

# DNRC WATER RIGHT PREDETERMINATION REQUEST ARM 17.36.103(s)

Complete this form if you have a proposed project which will be subject to DEQ or county sanitation or subdivision review. All information described in the instructions below must be submitted. Use of this specific form for submittal of the information to DNRC is required. See page 3 for additional guidance about this process.

Name(s)/Business Name \_\_\_\_\_  
Mailing Address/City/St/Zip \_\_\_\_\_  
Preferred Phone \_\_\_\_\_ E-Mail \_\_\_\_\_

• **Project and Location Information**

Identify the type of project:

- Release of Sanitary Restrictions/Rewrite                       Family Transfer
- Boundary Line Adjustment                       Subdivision of Property                       Other

Provide a brief description of the proposed project:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Geocode of Existing Property: \_\_\_\_\_

Legal Land Description of Project Area:

\_\_\_\_ 1/4 \_\_\_\_ 1/4      Section \_\_\_\_ TWP \_\_\_\_ RGE \_\_\_\_ County \_\_\_\_\_  
 \_\_\_\_ 1/4 \_\_\_\_ 1/4      Section \_\_\_\_ TWP \_\_\_\_ RGE \_\_\_\_ County \_\_\_\_\_

• **Subdivision Plat Information**

Subdivision/Plat Name: \_\_\_\_\_

Total number of proposed lots: \_\_\_\_ Lot sizes: \_\_\_\_\_

Current landowner: \_\_\_\_\_

Is this a rewrite?    Yes       No      If yes, briefly explain the details of the rewrite below.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

• **Existing Water Use**

Describe all existing water uses within the footprint of the project area.

\_\_\_\_\_  
\_\_\_\_\_

Before DNRC can make a predetermination, all existing water uses within the project area must have a water right. If existing uses do not have a water right, you cannot file this predetermination request at this time. If you have questions, please contact your local Regional Office for assistance. See Page 4 for contact information.

Identify water right numbers of the existing water uses. \_\_\_\_\_

\_\_\_\_\_

Explain how the existing water uses will operate with the proposed project and new uses of water.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- **Project Information**

**Purpose** – Identify all new water uses proposed for the subdivided property. Be sure to adhere to applicable CC&Rs. Refer to DNRC Form 615 for information on general water requirements.

Type of Use	Details of Use	Volume Required (AF)
Domestic	Number of new households proposed:	
Lawn & Garden	___ Acres/Lot x ___ Lots = _____ Total Acres	
Commercial or Industrial	Type:	
Stock	Type and number of animal units proposed:	
Other	Describe:	

**If more than one lot is involved in your project and you intend to meet the exception to the permitting process, how will the maximum volume of 10 AF/year allowed under the permit exception be divided between the lots, parcels or tracts being reviewed:**

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**Diversion Means**

New Well    Existing Well: GWIC ID \_\_\_\_\_ Water Right Number \_\_\_\_\_

Developed Spring    Pit

Flow rate: \_\_\_\_\_ GPM

Total number of wells: \_\_\_\_\_

If multiple wells are being proposed, explain the use for each well. \_\_\_\_\_

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- **Attach the Following Required Documents**

Proposed Plat Map/Lot Layout Map

General Location Map

Copy of recorded documents (COS, Final Plat) that created parcels under 20 acres in this review.

Well log(s), if well has been drilled

Attach any additional information that may be helpful to DNRC on a separate sheet.

- **Signatures of Property Owners**

This proposal must be reviewed by owners of all parcels involved in the proposed project; signatures from all property owners are required. Use additional sheets if necessary.

**Parcel**

**Owner Signature**

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____



## **DNRC WATER RIGHT INQUIRY INSTRUCTIONS**

Is your project subject to DEQ sanitation or subdivision review? If so, how do you intend each structure to obtain both potable water and water for lawn and garden irrigation? Before the DEQ approval can be finalized (allowing you to move forward with your project), you must first obtain a water right or have a plan approved by DNRC indicating that your usage does not require a beneficial water use permit. This process is required under ARM 17.36.103(s).

Please complete the above request form for a determination by DNRC regarding water right requirements for your proposed project. Your request must include the following information:

- A map of the land parcels in question (including quarter section(s), section, township, and range.)
- A copy of the Certificate of Survey (COS) or Subdivision final or preliminary plat that shows the date of when parcels/lots/tracts under 20 acres in this review were originally created.
- Flow rate required
- Purposes required—include everything you’ve projected in your plan
  - Domestic (include how many residences or units)
  - Lawn & Garden Irrigation (include possible irrigated areas)
    - Be sure this matches any information provided in the subdivision CC&Rs. If the CC&Rs say the residents must maintain a lawn and you say no irrigated areas in the subdivision, DEQ will restrict your approval to include no irrigation.
    - Include any irrigated parks / common areas
  - Any other purposes projected such as commercial, industrial, etc.
- Volume required for each purpose. If you don’t know the volume required, feel free to use DNRC standards on DNRC Form 615 or the appropriate DEQ circular.
  - The DEQ domestic standard of 0.28 AF/year per household is the minimum annual volume that the Department will accept. If you believe a use of less than 0.28 AF/year per household is appropriate, then you must request a deviation from DEQ for the desired volume. If your deviation request is approved, include a copy with your submittal to DNRC. DNRC will not accept a request to use less than 0.28 AF per household without DEQ approval.
- If your proposed use is less than the total volume allowed under the water right permit exception in § 85-2-306, MCA, explain how much volume is to be allocated to the lots, parcels or tracts being reviewed. The Department will assign estimated volumes and unallocated volumes to each property thereby establishing the maximum volume that future owners will be able to appropriate under the water right permit exception.
- If more than one well is proposed, be sure to indicate which uses (# connections, # acres, etc.) will be attributed to each well.
- Well log(s) if the well(s) has been drilled
- The water use proposal must be reviewed by owners of all parcels involved in the proposed project. Signatures from all property owners are required.

**Please note:** DNRC will respond with a predetermination within 20 days of receiving a complete request free of deficiencies. DNRC will inform you of any deficiencies in your request. If deficiencies are not resolved in a timely manner, or the original request is grossly deficient, DNRC will inform you that a predetermination cannot be made – you will then need to resubmit a new request once you compile all required information. DNRC will forward the predetermination to DEQ or the relevant County for their use in determining if your Certificate of Subdivision Approval is able to move forward.

*Send your request to the Regional Office serving your county:*

<p><b>BILLINGS:</b></p> <p>406-247-4415  <a href="mailto:DNRCBillingsWater@mt.gov">DNRCBillingsWater@mt.gov</a></p> <p>Airport Industrial Park            1371 Rimtop Dr            Billings MT 59105-1978</p> <p>Serving: Big Horn, Carbon, Carter, Custer, Fallon, Powder River, Prairie, Rosebud, Stillwater, Sweet Grass, Treasure, &amp; Yellowstone Counties</p>	<p><b>HELENA:</b></p> <p>406-444-6999  <a href="mailto:DNRCHelenaWater@mt.gov">DNRCHelenaWater@mt.gov</a></p> <p>PO Box 201601            Helena MT 59620-1601</p> <p>Serving: Beaverhead, Broadwater, Deer Lodge, Jefferson, Lewis &amp; Clark, Powell, &amp; Silver Bow Counties</p>
<p><b>BOZEMAN:</b></p> <p>406-586-3136  <a href="mailto:DNRCBozemanWater@mt.gov">DNRCBozemanWater@mt.gov</a></p> <p>2273 Boot Hill Court, Suite 110,            Bozeman MT 59715</p> <p>Serving: Gallatin, Madison, &amp; Park Counties</p>	<p><b>KALISPELL:</b></p> <p>406-752-2288  <a href="mailto:DNRCKalispellWater@mt.gov">DNRCKalispellWater@mt.gov</a></p> <p>655 Timberwolf Parkway, Suite 4            Kalispell MT 59901</p> <p>Serving: Flathead, Lake, Lincoln, &amp; Sanders Counties</p>
<p><b>GLASGOW:</b></p> <p>406-228-2561  <a href="mailto:DNRCGlasgowWater@mt.gov">DNRCGlasgowWater@mt.gov</a></p> <p>PO Box 1269            Glasgow MT 59230-1269</p> <p>Serving: Daniels, Dawson, Garfield, McCone, Phillips, Richland, Roosevelt, Sheridan, Valley, &amp; Wibaux Counties</p>	<p><b>LEWISTOWN:</b></p> <p>406-538-7459  <a href="mailto:DNRCLewistownWater@mt.gov">DNRCLewistownWater@mt.gov</a></p> <p>613 NE Main St, Suite E            Lewistown MT 59457-2020</p> <p>Serving: Cascade, Fergus, Golden Valley, Judith Basin, Meagher, Musselshell, Petroleum, &amp; Wheatland Counties</p>
<p><b>HAVRE:</b></p> <p>406-265-5516  <a href="mailto:DNRCHavreWater@mt.gov">DNRCHavreWater@mt.gov</a></p> <p>PO Box 1828            Havre MT 59501-1828</p> <p>Serving: Blaine, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, &amp; Toole Counties</p>	<p><b>MISSOULA:</b></p> <p>406-721-4284  <a href="mailto:DNRCMissoulaWater@mt.gov">DNRCMissoulaWater@mt.gov</a></p> <p>PO Box 5004            Missoula MT 59806-5004</p> <p>Serving: Granite, Mineral, Missoula, &amp; Ravalli Counties</p>