



The Montana Department of
**Natural Resources
& Conservation**

For Department Use Only

Temporary Lease of Appropriation Right

85-2-428, MCA

Form No. 650 (Revised 10/2025)

FILING FEE

\$400

TO USE THIS FORM, THE FOLLOWING MUST APPLY:

- The amount of water leased may not exceed the total consumptive use of the appropriation right. For an irrigation right, the consumptive volume may not exceed 2 acre-feet per acre irrigated. The Montana Department of Natural Resources and Conservation (DNRC) will use the standards in ARM, 36.12.2102(3) for estimating consumptive use.
- The water right must have been used within the last 5 years.
- The water right may be leased only during the period of diversion for the appropriation right.
- The water right may not be leased for more than 5 years during any consecutive 10-year period.
- The water right may not be leased for more than 40 days a year.
- The water right may only be leased for a beneficial use as defined in 85-2-102, MCA.
- The flow rate and volume of water leased may not exceed the appropriator's original water right.
- The point of diversion of the water right may not be changed on this form—a Change Application must be filed to change the point of diversion.
- The use of an appropriation right (e.g., a supplemental water right) on a place of use associated with leased water is prohibited during any year that leased water is put to beneficial use.
- Storage may be temporarily added during the term of the leased appropriation right if the water is diverted at the original point of diversion and subsequently put to a beneficial use.
- Leased water cannot be transported outside the state of Montana.
- Leased water must be measured at the point of diversion by a meter approved by the DNRC and the amounts reported to at the end of the year in which the lease occurred or upon request of the DNRC.
- Only one water right can be leased per form, per place of use.

Application # _____ Basin _____
Received By _____
Fee Received \$ _____ Check # _____
Deposit Receipt # _____
Payor _____
Refund \$ _____ Date/Time _____

ADDITIONAL INFORMATION

- All required information must be provided for your application to be considered correct and complete as required under 85-2-428, MCA. There will be no opportunity for you to correct deficiencies with your application. If the application is not correct and complete, it will be denied.



- Please note, if an application is approved, DNRC will provide notice to other users it deems may be adversely affected by the temporary lease; information will also be posted on the DNRC website. For a period of 30 days from the date an application is authorized, the DNRC will accept correct and complete objections to the temporary lease. If valid objections are received, the approval of the lease is suspended and no water may be used pursuant to the lease. The owner of the water right whose lease approval was suspended may request a hearing on the objection within 15 days of notice of the suspension. The owner will be required to show proof that the temporary lease will not adversely affect other users. DNRC will issue an order after the hearing indicating whether the lease can be reinstated or whether it will be revoked.

1. Water right owner(s) information:

Name(s) _____

Mailing Address _____

City _____ State _____ Zip _____

Phone Number _____ Email _____

Note: If there are additional owners, attach the water right owner information labeled as Attachment #1.

Contact Person: ☐ Applicant ☐ Consultant ☐ Attorney ☐ Other _____

Contact Name _____

Mailing Address _____

City _____ State _____ Zip _____

Phone Number _____ Email _____

Note: If a contact person is identified as an attorney, all communications will be sent only to the attorney unless the attorney provides written instruction to the contrary. Unless the contact person is an attorney, the water right owner will receive all correspondence, and a copy may be sent to the contact person.

2. Lessee information:

Name(s) _____

Mailing Address _____

City _____ State _____ Zip _____

Phone Number _____ Email _____

Note: If there are additional lessees, attach the lessee information labeled as Attachment #2.



3. **Lease dates:** In the table below, enter the begin and end dates and total days that the lease will be in effect each year. The water right may not be leased for more than 5 years during any consecutive 10-year period. The water right may not be leased for more than 40 days a year. The dates entered must match those specified in the executed lease agreement (see question 11.a.) If the lease agreement does not specify the exact period of use for each year of the lease or if the period of use is described generally (e.g., “any 40 days within the period of use for the original version of the leased right”) the period of use for the original version of the leased right should be used for the begin and end dates in this table. If the lease agreement does not specify the total number of days water will be leased in a given year, enter “no more than 40” in the total days column.

Year	Begin date (MM/DD/YYYY)	End date (MM/DD/YYYY)	Total Days
1			
2			
3			
4			
5			

Note: If the periods of use for the leased water do not cleanly fit in the table above (e.g., if leased water will be used during multiple different periods in the same year), include an attachment that accurately describes when leased water will be put to use each year. Label the attachment as Attachment #3.

4. **Water right number (only one water right can be leased per form, per place of use):**

5. **Source of water:** _____

6. **Diverted flow rate leased:** _____ ☐ GPM ☐ CFS

7. **Volume leased (only the consumptive volume of the original right is available for lease as specified in ARM 36.12.2102(3)):**

Unless the consumptive use of the water right proposed for lease has been calculated by the DNRC through a previous change application, the DNRC will use the standards specified in ARM 36.12.2102(3) for estimating consumptive use. Ensure that the leased volume requested below conforms to these standards.

VOLUME LEASED: _____ acre-feet

Note: Attach a description of how the consumptive use value estimated. Use the standards in ARM 36.12.2102(3), to estimate consumptive use. Label the attachment as Attachment #7.



8. Purpose of use for leased water:

9. Place of use for leased water purpose (Attach additional sheets if necessary, labeled as Attachment #9):

Describe the location of the place of use to the nearest 10 acres if possible. Legal land descriptions, subdivisions, and certificate of survey information may be obtained from the county records, tax statements, or from the Montana Cadastral system at: <http://gis.mt.gov/>.

____ 1/4 ____ 1/4 ____ 1/4 ____ 1/4 of Section ____ Township ____ N S Range ____ E W
Gov't Lot # ____ County ____ Tract # ____ COS # ____
Subdivision Name ____ Lot ____ Block ____

Physical Address, including City, State & Zip Code of the place of use for the leased water/new purpose:

10. Will temporary storage be added? ☐ Yes ☐ No (If yes, provide the legal land description of the storage location, identify the capacity of the storage facility and describe of how the capacity was calculated.)

a. Legal land description of temporary storage:

____ 1/4 ____ 1/4 ____ 1/4 of Section ____ Township ____ ☐ N ☐ S Range ____ ☐ E ☐ W
County ____

b. Temporary storage capacity: _____ acre-feet

Note: Attach a description of how the temporary storage capacity was calculated. Use bathymetry data, survey, or engineering plans for capacity. Label the attachment as Attachment # 10b. Include the data sources used with this attachment. If these data sources are unavailable, use the following equation:

$$\text{Surface Acres} \times \text{Maximum Depth (FT)} \times 0.5 = \text{Capacity acre-feet.}$$

11. Attach the following: (Check the box next to each question (a-g) to indicate that each has been attached to this application. Label each attachment with the corresponding letter (Attachment 11a-11g). If a required box is not checked and/or the required materials are not attached, the form will be denied.)

- a. ☐ A copy of the executed lease agreement.
- b. ☐ Evidence that the water right has been used within the last 5 years.
- c. ☐ A statement of potential adverse effect explaining what potential adverse effect could occur from the change in use under the temporary lease and how this determination was made.
- d. ☐ A description of planned actions that will be taken to prevent potential adverse effects that, in aggregate, demonstrate no adverse effects.
- e. ☐ Explain in detail how the existing beneficial use of the leased water right and any supplemental water rights will cease on the existing place of use during the lease period. The explanation must account for the full volume of water proposed for lease and must clearly indicate where the beneficial use will cease, including the number and location of acres to be removed from irrigation, if applicable.
- f. ☐ Provide a map that clearly indicates where the existing beneficial use will cease, including the number and location of acres to be removed from irrigation, if applicable.
- g. ☐ A description of the plan for measuring and reporting the amount of leased water.



Signature(s): **All owners must sign the form.**

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

Water Right Owner Signature _____ Date _____

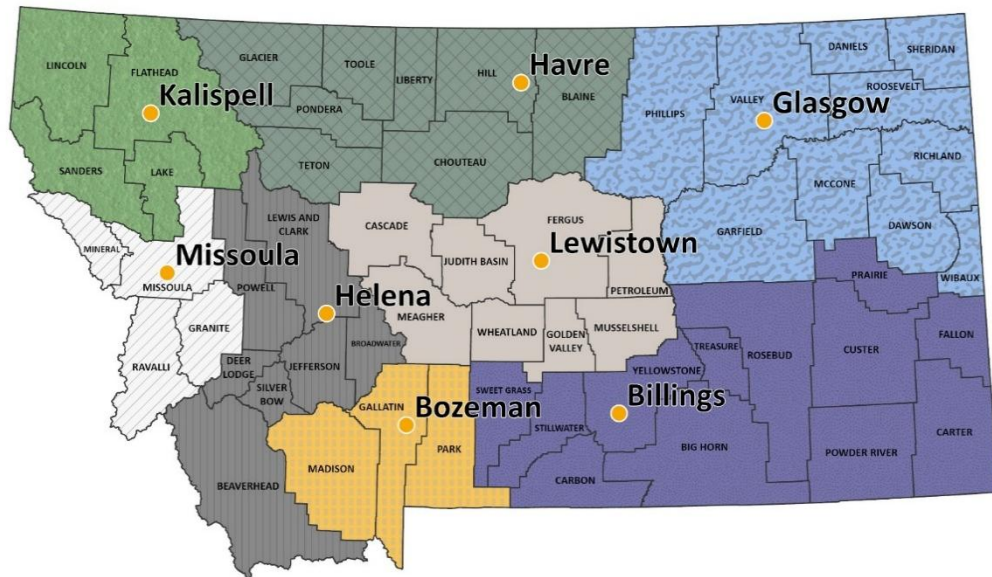
Printed Name _____

Water Right Owner Signature _____ Date _____

Printed Name _____



WATER RESOURCES REGIONAL OFFICES



• BILLINGS

Airport Industrial Park, 1371 Rimtop Drive
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

• 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

• GLASGOW

222 6th Street South, P.O. 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

• HAVRE

210 6th Avenue, P.O. Box 1828
Havre, MT 59501-1828
PHONE 406-265-5516
EMAIL DNRCHavreWater@mt.gov

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

• HELENA

1424 9th Avenue, P.O. 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

• KALISPELL

655 Timberwolf Parkway, Suite 4
Kalispell, MT 59901-1215
PHONE 406-752-2288
EMAIL DNRCKalispellWater@mt.gov

Flathead, Lake, Lincoln, and Sanders Counties

• LEWISTOWN

613 Northeast Main Street, 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

• MISSOULA

2705 Spurgin Road Building C, P.O. Box 5004
Missoula, MT 59806-5004
PHONE 406-721-4284 FAX 406-542-5899
EMAIL DNRCMissoulaWater@mt.gov

Granite, Mineral, Missoula, and Ravalli Counties