0.10	-0.75
May	-0.17	0.07	-0.10	-0.75
June	-0.16	0.06	-0.10	-0.75
July	-0.17	0.07	-0.10	-0.75
August	-0.17	0.07	-0.10	-0.75
September	-0.16	0.06	-0.10	-0.75
October	-0.17	0.07	-0.10	-0.75
November	-0.16	0.06	-0.10	-0.75
December	-0.17	0.07	-0.10	-0.75
TOTAL	**-1.99**	**0.78**	**1.21**	

3.b.viii. evidence that the appropriate water quality permits have been granted pursuant to Title 75, chapter 5, as required by § 75-5-410, MCA, and § 85-2-364, MCA.

NA

3.b.ix. In addition to 3.b.i through 3.b.viii, an aquifer recharge plan must include a description of the process by which water will be reintroduced to the aquifer.

Technically speaking, water will not be “reintroduced” to the aquifer, it will merely be left in the aquifer to offset a portion of the depletion anticipated by proposed permit 76H 30150412.

Finally, an attachment that is referenced in the application multiple times was inadvertently omitted from the packet of information that was submitted with the application. It is attached to this deficiency response to complete the record.

Peak Health Management Co LLC
Application to Change 76H 30171414 Attachment

ITEM 13. FLOW RATE NEEDED FOR PROJECT FOR WATER RIGHT 76H 30122609

Month	Remaining Net Depletion (GPM)	Flow Infiltrated (GPM)	Accretions from Infiltration (GPM)	Flow Left Instream (GPM)
Jan	0.75		1.13	
Feb	0.75		1.11	
Mar	0.75		0.90	
Apr	0.75		0.77	
May	0.75		0.67	0.36
Jun	0.75		0.60	0.38
Jul	0.75		0.55	0.36
Aug	0.75		0.50	0.36
Sep	0.75	27.91	22.64	
Oct	0.75	46.72	39.35	
Nov	0.75		4.06	
Dec	0.75		2.11	

ITEMS 19.a. PROPOSED NEW AND UNCHANGED POD FOR CHANGE TO 76H 62593

POD ID	¼	¼	¼	SEC	TWP	RGE	NEW OR UNCHANGED
P-1	NW	NW	SE	2	12N	20W	UNCHANGED
P-2	NW	NW	SE	2	12N	20W	UNCHANGED
		SE	SW	2	12N	20W	NEW
		SW	SE	2	12N	20W	NEW
		N2	SE	2	12N	20W	NEW
		N2	SW	1	12N	20W	NEW
		W2	NE	1	12N	20W	NEW
		SW	SW	31	13N	19W	NEW
		N2	SE	36	13N	20W	NEW
		SW	NE	36	13N	20W	NEW
		NE	SW	36	13N	20W	NEW
		SW	SW	36	13N	20W	NEW
			S2	35	13N	20W	NEW
			E2	34	13N	20W	NEW
		SE	SE	27	13N	20W	NEW
			SW	26	13N	20W	NEW
		SW	NW	26	13N	20W	NEW
		S2	NE	27	13N	20W	NEW
		E2	NW	27	13N	20W	NEW
		NW	NW	27	13N	20W	NEW

ITEM 20.b. PROPOSED POU FOR CHANGE TO 76H 62593

AC	¼	¼	¼	SEC	TWP	RGE
0.54	SE	NE	SW	2	12N	20W
2.00	SE	NE	SW	2	12N	20W
		SE	SW	2	12N	20W
		SW	SE	2	12N	20W
		N2	SE	2	12N	20W
		N2	SW	1	12N	20W
		W2	NE	1	12N	20W
		SW	SW	31	13N	19W
		N2	SE	36	13N	20W
		SW	NE	36	13N	20W
		NE	SW	36	13N	20W
		SW	SW	36	13N	20W
			S2	35	13N	20W
			E2	34	13N	20W
		SE	SE	27	13N	20W
			SW	26	13N	20W
		SW	NW	26	13N	20W
		S2	NE	27	13N	20W
		E2	NW	27	13N	20W
		NW	NW	27	13N	20W

ITEM 21.a.i

There are two water rights that allow for use from the Peak's Public Water Supply (PWS) wells. These water rights are Groundwater Certificate 76H 65902 (GWCT) and Provisional Permit 76H 62593 (PRPM). The relationship between the two existing water rights requires some explanation. The GWCT was the first water right issued for the Peak's PWS. It was issued for 96.6 gallons per minute (gpm) and a total of 14.0 AF per year. At the time this GWCT was issued, the permit exemption limited groundwater uses to 99 gpm. Nine (9.0) AF of the volume on the GWCT were for Commercial (CM) uses and 5.0 AF were for Lawn & Garden irrigation (LG IR). The PRPM application was submitted around the same time as the GWCT because the system required more than 99 gpm.

The PRPM was necessary to allow additional flow rate and volume for LG IR purposes (but no additional volume for CM purposes). The initial engineering estimates indicated that the system required 130 gpm so the flow rate on the PRPM was set at 33.4 gpm. This flow, in addition to the 96.6 gpm on the GWCT, achieved the total 130 gpm for both the CM and LG IR uses. However, when the PRPM was verified, it was determined that the system capacity was 120 gpm and the flow rate on the PRPM was reduced to 23.4 gpm.

The Project Completion Notice for the PRPM was filed in 1996. At this time the total LG IR use was reduced to 3.5 AF. The Department's technical analyses for Application No. 76H 30171414

estimated the historical diverted volume for the LG IR as 2.43 AF/ac for the full-service acre and 1.07 AF for the 2.0 supplemental acres.

Going forward, the volume of water used for LG IR under the PRPM will be 2.38 AF. No changes will be made to the CM use or the LG IR use under the GWCT.

Missoula Water Resources Regional Office
PO Box 5004
2705 Spurgin Road, Bldg. C
Missoula, MT 59806-5004
(406) 721-4284

October 24, 2025
Peak Health Management Company LLC
3565 Pattee Canyon Rd
Missoula, MT 59803-1826
Subject: Deficiency letter for Change Application No. 76H 30171414

Dear Applicant,

The Department of Natural Resources and Conservation (DNRC or Department) has begun reviewing your application. This letter is to notify you of the deficiencies in your application as required in ARM 36.12.1501(1) and §85-2-302(5)(b), MCA. An Applicant is required to submit substantial and credible information addressing the rules and statutes that are relative to your application. You must provide the information specified below for your application to be considered correct and complete. "Correct and complete" means all of the information provided is substantial and credible and provides all of the information as required by applicable rules and statutes. The application as submitted contains deficiencies in the following section(s):

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

  The Department did not receive Form 606-TAA in the filing. Q.2.a-b should be left blank if you intend to go through the technical analysis process after the application is filed, while Q.2.c-e should be filled if you intend to use the technical analysis from the preapplication process. Please clarify which route you are seeking and provide the TAA if you intend to go forwards with a TA other than the one from the preapplication process.

- ❑ Q. 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.

  The volumes provided do not match those in the Department's technical analysis. Please use the values found by the Department if you intend to use the DNRC analysis. If you do not intend to use the DNRC analysis, please correct the answers to Q. 2.

- ❑ 606-MIT Q.2 Which of the following scenarios best describes the proposed project? Check all that apply and answer the questions specific to each scenario; then answer question 6 and 7.

  On the form you submitted, you identify the first and third scenario (i.e. that you require mitigation/aquifer recharge and that you also intend to market mitigation/aquifer recharge water). However, you mark Q. 5, which deals with marketing, as not applicable. If you intend to apply for a marketing for mitigation purpose, please answer question 5. If not, please alter your response to Q. 2.

- ❑ 606-MIT Q.3 If the hydrogeologic report conducted pursuant to §85-2-361, MCA predicts a net depletion for surface water, submit an aquifer recharge or mitigation plan.

  The submitted mitigation plan is nearly entirely devoted to describing Change Application 76H 30150414. This is relevant information per 606-MIT 1.a.i., however, it also necessary to answer all parts of 606-MIT Q.3 for the mitigation plan for water left instream via retirement.

As stated above, the information submitted to address the rules and statutes listed in this deficiency letter must be substantial credible information to be acceptable at the correct and complete determination. §§85-2-102 (9) and (26), MCA.

Please submit the information specified above to the Missoula Regional Office by February 21, 2026. This is the only deficiency letter that will be sent. An application not corrected or

completed within 120 days from the date of this letter is terminated per ARM 36.12.1501(2) and §85-2-302(6)(a), MCA.

Please let me know if you have any questions.

Sincerely,

Benjamin Thomas

Benjamin Thomas
Water Conservation Specialist II
Missoula Regional Office
benjamin.thomas@mt.gov | (406) 542-5883

cc: Julie Merritt, WGM Group

WGMGROUP
Community Values. Inspired Futures.

1111 East Broadway
Missoula, MT 59802
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TRANSMITTAL

TO:	DATE:
Montana DNRC **Water Resources Missoula Regional Office** 2705 Spurgin Rd Missoula, MT 59804 Hand Delivered	10-03-2025
	PROJECT NAME: Peak Health Management Water Right Permitting
	PROJECT NO: WGM 19-03-01.1

ITEM NO.	DESCRIPTION
1.	Form No. 606 - Application to Change Water Right
2.	Application fee check No. 2719 in the amount of $1,100.00

COMMENTS:

SIGNED: Julie Merritt, Water Resource Specialist

W:\Projects\190301\Docs\Correspondence\2025-10-03 Transmittal to DNRC Re Peak Health WR Application.docx

APPLICATION TO CHANGE A WATER RIGHT

§ 85-2-302, MCA

Form No. 606 *(Revised 2/2025)*

For Department Use Only

RECEIVED

OCT 03 2025

MONTANA D.N.R.C
MISSOULA REGIONAL OFFICE

Application # 30171414 Basin 76H

Priority Date 10-3-2025 Time 4:00 AM/PM

Rec'd By T.S.

Fee Rec'd $ 1,100 Check # 2749

Deposit Receipt # MSS2605875

Payor

Refund $ Date

FILING FEE

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

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

- **Replacement well that exceeds 35 GPM or 10 AF per year**
- **Replacement municipal well that exceeds 450 GPM**
- **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.

Applicant Information: *Add more as necessary.*

Applicant Name PEAK HEALTH MANAGEMENT COMPANY LLC

Mailing Address 3565 PATTEE CANYON RD City MISSOULA State MT Zip 59803

Phone Numbers: Home Work Cell

Email Address charlie@peakmissoula.com

Applicant Name

Mailing Address City State Zip

Phone Numbers: Home Work Cell

Email Address

Applicant Name

Mailing Address City State Zip

Phone Numbers: Home Work Cell

Email Address

Contact/Representative Information: *Add more as necessary.*

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

Contact/Representative Name Julie A. Merritt - WGM GROUP INC

Mailing Address 1111 E Broadway City 1111 E Broadway State MT Zip 59802

Phone Numbers: Home Work Cell 406-207-2358

Email Address jmerritt@wgmgroup.com

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

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

PREAPPLICATION AND TECHNICAL ANALYSES INFORMATION

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

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

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

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

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

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

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

2.c.i. Please explain.

_____

_____

_____

_____

_____

_____

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

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

2.d.i. Please explain.

_____

_____

_____

_____

_____

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

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

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

APPLICATION ADDENDA AND REVIEW

3. ☐ **S** ☑ **NA** If the proposed change involves one or more places of storage, submit a Change Storage Addendum (Form 606-SA). This does not include reservoirs, pits, pit-dams, or ponds with a capacity less than 0.1 AF; water tanks; or cisterns (ARM 36.12.113(6)).

4. ☐ **S** ☑ **NA** If the project involves an appropriation that is greater than 5.5 CFS and 4,000 acre-feet, submit a Reasonable Use Addendum (Form 606-B).

5. ☐ **S** ☑ **NA** If the project involves out-of-state water use, submit an Out-of-State Use Addendum (Form 600/606-OSA).

6. ☐ **S** ☑ **NA** If the proposed purposes include marketing or selling water, submit a Water Marketing Purpose Addendum (Form 600/606-WMA). This doesn't include marketing for mitigation/aquifer recharge.

7. ☐ **S** ☑ **NA** If the proposed purpose includes instream flow, submit a Change to Instream Flow Addendum (Form 606-IFA).

8. ☑ **S** ☐ **NA** If the proposed purposes include mitigation, aquifer recharge, or marketing for mitigation/ aquifer recharge, submit a Mitigation Purpose Addendum (Form 606/606-MIT).

9. ☐ **S** ☑ **NA** If the project is in designated sage grouse habitat, submit a review letter from the Montana Sage Grouse Habitat Conservation Program.

10. ☐ **S** ☑ **NA** If you propose to add a point of diversion or place of use on State of Montana Trust Land, submit documentation of consent from DRNC Trust Lands Management Division. If you propose to add a place of use on Trust Land with all points of diversion on private land, then, at a minimum, that component of the change authorization will be temporary for the duration of the lease term (§ 85-2-441, MCA).

11. ☐ **Y** ☑ **NA** You must provide a written notice of the application to each owner of an appropriation right sharing a point of diversion or means of conveyance (e.g., canal, ditch, flume, pipeline, or constructed waterway) pursuant to § 85-2-302(4)(c), MCA. Submit a copy of this notice and the recipient list.

APPLICATION DETAILS

12. How many change applications will be needed for this project? Refer to ARM 36.12.1305 for more information. 2

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*	
76H 62593	120	☑	☐	0.48	☑	☐	Leaving volume undiverted (0.48 is flow that will accumulate to stream)
76H 30122609	2.5	☐	☑	See attached		☐	
		☐	☐		☐	☐	
		☐	☐		☐	☐	
		☐	☐		☐	☐	

14. Is the source surface water or groundwater? GW

15. What is the source name? Groundwater

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

Water Right No.	76H 62593				
Point of Diversion	☑	☐	☐	☐	☐
Place of Use	☑	☐	☐	☐	☐
Purpose of Use	☑	☐	☐	☐	☐
Place of Storage	☐	☐	☐	☐	☐

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

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

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

IF YES, See attached

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	¼	¼	¼	Sec.	Twp.	Rge.	County	Lot	Block	Tract	Subdivision	Gov. Lot	New or Unchanged

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

POD ID	¼	¼	¼	Sec.	Twp.	Rge.	County	Lot	Block	Tract	Subdivision	Gov. Lot

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

Instream

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

IF YES,

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

NO GEOCODES INSTREAM MITIGATION	

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

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

See attached

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?

See attached

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*
76H 65902	1/1-12/31	1/1-12/31	96.6	☑	☐	14.0
76H 62593	1/1-12/31	1/1-12/31	23.4	☑	☐	2.35
				☐	☐	
				☐	☐	

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.

The proposed change involves water being left instream/in the aquifer so there is no diversion to control. Nothing will change about the ability of senior water right holders to make a call on the underlying water right.

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

The point of this application is to offset potential effects to other water right holders. By definition, it ensures existing water rights will be satisfied in 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.

Calls are made in the the upper end of the Bitterroot River which is under administration by a water commissioner. However, administration has never extended to the reach of the river below Florence.

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

The proposed change of leaving water in the aquifer in no way affects the ability of the applicant 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.

The upper end of the Bitterroot River is under administration by a water commissioner. However, administration has never extended to the reach of the river below Florence.

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

The water right proposed for change has been in continuous operation since it was issued in 1986

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?
The proposed points of diversion are instream at and downstream from the location 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.
Yes, but the proposal is to leave water instream not take it out. There are no users that can be adversely affected by this change.

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. NA

Under the provisions of 85-2-402(2)(b)(iii), MCA, the adequate means of diversion and operation criterium is not applicable to changes for mitigation or marketing for mitigation.

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

NA

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

NA

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

35.a. If yes, explain.

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

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? NA

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

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

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

IF YES,

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

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

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

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

BENEFICIAL USE

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

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

The L&G purpose has a standard which is met. The CM purpose (which is not being changed) and the Mitigation purpose do not have standards

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

The year-round CM use is reasonable because the facility the water system serves is open to its members year-round. The Mitigation purpose is reasonable because it aligns with the projected depletions associated with the permit this change is intended to partially mitigate.

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

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

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

42.a.i. ☐ **S** If yes, submit the COSA.

POSSESSORY INTEREST

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

43.a. If yes, explain.
Mitigation

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)? 20

46. Describe why this amount of time is needed to complete this project.
The Applicant requests the full 20 years allowed under the statute, 85-2-420, MCA. This time is needed because, the pace at which water may be put to use for Mitigation is unknown. The Peak anticipates growth in membership that will increase over the next 10-20 years. If the entire change is perfected before the 20-year completion period, the Applicant will file the PCN at that time.

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 Charles Eiseman Charles Eiseman (Oct 3, 2025 13:03:33 MDT) _____ Date: _____

Printed Name _____

Applicant Signature _____ Date: _____

Printed Name _____

Applicant Signature _____ Date: _____

Form No. 600/606-MIT (02/2025) Applicant Name Peak Health Management Co LLC

APPLICATION FOR BENEFICIAL WATER USE PERMIT OR APPLICATION TO CHANGE A WATER RIGHT

MITIGATION ADDENDUM

§§ 85-2-420, 85-2-362, 85-2-402, 85-2-311, MCA

Answer every applicable question and use the prompts to craft a plan for mitigation, aquifer recharge, or marketing for mitigation/aquifer recharge. Use the checkboxes to denote yes ("Y") or no ("N"). 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. Label all attachments and submitted items with the question number. Label all units in tables and narrative responses.

In some cases, the information required to correctly and completely answer the questions on this form will not be available until technical analyses are completed. It is highly recommended all technical analyses required for the project are completed before filling out this form.

1. How many applications will you need to file with the Department for this project? Applications include Application for Beneficial Water Use Permit (Form 600) and Application to Change a Water Right (Form 606). 1 permit and 2 change applications are part of this project

1.a. ☑ **Y** ☐ **N** Will you need to file more than one application with the Department for this project?

If yes,

1.a.i. ☐ **Y** ☑ **N** You are only required to answer the remaining questions on Form 600/606-MIT one time per project. The Department cannot begin criteria assessment for any application required for the project until you have submitted a completed Form 600/606-MIT, including answers to the remaining questions. Will you answer the remaining questions on a Form 600/606-MIT submitted with another application?

1.a.ii. If yes, briefly explain, then this form is complete.
The other 2 applications were submitted before Form 600/606-MIT was part of the process. This form is being submitted now for this application and the 2 applications that are already under review.

1.a.iii. If no, move on to question 2.

2. Which of the following scenarios best describes the proposed project? Check all that apply and answer the questions specific to each scenario; then answer question 6 and 7.

☑ **Identified need for mitigation/aquifer recharge water AND change application(s) to supply the mitigation/aquifer recharge water:** Mitigation or aquifer recharge water is required to meet the criteria of issuance for a project, which is either in the preapplication meeting stage or has a pending Application for Beneficial Water Use or Application to Change a Water Right, and is proposed to be made available through a change in purpose of one or more water rights to mitigation or aquifer recharge. Answer question 3.

☐ **Identified need for mitigation/aquifer recharge water AND water contract(s) to supply the mitigation/aquifer recharge water:** Mitigation and aquifer recharge water is required to meet the criteria of issuance for a project, which is either in the preapplication meeting stage or has a pending Application for Beneficial Water Use or Application to Change a Water Right, and is proposed to be made available through one or more contracts for water, such as from water with a marketing for mitigation purpose. Answer questions 3 and 4.

☑ **Marketing for mitigation/aquifer recharge:** Water right(s) being changed to a marketing for mitigation or marketing for aquifer recharge purpose that will be sold or leased to other entities. Answer question 5.

3. Will the proposed diversion and/or net depletions to surface water occur in an open or closed basin? Answer question 3.a for open basins or question 3.b for closed basins.

☐ **Open** ☐ **Closed**

If an open basin:

3.a. Submit an aquifer recharge or mitigation plan with sufficient detail to explain why the plan is adequate to offset the net depletions of the proposed new appropriation in an amount greater than the difference between the amount of water physically available and legal demands, on a monthly timestep. The plan must include:

3.a.i. description of the method by which water will be made available for aquifer recharge or mitigation purpose(s);

3.a.ii. the amount, timing, and location of mitigation water delivery and/or net accretions to the depleted source;

3.a.iii. comparison of the elements of 3.a.ii to the amount, timing, and location of the net depletions of the proposed new appropriation.

If a closed basin:

3.b. If the hydrogeologic report conducted pursuant to § 85-2-361, MCA, predicts a net depletion of surface water, submit an aquifer recharge or mitigation plan. Per § 85-2-362, MCA, the plan must include:

See attached

3.b.i. where and how the water in the plan will be put to beneficial use;
3.b.ii. when and where, generally, water for aquifer recharge or mitigation will be required;
3.b.iii. the amount of water that is required for aquifer recharge or mitigation;
3.b.iv. how the proposed project or beneficial use for which the aquifer recharge or mitigation plan is required will be operated;
3.b.v. evidence that an application for a change in appropriation right, if necessary, has been submitted;
3.b.vi. evidence of water availability;
3.b.vii. evidence of how the aquifer recharge or mitigation plan will offset the required amount of net depletion of surface water in a manner that will offset an adverse effect on a prior appropriator; and
3.b.viii. evidence that the appropriate water quality permits have been granted pursuant to Title 75, chapter 5, as required by § 75-5-410, MCA, and § 85-2-364, MCA.
3.b.ix. In addition to 3.b.i through 3.b.viii, an aquifer recharge plan must include a description of the process by which water will be reintroduced to the aquifer.

4. Describe details about the contract(s) for water and submit a copy of the contract(s). In doing so, be sure to address the following sub-questions: NA

4.a. Is the contract a lease or sale?
4.a.i. If a lease, what is the duration of the contract and what is the process to renew the lease?
4.b. Does the contract water have a marketing for mitigation or marketing for aquifer recharge purpose? If yes,
4.b.i. What are the water right numbers with a marketing for mitigation or marketing for aquifer recharge purpose?
4.b.ii. What is the change authorization number that authorized the marketing for mitigation purpose?
4.b.iii. What is the mitigation reach identified in the change authorization?

5. Submit a marketing for mitigation/aquifer recharge plan that addresses the following: NA

5.a. Describe your ability to measure and operate all existing diversions to adjust flow rate as water is sold or leased.
5.b. How will you cease diversions for the existing beneficial use of the water right(s) as water is sold or leased for the purpose of marketing for mitigation/ aquifer recharge?
5.c. Describe the need for mitigation water within the proposed place of use of the new appropriation.

6. How do the priority dates of the water rights proposed for change to mitigation, aquifer recharge, and/or marketing for mitigation/aquifer recharge purpose(s) compare to other water rights on the source?

One of the rights proposed for change to mitigation (76H 30122609) is junior to many irrigation water rights on the Bitterroot River but it is senior to the FWP/CSKT Recreation rights that protect instream flows in the river. The other right proposed for mitigation has a priority date of 05/05/1986 and is junior to the FWP/CSKT Recreation rights. There are 199 GW Certificates junior to this permit within 1/4 of the BR River in the depleted reach with approx 484 AF vol.

7. ☑ **Y** ☐ **N** Do you have measurement records or Water Commissioner records that show the reliability of the water rights proposed for change to mitigation, aquifer recharge, and/or marketing for mitigation/aquifer recharge? If yes, submit them to the Department.

Peak Health Management Co LLC
Application to Change Mitigation Addendum Form 600/606-MIT
Attachment

The details of the proposed aquifer recharge/mitigation plan are as follows:

The plan to fully mitigate the timing, location and amount of the new depletions expected from proposed Permit Application 76H 30150412 will be achieved through:

- Application to Change Provisional Permit 76H 62593 No. 76H 30171414
  - Leaving groundwater in the ground (aka "instream") by retiring 0.46 acres of Lawn & Garden irrigation
- Application to Change Statement of Claim 76H 30122609 No. 76H 30150414
  - Pumping Bitterroot River water into the aquifer recharge site at Miller Creek and
  - Leaving water instream in the Bitterroot River

Per the Depletion and Mitigation Report dated 11/16/2021, "…stream depletion from the proposed use [Permit Application 76H 30150412] is expected to accumulate in the Bitterroot River downstream of the southern boundary of Section 2, Township 12 North, Range 20 West."

TABLE 1. PROPOSED PERMIT DEPLETIONS, ACCRETIONS FROM CHANGE APPLICATION 76H 30171414 AND REMAINING VOLUME AND FLOW RATE NEEDED FOR FULL MITIGATION

Month	Permit Application Depletions (AF)	Accretions from CHG 76H 30171414 (AF)	Remaining Mitigation Vol Needed (AF)	Remaining Mitigation Flow Needed (GPM)
January	-0.17	0.07	-0.10	-0.75
February	-0.15	0.06	-0.09	-0.75
March	-0.17	0.07	-0.10	-0.75
April	-0.16	0.06	-0.10	-0.75
May	-0.17	0.07	-0.10	-0.75
June	-0.16	0.06	-0.10	-0.75
July	-0.17	0.07	-0.10	-0.75
August	-0.17	0.07	-0.10	-0.75
September	-0.16	0.06	-0.10	-0.75
October	-0.17	0.07	-0.10	-0.75
November	-0.16	0.06	-0.10	-0.75
December	-0.17	0.07	-0.10	-0.75
TOTAL	**-1.99**	**0.78**	**1.21**	

APPLICATION 76H 30150414

The Applicant has reached an agreement with the City of Missoula to allow the Applicant to add its water to the amount which will be used in the Miller Creek aquifer recharge facility proposed under Change Application 76H 30165219. Application 76H 30150414 was determined to be Correct & Complete on 7/11/2022 and a waiver of the statutory deadlines was submitted on 8/10/2022. Change Application 76H 30150414 contains two components of the Applicant's mitigation plan, aquifer recharge and water left instream for mitigation.

The proposal is to replace the historical point of diversion (POD) on water right 76H 30122609 with a pump in a side channel of the Bitterroot River located in the SENWNE Sec 15 Twp 12N Rge 20W. Water will be discharged into the Miller Creek stream bed at the location identified on the attached revised map IR.2.E and will infiltrate into the Bitterroot alluvial aquifer. Additionally, a portion of water

right 76H 30122609 will be left instream in the months of May-Aug. In combination with Change Application 76H 30171414, the aquifer recharge and instream mitigation will fully mitigate the timing, location and amount of depletions expected from Permit Application 76H 30150412.

For the aquifer recharge component, water will be diverted from the Bitterroot River and discharged into the natural streambed of Miller Creek. Attached map IR.2.E depicts the locations of the new POD, the aquifer recharge site, the conveyance pipeline and the proposed POD/POU for aquifer recharge/mitigation. Under this aquifer recharge plan, discharged water would return to a shallow (Quaternary-age) aquifer and result in accretions to the Bitterroot River.

From the new POD in SENWNE Section 15, T12N-R20W, a volume of 10.1 AF and a maximum flow rate of 46.7 GPM will be diverted from beneath a south channel of the Bitterroot River using three 30-foot sections of 12-in horizontal, slotted, HPDE infiltration pipe installed at a depth of about 10 feet below the river channel bed. From this horizontal well, a solid 12-inch HPDE pipe will extend about 800 feet to the southeast to a 5-foot diameter wet well located adjacent (southeast) of an active oxbow.

This POD to wet well pipeline is designed with a siphon so that flows from the river cannot reach the wet well without pumping. The wet well will receive diverted water during pumping. A turbine pump and 4-inch totalizing inline flow meter will be installed in a pump house located above and adjacent to the wet well.

The expected pump will be a 20 HP 5TMH-375, Berkeley submersible turbine pump, which can convey the flow requested by the Peak in addition to the flow rate already contemplated under Change Application 76H 30165219. The vertical elevation lift is about 45 feet over the horizontal distance of about 1,820 feet. Total dynamic head is about 170 feet to the aquifer recharge site on lower Miller Creek. Water will be discharged to an effluent outfall at the aquifer recharge site on lower Miller Creek, a known losing stream (Change Application 76H 30165219 DNRC Change Technical Report). Water will infiltrate through the streambed of Miller Creek into the underlying alluvial aquifer where it will then migrate downgradient to the northwest and accrete to the Bitterroot River, offsetting a portion of the depletions expected from Permit Application 76H 30150412.

Using the same model used for Change Application 76H 30165219, the Applicant has identified a pumping/infiltration plan that is explained in **Table 2** and **Table 3** below. Given the properties of the alluvial aquifer and the distance between the recharge site and the Bitterroot River, modeling indicates the timing of depletions expected from Permit Application 76H 30150412 may not be mitigated through aquifer recharge alone with the volume available.

Specifically, infiltrating all of the Applicant's 10.3 AF of consumptive use in the months of September and October leaves a deficit in the months of May through August. To make up this deficit, the Applicant proposes to infiltrate 10.1 AF and leave 0.2 AF of its right instream during these months. **Table 2** and **Table 3** below contain the monthly breakdown of projected accretions in flow rate (**Table 2**) and volume (**Table 3**). Under this plan, the full timing, location and amount of the depletions are mitigated.

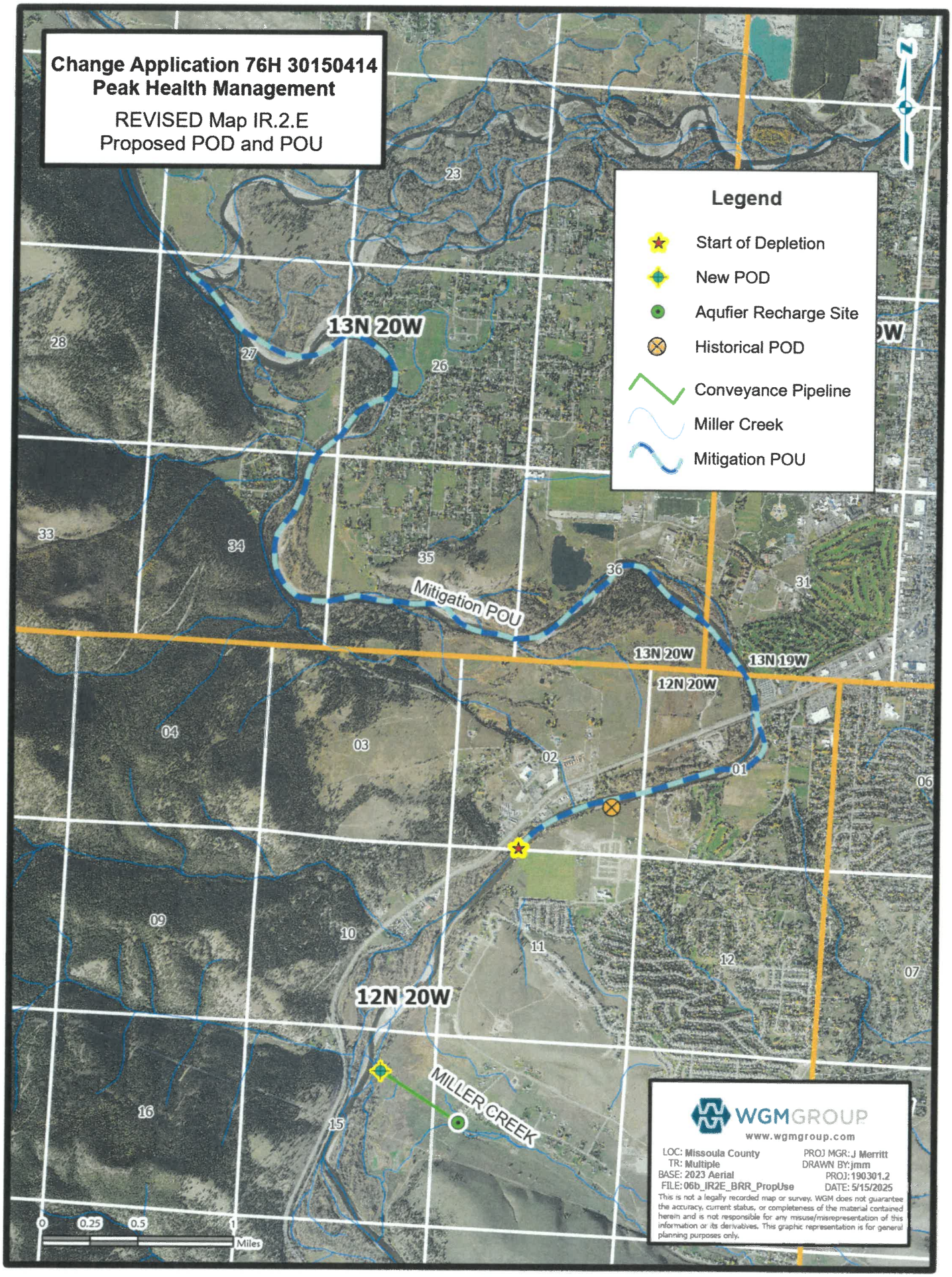
Peak Health Management Co LLC
Application to Change Mitigation Addendum Form 600/606-MIT
Attachment

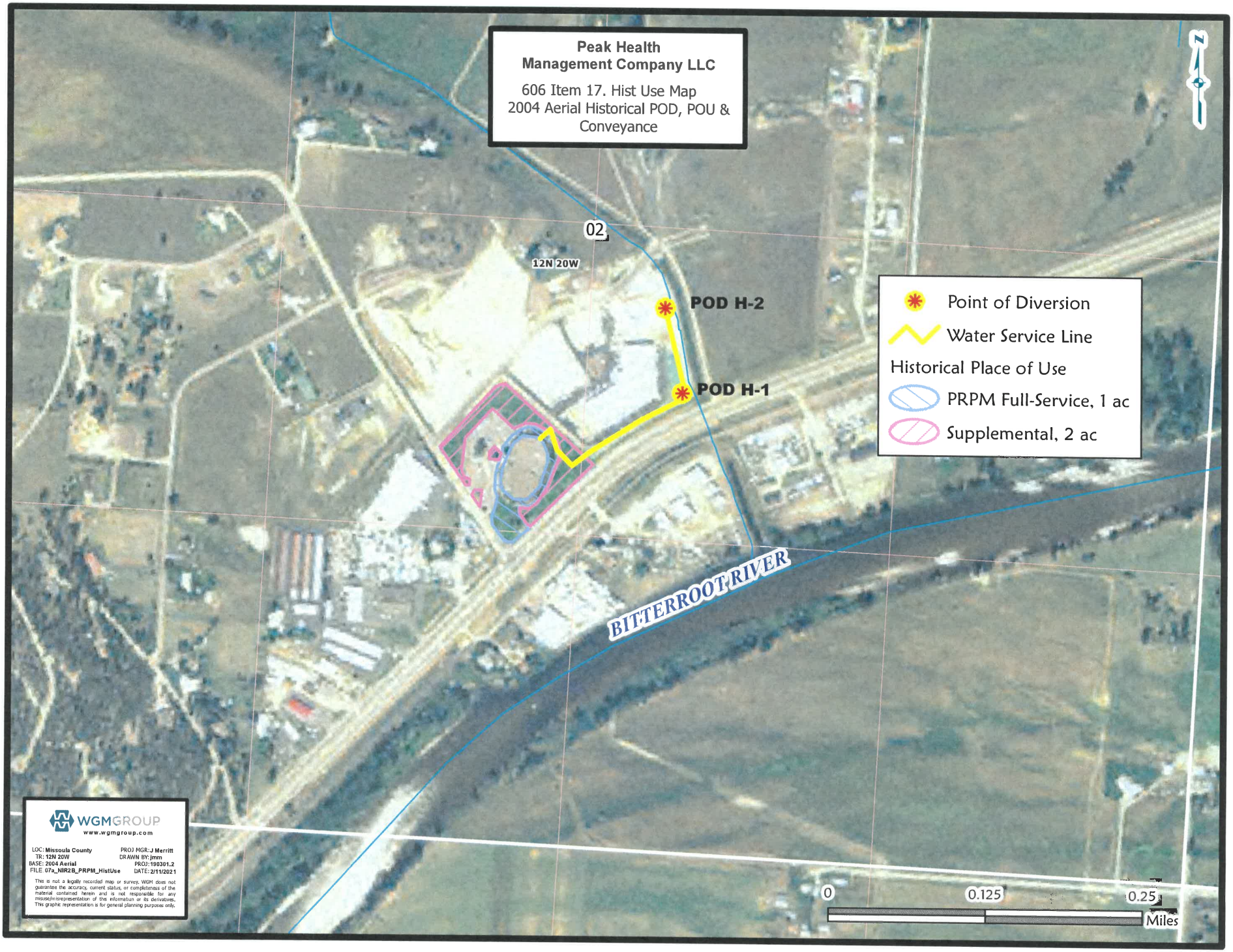
TABLE 2. DEPLETIONS, ACCRETIONS AND NET EFFECT IN GPM

Month	Remaining Net Depletion (GPM)	Flow Infiltrated (GPM)	Accretions from Infiltration (GPM)	Flow Left Instream (GPM)	Total Accretions (GPM)	Net Effect (GPM)
Jan	-0.75		1.13		1.13	0.38
Feb	-0.75		1.11		1.11	0.36
Mar	-0.75		0.90		0.90	0.15
Apr	-0.75		0.77		0.77	0.02
May	-0.75		0.67	0.36	1.04	0.29
Jun	-0.75		0.60	0.38	0.98	0.23
Jul	-0.75		0.55	0.36	0.91	0.16
Aug	-0.75		0.50	0.36	0.87	0.12
Sep	-0.75	27.91	22.64		22.64	21.89
Oct	-0.75	46.72	39.35		39.35	38.60
Nov	-0.75		4.06		4.06	3.31
Dec	-0.75		2.11		2.11	1.36

TABLE 1. DEPLETIONS, ACCRETIONS AND NET EFFECT IN AF

Month	Remaining Net Depletion (AF)	Volume Infiltrated (AF)	Accretions from Infiltration (AF)	Flow left instream (AF)	Total Accretions (AF)	Net Effect (AF)
Jan	-0.10		0.15		0.15	0.05
Feb	-0.09		0.14		0.14	0.05
Mar	-0.10		0.12		0.12	0.02
Apr	-0.10		0.10		0.10	0.00
May	-0.10		0.14	0.05	0.19	0.19
Jun	-0.10		0.13	0.05	0.18	0.18
Jul	-0.10		0.12	0.05	0.17	0.07
Aug	-0.10		0.12	0.05	0.17	0.07
Sep	-0.10	3.70	3.00		3.00	2.90
Oct	-0.10	6.40	5.39		5.39	5.29
Nov	-0.10		0.54		0.54	0.44
Dec	-0.10		0.29		0.29	0.19
	Total	**10.10**		**0.20**		


Change Application 76H 30150414
Peak Health Management
REVISED Map IR.2.E
Proposed POD and POU
Legend
Start of Depletion
New POD
Aquifer Recharge Site
Historical POD
Conveyance Pipeline
Miller Creek
Mitigation POU
13N 20W
12N 20W
13N 19W
Mitigation POU
MILLER CREEK
23
28
27
26
33
34
35
36
31
04
03
02
01
06
09
10
11
12
07
16
15
0
0.25
0.5
1
Miles
WGMGROUP
www.wgmgroup.com
LOC: Missoula County
TR: Multiple
BASE: 2023 Aerial
FILE: 06b_IR2E_BRR_PropUse
PROJ MGR: J Merritt
DRAWN BY: jmm
PROJ: 190301.2
DATE: 5/15/2025
This is not a legally recorded map or survey. WGM does not guarantee the accuracy, current status, or completeness of the material contained herein and is not responsible for any misuse/misrepresentation of this information or its derivatives. This graphic representation is for general planning purposes only.


Peak Health
Management Company LLC
606 Item 17. Hist Use Map
2004 Aerial Historical POD, POU & Conveyance
02
12N 20W
POD H-2
POD H-1
BITTERROOT RIVER
Point of Diversion
Water Service Line
Historical Place of Use
PRPM Full-Service, 1 ac
Supplemental, 2 ac
N
0
0.125
0.25
Miles
WGMGROUP
www.wgmgroup.com
LOC: Missoula County
TR: 12N 20W
BASE: 2004 Aerial
FILE: 07a_NIR2B_PRPM_HistUse
PROJ MGR: J Merritt
DRAWN BY: jmm
PROJ: 190301.2
DATE: 2/11/2021
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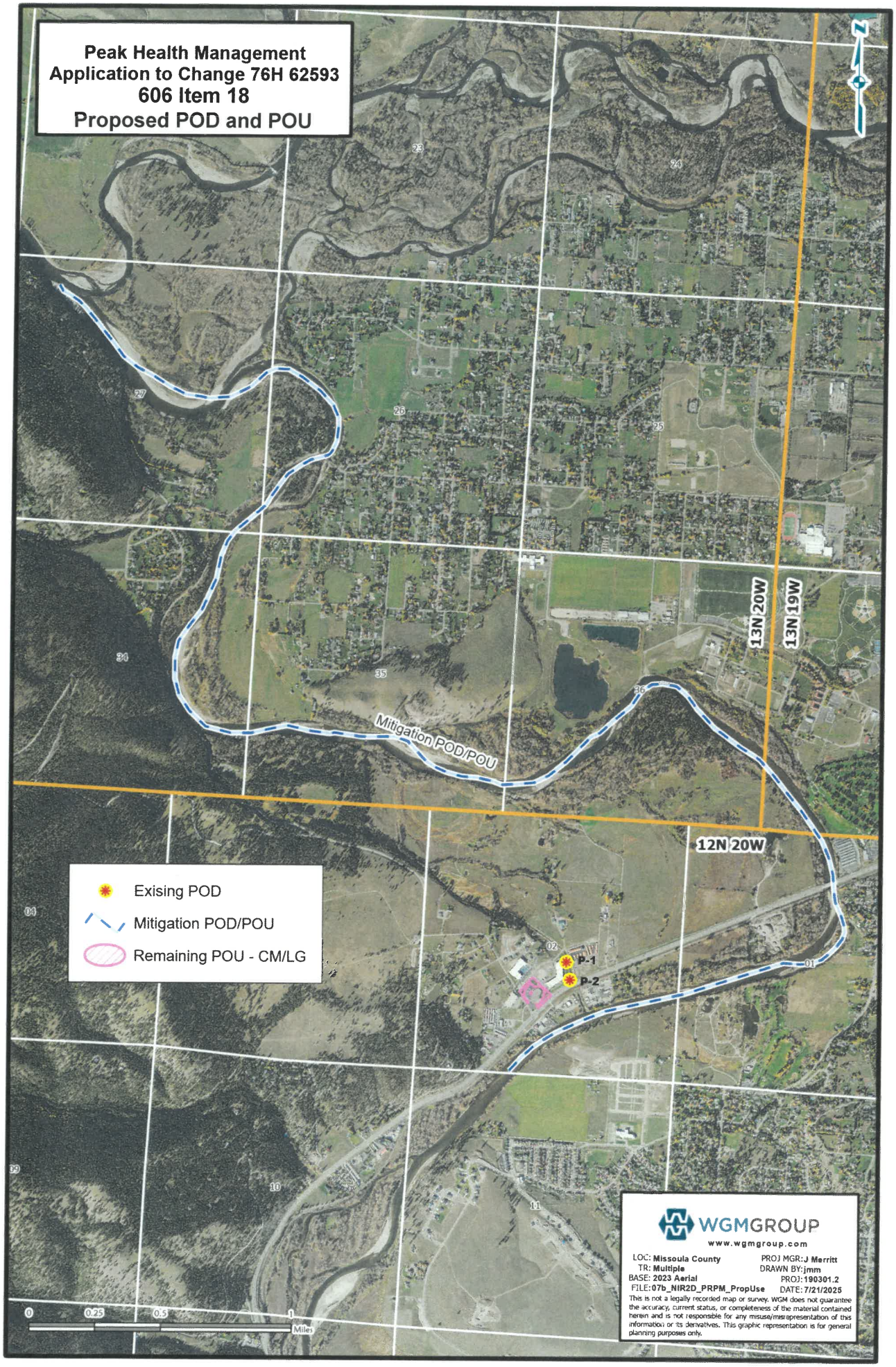
Peak Health
Management Company LLC
606 Item 18.
Proposed Use Map
SENW
SWNE
02
NESW
NWSE
12N 20W
SESW
SWSE
Retired Ac
Remaining Full-Service Ac
Remaining Supplemental Ac
WGMGROUP
www.wgmgroup.com
LOC: Missoula County
TR: 12N 20W
BASE: 2017 Aerial
FILE: z16b_PRPM_Retired_Ac
PROJ MGR: J Merritt
DRAWN BY: jmm
PROJ: 190301.2
DATE: 1/4/2022
This is not a legally recorded map or survey. WGM does not guarantee the accuracy, current status, or completeness of the material contained herein and is not responsible for any misuse/misrepresentation of this information or its derivatives. This graphic representation is for general planning purposes only.
0
250
500
Feet


Peak Health Management
Application to Change 76H 62593
606 Item 18
Proposed POD and POU
N
13N 20W
13N 19W
12N 20W
Mitigation POD/POU
P-1
P-2
Exising POD
Mitigation POD/POU
Remaining POU - CM/LG
0
0.25
0.5
1
Miles
WGMGROUP
www.wgmgroup.com
LOC: Missoula County
TR: Multiple
BASE: 2023 Aerial
FILE: 07b_NIR2D_PRPM_PropUse
PROJ MGR: J Merritt
DRAWN BY: jmm
PROJ: 190301.2
DATE: 7/21/2025
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2025-10-03 Peak Permit Change Applicaiton

Final Audit Report 2025-10-03

Created:	2025-10-03
By:	Lara Andre (landre@wgmgroup.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAxmOg5VcrMDI59ZC-JM07dQLMY-B4MCIm

"2025-10-03 Peak Permit Change Applicaiton" History

Document created by Lara Andre (landre@wgmgroup.com)
2025-10-03 - 6:13:00 PM GMT

Document emailed to charlie@peakmissoula.com for signature
2025-10-03 - 6:14:34 PM GMT

Email viewed by charlie@peakmissoula.com
2025-10-03 - 6:59:38 PM GMT

Signer charlie@peakmissoula.com entered name at signing as Charles Eiseman
2025-10-03 - 7:03:31 PM GMT

Document e-signed by Charles Eiseman (charlie@peakmissoula.com)
Signature Date: 2025-10-03 - 7:03:33 PM GMT - Time Source: server

Agreement completed.
2025-10-03 - 7:03:33 PM GMT

Missoula Water Resources Regional Office
PO Box 5004
2705 Spurgin Road, Bldg. C
Missoula, MT 59806-5004
(406) 721-4284

September 19, 2025
Peak Health Management Company LLC
3565 Pattee Canyon Rd
Missoula, MT 59803-1826
Subject: Completed Technical Analysis for Change Preapplication No. 76H 30171414

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. 76H 30171414 based on the information provided in your Preapplication Meeting Form accepted by the Department on July 22, 2025. The technical analyses can be found in the attached report. Please note this Change Technical Analyses Report is a two-part publication, comprised of a Part A completed by Benjamin Thomas, and a Part B completed by Kimberly Bolhuis.

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 Missoula Regional Office by March 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)).

Sincerely,

Benjamin Thomas

Benjamin Thomas
Water Conservation Specialist
Missoula Regional Office
(406) 542-5883 | benjamin.thomas@mt.gov

cc: Julie Merritt, WGM Group

Groundwater Change Technical Analyses Report – Part A

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

Benjamin Thomas, Water Conservation Specialist, Missoula Regional Office

Applicant	Peak Health Management Company LLC
Application No.	76H 30171414
Proposed Point of Diversion	SWNWSE & NWNWSE Section 2, T12N, R20W, Missoula County

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).

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

Variances

No variances were requested for this application.

1.0 Application Details

The Applicant proposes to change the point of diversion, place of use, and purpose for Provisional Permit 76H 62593-00. The proposed purpose is mitigation water for Permit

Application 76H 30150412. The proposed place of use is the Bitterroot River from the southern boundary of Section 2, T12N, R20W to the confluence of the Bitterroot and Clark Fork rivers in Section 27 T13N, R20W. Instream points of diversion will be added along the same reach. The project is located in Missoula County, and the source is groundwater.

Table 1: Water Right(s) Proposed for Change

Water Right Number	Flow Rate	Purpose	Volume	Period Of Use	Place Of Use	Points Of Diversion	Priority Date
76H 62593-00	120 GPM	Commercial	N/A - Flow Rate Only	1/1 to 12/31	SENESW Sec. 2, T12N, R20W	SWNWSE & NWNWSE Sec. 2 T12N R20W	5/5/1986
		Irrigation (Lawn & Garden)	3.5 AF	4/15 to 10/15	SENESW Sec. 2, T12N, R20W		

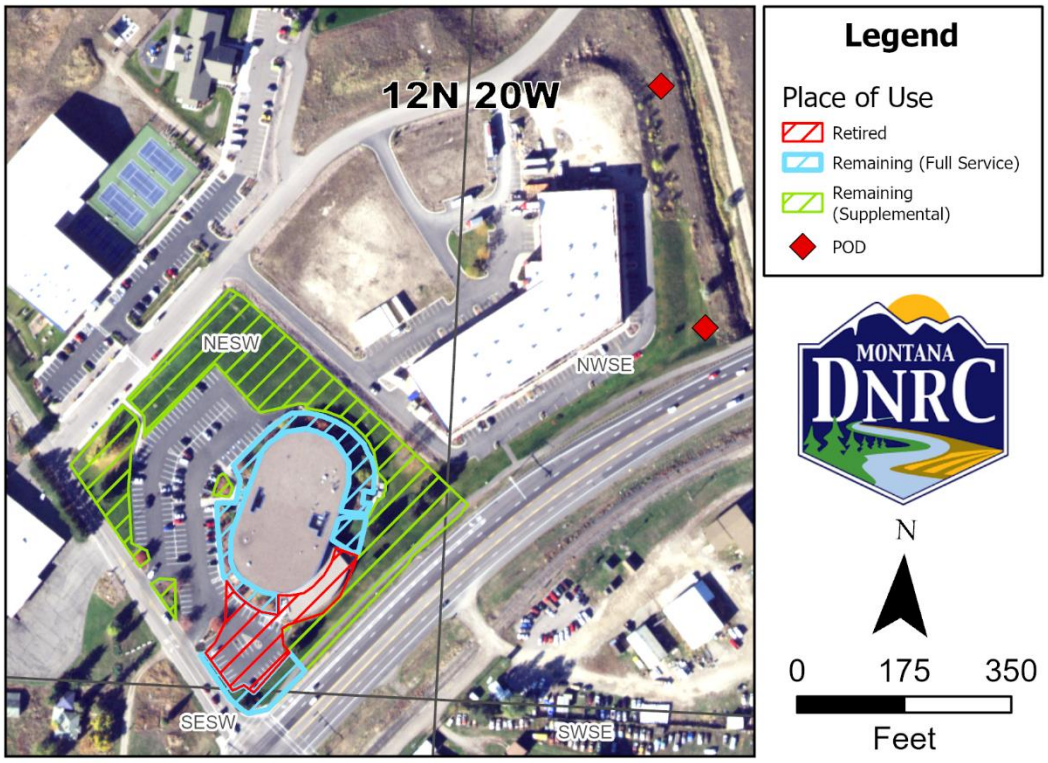

Figure 1: Map of the Applicant's proposed POD on the source and proposed place of use.

2.0 Historical Use Analysis

2.1 Historical Field Consumed and Applied Volumes

The consumed volume for turf grass is based on the net irrigation requirement (NIR) from USDA Natural Resources Conservation Service Irrigation Water Requirements (IWR) at a representative weather station. The IWR parameters for turf grass are described in the DNRC Turf Grass Memo. The NIR, provided by the IWR program in inches, is converted to feet. This is equivalent to the consumptive volume in acre-feet per acre for the irrigated area. To calculate the field applied volume, the consumed volume is divided by a 70% sprinkler field application efficiency value.

The Department's 1997 verification of Provisional Permit 76H 62593-00 confirmed that 3.0 acres of lawn and garden were sprinkler irrigated, and Google Earth aerial imagery from 2002 confirms the lawn surrounding the parking lot and building to be irrigated. The Missoula WSO AP weather station was used, and the NIR was calculated to be 20.38 inches (1.70 AF/ac).

One acre is fully serviced by Provisional Permit 76H 62593-00. The other two acres are irrigated by the remaining volume on the Permit and supplementarily supplied by Ground Water Certificate 76H 65902-00. The flow rate for the Permit was verified at 23.4 GPM for the commercial purpose, resulting in a total flow rate of 120 GPM for the commercial purpose when used with the supplemental right. The irrigation purpose was verified at 120 GPM, however, implying that the full 120 GPM is necessary to run the sprinkler system on the 1 acre that was not supplementally supplied. The relationship between the Permit and Ground Water Certificate is shown in Table 2.

Table 2: Apportionment of Historical Consumptive Use by Water Right and Irrigated Area

Water Right No.	Apportioned HCV	Apportioned Field Application Volume	Percent of Volume Provided	Apportioned Flow Rate	Percent of Flow Rate Provided
Provisional Permit 76H 62593-00 (1 ac)	1.7 AF	2.43 AF	100%	120 GPM	100%
Provisional Permit 76H 62593-00 (2 ac)	0.75 AF	1.07 AF	22%	23.4 GPM	19.5%
Ground Water Certificate 76H 65902-00 (2 ac)	2.65 AF	3.79 AF	78%	96.6 GPM	80.1%
Total	**5.1 AF**	**7.29 AF**	--	--	--

2.2 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. The irrigation of the Peak Health property is done by a sprinkler system sourced from a well; as such, there are no meaningful conveyance losses, and historical diverted volume is equal to the historical field application volume. Table 3 below summarizes the historical field applied and conveyance loss volumes.

Table 3: Apportionment of Historical Diverted Volume by Water Right and Irrigated Area

Water Right No.	Apportioned Historical Diverted Volume	Service Percentage of Irrigated Area
Provisional Permit 76H 62593-00 (1 ac)	2.43 AF	100%
Provisional Permit 76H 62593-00 (2 ac)	1.07 AF	22%
Ground Water Certificate 76H 65902-00 (2 ac)	3.79 AF	78%
Total	**7.29 AF**	--

2.3 Summary of Historical Use

The Department will consider the following values when evaluating the historical use of Provisional Permit 76H 62593-00 for the adverse effect criterion:

Table 4: Summary of historical use of Provisional Permit 76H 62593-00

Water Right No.	Historical Purpose	Maximum Historical Acres	Historical Place of Use	Historical Point of Diversion	Maximum Historical Flow Rate	Historically Consumed Volume	Historically Diverted Volume
76H 62593-00	Commercial	N/A	SENESW Sec. 2, T12N, R20W	SWNWSE & NWNWSE Sec. 2 T12N R20W	120 GPM	N/A – Flow Rate Only	N/A – Flow Rate Only
	Irrigation (Lawn & Garden)	3.0				2.45 AF	3.5 AF

Review

This document has been reviewed by the Department on September 19, 2025.

References

Department Standard Practice for Determining Historical Use
DNRC Consumptive Use Methodology – Turf Grass Memo, dated March 23, 2010

Groundwater Change Technical Analyses Report- Part B

The Montana Department of Natural Resources and Conservation (DNRC)
Water Resources Division

Kim Bolhuis, Groundwater Hydrologist, Water Sciences Bureau (WSB)

Applicant Name	Peak Health Management Company LLC
Application No.	76H 30171414
Point of Diversion Legal Land Description	2 Wells in Section 2, Township 12 North, Range 20 West, Missoula County

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).

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

1.0 Executive Summary

Application Details

The Applicant proposes to change a portion of the historical place of use (3-acres) of Provisional Permit No. 76H 62593 00 by retiring 0.46 acres of the 1-full service acre associated sole with Provisional Permit No. 76H 62593 00. The Provisional Permit is supplemental to Ground Water Certificate No. 76H 65902 00 for 2 acres of lawn and garden. Of the 1-full-service acre, 0.54 acres would be retained for lawn and garden irrigation.

The retired acreage and associated volume would be left in the aquifer and would offset a portion of the net depletions associated with Provisional Permit No. 76H 30150412. As part of the proposed mitigation plan, Statement of Claim No. 76H 30122609 would also be changed and a total of 10.3 acre-feet (AF) used for

aquifer recharge and mitigation purposes to offset the balance of net depletions from Provisional Permit No. 76H 30150412 .

Aquifer Testing Variances from ARM 36.12.121

This groundwater change application did not propose to move the points of diversion (POD) associated with Provisional Permit No. 76H 62593-00. Therefore, no aquifer testing was required.

WSB Technical Analyses Findings

Based on information submitted, the effect of the proposed use on hydraulically connected surface water sources was evaluated by comparing net depletions to surface water for existing and proposed conditions. These analyses are in support of the criteria assessment for adverse effect. A summary of WSB findings described in subsequent sections are listed below.

TECHNICAL ANALYSES FINDINGS

AQUIFER TEST ANALYSIS	This application is for a change in place of use, no aquifer testing was required.
MODELING INPUTS	Groundwater modeling inputs were not necessary to complete this report.
ADEQUACY OF DIVERSION	This application is for a change in place of use, no adequacy of diversion analysis was required.
ADVERSE EFFECT (DRAWDOWN IN EXISTING WELLS)	This application is for a change in place of use, no analysis of drawdown in nearby wells was required.
ADVERSE EFFECT (NET DEPLETION TO SURFACE WATER)	The net depletions from historical lawn and garden irrigation on 1.0 full-service acre under Provisional Permit No. 76H 62593-00 is 1.70 AF/annum. The net depletions associated with the remaining 0.54 acres of lawn and garden would be 0.92 AF/annum. The net effect to the Bitterroot River from retiring 0.46 acres of lawn and garden is 0.78 AF/annum.
ADVERSE EFFECT (RETURN FLOWS)	Return flows are not evaluated for applications proposing a change in the lawn and garden place of use.

Table 1: Net effect to the Bitterroot River from historical and proposed uses.

Month	HISTORICAL USE			PROPOSED			DIFFERENCE	
	Consumed Volume (AF)	Net Depletion (AF)	Net Depletion (gpm)	Consumed Volume (AF)	Net Depletion (AF)	Net Depletion (gpm)	Net Effect (AF)	Net Effect (gpm)
January	0.00	0.14	32.1	0.00	0.08	17.4	0.07	14.7
February	0.00	0.13	32.1	0.00	0.07	17.4	0.06	14.7
March	0.00	0.14	32.1	0.00	0.08	17.4	0.07	14.7
April	0.04	0.14	32.1	0.02	0.08	17.4	0.06	14.7
May	0.21	0.14	32.1	0.11	0.08	17.4	0.07	14.7
June	0.34	0.14	32.1	0.18	0.08	17.4	0.06	14.7
July	0.47	0.14	32.1	0.26	0.08	17.4	0.07	14.7
August	0.41	0.14	32.1	0.22	0.08	17.4	0.07	14.7
September	0.21	0.14	32.1	0.12	0.08	17.4	0.06	14.7
October	0.02	0.14	32.1	0.01	0.08	17.4	0.07	14.7
November	0.00	0.14	32.1	0.00	0.08	17.4	0.06	14.7
December	0.00	0.14	32.1	0.00	0.08	17.4	0.07	14.7
Total	**1.70**	**1.70**		**0.92**	**0.92**		**0.78**	

2.0 Hydrogeologic Setting

The Missoula Valley consists of Quaternary alluvial sands and gravels overlying bedrock of the Precambrian Belt Supergroup (LaFave, 2006). The alluvial aquifer is largely unconfined, with locally confined aquifer sequences due to laterally discontinuous clay layers. The bedrock aquifer occurs along the valley margin, where the overlying alluvial sediments are thin and the bedrock is close to the surface (LaFave, 2006). The southern end of the valley, along the Bitterroot River, is characterized by shallow alluvium overlying bedrock. There is sufficient fracture permeability in the Belt Supergroup rocks to yield water to wells (LaFave, 2006; Smith et al., 2013). However, the permeability is variable due to irregular fracture distribution and differing capabilities of the fractures to transmit water. This results in large variations in well yield from place to place. The aquifer is primarily recharged from infiltration of snowmelt and precipitation in areas where the bedrock is exposed, and from leakage from overlying or adjacent deposits. Potentiometric-surface mapping shows that groundwater in the bedrock along valley margins is in hydraulic communication with the basin-fill aquifer (LaFave, 2006).

As identified in **Figure 1**, the existing PODs are located in the SENWSE ¼ of Section 2, Township 12 North, Range 20 West, 1.3 miles southwest of Missoula in Missoula County. The existing Production Wells, Groundwater Information Center (GWIC) IDs 67088 and 67089, are approximately 790 feet (ft) east of the

place of use (POU) and separated by 360 ft. Well 1 (GWIC 67088) is completed to 120 ft below ground surface (bgs), screened from 55 to 118 ft bgs, and has a static water level (swl) of 10.94 ft below the top of the casing (btc). Well 2 (GWIC 67089) is completed to a depth of 118.5 ft bgs, screened between 40 to 118 ft bgs, and has a swl of 9.52 ft btc. Well 1 is screened entirely within bedrock of the Belt Supergroup (aquifer code: 400BELT). The top 8 ft of the screen of Well 2 is in the Missoula Valley alluvium, and the rest of the screen in bedrock (aquifer code: 400BELT). The lithologic logs of both Production Wells, along with several nearby wells completed in the bedrock, indicate clays mixed with gravels, sand, and cobbles in the overlying alluvium, possible representing a semi-confining layer.

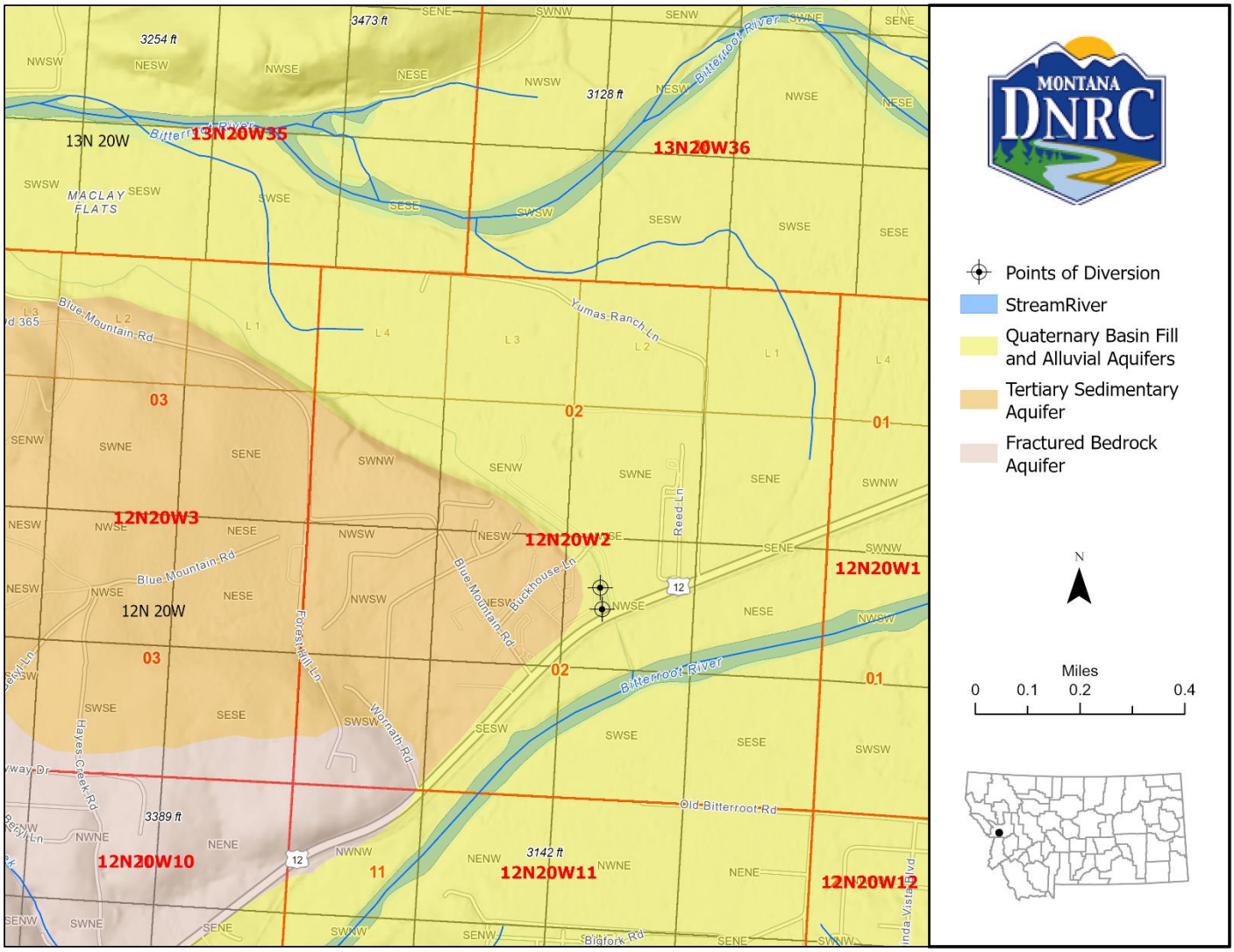

Figure 1: Map of the Applicant's existing Production Wells.

7.2 Surface Water - Net Depletions (Consumed Water)

Pursuant to *Montana Trout Unlimited v. DNRC*, 2006 MT 72, 331 Mont. 483, 133 P.3d 224, the DNRC recognizes the connection between surface water and groundwater, and the effect of pre-stream capture and induced infiltration on surface waters.

Net depletions to surface water depend on propagation of drawdown to areas of the aquifer from which water can be captured. Captured water consists of two possible sources – a reduction in the natural discharge (outflow) rate of groundwater from the aquifer (pre-stream capture) or an increase in the natural/artificial recharge (inflow) rate to the aquifer (e.g. induced infiltration). Two important assumptions are made when evaluating net depletions: first the stream and underlying aquifer remain hydraulically connected by a continuous saturated zone, and second, the stream does not become dry. In addition, net depletion is not a function of groundwater flow rate or direction (Theis, 1938; Leake, 2011) and drawdown from pumping can propagate through the entire thickness of the confining layer to overlying aquifers or surface waters (Konikow and Neuzil, 2007).

As such, net depletions are identified for hydraulically connected surface water sources, not including ditches or ephemeral streams. Net depletion is equal to consumption for proposed groundwater use and is described as the calculated volume, rate, timing, and location of reductions to surface water that are offset by return flows (non-consumed water). Net depletion is evaluated by 1.) quantifying the consumed volume associated with the proposed use; 2.) identifying hydraulically connected surface waters; and 3.) calculating the monthly rate and timing of net depletions to affected surface water(s).

1. Consumed Volume

Consumed groundwater does not return to the source aquifer. Consumed volume depends on the proposed use and its associated percentage of known consumption. Depletion is assumed to be equivalent to consumption on an annual basis unless return flows do not accrete to the potentially affected surface water.

Monthly consumption for irrigation of turf grass (lawns) is calculated using the minimum efficiency value of 70% and net irrigation requirement (NIR) from the Irrigation Water Requirement (IWR) program (NRCS, 2003) with inputs consistent with DNRC (2010) Consumptive Use Methodology for turf grass. The NIR, given in inches, is converted to feet and then multiplied by the proposed acreage to be irrigated, resulting in the consumptive volume.

WSB Findings

The monthly consumed volume for sprinkler irrigation for lawn and garden use is based on the NIR for a dry year calculated using the IWR program (NRCS, 2003), coupled with a net irrigation depth applied each season of 1 inch and carryover moisture of 0.25 inches at both the start and end of the irrigation season (DNRC, 2010). Annual start and end dates of April 14 and October 13 were computed in IWR based on the mean daily temperature of 45 degrees Fahrenheit, which is considered the minimum mean daily temperature for the growing season. These inputs are consistent with DNRC consumptive use rules in ARM 36.12.1902. The NIR for pasture grass using the Missoula WSO AP (MT5745) weather station is 20.38 inches.

The historically consumed volume for Statement of Claim No 76H 62593 00 for lawn and garden sprinkler irrigation historical POU was 1.70 AF, leaving a non-consumed volume of 0.73 acres (**Table 2)**. The proposed change, which involves retiring 0.46 acres from the historical 1.0-acre full-service POU and irrigating the remaining 0.54 acres, would have a consumed volume of 0.92 AF and non-consumed volume of 0.39 AF (**Table 3**).

Table 2: Historical use for irrigating 1.0 acre of lawn and garden.

Irrigation Method	Acres	IWR (in)[1]	Diverted Volume (AF)[2]	Total Consumed Volume (AF)[2]	Non-Consumed Volume (AF)
Sprinkler	1.0	20.38	2.43	1.70	0.73

[1]IWR Flood Irrigation, Wheeline & Handline Seasonal ET (inches)- Missoula Airport Weather Station
[2]The diverted volume is calculated by dividing the consumed volume by the standard sprinkler efficiency of 70% (0.70).

Table 3: Proposed use, retiring 0.46 acres, irrigating 0.54 acres of lawn and garden.

Irrigation Method	Acres	IWR (in)[1]	Diverted Volume (AF)[2]	Total Consumed Volume (AF)[2]	Non-Consumed Volume (AF)
Sprinkler	0.54	20.38	1.31	0.92	0.39

[1]IWR Flood Irrigation, Wheeline & Handline Seasonal ET (inches)- Missoula Airport Weather Station
[2]The diverted volume is calculated by dividing the consumed volume by the standard sprinkler efficiency of 70% (0.70).

2. Hydraulically Connected Surface Water(s) and Location of Net Depletions

Potentially affected surface waters in a net depletion evaluation are identified by their hydraulic connection, both direct and indirect, to the source aquifer of a proposed groundwater diversion. 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 a proposed well in an unconfined/confined aquifer or regional bedrock aquifer can be found in DNRC (2018) and DNRC (2019), respectively. Net depletion is 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) for determining the effect of groundwater diversion on specific streams.

Following protocols in DNRC (2018), **Table 4** identifies published information used to assess hydraulically connected surface water(s) and suggests the Bitterroot River is the only perennial surface water source that would be depleted. Not all data may be available for each project and is noted as "NA" when that occurs.

Table 4: Published information used to identify hydraulically connected surface water(s).

Published Information	**Surface Water Source:** Bitterroot River
USGS National Hydrographic Dataset (NHD)[1]	Perennial
USGS PROSPER Dataset[2]	Perennial (rating 0.6-0.8)
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]	Mapped: GWIC ID Nos. 67090, 67122, 321912, 321908, 321911, 246089 **(Figure 2)**
Published Water Table Maps, Publications, Previous Water Rights, etc.[4]	LaFave, 2006; Smith et al. (2013)
Gridded National Soil Survey Geographic Database[5]	Hydric conditions mapped along river **(Figure 2)**
Aerial imagery	Wet channel (NAIP 2013-2024)
Affidavits, photographs, etc.	NA

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

[2] USGS PROSPER probability of streamflow permanence (greater than 50 percent of the time it flows).

[3] Per DNRC (2018) 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.

[4]Potentiometric-surface mapping shows that groundwater in the bedrock along valley margins is in hydraulic communication with the alluvial aquifer (LaFave, 2006).

[5] Review Gridded National Soil Survey Geographic Database to identify hydric soils or shallow water tables near surface water sources.

WSB Findings

Based on the review of the published information in **Table 4**, the source aquifer is hydraulically connected to the Bitterroot River, a perennial surface water source. Potentiometric-surface mapping shows that groundwater in the bedrock along valley margins is in hydraulic communication with the alluvial aquifer

(LaFave, 2006); therefore, an examination of the alluvial aquifer hydraulic connection to the Bitterroot River will suffice for the bedrock aquifer. Based on the DNRC's determination for Permit Application No. 76H 30046211 and 76H 30118748 and information from LaFave (2006) and Smith et al. (2013), net depletion from the proposed use is expected to accumulate in the Bitterroot River downstream of the southern boundary of Section 2, Township 12 North, Range 20 West, Missoula County (**Figure 2**).

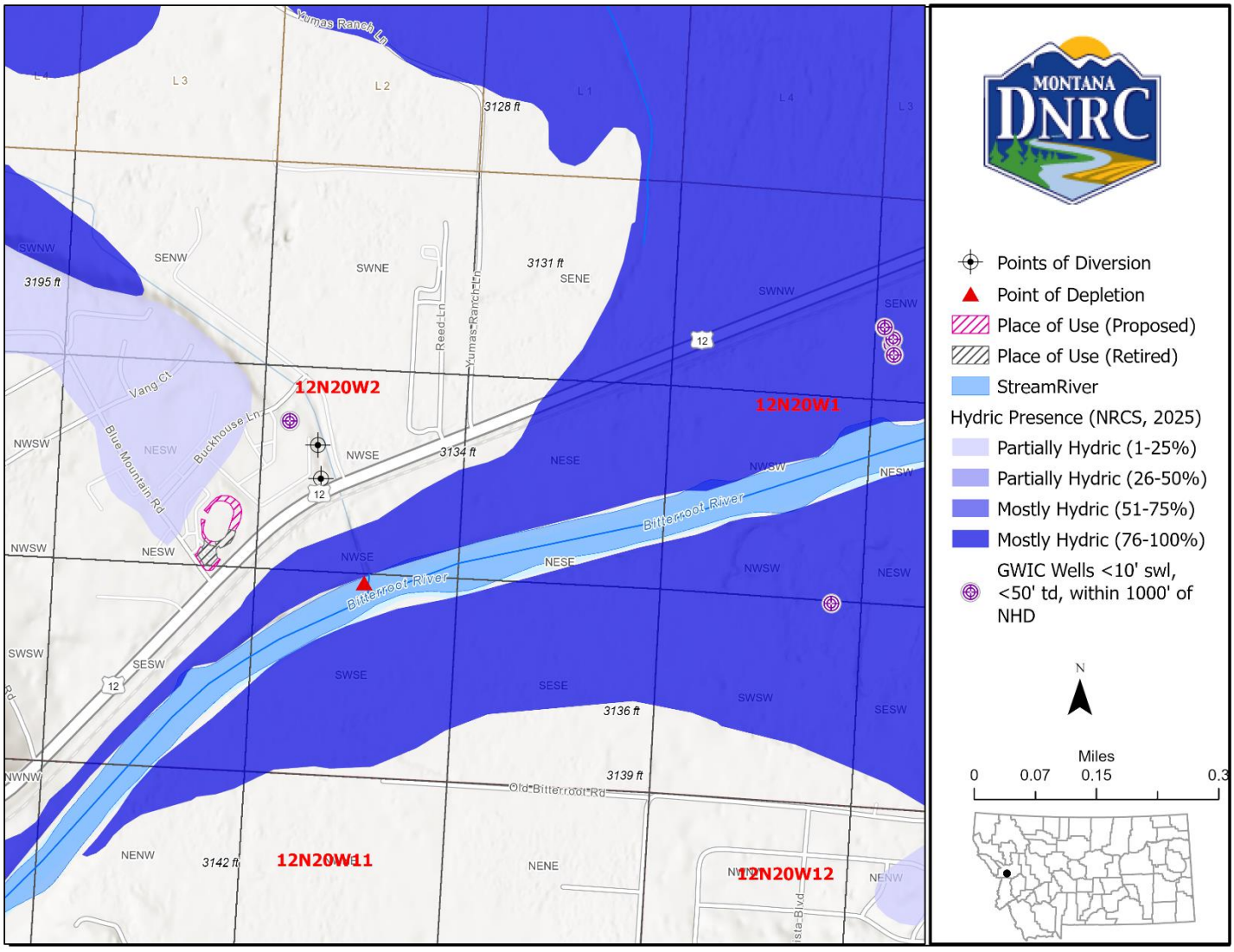

Figure 2: Location of wells used to assess hydrologic connection and starting point of the depleted reach for Change Application No. 76H 30171414.

3. Rate and Timing of Depletions

Evaluations of the rate and timing of depletions caused by pumping are based on the basic concept that groundwater pumping eventually is offset by an equivalent increase in recharge or decrease in discharge (Theis, 1940; Leake et al., 2008), a process defined as capture by Lohman (1972). Capture occurs as drawdown propagates to surface water and areas of phreatophyte vegetation that takes water directly from groundwater. In the absence of credible evidence to the contrary, capture of ET by phreatophytes is neglected and net depletion is assumed to equal total capture. This assumption is justified because published estimates for conditions common in Montana alluvial valleys indicate capture of ET generally is less than 10 percent of total capture (Xunhong, 2006). Capture of ET in ephemeral drainages may be significant and will be evaluated on an application-by-application basis.

The rate and timing of net depletion caused by pumping may be modeled using a variety of analytical and numerical models selected to fit site-specific conditions and needs. Simple models including the Alluvial Water Accounting System (AWAS), the Well Pumping Depletion Model (WPDM) or FWD:SOLV (HydroSOLVE, 2024) typically are used by DNRC to model depletions to one source with simple aquifer boundaries. Adjustments may be made for more complex conditions or multiple sources using methods like those described by Contor (2011), analytical models by Hunt (2003) and Butler et al. (2001) or a superposition numerical groundwater flow model.

Modeling is not necessary in some situations such as where the proposed use is constant year-round because of the depth to the source aquifer and a distance to potentially affected stream reaches. Modeling of depletions can be simplified if the proposed place of use is located the same relative distance from the potentially affected surface water as the proposed wells and all non-consumed water infiltrates the source aquifer and returns to the potentially affected surface water as return flows. Under those simplifying assumptions, depletion can be modeled based on withdrawal of the monthly consumed amounts. Otherwise, depletion by the full withdrawals and return flows need to be modeled separately with net depletion calculated as depletion minus return flows.

The net depletion is expected to be dampened due to a confining unit above the source aquifer and result in a constant year-round net depletion (**Table 1**). The calculated consumed volumes and monthly net depletions for Change Application No. 76H 30171414 are reported in **Table 1**. The rate and timing of historical net depletions to the Bitterroot River associated with 1-acre of full service lawn and garden irrigation, the proposed use (0.54-acres of lawn and garden), and net effect of the proposed change (retire 0.46 acres) is presented in **Table 1**. Positive values of net depletion correspond to increased flows while negative values correspond to reduced stream flows.

Mitigation Plan Assessment Provisional Permit No. 76H 30150412

The points of diversion associated with the water right proposed for change are the same as the wells authorized under Provisional Permit No. 76H 30150412. The retired acreage and associated volume would be left in the aquifer and would offset a portion of the net depletions associated with Provisional Permit No. 76H 30150412. As a result of retiring 0.46 acres, 0.78 AF/annum would not be depleted from the Bitterroot River as identified in **Table 1**.

Review

This document has been reviewed on September 18, 2025, in accordance with Category 7 of DNRC's Water Sciences Bureau Minimum Standards of Review, Version 2, February 2024.

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Missoula Water Resources Regional Office
PO Box 5004
2705 Spurgin Road, Bldg. C
Missoula, MT 59806-5004
(406) 721-4284

August 5, 2025
Peak Health Management Company LLC
3565 Pattee Canyon Rd
Missoula, MT 59803
Subject: Complete Preapplication form for Change Application No. 76H 30171414

Dear Applicant,

The Missoula Regional Office of the Department of Natural Resources and Conservation (DNRC or Department) received your Preapplication Meeting Form and preapplication meeting fee on July 29, 2025, and the Department deemed the submitted Preapplication Meeting Form to be successfully completed per ARM 36.12.1302 on August 5, 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 August 5, 2025.

Please let me know if you have any questions.

Sincerely,

Benjamin Thomas

Benjamin Thomas
Water Conservation Specialist
Missoula Regional Office
(406) 542-5883 | benjamin.thomas@mt.gov

cc: Julie Merritt, WGM Group

PREAPPLICATION MEETING FORM: PART B
CHANGE

§ 85-2-302(3)(b), MCA
Form No. 606P-B *(Revised 02/2025)*

For Department Use Only

Application # 30171414 Basin 76H
Form Received 7-29-2025
Fee Rec'd $ 100 + 400 Check # 83314 & 1232
Deposit Receipt # MS52601685 & MS52406279
Payor WGM Group Inc & Miller Law PLLC
Form Returned
Refund $ Date

RECEIVED

JUL 29 2025

MONTANA D.N.R.C
MISSOULA REGIONAL OFFICE

PREAPPLICATION MEETING FEE
$ 500

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

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

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

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

   If yes,

   a. Date form was returned ("Form Returned" date found in "For Department Use Only" box on the previously submitted Form 606P-B): _____

   b. If a "Follow-up Responses" or "Amended Responses" document is required by questions 2 or 3, submit complete updated documents with responses that stand-alone. The Department will only use the most recently submitted "Follow-up Responses" and "Amended Responses" documents for departmental technical analyses or scientific credibility review; the Department will not use multiple versions of a document.

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

   If yes,

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

FOLLOW-UP AND AMENDED RESPONSES AFFIDAVIT & CERTIFICATION

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

Charlie Eiseman
Charlie Eiseman (Jul 28, 2025 16:46:33 MDT)

Applicant Signature — Date: Jul 28, 2025

Applicant Signature — Date

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

Department Signature — Date: 8-5-2025

Department Signature — Date

PREAPPLICATION MEETING FORM: PART A

CHANGE

§ 85-2-302(3)(b)

Form No. 606P-A *(Revised 02/2025)*

For Department Use Only

Application # 30171414 Basin 76H

Meeting Date 7/22/2025 Time 11:00

Variance Request Deadline _____

Completed Form Deadline 1/18/2026

PREAPPLICATION MEETING FEE

$ 500

FILING FEE REDUCTION & EXPEDITED TIMELINE

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

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

Applicant Information: *Add more as necessary.*

Applicant Name PEAK HEALTH MANAGEMENT COMPANY LLC
Mailing Address 3565 PATTEE CANYON RD City MISSOULA State MT Zip 59803
Phone Numbers: Home _____ Work _____ Cell _____
Email Address charlie@peakmissoula.com

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

Contact/Representative Information: *Add more as necessary.*

Contact/Representative is: ☐Applicant ☑Consultant ☐Attorney ☐ Other (describe) _____
Contact/Representative Name Julie A Merritt - WGM GROUP INC
Mailing Address 1111 E Broadway City MISSOULA State MT Zip 59802
Phone Numbers: Home _____ Work _____ Cell (406) 207-2358
Email Address jmerritt@wgmgroup.com

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

Meeting Attendees: *Add more as necessary.*

Name	Organization	Position
Jim Nave	DNRC	Regional Manager
Alex Dalgleish	DNRC	Water Resource Specialist
Benjamin Thomas	DNRC	Water Resource Specialist
Julie Merritt	WGM Group	Consultant
Ross Miller	Miller Law, PLLC	Attorney
Kimberly Bolhuis	DNRC	Hydrologist

Table of Contents

Application Details

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

S = Submitted. *Use when required item is included with form.*
A = See attachment. *Use when additional space is needed to answer a question.*
F = Follow-up. *Use when follow-up is necessary.*

Questions, Narrative Responses, and Tables	Check-boxes	Follow-Up
1. Do you elect to have DNRC conduct technical analyses?	☑ Y ☐ N	☐ F
2. How many change applications will be needed for this project? Please refer to ARM 36.12.1305 for more information. 2 Changes are needed for the overall project but only 1 application is needed for this specific part		☐ F
3. Which water right(s) are proposed for change?	☐ A	☐ F

Water Right No.	Current Authorized Flow Rate			Flow Rate Needed for Project			Means of Diversion
	Flow	*GPM*	*CFS*	*Flow*	*GPM*	*CFS*	
76H 62593	120	☑	☐	0.48	☑	☐	LEAVING VOLUME UNDIVERTED
		☐	☐		☐	☐	(0.48 is flow that will accumulate to stream)
		☐	☐		☐	☐	
		☐	☐		☐	☐	
		☐	☐		☐	☐	

4. Is the proposed change on a non-filed water project?	☐ Y ☑ N	☐ F
a. If yes, please submit a Non-Filed Water Project Addendum (Form 606/634-NFWPA). The project must meet the requirements of the addendum. The addendum is required before the Preapplication Meeting Form is completed.	☐ S	☐ F

5. Is the source surface water or groundwater? GROUNDWATER		
6. What is the source name? GROUNDWATER		
7. Identify the water right elements proposed for change, with a checkmark, for each water right proposed for change.	☐ A	☐ F

Water Right #	76H 62593					
Point of diversion	☑	☐	☐	☐	☐	☐
Place of use	☑	☐	☐	☐	☐	☐
Purpose of use	☑	☐	☐	☐	☐	☐
Place of storage	☐	☐	☐	☐	☐	☐

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

POD ID	¼	¼	¼	Sec	Twp	Rge	County	Lot	Block	Tract	Subdivision	Gov. Lot	New or Unchanged
											See attached		

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

POD ID	¼	¼	¼	Sec.	Twp.	Rge	County	Lot	Block	Tract	Subdivision	Gov. Lot

12. What is the means of diversion for all *new* PODs? Means of diversion for surface water includes headgate, pump, dam, and others. Means of diversion for groundwater includes well, developed spring, pit pond, and others. INSTREAM		☐ F
13. Does the change involve a change in place of use?	☑ Y ☐ N	☐ F
a. If yes,		
i. What are the geocodes of the proposed place of use?	☐ A	☐ F

NO GEOCODES FOR INSTREAM MITIGATION	

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

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

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

Water Right No.	**Contributions to Use**			**Average Period of Contribution**	**Flow Rate Contributed**			**Volume Contributed**
	Hist.	*Prop.*	*Both*	*MM/DD-MM/DD*	*Flow*	*GPM*	*CFS*	*AF*
76H 65902	☐	☐	☑	1/1-12/31	96.6	☑	☐	14.0
76H 62593	☐	☐	☑	1/1-12/31	23.4	☑	☐	2.35
	☐	☐	☐			☐	☐	

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

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

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

Historical Use

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

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

Statement of Claim Number	Previous Change Authorization Number	Project Completion Notice Date	Previous Historical Use Analysis Quality

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

☐ A ☐ F

Provisional Permit Number	Project Completion Notice Date	Previous Change Authorization Number	Previous Change Project Completion Notice Date	Previous Historical Use Analysis Quality
76H 62593	12/31/1996	76H 30150413	N/A	7/2022 analysis- recent & applicable

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

☐ A ☐ F

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

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

Water Right No. Proposed for Change	**Historical Use Analysis Options**
76H 62593	☐ New Historical Use Analysis. Date for which historical use will be analyzed: _____
	☑ Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: 76H 30150413
	☐ Full Historical Use Analysis N/A. Water right number serving as historical use in lieu of analysis: _____

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

35. Do you have knowledge of historical use?	☑ Y ☐ N	☐ F
a. If yes,		
i. Is this firsthand knowledge?	☐ Y ☑ N	☐ F
ii. Who has this knowledge and what was their role? _____	☐ A	☐ F
b. If no, where will the historical use data be derived? PROJECT COMPLETION NOTICE & WATER MEASUREMENT DATA _____	☐ A	☐ F

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

36. What is the water right number for which questions 37 to 56 will be answered? 76H 62593		☐ F

Historical Use: Place of Use

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

Water Right No.	Priority Date	Reason Not Included in Change
76H 65902	8/3/1987	The portion of the POU being retired was only associated with Permit 76H 62593

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

Historical Use: Point of Diversion

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

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

POD ID	Means	Location (¼ ¼ ¼ Section)	Proposed for Change?
H-1	WELL/PUMP	SWNWSE 2 12N 20W	☐ Y ☑ N
H-2	WELL/PUMP	NWNWSE 2 12N 20W	☐ Y ☑ N
			☐ Y ☐ N
			☐ Y ☐ N

41. Do the legal land descriptions from the abstract encompass the actual locations of all historical points of diversion?	☑ Y ☐ N	☐ F
a. If no, explain the discrepancy and submit historical aerial photographs and/or other data sources to corroborate the location of these historical points of diversion, and, if a Statement of Claim, submit documentation of a written request submitted to the Water Court for amendment of the Claim. _____ _____	☐ S	☐ F
42. Answer questions below related to the diversion means for each of the historical points of diversion.		
a. Headgate		
i. For each headgate, provide dimensions in feet (FT), slope of the channel at the headgate (%), material of the headgate, estimated historical capacity in gallons per minute (GPM) or cubic feet per second (CFS) and the method used to estimate historical capacity. Label using the same POD ID letter as for the Historical Use Map (question 8).	☐ A	☐ F

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

b. Pump, dike, dam, or other surface water point of diversion		
i. For each pump, dike, dam, or other surface water point of diversion, provide an estimate of the historical capacity (GPM or CFS) and the method used to estimate the historical capacity. Label using the same POD ID letter as for the Historical Use Map (question 8).	☐ A	☐ F

POD ID	Estimated Capacity			Method
	Cap.	*GPM*	*CFS*	
		☐	☐	
		☐	☐	
		☐	☐	
		☐	☐	
		☐	☐	

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

POD ID	Estimated Capacity			Method
	Cap.	*GPM*	*CFS*	
H-1	120	☑	☐	Peak Well #1 Submersible Gould Model 100H074, 3-Phase, 230-volt, 10 hp
H-2	120	☑	☐	Peak Well #3 Submersible Gould Model 100H105, 3-Phase, 230-volt, 10 hp
		☐	☐	Each well is capable of producing 120 GPM individually
		☐	☐	
		☐	☐	

43. Do other water rights share any of the points of diversion?	☑ Y ☐ N	☐ F
a. If yes, list the water rights, their flow rates (GPM or CFS), and the nature of the relationship. Label using the same POD ID letter as for the Historical Use Map (question 8).	☐ A	☐ F

POD ID	Water Right No.	Flow Rate			Relationship
		Flow	*GPM*	*CFS*	
H-1 & H-2	76H 62593	23.4	☑	☐	BOTH WELLS AND BOTH RIGHTS ARE USED TOGETHER TO
H-1 & H-2	76H 65902	96.6	☑	☐	ACHIEVE NEEDED FLOW RATE AND VOLUME
			☐	☐	
			☐	☐	
			☐	☐	

Historical Use: Period of Diversion

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

44. Are the period of diversion and the period of use the same?	☑ Y ☐ N	☐ F
a. If no,		
i. Why are they different? _____ _____	☐ A	☐ F
ii. Is there a place of storage?	☐ Y ☐ N	☐ F
45. When was water diverted for the purposes of the water rights being changed?	☐ A	☐ F

Start Date (Month (MM)/Day (DD))	End Date (MM/DD)
04/15 (L&G irrigation purpose only)	10/15 (L&G irrigation purpose only)

46. Does the Department have a standard, found in ARM 36.12.112, for the period of diversion for all purposes for which water is used?	☐ Y ☑ N	☐ F
a. If yes, does the period of diversion for all purposes fall within Department standards?	☐ Y ☐ N	☐ F
b. If no, or if any period of diversion falls outside Department standards, explain how the period of diversion is reasonable for the purpose. The lawn and garden purpose proposed for change has a standard, which is met. The commercial purpose (which is not being changed) does not have a standard.	☐ A	☐ F

Historical Use: Historical Diverted Volume

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

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

b. Non-irrigation		
i. Explain your historical diversion schedule, with sufficient detail to estimate the volume of water historically diverted. This may include, but is not limited to, days per year water was historically diverted or the number of diversions per year and the duration of each diversion. Water is diverted year-round for CM use. This permit was issued for additional flow rate only for the CM use, no volume is associated with the CM use on this permit. Water for LG use is diverted and used with an automatic sprinkler system that operates from 4/15 through 10/15 as needed each year. Water measurement records demonstrate volume used under this permit	☐ A	☐ F
ii. Explain water diverted but not consumed by the non-irrigation purpose(s). This includes, but is not limited to, wastewater discharge and conveyance loss. Ditch-Specific Questions (questions 110 to 111) will gather information necessary for estimating losses from conveyance ditches. Water for the CM purpose is discharged to a septic and individual drainfield. Per the Dept's past analysis, this type of ww treatment is 10% consumptive leaving 90% diverted-not consumed. For LG use, 11/16/21 DNRC Depletion & Mitigation report calculated the consumed vol at 1.7 AF/ac or 0.8 AF/ac diverted not consumed. Hist use of this permit is 1 full-service ac and 2 ac at 20%. 0.8+(.8*2)*.2= 1.12 is diverted not consumed for LG use	☐ A	☐ F
iii. Did historical diversions serve more than one non-irrigation purpose?	☑ Y ☐ N	☐ F
1. If yes, how much of the diversions served each non-irrigation purpose and how did you determine this? Historical diversions served CM & LG used. Water for LG use is measured separately. Water use records submitted with the Project Completion Notice (PCN) indicate 4.5 AF of water was used for the LG purpose in the year the PCN was filed - 1996. This included the full vol of this permit (3.5 AF) plus water used under 76H 65902	☐ A	☐ F
48. Did diversions ever regularly cease within the period of use due to insufficient water in source or calls based on priority date?	☐ Y ☑ N	☐ F
a. If yes, please explain.	☐ A	☐ F

Historical Use: Historical Consumed Volume

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

49. What are the historical purposes? Mark each purpose and answer the applicable questions below. ☐ Irrigation. Answer question 50. ☑ Lawn and garden. Answer question 51. ☐ Stock. Answer question 52. ☐ Domestic and multiple domestic. Answer question 53. ☐ Municipal. Answer question 54. ☑ Other. Answer question 55.		

50. Irrigation		
a. Will you use Department standards for historical consumptive use as defined in ARM 36.12.1902?	☐ Y ☐ N	☐ F
i. If no,		
1. What method will you use to determine historical consumptive use? _____ _____	☐ A	☐ F
2. Submit a Historical Water Use Addendum (Form 606-HUA) to the Department. Form 606-HUA must be submitted to the Department before the Preapplication Meeting Form is completed.	☐ S	☐ F
ii. If yes,		
1. What is the historical irrigation method type and subtype? Irrigation method types include flood and sprinkler. Flood irrigation subtypes include level border, graded border, furrow, contour ditch, or wild flood. Sprinkler subtypes include wheel line and center pivot. _____	☐ A	☐ F
2. What was the slope (%) of the historical place of use? _____		☐ F

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

51. Lawn and garden		
a. Will you use a Department standard for historical consumptive use volume for lawn and garden? Department standards include 2.5 acre-feet per acre, or a calculated volume based on Irrigation Water Requirements for turf grass.	☑ Y ☐ N	☐ F
i. If yes, which standard? 2.5 AF/ac. For LG use, 11/16/21 Depletion & Mitigation report calculated HCV of 1.7 AF/ac		☐ F
ii. If no, please provide an estimate of historical water use based on expert analysis and methods used to determine this estimate.	☐ A	☐ F

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

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

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

55. Other		
a. Specify the other purposes. Commercial		☐ F
b. What is the volume of water (AF) historically consumed for other purposes? There is no volume for commercial on this permit- only flow rate		☐ F
c. Submit evidence to support the volume of water historically consumed.	☐ S	☐ F

Historical Use: Historical Places of Storage

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

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

ID	Surface Area (AC)	Capacity (AF)	Annual Net Evaporation (FT/YR)	# of Annual Fillings

Surface Water

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

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

Return Flow Analysis

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

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

Extended Return Flow Analysis

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

GROUNDWATER

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

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

Groundwater Analysis for Changes

Questions, Narrative Responses, and Tables	Check-boxes	Follow-Up
66. Does the proposed change include a change in point of diversion?	☑ Y ☐ N	☐ F
a. If no, this section is complete; skip to question 77.		
b. If yes, a groundwater analysis for changes is required; answer questions specific to the groundwater diversion type.		
i. What is the groundwater diversion type? Historical: Wells - Proposed: Instream		☐ F

Well/Pumping Pit	Answer questions 67 to 72	**Developed Spring**	Answer question 73	**Pond**	Answer questions 74 to 76

Groundwater Analysis: Well/Pumping Pit

☐ Applicable ☑ Not Applicable

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

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

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

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

Groundwater Analysis: Developed Spring

☐ Applicable ☑ Not Applicable

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

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

Groundwater Analysis: Pond

☐ Applicable ☑ Not Applicable

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

Surface Water Depletion Analysis for Changes

77. Does the proposed change include any of the following scenarios that necessitate a surface water depletion analysis pursuant to ARM 36.12.1303(5)(c)? • Change in point of diversion • Change in place of use, purpose of use, or place of storage that result in a change in consumptive use or pumping schedule.	☑ Y ☐ N	☐ F
a. If no, this section is complete; skip to question 85.		
b. If yes, a surface water depletion analysis is required; answer questions specific to the groundwater diversion type.		
i. What is the groundwater diversion type? Wells		☐ F

Well/Pumping Pit	Answer questions 78 to 79	**Developed Spring**	Answer question 80	**Pond**	Answer questions 81 to 82

Surface Water Depletion Analysis: Well/Pumping Pit

☑ Applicable ☐ Not Applicable

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

POD ID	**GWIC ID** *(if available)*	**Flow Rate** *Flow Rate*	*GPM*	*CFS*	**Volume** *AF*	**Period of Diversion** *MM/DD-MM/DD*	**Depth** *FT*	**Measured or Estimated**	**Unchanged or Retired**
H-1	67088	120	☑	☐	1.175	4/15 - 10/15	120	MEASURED	UNCHANGED
H-2	67089	120	☑	☐	1.175	4/15 - 10/15	200	MEASURED	UNCHANGED
H-1	67088	120	☑	☐	0.575	4/15 - 10/15	120	MEASURED	RETIRED
H-2	67089	120	☑	☐	0.575	4/15 - 10/15	200	MEASURED	RETIRED
			☐	☐					

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

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

Surface Water Depletion Analysis: Developed Spring

☐ Applicable ☐ Not Applicable

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

Surface Water Depletion Analysis: Pond

☐ Applicable ☐ Not Applicable

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

82. Provide the schedule of diversions for out-of-pond use for each pond (*new*, *existing*, *unchanged*, or *retired*) for both *before* and *after* the proposed change. Use the same POD ID as the project maps. For *new* and *existing* ponds, use the Proposed Use Map (question 9). For *unchanged* and *retired* ponds use the Historical Use Map (question 8). Attach any additional diversion schedules using the same format as the table below. For *retired* ponds, mark "N/A" checkbox for after the change and for *new* ponds, mark "N/A" checkbox for before the change. Mark the checkbox "Diverted volume/# of Days" if it is a year-round use and the diversion schedule is an allocation of diverted volume by the number of days in the month. Mark the checkbox "80% dry year IWR" if it is an irrigation or lawn and garden use and the diversion schedule is the 80% dry year net irrigation requirement (IWR, NRCS 2003).

☐ A ☐ F

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

Extended Surface Water Depletion Analysis

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

BITTERROOT RIVER - USGS Gages 12352500 & 12350250

☐ A ☐ F

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

Return Flow Analysis

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

88. Submit a map showing the new, unchanged historical, and retired historical places of use. Create map on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, and north arrow. If you have shapefiles associated with this map, in addition to submitting an image of the map, please submit electronic copies of the shapefiles to the Department.	☑ S	☐ F
89. How many acres, if any, will be retired from the historical place of use? 0.46		☐ F
90. Are irrigated acres proposed that are outside the historical place of use?	☐ Y ☑ N	☐ F
a. If yes,		
i. How many acres?		☐ F
ii. What is the proposed irrigation method type (e.g., flood or sprinkler) and subtype (e.g., level border, graded border, furrow, contour ditch, wild flood, center pivot, or wheel line) for the new acres?	☐ A	☐ F
iii. What is the slope (%) of the new place of use?		☐ F
iv. Based on question 90.a.ii to 90.a.iii, what is the percent efficiency of irrigation for the new acres?		☐ F
v. What is the County Management Factor for the new acres?		☐ F
vi. What is the ET based on the irrigation method and county for the new acres?		☐ F
vii. What percent of applied water are irrecoverable losses for new acres?		☐ F
91. Do you have information for the Department to consider about the source and location where return flows historically accrued?	☐ Y ☑ N	☐ F
a. If yes, submit this information to the Department.	☐ S	☐ F

Extended Return Flow Analysis

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

Mandatory Project-Specific Questions

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

Temporary Change

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

Change in Purpose

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

Purpose	**New or Unchanged?**	**Period of Diversion** *(MM/DD-MM/DD)*	**Period of Use** *(MM/DD-MM/DD)*	**Flow Rate** *Flow Rate*	*GPM*	*CFS*	**Volume** *(AF)*
MITIGATION	NEW	4/15 - 10/15	4/15 - 10/15	0.48	☑	☐	1.15 DV
L&G	CHANGED	4/15 - 10/15	4/15 - 10/15	23.4	☑	☐	2.35 DV
COMMERCIAL	UNCHANGED	1/1 - 12/31	1/1 - 12/31	23.4	☑	☐	NA - FR ONLY
					☐	☐	
					☐	☐	
			Total		☐	☐	3.5

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

104. Lawn and garden		
a. Will consumptive use be based on the standard of 2.5 acre-feet per acre or a calculated volume based on Irrigation Water Requirements for turf grass?	☑ Y ☐ N	☐ F
i. If yes, which standard? 70% OF 2.5 AF/AC		☐ F
ii. If no, describe how consumptive use will be estimated. This must be based on expert analysis. _____ _____	☐ A	☐ F
105. Stock		
a. How many animal units will be served? _____		☐ F

106. Domestic and multiple domestic		
a. How many households will be served? _____		☐ F
b. Will the Department standard of 1 acre-foot per household be used to determine consumptive use?	☐ Y ☐ N	☐ F
i. If no, what standard will be used? _____	☐ A	☐ F
c. Will the proposed use include wastewater disposal and treatment?	☐ Y ☐ N	☐ F
i. If yes, which of the following best describes the wastewater disposal and treatment system? Individual drain fields, central treatment facility with minimal consumption, or evaporation basin or land application? _____		☐ F
107. Other purpose		
a. What is the other purpose (e.g., municipal, commercial)? COMMERCIAL, MITIGATION		☐ F
b. What is the percentage of consumption for the proposed use? Please explain. N/A - FLOW RATE ONLY UNDER THIS PERMIT N/A - NO CONSUMPTIVE USE UNDER MITIGATION	☐ A	☐ F
108. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 14 and if you are answering in consecutive order, go to question 109.		

Ditch-Specific Questions

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

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

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

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

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

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

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

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

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

Change in Place of Storage

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

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

124. Does your application include one of the following purposes? If no, this section is complete; skip to question 129.	☐ Y ☐ N	☐ F
a. Mitigation water. If yes, answer question 125 and 126.	☐ Y ☐ N	☐ F
b. Aquifer recharge water. If yes, answer question 125 and 127.	☐ Y ☐ N	☐ F
c. Marketing for mitigation/aquifer recharge. If yes, answer question 128.	☐ Y ☐ N	☐ F
125. Mitigation Water and Aquifer Recharge Water		
a. Identify the water right(s) for which the mitigation/aquifer recharge water will be used. N/A	☐ A	☐ F
b. Identify the application or preapplication number where these water rights were identified as needing mitigation or aquifer recharge to meet the adverse effect criterion. 76H 30150412	☐ A	☐ F
c. What is the timing, flow rate, and volume of net depletions identified as needing mitigation or aquifer recharge to meet the adverse effect criterion?	☐ A	☐ F

Month	**Days**	**Flow Rate**			**Volume**	**Month**	**Days**	**Flow Rate**			**Volume**
		Flow	*GPM*	*CFS*	*AF*			*Flow*	*GPM*	*CFS*	*AF*
January	31	1.23	☐	☐	0.17	July	31	1.23	☐	☐	0.17
February	28	1.23	☐	☐	0.15	August	31	1.23	☐	☐	0.17
March	31	1.23	☐	☐	0.17	September	30	1.23	☐	☐	0.16
April	30	1.23	☐	☐	0.16	October	31	1.23	☐	☐	0.17
May	31	1.23	☐	☐	0.17	November	30	1.23	☐	☐	0.16
June	30	1.23	☐	☐	0.16	December	31	1.23	☐	☐	0.17

d. Will other water contribute to the need for mitigation or aquifer recharge water? This may include water rights with a mitigation or aquifer recharge purpose, marketing for mitigation contracts, or mitigation water secured via other types of contracts.	☐ Y ☐ N	☐ F
i. If yes, describe the origin of this water and in the table below, list how much it will contribute. MITIGATION CHANGE NO. 76H 30150414 WATER RIGHT NO. 76H 30122609	☐ A	☐ F

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

126. Mitigation Water		
a. What is legal land description (¼ ¼ ¼ section of start and end) and length (ft) of the mitigation reach? START: SESE 2 12N 20 W END: NWNW 27 13N 20W LENGTH: 39,364 ft	☐ A	☐ F
b. By what means will mitigation water be made available? You must submit a copy of all relevant discharge permits at application submittal (§85-2-364, MCA). WATER WILL BE LEFT UNDIVERTED	☐ A	☐ F
127. Aquifer Recharge Water		
a. What is the legal land description (¼ ¼ ¼ section) of the start of net depletions for which the aquifer recharge water will be used?	☐ A	☐ F

	b. What is the volume of net depletions that will be offset by the aquifer recharge water? *The volume of aquifer recharge water injected may not equal the volume of net depletions.* _____	☐ A	☐ F
	c. Describe the method of aquifer recharge. Include, if available, a preliminary design. You must submit a copy of all relevant discharge permits at application submittal (§85-2-364, MCA). _____ _____ _____ _____	☐ A	☐ F
	d. Describe any constraints on the aquifer recharge schedule, such as priority date limitations. _____ _____	☐ A	☐ F
	e. What is the proposed area or location of aquifer recharge? *The location is subject to refinement during technical analyses; this will not constitute a change of any element to the proposed application pursuant to ARM 36.12.1302(6)(a).* _____ _____ _____	☐ A	☐ F
128.	Marketing for Mitigation/Aquifer Recharge		
	a. What is the proposed location of the reach where water is to be marketed (¼ ¼ ¼ section of the start and the end of the reach)? _____	☐ A	☐ F
	b. Is this marketing for mitigation	☐ Y ☐ N	☐ F
	i. If yes, by what means will water be made available? _____ _____ _____ _____	☐ A	☐ F

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

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

Instream Flow

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

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

Salvage Water

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

Non-Mandatory Questions for Criteria Analysis

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

Adverse Effect

Questions, Narrative Responses, and Tables	Check-boxes
142. Describe your plan to ensure that existing water rights will be satisfied during times of water shortage.	☐ A
143. Explain how you can control your diversion in response to call being made.	☐ A
144. Are you aware of any calls that have been made on any source of supply or depleted surface water source?	☐ Y ☐ N
a. If yes, explain.	☐ A
145. Does a water commissioner distribute water or oversee water distribution on your proposed source or depleted surface water source?	☐ Y ☐ N
a. If yes, list the sources and explain.	☐ A
146. Describe how the change will or will not affect your ability to make call.	☐ A

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Adequate Means of Diversion and Operation

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

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

Beneficial Use

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

Possessory Interest

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

Non-Mandatory Project-Specific Questions

Change in Place of Storage

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

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

Instream Flow Change

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

Mitigation, Aquifer Recharge, and Marketing for Mitigation

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

Water Marketing

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

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

FOLLOW-UP

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

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

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

QUESTION #	NOTES

PREAPPLICATION MEETING AFFIDAVIT & CERTIFICATION

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

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

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

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

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

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

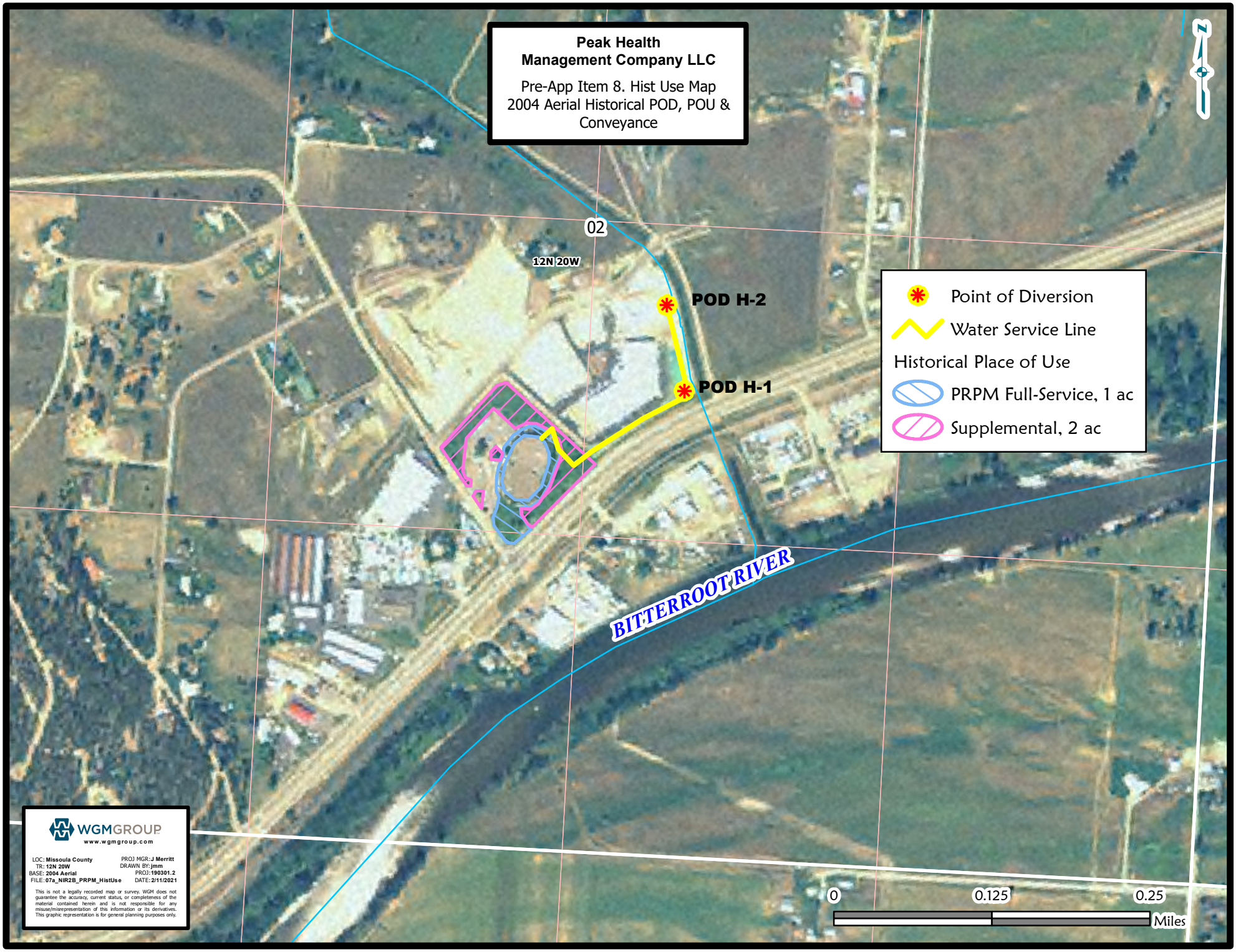
Charlie Eiseman — 7/22/2025

Applicant Signature — Date

Applicant Signature — Date

Jim Nave — 7/22/2025

Department Signature — Date



Peak Health Management
Application to Change 76H 62593
Pre-Application Item 9
Proposed POD and POU

N

23
24
27
26
25
34
35
36
04
09
10
11
02
01

13N 20W
13N 19W
12N 20W

Mitigation POD/POU

P-1
P-2

Exising POD
Mitigation POD/POU
Remaining POU - CM/LG

0 0.25 0.5 1 Miles

WGMGROUP
www.wgmgroup.com

LOC: **Missoula County**	PROJ MGR: **J Merritt**
TR: **Multiple**	DRAWN BY: **jmm**
BASE: **2023 Aerial**	PROJ: **190301.2**
FILE: **07b_NIR2D_PRPM_PropUse**	DATE: **7/21/2025**

ITEM 10. PROPOSED POD FOR CHANGE TO 76H 62593

POD ID	¼	¼	¼	SEC	TWP	RGE	NEW OR UNCHANGED
P-1	NW	NW	SE	2	12N	20W	UNCHANGED
P-2	NW	NW	SE	2	12N	20W	UNCHANGED
		SE	SW	2	12N	20W	NEW
		SW	SE	2	12N	20W	NEW
		N2	SE	2	12N	20W	NEW
		N2	SW	1	12N	20W	NEW
		W2	NE	1	12N	20W	NEW
		SW	SW	31	13N	19W	NEW
		N2	SE	36	13N	20W	NEW
		SW	NE	36	13N	20W	NEW
		NE	SW	36	13N	20W	NEW
		SW	SW	36	13N	20W	NEW
			S2	35	13N	20W	NEW
			E2	34	13N	20W	NEW
		SE	SE	27	13N	20W	NEW
			SW	26	13N	20W	NEW
		SW	NW	26	13N	20W	NEW
		S2	NE	27	13N	20W	NEW
		E2	NW	27	13N	20W	NEW
		NW	NW	27	13N	20W	NEW

ITEM 13.a.ii. PROPOSED POU FOR CHANGE TO 76H 62593

AC	¼	¼	¼	SEC	TWP	RGE
0.54	SE	NE	SW	2	12N	20W
2.00	SE	NE	SW	2	12N	20W
		SE	SW	2	12N	20W
		SW	SE	2	12N	20W
		N2	SE	2	12N	20W
		N2	SW	1	12N	20W
		W2	NE	1	12N	20W
		SW	SW	31	13N	19W
		N2	SE	36	13N	20W
		SW	NE	36	13N	20W
		NE	SW	36	13N	20W
		SW	SW	36	13N	20W
			S2	35	13N	20W
			E2	34	13N	20W
		SE	SE	27	13N	20W
			SW	26	13N	20W
		SW	NW	26	13N	20W
		S2	NE	27	13N	20W
		E2	NW	27	13N	20W
		NW	NW	27	13N	20W

ITEM 13.a.iii.1.a

There are two water rights that allow for use from the Peak's Public Water Supply (PWS) wells. These water rights are Groundwater Certificate 76H 65902 (GWCT) and Provisional Permit 76H 62593 (PRPM). The relationship between the two existing water rights requires some explanation. The GWCT was the first water right issued for the Peak's PWS. It was issued for 96.6 gallons per minute (gpm) and a total of 14.0 AF per year. At the time this GWCT was issued, the permit exemption limited groundwater uses to 99 gpm. Nine (9.0) AF of the volume on the GWCT were for Commercial (CM) uses and 5.0 AF were for Lawn & Garden irrigation (LG IR). The PRPM application was submitted around the same time as the GWCT because the system required more than 99 gpm.

The PRPM was necessary to allow additional flow rate and volume for LG IR purposes (but no additional volume for CM purposes). The initial engineering estimates indicated that the system required 130 gpm so the flow rate on the PRPM was set at 33.4 gpm. This flow, in addition to the 96.6 gpm on the GWCT, achieved the total 130 gpm for both the CM and LG IR uses. However, when the PRPM was verified, it was determined that the system capacity was 120 gpm and the flow rate on the PRPM was reduced to 23.4 gpm.

The relationship between the two existing water rights that serve the Peak system was not fully addressed in the Project Completion Notice filed for the PRPM in 1996. This appears to have led to some confusion when considering the volume per acre that has historically been used on the site. The total amount of water allowed under the two supplemental water rights for LG IR was 8.5 AF for a combined 3 acres (ac) which is equal to 2.83 AF/ac.

While the meter read reported in 1996 indicated use of 4.5 AF for LG IR for that year, subsequent meter reads for the years 2014-2017 report a high of 7.63 AF and a low of 3.86 AF for LG IR. See **Table 1** below for meter read information from 1996 and 2014-2017. PRPM 76H 62593 was issued for 1.0 ac of full-service LG IR and 2.0 ac of supplemental LG IR.

Table 1. LG IRvolume based on meter reads, amounts associated with each existing water right, and AF/ac for the entire POU (all in AF)

Year	LG IR Total	LG IR PRPM	LG IR GWCT	AF/ac Total*
1996	4.50	3.50	1.00	1.50
2014	7.63	3.50	4.13	3.00
2015	5.06	3.50	1.56	1.99
2016	4.30	3.50	0.80	1.69
2017	3.86	3.50	0.36	1.52

* The AF/ac calculation for 1996 is based on 3.0 ac of LG IR while the calculations for 2014-2017 are based on 2.54 ac because these years are AFTER the building expansion and parking lot construction that resulted in the reduced LG IR area.

The Project Completion Notice indicates that the full volume of water allowed for LG IR under PRPM 76H 62593, 3.5 AF, was put to use. The additional 1.0 AF of volume reported for LG IR in 1996 can be attributed to GWCT 76H 65902. Similarly, meter read information from 2014-2017 indicates that the full volume under the PRPM was used each year and that varying amounts were used under the GWCT. In other words, the meter reads demonstrate that the applicant uses its full volume under the PRPM first, and then relies on the GWCT for supplemental/additional volume as necessary. The total volume of the two supplemental water rights has not exceeded the amount allowed for the LG IR purpose.

ITEM 13.a.iii.1.a (cont)

The AF/ac value, also reported in **Table 1** above, varies from year to year. While this value was 1.5 AF/ac in 1996, it was 3.0 AF/ac in 2014. This information demonstrates that the applicant has, at times, used more than the DNRC standard for LG IR.

Given the above explanation that:

- the LG IR portion of the PRPM was fully perfected for use of 3.5 AF on 1 full-service acre and 2 supplemental acres, and
- meter read information is provided to show that in at least one year the DNRC standard for LG IR was met or exceeded,

it is appropriate to use the DNRC standard of 2.5 AF/ac as the historical use on the full-service acre and 0.5 AF/ac on each of the 2.0 supplemental acres under PRPM 76H 62593. The 0.46 acres that were retired were part of the full-service acreage under the PRPM. This analysis supports the determination that the volume for mitigation should be 1.15 AF based on the use of 2.5 AF/ac of water on 0.46 acres.

Going forward, the volume of water used for LG IR under the PRPM will be 2.35 AF. No changes will be made to the CM use or the LG IR use under the GWCT.

Form No. 600/606-MIT *(02/2025)* **Applicant Name**

APPLICATION FOR BENEFICIAL WATER USE PERMIT OR APPLICATION TO CHANGE A WATER RIGHT

MITIGATION ADDENDUM

§§ 85-2-420, 85-2-362, 85-2-402, 85-2-311, MCA

Answer every applicable question and use the prompts to craft a plan for mitigation, aquifer recharge, or marketing for mitigation/aquifer recharge. Use the checkboxes to denote yes ("Y") or no ("N"). 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. Label all attachments and submitted items with the question number. Label all units in tables and narrative responses.

In some cases, the information required to correctly and completely answer the questions on this form will not be available until technical analyses are completed. It is highly recommended all technical analyses required for the project are completed before filling out this form.

1. How many applications will you need to file with the Department for this project? Applications include Application for Beneficial Water Use Permit (Form 600) and Application to Change a Water Right (Form 606). 1 permit & 2 changes - the permit & 1 change already filed

1.a. ☑ **Y** ☐ **N** Will you need to file more than one application with the Department for this project?

If yes,

1.a.i. ☑ **Y** ☐ **N** You are only required to answer the remaining questions on Form 600/606-MIT one time per project. The Department cannot begin criteria assessment for any application required for the project until you have submitted a completed Form 600/606-MIT, including answers to the remaining questions. Will you answer the remaining questions on a Form 600/606-MIT submitted with another application?

1.a.ii. If yes, briefly explain, then this form is complete.

This application is in addition to 2 other applications that have already been filed and are in process, Permit 76H 30150412 and Change 76H 30150414

1.a.iii. If no, move on to question 2.

2. Which of the following scenarios best describes the proposed project? Check all that apply and answer the questions specific to each scenario; then answer question 6 and 7.

☐ **Identified need for mitigation/aquifer recharge water AND change application(s) to supply the mitigation/aquifer recharge water:** Mitigation or aquifer recharge water is required to meet the criteria of issuance for a project, which is either in the preapplication meeting stage or has a pending Application for Beneficial Water Use or Application to Change a Water Right, and is proposed to be made available through a change in purpose of one or more water rights to mitigation or aquifer recharge. Answer question 3.

☐ **Identified need for mitigation/aquifer recharge water AND water contract(s) to supply the mitigation/aquifer recharge water:** Mitigation and aquifer recharge water is required to meet the criteria of issuance for a project, which is either in the preapplication meeting stage or has a pending Application for Beneficial Water Use or Application to Change a Water Right, and is proposed to be made available through one or more contracts for water, such as from water with a marketing for mitigation purpose. Answer questions 3 and 4.

☐ **Marketing for mitigation/aquifer recharge:** Water right(s) being changed to a marketing for mitigation or marketing for aquifer recharge purpose that will be sold or leased to other entities. Answer question 5.

3. Will the proposed diversion and/or net depletions to surface water occur in an open or closed basin? Answer question 3.a for open basins or question 3.b for closed basins.

☐ **Open** ☐ **Closed**

If an open basin:

3.a. Submit an aquifer recharge or mitigation plan with sufficient detail to explain why the plan is adequate to offset the net depletions of the proposed new appropriation in an amount greater than the difference between the amount of water physically available and legal demands, on a monthly timestep. The plan must include:

3.a.i. description of the method by which water will be made available for aquifer recharge or mitigation purpose(s);

3.a.ii. the amount, timing, and location of mitigation water delivery and/or net accretions to the depleted source;

3.a.iii. comparison of the elements of 3.a.ii to the amount, timing, and location of the net depletions of the proposed new appropriation.

If a closed basin:

3.b. If the hydrogeologic report conducted pursuant to § 85-2-361, MCA, predicts a net depletion of surface water, submit an aquifer recharge or mitigation plan. Per § 85-2-362, MCA, the plan must include:

3.b.i. where and how the water in the plan will be put to beneficial use;
3.b.ii. when and where, generally, water for aquifer recharge or mitigation will be required;
3.b.iii. the amount of water that is required for aquifer recharge or mitigation;
3.b.iv. how the proposed project or beneficial use for which the aquifer recharge or mitigation plan is required will be operated;
3.b.v. evidence that an application for a change in appropriation right, if necessary, has been submitted;
3.b.vi. evidence of water availability;
3.b.vii. evidence of how the aquifer recharge or mitigation plan will offset the required amount of net depletion of surface water in a manner that will offset an adverse effect on a prior appropriator; and
3.b.viii. evidence that the appropriate water quality permits have been granted pursuant to Title 75, chapter 5, as required by § 75-5-410, MCA, and § 85-2-364, MCA.
3.b.ix. In addition to 3.b.i through 3.b.viii, an aquifer recharge plan must include a description of the process by which water will be reintroduced to the aquifer.

4. Describe details about the contract(s) for water and submit a copy of the contract(s). In doing so, be sure to address the following sub-questions:
4.a. Is the contract a lease or sale?
4.a.i. If a lease, what is the duration of the contract and what is the process to renew the lease?
4.b. Does the contract water have a marketing for mitigation or marketing for aquifer recharge purpose? If yes,
4.b.i. What are the water right numbers with a marketing for mitigation or marketing for aquifer recharge purpose?
4.b.ii. What is the change authorization number that authorized the marketing for mitigation purpose?
4.b.iii. What is the mitigation reach identified in the change authorization?

5. Submit a marketing for mitigation/aquifer recharge plan that addresses the following:
5.a. Describe your ability to measure and operate all existing diversions to adjust flow rate as water is sold or leased.
5.b. How will you cease diversions for the existing beneficial use of the water right(s) as water is sold or leased for the purpose of marketing for mitigation/ aquifer recharge?
5.c. Describe the need for mitigation water within the proposed place of use of the new appropriation.

6. How do the priority dates of the water rights proposed for change to mitigation, aquifer recharge, and/or marketing for mitigation/aquifer recharge purpose(s) compare to other water rights on the source?

_____
_____
_____
_____
_____

7. ☑ **Y** ☐ **N** Do you have measurement records or Water Commissioner records that show the reliability of the water rights proposed for change to mitigation, aquifer recharge, and/or marketing for mitigation/aquifer recharge? If yes, submit them to the Department.

Peak Health Management
Application to Change 76H 62593
Pre-Application Item 39.c.i
Historical Aerial Photo

WGMGROUP
www.wgmgroup.com

LOC: Missoula County
TR: Multiple
BASE: 1995 Aerial
FILE: 07d_Historical_use
PROJ MGR: J Merritt
DRAWN BY: jmm
PROJ: 190301.2
DATE: 7/21/2025

From: Julie Merritt
To: Brickl, Melissa; Nave, Jim
Cc: Dalgleish, Alex; Thomas, Benjamin; Ross Miller; Charlie Eiseman
Subject: [EXTERNAL] Peak Pre-Application for Change to 76H 62593
Date: Tuesday, July 22, 2025 11:30:07 AM
Attachments: bc1ae7b8-aac2-49ac-ba28-5582d0495cf3.png
WGM_banner_d922236b-c768-40f1-b664-41d0c469805a.png

Jim & Melissa (can one of you please forward to Kim, I don't seem to have her email)

For item 125.d following is the monthly breakdown for the other water that will contribute to the need for mitigation (water right change 76H 30150414). These numbers are per the recharge/accretion schedule Dave Baldwin of HydroSolutions ran for us based on the model that was used in the River Front Triangle applications. We understand there may be slight variations when the Technical Analysis is done based on difference in the model numbers.

Table 1. Infiltration timing, accretions from infiltration, flow left instream and total accretions all in GPM for Change Application 76H 30150414

Month	Flow Infiltrated (GPM)	Accretions from Infiltration (GPM)	Flow Left Instream (GPM)	Total Accretions (GPM)
Jan		1.13		1.13
Feb		1.11		1.11
Mar		0.90		0.90
Apr		0.77		0.77
May		0.67	0.36	1.04
Jun		0.60	0.38	0.98
Jul		0.55	0.36	0.91
Aug		0.50	0.36	0.87
Sep	27.91	22.64		22.64
Oct	46.72	39.35		39.35
Nov		4.06		4.06
Dec		2.11		2.11

Table 2. Infiltration timing, accretions from infiltration, volume left instream and total accretions all in AF for Change Application 76H 30150414

Month	Volume Infiltrated (AF)	Accretions from Infiltration (AF)	Flow left instream (AF)	Total Accretions (AF)
Jan		0.15		0.15
Feb		0.14		0.14
Mar		0.12		0.12
Apr		0.10		0.10
May		0.14	0.05	0.19
Jun		0.13	0.05	0.18
Jul		0.12	0.05	0.17

Aug		0.12	0.05	0.17
Sep	3.70	3.00		3.00
Oct	6.40	5.39		5.39
Nov		0.54		0.54
Dec		0.29		0.29
TOTAL	**10.10**		**0.20**	

Let me know if you need anything else.

Julie

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