



APPLICATION FOR BENEFICIAL WATER USE PERMIT OR APPLICATION TO CHANGE A WATER RIGHT WATER MARKETING PURPOSE ADDENDUM §85-2-310(9)

Complete this addendum and attach the required information if the purpose of the permit application or change application will be to market or sell water. 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 with the question number.

1. [ ] Y [ ] N Will the marketed water be used outside the state of Montana? If yes, you will need to complete the requirements of Montana law (§ 85.2.311(4), MCA, for a permit and § 85-2-402(6), MCA, for a change application). If no, explain below how you will ensure water will not be transported out-of-state.

Four horizontal lines for answer input.

2. Explain how you will measure the amount of water diverted from the source.

Three horizontal lines for answer input.

3. Explain how you will measure the amount of water marketed.

Three horizontal lines for answer input.

4. Submit firm contracts for the entire volume and flow rate sought. An applicant must demonstrate a good faith and bona fide intent to appropriate Montana’s water through firm contracts to purchase the flow and volume sought. At the end of the period of completion, the applicant will have a perfected right to market only that amount of water which he or she actually contracted and sold on an annual basis during the period of completion. The firm contracts to purchase must include the following information:

- (A) The name of the entity who will use the water
(B) The amount of water (acre-feet) each entity will use
(C) Where the entity will use the water
(D) The nature of relationship between the applicant and each entity using the water (The Applicant may not contract with itself to buy water)
(E) Terms sufficient to demonstrate the bona fide intent to the water to use under § 85-2-310(9)(c)(v), MCA.

