



PETITION FOR CONTROLLED GROUNDWATER AREA

This form can be filed by a state or local public health agency for identified public health risks; a municipality, county, conservation district, or local water quality district formed under Title 7, chapter 13, part 45; or by at least one third of the water right holders in an area proposed for designation of a controlled groundwater area. An incomplete or non-qualifying petition will be returned.

A fee of \$3000 must accompany this petition. Petitioners must also pay reasonable costs of giving notice pursuant to MCA § 85-2-506 and A.R.M. 36.12.103

Make checks payable to "DNRC"

Filing Fee: \$3000.00

FOR DEPARTMENT USE ONLY

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

Contact Person: Contact is Petitioner Contact is Consultant Contact is Attorney Contact is Other

Contact Name _____

Mailing Address _____

City _____ State _____ Zip _____

Phone Numbers: Home _____ Work _____ Cell _____

Email Address _____

General Location of Proposed Controlled Groundwater Area: _____

TYPE OF DESIGNATION OR PROVISIONS REQUESTED: Is the petition for a permanent or temporary designation?

Permanent. If permanent, proceed to Section 1.

Temporary. If temporary, proceed to Section 2.

Section 1. PERMANENT DESIGNATION PROPOSED Please provide the following:

A. MCA § 85-2-506 requires that this petition must contain analysis prepared by a hydrogeologist, a qualified scientist, or a qualified licensed professional engineer concluding that one or more of the following criteria:

Current or projected reductions of recharge to the aquifer or aquifers in the proposed controlled ground water area will cause ground water levels to decline to the extent that water right holders cannot reasonably exercise their water rights;

- Current or projected ground water withdrawals from the aquifer or aquifers in the proposed controlled ground water area have reduced or will reduce ground water levels or surface water availability necessary for water right holders to reasonably exercise their water rights;
- Current or projected ground water withdrawals from the aquifer or aquifers in the proposed controlled ground water area have induced or altered or will induce or alter contaminant migration exceeding relevant water quality standards;
- Current or projected ground water withdrawals from the aquifer or aquifers in the proposed controlled ground water area have impaired or will impair ground water quality necessary for water right holders to reasonably exercise their water rights based on relevant water quality standards;
- Ground water within the proposed controlled ground water area is not suited for beneficial use; or public health, safety, or welfare is or will become at risk.

- B. Please attach all supporting information, including the name, address and qualifications of the person who prepared the analysis.
- C. Explain why the condition occurring or likely to occur cannot be appropriately mitigated.
- D. Describe the kind of corrective controls or provisions you are requesting. A controlled ground water area may include but is not limited to the following control provisions:
 - A provision closing the controlled ground water area to further appropriation of ground water;
 - A provision restricting the development of future ground water appropriations in the controlled ground water area by flow, volume, purpose, aquifer, depth, water temperature, water quality, density, or other criteria that the department determines necessary;
 - A provision requiring measurement of future ground water or surface water appropriations;
 - A provision requiring the filing of notice on land records within the boundary of a permanent controlled ground water area to inform prospective holders of an interest in the property of the existence of a permanent controlled ground water area.
 - A provision for well spacing requirements, well construction constraints, and prior department approval before well drilling, unless the well is regulated pursuant to Title 82, chapter 11;
 - A provision for mitigation of ground water withdrawals;
 - A provision for water quality testing;
 - A provision for data reporting to the department

Proceed to Section 3.



Section 2. TEMPORARY DESIGNATION PROPOSED Please provide the following:

- A. A study plan that may include measurement, water quality testing, and reporting requirements for new and/or replacement wells during the period of the temporary closure.
- B. Include information on funding for any proposed investigations including any plans for pursuing funding under the renewable resource grant and loan program, and any planned investigation under the ground water investigation program.
- C. Describe how any necessary investigations can be completed in a timely fashion not to exceed 6 years.

Proceed to Section 3.



Section 3. PERMANENT OR TEMPORARY DESIGNATION PROPOSED *Please provide the following:*

- A. **Map:** A U.S. Geological Survey quadrangle map, or one of similar size, scale and detail level **must** accompany the petition. In addition to the information provided on the USGS map, the map **must** also show the following:
 - a. north direction;
 - b. township and range numbers;
 - c. section corners and numbers;
 - d. accurate outline of the proposed controlled area;
 - i. location of any known groundwater recording equipment;
 - ii. points of diversion of all groundwater users, including wells and developed springs.

- B. **Land Ownership:** Attach a list to this petition of all the landowners within the proposed boundaries of the controlled groundwater area. Land ownership may be found at the county assessors office or at <http://svc.mt.gov/msl/mtcadastral/> The list must include the name and complete mailing address of the property owner.

SIGNATURES

This form must be filed by a state or local public health agency for identified public health risks; a municipality, county, conservation district, or local water quality district formed under Title 7, chapter 13, part 45; or by at least one third of the water right holders in an area proposed for designation of a controlled groundwater area. **Print or type the full name of the water user and mailing address and sign on the appropriate line. Attach additional sheets if necessary.**

➤ **If form being filed by a state or local public health agency sign here.**

| | |
|--------------|-----------|
| Printed Name | Signature |
| Title | |

➤ **If form is being filed by local water right holders Sign here.**

WE THE UNDERSIGNED GROUNDWATER USERS IN THE PROPOSED CONTROLLED AREA PETITION THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR A CONTROLLED GROUNDWATER AREA IN ACCORDANCE WITH § 85-2-506, MCA AND THIS PETITION.

| Printed Name | / | Signature |
|--------------|---|-----------|
| 1. | | |
| Mail Address | | Phone |
| 2. | | |
| Mail Address | | Phone |
| 3. | | |
| Mail Address | | Phone |
| 4. | | |
| Mail Address | | Phone |

| Printed Name | Signature |
|--------------|-----------|
| 5. / | |
| Mail Address | Phone |
| 6. / | |
| Mail Address | Phone |
| 7. / | |
| Mail Address | Phone |
| 8. / | |
| Mail Address | Phone |
| 9. / | |
| Mail Address | Phone |
| 10. / | |
| Mail Address | Phone |

WATER RESOURCES OFFICES

BILLINGS: AIRPORT INDUSTRIAL PARK, 1371 RIMTOP DR., BILLINGS MT 59105-1978
PHONE: 406-247-4415 FAX: 406-247-4416
SERVING: Big Horn, Carbon, Carter, Custer, Fallon, Powder River, Prairie, Rosebud, Stillwater, Sweet Grass, Treasure, and Yellowstone Counties

HELENA: 1424 9TH AVE., PO BOX 201601, HELENA MT 59620-1601
PHONE: 406-444-6999 FAX: 406-444-9317
SERVING: Beaverhead, Broadwater, Deer Lodge, Jefferson, Lewis and Clark, Powell, and Silver Bow Counties

BOZEMAN: 2273 BOOT HILL COURT, SUITE 110, BOZEMAN MT 59715
PHONE: 406-586-3136 FAX: 406-587-9726
SERVING: Gallatin, Madison, and Park Counties

KALISPELL: 655 TIMBERWOLF PARKWAY, SUITE 4, KALISPELL MT 59901-1215
PHONE: 406-752-2288 FAX: 406-752-2843
SERVING: Flathead, Lake, Lincoln, and Sanders Counties

GLASGOW: 222 6TH STREET SOUTH, PO BOX 1269, GLASGOW MT 59230-1269
PHONE: 406-228-2561 FAX: 406-228-8706
SERVING: Daniels, Dawson, Garfield, McCone, Phillips, Richland, Roosevelt, Sheridan, Valley, and Wibaux Counties

LEWISTOWN: 613 NORTHEAST MAIN ST., SUITE E, LEWISTOWN MT 59457-2020
PHONE: 406-538-7459 FAX: 406-538-7089
SERVING: Cascade, Fergus, Golden Valley, Judith Basin, Meagher, Musselshell, Petroleum, and Wheatland Counties

HAVRE: 210 6TH AVENUE, PO BOX 1828, HAVRE MT 59501-1828
PHONE: 406-265-5516 FAX: 406-265-2225
SERVING: Blaine, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, and Toole Counties

MISSOULA: 2705 SPURGIN RD. BLDG. C, PO BOX 5004, MISSOULA MT 59806-5004
PHONE: 406-721-4284 FAX: 406-542-5899
SERVING: Granite, Mineral, Missoula, and Ravalli Counties



MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION
Water Resources Division - Water Rights Bureau
1424 9th Avenue, PO Box 201601, Helena, MT 59620-1601
Phone: 406-444-6610 Website: <http://dnrc.mt.gov/wrd/>

