



DNRC OWNERSHIP UPDATE, DIVIDED INTEREST (SPLIT)

§85-2-424

Form No. 641 (Revised 01/2024)

File in WR# _____

For Department Use Only

When to use this form:

- Use this form when the **ownership interest** in a water right **has been divided (split)**. This means that the original water right will be divided into separate and distinct water rights.
- Form 641 provides information to the Department regarding what portions of the original right that is being split go with each parcel.
- If the ownership interest of a water right is being exempted (reserved)/severed from the sale of property, complete either DNRC Form 642 or 643, as applicable, instead.

Filing Fee:

- The filing fee for Form 641 is \$150.
- Please make checks payable to DNRC.

Instructions:

- Complete one form for each water right that will be divided (if multiple water rights are being divided, filers will need to submit more than one Form 641, each with its own filing fee).
- Please submit **all pages of this completed Form 641 along with all of the following:**
 - **The filing fee,**
 - **A deed, contract for deed, or other recorded document**
 - **A water right abstract** (see more information on pg.2), and
 - **A map** (more information on pg. 2)
- Filers are encouraged to contact their local DNRC Water Resources Regional Office for assistance or for questions regarding this form (see Regional Office contacts on the last page of this form).

Important Notes:

- **If all interested parties wish to split the water right, each must fill out and sign either Section B or Section C of this form. A water right can be split into several portions on one form for one \$150 filing fee. All interested parties must sign off on the split of water rights even if their portions are not split into individual rights.**
- Any continued use of this water right must remain consistent with historic practices.
- If you want to change any portion of this water right, including adding a point of diversion, place of use, place of storage, or purpose of use of a water right, you must contact DNRC and receive a Change Authorization prior to changing the water use.
- The combined portions of a divided water right cannot exceed the total flow rate, volume, or period of diversion of the original water right. The flow rate used in the new water rights being created from the original water right may not exceed the claimed/permitted flow rate at any time.
- The DNRC has no jurisdiction concerning easement, right-of-way, and zoning matters. The buyer and seller must make these provisions where necessary.
- There may be ongoing court action regarding this water right and terms and conditions applicable to the exercise of the divided right. The buyer should be familiar with all aspects of the right received.

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



SECTION A – GENERAL INFORMATION

1. **DATE OF LAND TRANSFER (SALE)** _____

2. **WATER RIGHT BEING DIVIDED** _____

3. **SELLER (GRANTOR) / PARTY #1** _____

MAILING ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____ EMAIL _____

4. **BUYER (GRANTEE) / PARTY #2** _____

MAILING ADDRESS _____

CITY _____ STATE _____ ZIP _____

PHONE _____ EMAIL _____

5. **HOW IS THIS WATER RIGHT BEING DIVIDED?** Please check only one.

The water right is being divided as specifically identified in a deed, contract for deed, or other recorded document. (Attach a copy and underline the divided interest information.)

The water right is being divided proportionately between the buyer and seller based on the place of use described in the water right. (Attach a copy of the deed, contract for deed, or other recorded document.)

6. **WATER RIGHT ABSTRACT**

A current DNRC general abstract of the water right being divided must be submitted. To receive DNRC generated water right abstracts, query the water right at the following web address: <https://gis.dnrc.mt.gov/apps/WRQS/> or contact the Water Resources Regional Office serving your area.

7. **MAP**

A map must be provided. An aerial photo is preferred. You may also use a scaled map, county plat or quad map showing township and range, section corners, and a north arrow.

The following elements must be identified on the map:

- a. The place of use the seller is retaining;
- b. The place of use the buyer is receiving;
- c. Point(s) of diversion; and
- d. The location of any irrigated acres.



SECTION B – SELLER / PARTY #1 PORTION

This page is utilized to document what portions of the water right are being **retained**.

Attach additional sheets of this page, if applicable, as necessary.

1. **SELLER'S / PARTY #1'S NAME** _____

2. PORTION OF WATER RIGHT RETAINED

If specifically identified in the attached recorded document, what flow rate will be retained by the Seller? _____ GPM CFS

Unless specifically divided in the attached recorded document, both the Seller's and Buyer's water right will retain the full flow rate and the use of the flow rate must be shared and/or alternated. Attach an additional sheet explaining how this will be done such that, in combination, the flow rate of the original water right will not be exceeded.

Purpose of Use _____ Volume (acre-feet) _____

Purpose of Use _____ Volume (acre-feet) _____

3. POINT OF DIVERSION (Describe the location to the nearest 10 acres; three quarter sections are required.)

____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W

Lot/Tract _____ Block _____ Subdivision Name _____

COS _____ Gov't Lot _____ County _____

4. PLACE OF USE

Purpose of Use _____ County _____

____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W

____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W

____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W

____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W

____ **Total Acres**

Lot/Tract _____ Block _____ Subdivision Name _____

COS _____ Gov't Lot _____

Geocodes(s) _____

If the purpose of use of the water right is stockwater, please identify the number of Animal Units (AU) being retained: _____ AU

Purpose of Use _____ County _____

____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W

____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W

____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W

____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W

____ **Total Acres**

Lot/Tract _____ Block _____ Subdivision Name _____

COS _____ Gov't Lot _____

Geocodes(s) _____

If the purpose of use of the water right is stockwater, please identify the number of Animal Units (AU) being retained: _____ AU

5. ACKNOWLEDGEMENT

PLEASE INITIAL THE FOLLOWING INDICATING THAT YOU HAVE READ AND UNDERSTAND EACH STATEMENT.

____ Any continued use of this water right must remain consistent with historic practices.

____ If you have plans to change any portion of this water right, you must contact DNRC and receive a Change Authorization prior to changing the water use.

____ The flow rate used may not exceed the claimed / permitted flow rate at any time.

6. SIGNATURE

I DECLARE UNDER PENALTY OF PERJURY AND UNDER THE LAWS OF THE STATE OF MONTANA THAT THE FOREGOING IS TRUE AND CORRECT.

Seller or Party #1 Signature: _____ Date: _____

Seller or Party #1 Signature: _____ Date: _____



SECTION C – BUYER / PARTY #2 PORTION

This page is utilized to document what portions of the water right are being **acquired**. Attach additional sheets of this page, if applicable, as necessary. If more than one buyer, add sheets showing each buyer's portion.

1. **BUYER'S / PARTY #2'S NAME** _____

2. PORTION OF WATER RIGHT ACQUIRED

Flow Rate (GPM/CFS) _____ (Only if specifically identified in the attached recorded document—see Section B, Number 2)

Purpose of Use _____ Volume (acre-feet) _____

Purpose of Use _____ Volume (acre-feet) _____

3. POINT OF DIVERSION (Describe the location to the nearest 10 acres; three quarter sections are required.)

____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W
Lot/Tract _____ Block _____ Subdivision Name _____
COS _____ Gov't Lot _____ County _____

4. PLACE OF USE

Purpose of Use _____ County _____
____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W
____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W
____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W
____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W
____ **Total Acres**
Lot/Tract _____ Block _____ Subdivision Name _____
COS _____ Gov't Lot _____
Geocodes(s) _____
If the purpose of use of the water right is stockwater, please identify the number of Animal Units (AU) being acquired: _____ AU

Purpose of Use _____ County _____
____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W
____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W
____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W
____ acres ____ 1/4 ____ 1/4 ____ 1/4 Sec _____ TWP _____ N S RGE _____ E W
____ **Total Acres**
Lot/Tract _____ Block _____ Subdivision Name _____
COS _____ Gov't Lot _____
Geocodes(s) _____
If the purpose of use of the water right is stockwater, please identify the number of Animal Units (AU) being acquired: _____ AU

5. ACKNOWLEDGEMENT

PLEASE INITIAL THE FOLLOWING INDICATING THAT YOU HAVE READ AND UNDERSTAND EACH STATEMENT.

____ Any continued use of this water right must remain consistent with historic practices.

____ If you have plans to change any portion of this water right, you must contact DNRC and receive a Change Authorization prior to changing the water use.

____ The flow rate used may not exceed the claimed/permitted flow rate at any time.

6. SIGNATURE

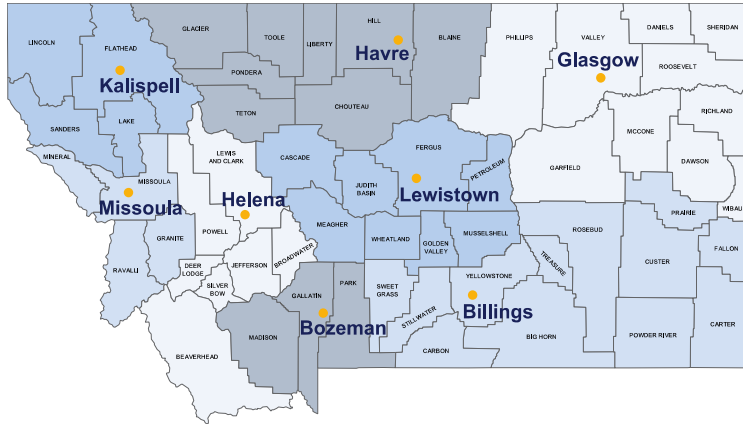
I DECLARE UNDER PENALTY OF PERJURY AND UNDER THE LAWS OF THE STATE OF MONTANA THAT THE FOREGOING IS TRUE AND CORRECT.

Buyer or Party #2 Signature: _____ Date: _____

Buyer or Party #2 Signature: _____ Date: _____



WATER RESOURCES REGIONAL OFFICES



BILLINGS

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

PHONE 406-247-4415 FAX 406-247-4416
EMAIL DNRCBillingsWater@mt.gov

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

HELENA

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

PHONE 406-444-6999 FAX 406-444-9317
EMAIL DNRCHelenaWater@mt.gov

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

BOZEMAN

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

PHONE 406-586-3136 FAX 406-587-9726
EMAIL DNRCBozemanWater@mt.gov

Gallatin, Madison, and Park Counties

KALISPELL

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

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

Flathead, Lake, Lincoln, and Sanders Counties

GLASGOW

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

PHONE 406-228-2561
EMAIL DNRCGlasgowWater@mt.gov

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

LEWISTOWN

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

PHONE 406-538-7459
EMAIL DNRCLewistownWater@mt.gov

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

HAVRE

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

PHONE 406-265-5516
EMAIL DNRCHavreWater@mt.gov

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

MISSOULA

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

PHONE 406-721-4284 FAX 406-542-5899
EMAIL DNRCMissoulaWater@mt.gov

Granite, Mineral, Missoula, and Ravalli Counties

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

