



CONSERVATION DISTRICT WATER RESERVATION

Training Guide



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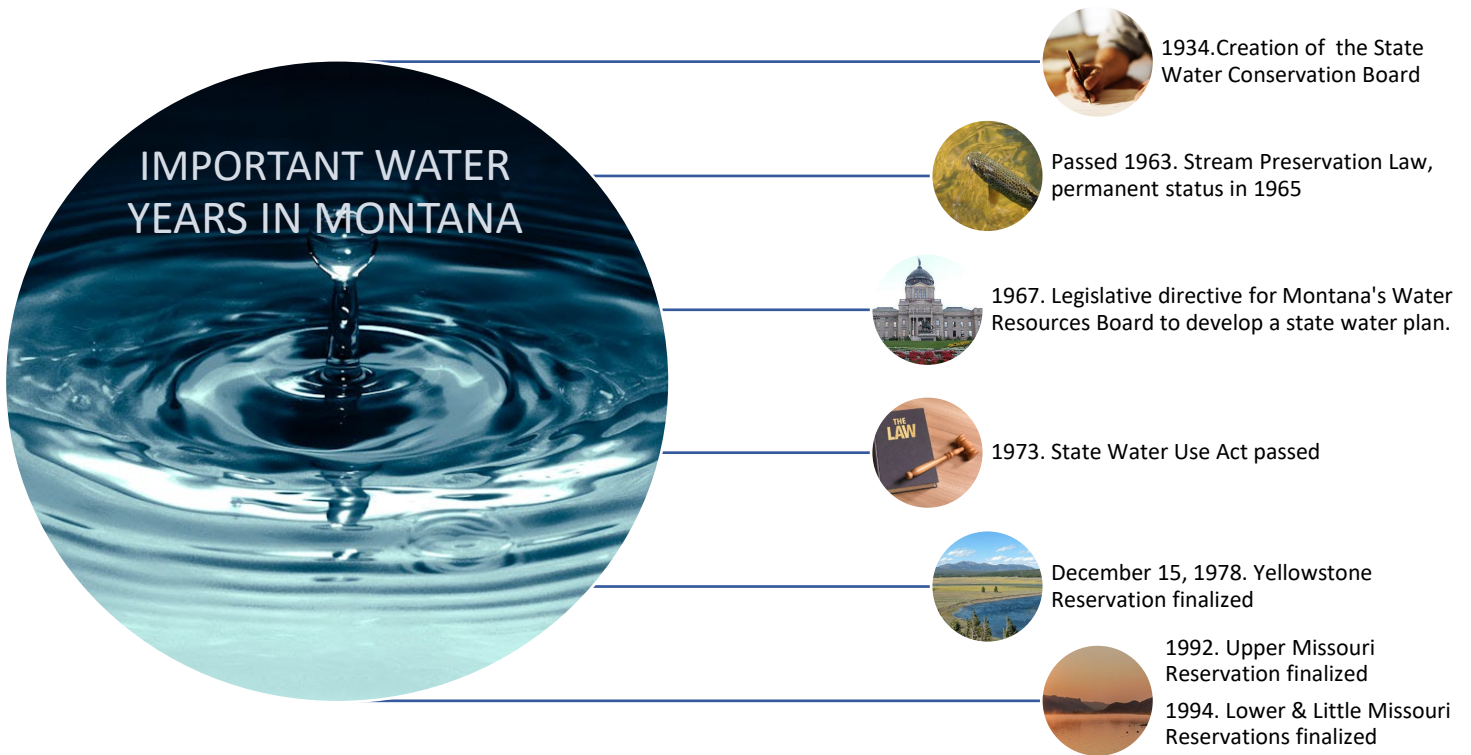
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SECTION 1

BRIEF TOUR OF MONTANA'S WATER HISTORY



Source: [Protecting Montana's Water for Future Use](#)

At the turn of the nineteenth century, two irrigators stood at an irrigation diversion on the Burnt Fork Creek in the Bitterroot Valley and argued over water rights. Only one left the scene alive and that led to Montana's first court ordered adjudication of water rights in 1905. It's still a contentious topic, however, no longer deadly.

With the cycles of plenty and drought, Montanans first sought to preserve water through the creation of the State Water Conservation Board (SWCB) through House Bill 39 which was signed into law by Governor Cooney on January 9, 1934.

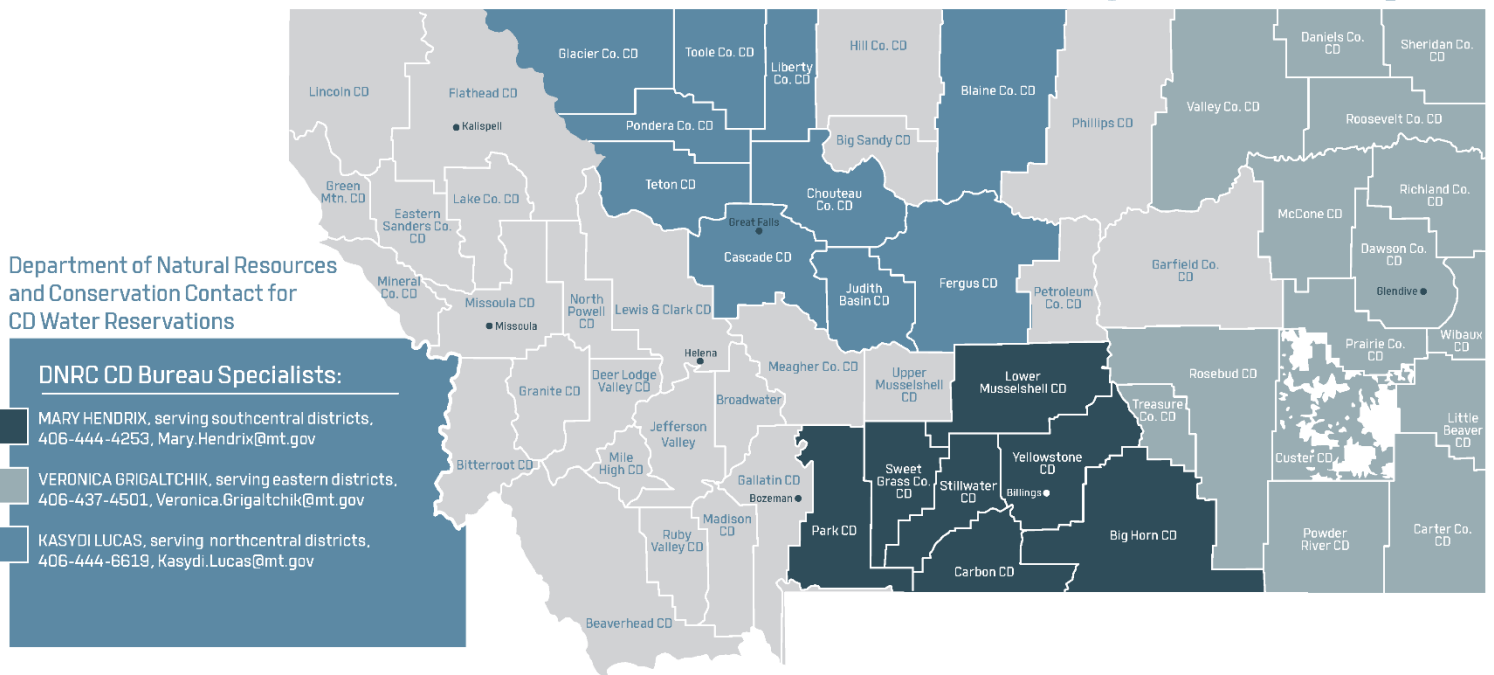
SWCB's directive was to promote public welfare, while protecting the public interest by selecting and constructing water storage and distribution projects. Forward-thinking SWCB was also given authority to file water appropriation documents on all unappropriated waters of the state for uses in future projects.

Other important State landmark decisions:

- 1947: Water quality statutes pass responding to municipal concerns about declining domestic water quality.
- 1955: State Water Pollution Council establishes a classification system and criteria for maintaining established water quality standards; updated after the 1965 Water Quality Act by Congress and still in use today.
- 1963/1965: Stream Preservation Law passes and becomes permanent in 1965. It requires any state agency or subdivision of the state with water development plans/projects that have the potential to change the existing natural streambed to contact Fish and Game Commission (pre-cursor to the 124 permits?)
- 1967: Legislative directive to develop a state water plan.

- 1969: Blue Ribbon Streams Law (Murphy’s Law) established a priority for maintenance of minimum stream flow to protect fish habitat
- 1972: Montana Water Law Advisory Council formed as a response to the new Montana Constitution.
 - Discussed reservation doctrine, minimum flows, Murphy’s Law, water use with or without diversion, and the definition of **beneficial uses**.
 - Tasked DNRC to further address the question of reservations and defined that reserved waters should not be given the status of “rights” and decided that only public agencies should be permitted to reserve waters for minimum flows and other beneficial uses without requiring a diversion.
 - Added a Water Reservation section recognizing that the reservation of water is a valid appropriation of the state’s waters.
- 1973: Becomes Senate Bill 444 and signed as Montana’s 1973 Water Use Act
- 1978: Yellowstone River Basin reservation – December 15, 1978, at 16:18 priority date/ time
- 1992: Upper Missouri River Basin reservation – July 1, 1985, at 08:00 priority date/ time
- 1994: Lower Missouri Reservation – July 1, 1985, at 08:00 priority date / time
- 1994: Little Missouri Reservation – July 1, 1989, priority date
- See Appendix 3 for Order of Priority

Conservation Districts with Water Reservations for Agricultural Development



WATER RESERVATION PROGRAM BACKGROUND

The State of Montana owns the waters within the state on behalf of its citizens. Citizens do not own the water but can possess a legal right to use the water within state guidelines. By law, a recorded water right is required for the water uses within that right to be valid, legal, and defensible against other water rights. A water right protects the use of that water from other uses later in time, from unrecorded, illegal uses, or from others who exceed their rights.

A water reservation authorized by the State of Montana is a water right for future beneficial use, to serve a public need and public interest. All water reservations currently authorized by the state were authorized between 1978 and 1994 for municipalities, conservation districts, as well as for a few state and federal agencies, within the Upper and Lower Missouri River and Yellowstone River Basins.

The 1973 Montana Water Use Act made it possible for the State of Montana and the federal government to reserve water for future consumptive uses or to maintain a minimum flow level or quality of water. To reserve water, a qualified public body must have applied to the Board to establish:

- The purpose of the reservation
- The need for the reservation
- The amount of water necessary for the purpose of the reservation
- The reservation is in the public interest

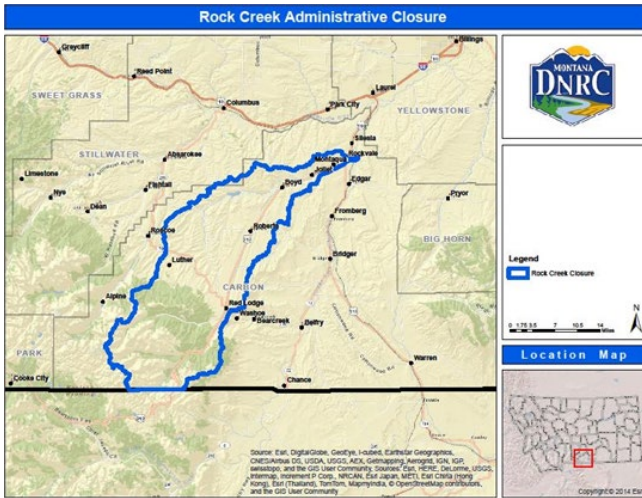
In 1978, the Board of Natural Resources and Conservation granted water reservations to conservation districts (CDs) for agricultural beneficial use. In the Yellowstone River Basin, 14 CDs were granted reservations. In 1992, 10 CDs were granted reservations in the Upper Missouri River Basin, and in 1994, 11 CDs were given reservations in the Lower and Little Missouri River Basins. Some CDs have reservations in more than one basin. Conservation districts may not process or grant applications for water reservations in closed basins.

Local landowners interested in developing water for agricultural beneficial use, can apply to the CD for a water use authorization from the districts reserved water right. The district reviews the application and technical feasibility of the project and public notices the application before voting to approve or deny the application.

The CD issued Authorization is a legal document subject to conservation district rules, the Department of Natural Resources and Conservation (DNRC) order, and Montana state law.

What's the Process?

1. Applicants requesting a CD water use authorization must apply to the local conservation district.
2. The application is reviewed for complete and correctness. The CD reserves the right to send it back to the applicant if the application is incomplete or has missing documents or data.
3. The application is public noticed providing downstream and upstream water users an opportunity to comment or object.
4. The process will take 3-4 months, with a longer processing time if the application is incomplete, objections are received, or it includes a change to a point of diversion, place of use, or place of storage that was not included in the original public notice.
5. Water is not appropriated, and construction should not begin place until the Authorization is issued.



Rock Creek Administrative Rule Closure

May Affect: Carbon Conservation District

Location: Rock Creek is a tributary of the Clarks Fork of the Yellowstone River in Carbon County.

Effective Date: February 9, 1990

Information: The entire Rock Creek drainage, from its headwaters to its confluence with the Clarks Fork of the Yellowstone River, including Red Lodge, Spring, Dry, Willow, and Clear Creeks, the West Fork of Rock Creek, and all unnamed tributaries, are included in the closure area.

- No new appropriations of surface water for consumptive use can be made from June 1 - September 30 of each year.
- Permits for nonconsumptive uses during the closure period will be conditioned to provide that they will not decrease the source of supply, disrupt stream conditions below the point of return, or adversely affect prior appropriators between the point of diversion and the point of return.

Towhead Gulch Administrative Rule Closure

May Affect: Lewis & Clark Conservation District

Location: The Towhead Gulch drainage area is a tributary of the Missouri River at Upper Holter Lake in Lewis and Clark County.

Effective Date: January 17, 1992

Information: The entire Towhead Gulch drainage, from its headwaters to its confluence with the Missouri River, including Beartooth Creek and all unnamed tributaries, is contained in the closure area.

- Rattlesnake Gulch, McLeod Gulch, and their tributaries are not included in the basin closure.
- No new appropriations of surface water for consumptive use can be made during any time of the year.
- Permits for nonconsumptive use will be conditioned to provide that they will not decrease the source of supply, disrupt stream conditions below the point of return, or adversely affect prior appropriators between the point of diversion and the point of return.



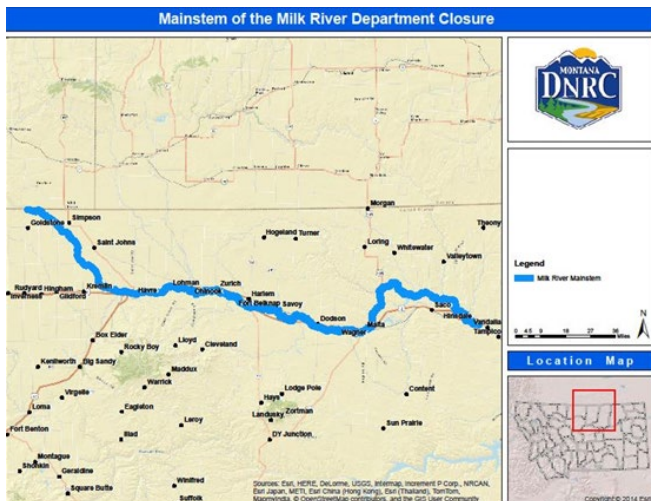
DEPARTMENT ORDERED MILK RIVER CLOSURES

The legislature has given DNRC the authority to order closures within the Milk River basin. There are two DNRC orders closing portions of the basin.

The legislature gave authority to DNRC to order closures within the Milk River drainage basin in statute 85-2-321, MCA. The following factors were considered in the DNRC orders:

- *New water use from the source for certain types of applications will adversely affect prior users or developments that are already planned, and*

- Significant disputes or enforcement problems regarding the priority of rights or amounts or duration of water in use exist or will arise.
- An individual or a public agency can request that DNRC modify or revoke an order.
- The request must show that the criteria in 85-2-311, MCA can be met by an application or type of application.
- Also, DNRC can hold a hearing and modify or revoke its order.



Mainstem of the Milk River Department Ordered Closure

May Affect: Blaine County Conservation District and Valley County Conservation District

Location: The mainstem of the Milk River, from Eastern Crossing (at the Canadian border), through Hill, Blaine, Phillips, and Valley Counties to the Vandalia Diversion Dam.

Effective Date: January 1, 1983

Information: This DNRC order closes the area to new appropriations that are direct diversions without storage for irrigation or any other consumptive use.

- The periods of closure for the above type of appropriations are:
 - Year-round from Eastern Crossing to Fresno Dam,
 - June 15 - September 30 from Fresno Dam to Dodson Dam,
 - June 15 - September 30 from Dodson Dam to Vandalia Dam.
- This area is closed because the occurrence of unappropriated water is so infrequent that any new appropriation from the source of the type described above will adversely affect the rights of prior appropriators on the source.
- This closure is for surface water only and not for any groundwater appropriations, whether the water is hydrologically related to surface stream flow.

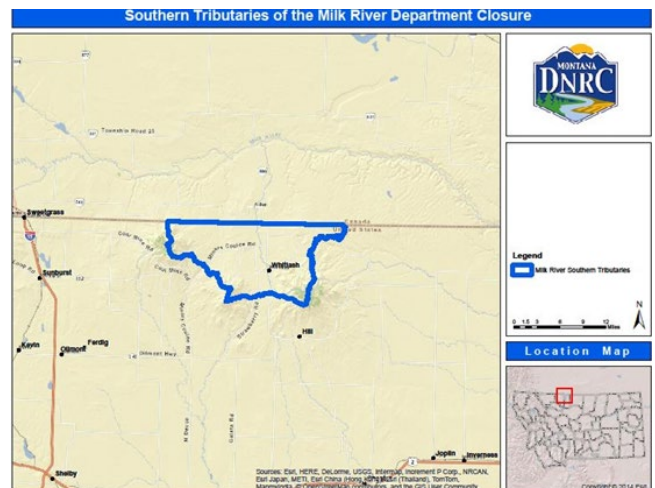
Southern Tributaries of the Milk River Department Ordered Closure

May Affect: Liberty County Conservation District and Toole County Conservation District

Location: Miners Coulee, Halfbreed Coulee, Bear Creek, and all their respective tributaries in Toole and Liberty Counties.

Effective Date: September 1, 1991

Information: This DNRC order closes the area to new appropriations of surface water that are direct diversions without an on-source storage facility for irrigation or any other consumptive use during any time of the year.

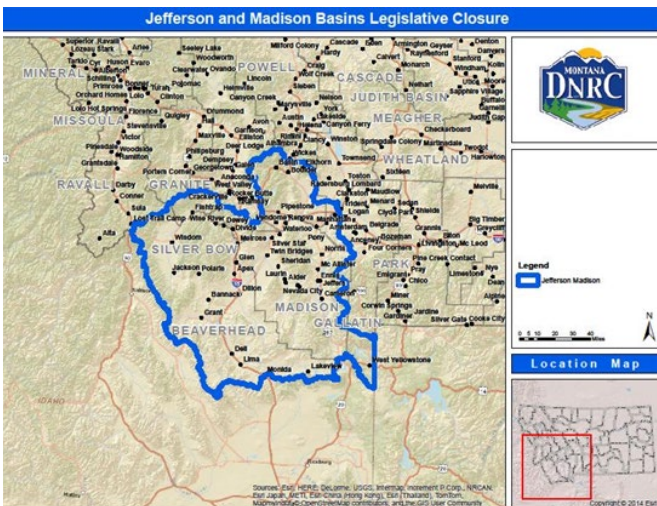


- The area is closed because unappropriated water occurs so infrequently that any new appropriation from the source of the type described above will adversely affect the rights of prior appropriators on the source.
- Applications of up to 3 acre-feet per year for new domestic and stock watering purposes 37 will be accepted.

LEGISLATIVE CLOSURES

By law the legislature can preclude permit applications in a chosen drainage basin. Six basins total have been closed by legislative action; the three basin closures listed may affect conservation districts.

Statute 85-2-319, MCA gives the legislature the authority to stop applications for new appropriations and applications for state water reservations in highly appropriated basins. The following closures were enacted by law.



Jefferson-Madison River Basin Legislative Closure

May Affect: Gallatin Conservation District and Jefferson Valley Conservation District

Location: The Jefferson River basin is the drainage area of the Jefferson River and its tributaries above the confluence of the Jefferson and Madison Rivers. The Madison River basin is the drainage area of the Madison River and its tributaries above the confluence of the Madison and Jefferson Rivers.

Effective Date: April 1, 1993

Information: DNRC may not process or grant applications for permits to appropriate water or applications for state water reservations within the Jefferson River basin or the Madison River basin.

- There are exceptions where DNRC may process or grant permit applications. These are:
 - Applications for permits for groundwater,
 - Applications for permits for nonconsumptive use,
 - Applications for permits for domestic, municipal, or stock use,
 - Applications to store water during high spring flows, and temporary emergency appropriations.

Teton River Basin Legislative Closure

May Affect: Chouteau County Conservation District and Teton Conservation District

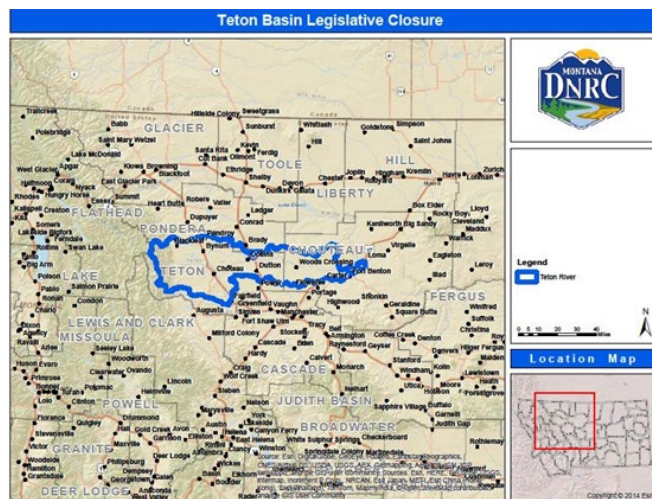
Location: The Teton River basin is the drainage area of the Teton River and its tributaries above the confluence of the Teton and Marias Rivers.

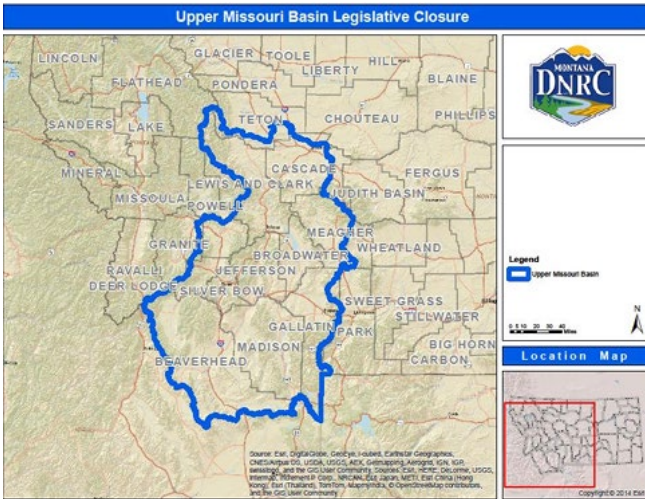
Effective Date: April 21, 1993

Information: DNRC may not process or grant applications for permits to appropriate water or applications for state water reservations within the Teton River basin.

There are exceptions where DNRC may process or grant permit applications. These are:

- Applications for groundwater appropriations,
- Applications for nonconsumptive uses,
- Applications for domestic, municipal, or stock use,
- Applications to store water during high spring flows, and temporary emergency appropriations.





Upper Missouri River Basin Legislative Closure

May Affect: Broadwater Conservation District, Cascade Conservation District, Gallatin Conservation District, Jefferson Valley Conservation District, Lewis & Clark Conservation District, and Teton Conservation District

Location: The Upper Missouri River basin is the drainage area of the Missouri River and its tributaries above Morony Dam.

Effective Date: April 16, 1993

Information: DNRC may not process or grant applications for permits to appropriate water or applications for state water reservations within the Upper Missouri River basin.

- This closure is temporary until final decrees have been issued for all the subbasins of the Upper Missouri River basin.
- There are exceptions where DNRC may process or grant permit applications. They are:
 - Applications to appropriate groundwater,
 - Applications for nonconsumptive uses,
 - Applications for domestic, municipal, or stock use,
 - Applications to store water during high spring flows,
 - Applications to use water from the Muddy Creek drainage in certain situations, and
 - Temporary emergency appropriations.
- Applications to appropriate water from the Muddy Creek drainage (Muddy Creek drains into the Sun River) will only be approved if the use will help control erosion in the Muddy Creek drainage.

A CD Water Reservation Program should have the following components.

Program Records Management

- Retain the Reserved Water Development Plan for the Conservation District
- Retain the Conservation District Water Reservation Manual
 - Have a copy of the Original Public Notice and boundaries
 - Have a copy of the Final Board Order
- Preserve accurate public record of reserved water authorizations for the district
 - Keep list of Individual water reservation with current owner name and address

CD Water Reservation Fees and Forms

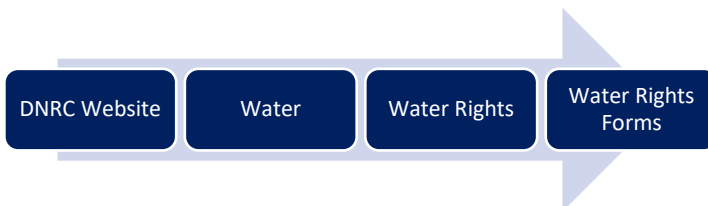
Review and update annually if needed

- Keep a current and accurate application fee structure
- Maintain and retain CD water reservation forms

DNRC Water Reservation Fees and Forms

Review and update annually if needed

- Review and download DNRC water reservation forms annually [DNRC Water Right Forms](#)



- Form 606-CD Conservation District Water Reservation Based Change
- Form 606P Change Preapplication Meeting Form
- Form 607 Application for Extension of Time
- Form 618 Notice of Completion of Change of Appropriation Water Right

The DNRC water reservation forms are used to add a point of diversion, place of use, or place of storage to a Conservation District Water Reservation that was not included in the original public notice.

CD Documents and Forms

- Maintain and retain checklists, public notice documents, and forms for CD usage

Board Meeting Protocols

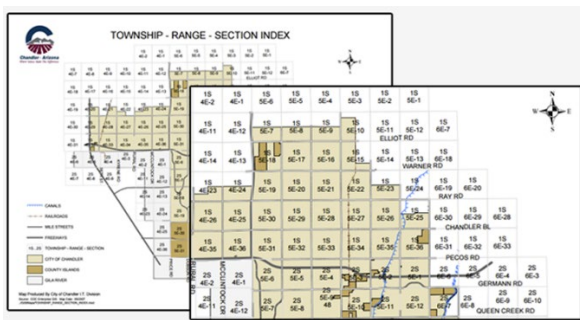
- Develop or maintain a process for meetings when water reservation applications are reviewed

Reports

- Develop or maintain a process for annual that produces the ten-year reports, [85-2-316\(10\)a-d](#), MCA

A CD Water Reservation Manual should have the following components, but contents may vary depending on the Basin.

- Introduction
- Schedule toward using water
 - Project Development Goals
 - Relative Economics
- Specific project area maps: Project areas approved in the Board Order that shows CD water reservation boundaries by township, range, and section



Sample of township, range, and section

- Application Review
 - Variance Procedure
 - Allocation Criteria
 - Application modification or denial
 - Board approval
 - Construction starting date restrictions
 - Standard terms of authorization
 - Introduction
 - Application included
 - Completion of project
 - Prior rights
 - District priority system
 - Priority enforcement
 - Annual Report
 - Revocation of authorization
 - Violation of water use authorization
 - Abandonment of irrigation system
 - Water of reserved water
 - Authorization revocation Meetings
 - Purpose of use
 - Sever and sell
 - Transfer of allocations
 - Change in authorization
 - Measuring devices
 - Access
 - Fees
 - System operation
 - Water Management
 - Modifications
 - Liability waivers
- Recordkeeping
 - FORMS
 - Old manual forms will be updated with new forms
 - Board approval of District's Administrative Procedures
- County Map
 - Maps of Proposed Project Areas
 - Area Soils Maps
 - Soils Interpretations
 - Potential Storage
 - General Geology
 - Land Use
 - Land Ownership
- Administrative procedures
 - Table of Contents
 - Introduction
 - Definitions
 - Forms & Filing Fees
 - District Rights and Responsibilities
 - Mechanisms for allocating water
 - Application Procedure
 - Provisional Permit Transfer
 - Direct Application
 - Internal Priority System
 - Application Content
 - Deficient Application
 - Speculative Application

CD WATER RESERVATIONS FORMS

To streamline and elevate efficiency, the CD Water Reservation Program will use the same numbering convention and subject title across basins.

FORM NUMBER AND TITLE:	Forms completed by Applicant	Forms completed by WR Contractor	Forms completed by Public
101: Reserved Water Use Authorization Application	√		
102: Reserved Water Use Authorization		√	
103: Water User Annual Status Report	√		
104: Change of Reserved Water Use Authorization Application	√		
105: Change of Reserved Water Use Authorization		√	
106: Notice of Completion of Water Development	√		
106A: Notice of Completion Projects Not Authorized	√		
106B: <u>Instructions</u> for Notice of Completion Project Not Authorized			
107: Objection to Application			√
108: Extension of Time Application	√		
109: Notice of Transfer Reserved Water Use Authorization	√		
109A: Portioned Transfer Reserved Water Use Authorization Addendum	√		
110: Reserved Water Use Complaint Form			√
111: <i>Reserved</i>			
112: Addendum to Notice of Completion to Form 618	√		

CONSERVATION DISTRICT FORMS OVERVIEW

Internal CD Forms

- CD Water Reservation Checklist Tracker
- CD Water Reservation Assistance Request Form
- CDB Technical Assistance Letter
- Public Notice
 - Certificate of Service
 - Notice to Water Users
 - Publisher Notice and Affidavit/Certification of Publication
- Annual Report to DNRC

Conservation Districts (CD):

- This is your program to maintain and develop.
- Conduct an application review with approval at a conservation district board meeting prior to contacting CDB for technical assistance.
 - Review to include:
 - Complete and accurate check of application viability,
 - Adequate fees are collected to cover staff administration costs
- Any request for technical assistance must have an authorized signature.
- Keep records of all uses of water reserved for your conservation district.
- Provide education and outreach about the benefits of your conservation district water reservation.

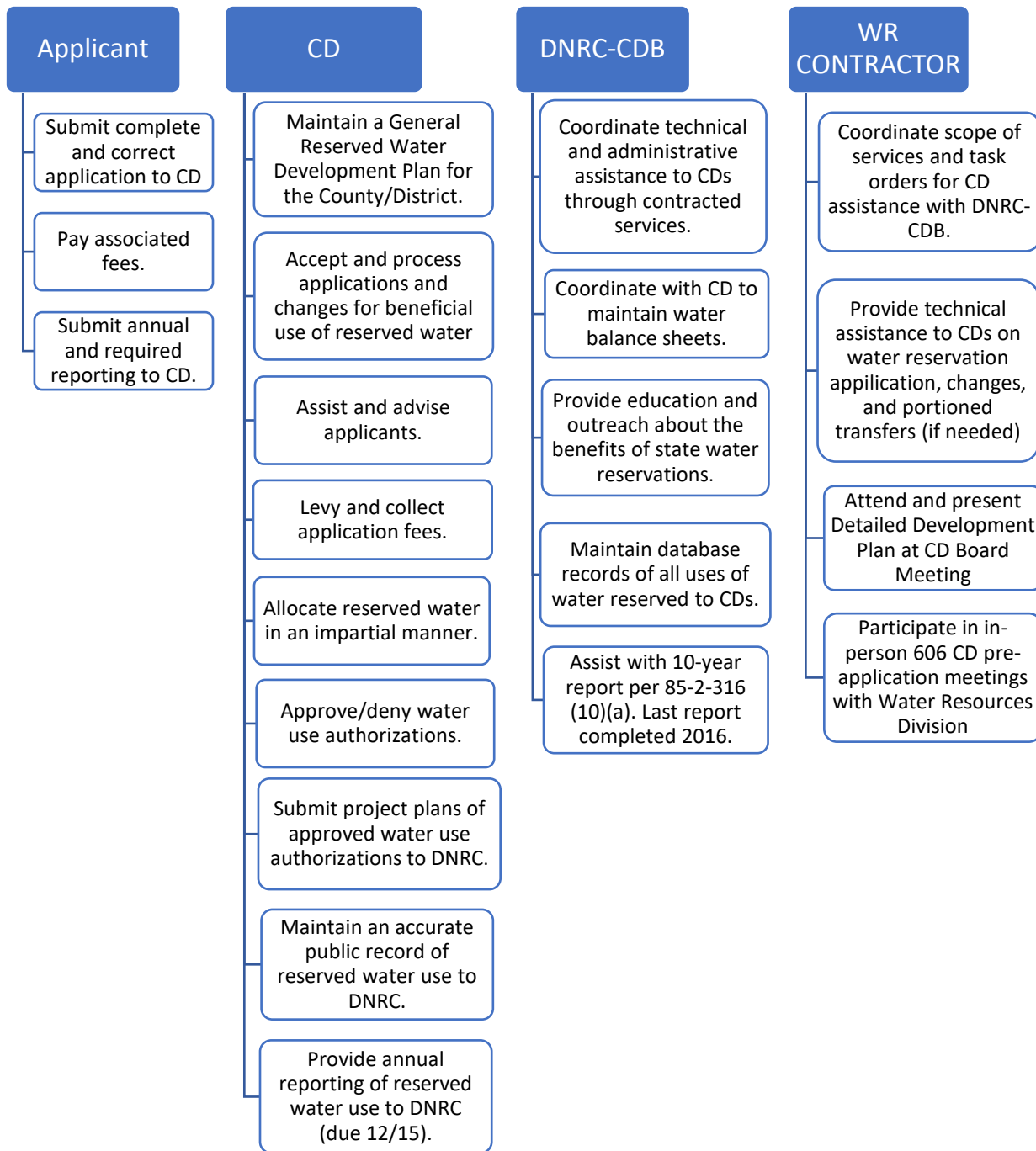
DNRC Conservation District Bureau (CDB):

- [85-2-302](#) and [85-2-316, MCA](#), sets forth duties of the Department of Natural Resources and Conservation (DNRC) and Conservation Districts as they relate to providing technical support to administering water reservations.
- CDB helps conservation districts upon request and within the department's staffing and budgeting limitations:
 - Review requests and coordinate technical services
 - Schedule WR contractor task orders to provide technical assist to districts in reviewing and processing of water use authorization applications, change applications (to include 606-CD), and portioned transfer addendums
 - Approved technical assistance letter will be sent to the conservation district and WR Contractors prior to project review
- Support database records of all uses of water reserved to conservation districts.
- Provide education and outreach about the benefits of state water reservations.
- Provide training upon request
- Provide legal assistance upon request

Water Reservation Contractors:

- Provide technical reviews on new applications, change applications (to include 606-CD), and portioned transfers only
- Attend conservation district board meetings either in person or virtually as needed
- Participate or assist conservation districts with pre-application meeting for change applications.
- WR Contractors are not approved to extend time for project reviews without prior CDB approval.

ROLES AND RESPONSIBILITIES FOR CONSERVATION DISTRICT WATER RESERVATIONS



CONSERVATION DISTRICT WATER USE AUTHORIZATION APPLICATION CHECKLIST TRACKER

Applicant Name: _____

Mailing Address: _____ City _____ State _____ Zip _____

Phone Numbers: _____ Cell _____

Email Address: _____

CD Water Reservation Application No: _____

Internal Priority Date: _____ Time: _____

CHECKLIST

Preliminary review conducted by: _____

- | | Check when completed | |
|---|----------------------|--------|
| 1. Water source identified | ___ Yes | ___ No |
| 2. Purpose of application identified | ___ Yes | ___ No |
| a. New irrigation (for new developments) | ___ Yes | ___ No |
| b. Supplemental irrigation (water that will be used in conjunction with other water rights or authorizations) | ___ Yes | ___ No |
| c. Both new irrigation and supplemental irrigation | ___ Yes | ___ No |
| 3. Are there maps? | ___ Yes | ___ No |
| 4. Does the application appear to be complete? | ___ Yes | ___ No |

Application on board meeting agenda on: _____ (date)

- | | | |
|---|---------|--------|
| 5. Authorization is a beneficial use of reserved water? | ___ Yes | ___ No |
| 6. Planned project is compatible with CD and DNRC planning efforts? | ___ Yes | ___ No |
| 7. Engineering specifications are included in the application? | ___ Yes | ___ No |
| a. All proposed infrastructure is adequate? | ___ Yes | ___ No |
| b. The proposed use meets reasonable soil and water conservation needs? | ___ Yes | ___ No |
| 8. Is planned project in the original public notice area? | ___ Yes | ___ No |
| 9. Is planned project outside the original public notice area? | ___ Yes | ___ No |
| 10. Board accepts application to forward for WR Contractor review | ___ Yes | ___ No |

TRACKER

CD contacts CD Specialist on: _____ (date)

- | | | |
|---|---------|--------|
| a. Emailed application to CD Specialist | ___ Yes | ___ No |
| 11. CDB WR Technical Assistance letter received | ___ Yes | ___ No |
| 12. WR Contractor makes initial contact with CD on: _____ (date) | | |
| 13. WR Contractor provides public notice information to CD on: _____ (date) | | |
| 14. CD will public notice abstract to water users | | |
| a. Contacted local paper for publication day information | ___ Yes | ___ No |

- b. Sent PN to paper editor/staff on: _____ (date) ___ Yes ___ No
- c. Mailed PN to agencies and individuals in the notice area ___ Yes ___ No
- d. Certificate of Service document created, signed, and dated when PN is mailed ___ Yes ___ No
- e. Received Affidavit of Certification of Publication from the publisher ___ Yes ___ No
- f. Objection forms are available and provided if requested ___ Yes ___ No
- PN and objection period is 30 days.
15. Determine when the application hearing will be held based on public notice periods (for application and board meeting), and the objection period.
16. CD board meeting to be held on: _____ (date)
17. Create the agenda
- a. The application hearing should be placed at the beginning of the CD board meeting, e.g.: after roll call, review of minutes, review of financials. A CD may also choose to hold the application review a half hour to an hour prior to a regularly scheduled board meeting. The date/time must be public noticed.
- b. PN board meeting ___ Yes ___ No
- c. Meeting notice and agenda sent to applicant and WR Contractor ___ Yes ___ No
- d. Meeting notice and agenda sent to objector, if applicable ___ Yes ___ No
- e. Meeting agenda and packet sent to supervisors ___ Yes ___ No
18. WR Contractor will present application and detailed development plan at meeting
19. Review application at board meeting
- a. Approved as presented ___ Yes ___ No
- b. Approved with project moving forward to DNRC 606-CD process ___ Yes ___ No
- c. Denied as presented ___ Yes ___ No
- d. Denied with ability to submit a new application ___ Yes ___ No
20. CD emails original application documents to CD Specialist on: _____ (date)
- Contents include application, maps, variance, or modifications if applicable, and Detailed Development Plan and associated documents, public notice, Certificate of Services, and others.*
- 21. Yellowstone River Basin CDs only:**
- a. CD received a signed and approved application after a final review and DocuSign from the DNRC Director ___ Yes ___ No
22. CDs retains original file and update as needed
- A. Create tracker for authorization maintenance
- a. Notice of Completion
- b. Notice of Extension
- c. Annual Water Use Report
- d. Others as needed

CONSERVATION DISTRICT WATER RESERVATION ASSISTANCE REQUEST FORM

**CONSERVATION DISTRICT WATER
RESERVATION ASSISTANCE REQUEST FORM**

For Conservation District Bureau Use Only

Application # _____
Date Received _____
Received By _____
Date Contractor Assigned _____
Date Reservation Added to Tracker _____
Date Assignment Letter Sent to CD _____

Conservation District (CD) Name: _____

CD Contact Information: _____

CD Water Reservation Application No: _____ Internal Priority Date/Time: _____

Applicant Name: _____

Applicant Contact Information: _____

Application Completeness Check Completed by: _____ (CD staff)

Application was placed on board meeting agenda and reviewed on: _____ (date)

Authorized CD Representative Printed Name: _____ Date: _____

Signature: _____

Copies included in the request:

- Application for Reserved Water Use Authorization, Form 101
- Application for Change of Reserved Water Use Authorization, Form 104
- Location Map
- Soils Map
- Engineering details
- Water quality assessment documents, if needed (mostly used for groundwater reservations only)
- Written leases and deeds

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION

Conservation and Resource Development Division



GREG GIANFORTE, GOVERNOR

1539 ELEVENTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE: (406) 444-2074
FAX: (406) 444-2684

PO BOX 201601
HELENA, MONTANA 59620-1601

July 11, 2024

Dawson County Conservation
District 102 Fir Street
Glendive, MT 59930

RE: WATER RESERVATION APPLICATION

The Conservation District Bureau has processed your request for Water Reservation Technical Assistance Program. Based on your project description and workloads, your assistance has been assigned to the following contractor:

Contractor Name:

Contractor Contact Information:

Based on processing times for similar projects, the approved amount for contractor time for this project is X hours. If your project exceeds the allowable time, you will have to request additional time and provide an explanation.

Due to contractual requirements, your project is approved for assistance until **Date**, after which your project will have to be reassigned. Please work diligently to ensure that the project information is complete so that projects can either be completed or terminated in a timely manner.

Thank you for your work for Montana's Conservation Districts and their Water Reservation Program.

CDB Specialist Name

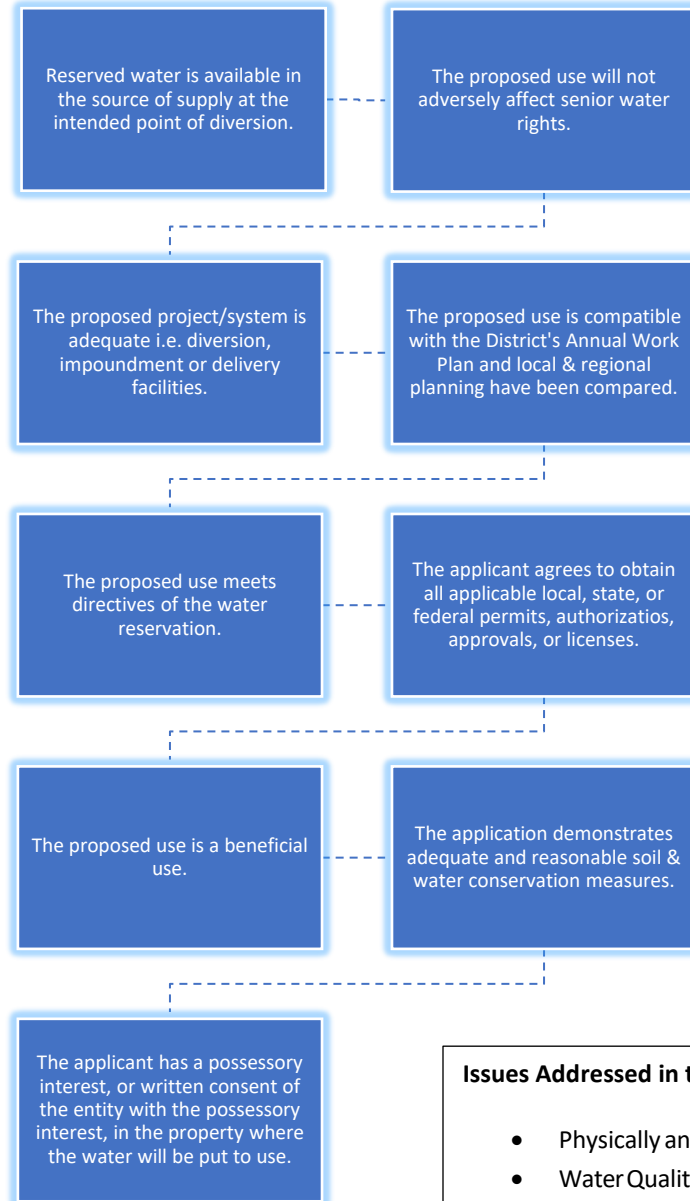
cc: Bureau Chief

WR Contractor

SECTION 2

RESERVED WATER USE AUTHORIZATION APPROVAL CRITERIA

The Conservation District may issue a Reserved Water Use Authorization if:



Issues Addressed in the Application Process:

- Physically and legally available water
- Water Quality
- Soils (Land Classification)
- Project Feasibility
- Crop Types and Demands

CONSERVATION DISTRICT APPLICATION FOR RESERVED WATER USE AUTHORIZATION

§85-2-316, MCA
Form No. 101 (Revised 01/2024)

For Conservation District Use Only

Application # _____
Date Received _____
Time Received _____
Fee Received _____
Received By _____

When to use this form:

- Use this form to apply to the Conservation District for a Reserved Water Use Authorization. Use one application for each source of supply or separate development.

Filing Fee:

- Contact the Conservation District for the filing fee schedule.

Important Information:

- There are **three pages** to this application. A separate Place of Use Addendum is also provided.
- Answer every question and applicable follow-up questions. Narrative and table 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 and label the attachment with the question number. Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative.
- The Reserved Water Development Manual which governs Reserved Water Use Authorization for the Conservation District is on file in the district office and available for review.
- The applicant may not appropriate water or commence construction on any project infrastructure prior to the approval by the Conservation District and the receipt of a Reserved Water Use Authorization.

Conservation District Name: _____

1. Applicant Name: _____
Mailing Address: _____ City _____ State _____ Zip _____
Phone Number: _____ Cell _____
Email Address: _____

2. Consultant/Engineer Firm and Contact: _____
Phone Number: _____ Cell _____
Email Address: _____

3. "Sage Grouse Habitat Project Review" required if the diversion and/or place of use are located within an area designated as sage grouse habitat. (<https://sagegrouse.mt.gov/>)

4. Applying for: ___ New Irrigation ___ Supplemental ___ Both

5. Source of Water Supply: _____
A tributary of _____

6. Describe Irrigation System: _____

7. Crops to be grown: _____

8. Point of Diversion Description to the nearest 10 acres

LOT	¼	¼	¼	SEC	TWP N/S	RGE E/W	COUNTY

If water is not consumed, will it be discharged back into the same source? Yes No

If no, explain and give the complete land description at the point of discharge.

9. Place of Use Description

- A. Will project involve new irrigated land? Yes No
- B. Will project involve supplemental water to existing irrigation? Yes No
- C. Will project involve both new irrigated land and supplemental water to existing irrigation? If yes, the acreage must be entered on separate lines in the table below. Yes No

Enter the number of acres to be irrigated in the appropriate quarter-section.

								N = New	S = Supplemental
ACRES	LOT	¼	¼	¼	SEC	TWP N/S	RGE E/W	COUNTY	N/S

TOTAL ACRES: _____

10. Volume Requested: _____ acre-ft, Volume of Discharge: _____ acre-ft

11. Flow Rate Requested: _____ cubic ft per second (cfs), or _____ gallons per minute (gpm)

12. Diversion Means: Pump: Type & Power _____ Other _____

13. Conveyance Means: Pipeline _____ Other _____

14. Period of Use: Month/Day _____ to Month/Day _____

15. Reserved Water Rights Projects

Is this a project that was originally included in the Conservation District water reservation application? Yes No

16. Project Completion Date: _____

17. Location map showing the following must accompany this application.

- Township and range
- Section numbers and corners
- Scale of map in inches
- Project location and general layout
- Point of diversion and discharge
- Place of use

18. Soils map(s) must accompany this application for suitability evaluation of the project. Indicate on the map the location of the project, point(s) of diversion, and point(s) of discharge.
19. Engineering data details must be submitted with this application:
- A. General layout plans for point of diversion structures
 - B. Placement plans of pumping plant
 - C. Control structures design and placement
 - D. Typical cross-section for dikes
 - E. Conveyance and delivery ditch designs
 - F. Reservoir cross-section and capacities
 - G. Structural tables
 - H. Pipeline designs
 - I. Yardage figures for land leveling and design grid
 - J. Method of water use measurement
 - K. Water availability and water quarter evaluation
 - L. Construction schedule

Other information applicable to the project deemed necessary by the Conservation District may include but is not limited to:

- a. Written leases and deeds
- b. Water quality assessment

I declare under penalty of perjury and under the laws of the State of Montana that the information provided for this application is to the best of my knowledge true and correct. I have possessory interest, or the written consent of the person with the possessory interest, in the property where the water is to be put to beneficial use.

Applicant Printed Name and Signature

Date

Consultant/Engineer Firm and Printed Contact Name & Signature

Date

PLACE OF USE ADDENDUM

N = New S = Supplemental

ACRES	LOT	¼	¼	¼	SEC	TWP N/S	RGE E/W	COUNTY	N/S

TOTAL ACRES: _____

WORKFLOW PROCESS KEY

APPLICANT	The person or persons who apply to the conservation district for permission to use a portion of the water reserved to the district.
AUTHORIZATION HOLDER	A person who is issued an Authorization.
CONSERVATION DISTRICT	Staff member of the conservation district
CONSERVATION DISTRICT SUPERVISORS	One of the members of the governing body of the conservation district
CONSERVATION DISTRICTS BUREAU (CDB) or CD SPECIALIST	Interchangeable: See map for CD Specialist information
DNRC WATER RESOURCES REGIONAL OFFICE	DNRC WRD: See map for WR Regional Office near you
OBJECTOR or COMPLAINTANT	A person or persons who submits an objection form to the conservation district for a new WR application or change application.
WR CONTRACTOR	Technical contractor who will review water reservations for the conservation district

Form 101 / 606CD Detailed Workflow Processes

Reserved Water Use Authorization Application, Form 101 (Can be a standalone document)

CD Application to Change Water Reservation, Form 606-CD (Can be an additional document to Form 101)

STEP 1: CONSERVATION DISTRICT will provide **APPLICANT** with current application

STEP 2: CONSERVATION DISTRICT will provide **APPLICANT** with current and accurate application fee structure

STEP 3: CONSERVATION DISTRICT will accept application from **APPLICANT** for processing

- Collect fees, if applicable
- Use overview form to check application for completion
- Assign CD application number to application using the next number in CD naming convention, e.g., PA-3001, RO-009, BH-0601
- Note date and time application was received. This is internal priority date and time.
- Note who accepted the application
- Create Original File

STEP 4: CONSERVATION DISTRICT SUPERVISORS accepts application at next board meeting

STEP 5: CONSERVATION DISTRICT emails a copy of the application to **CD SPECIALIST**

- **CONSERVATION DISTRICTS BUREAU (CDB)** coordinates technical assistance needs for processing the application.
- **CD SPECIALIST** reviews applications for completeness check (see Appendix 3 for application components)
 - Verify and maintain balance spreadsheets.
 - If needed, assigns the project to a **WR CONTRACTOR**
 - **Conveys to all parties, that if a substantial error or correction is required with an application, the CD SPECIALIST should be included in the discussion.**

STEP 6: WR CONTRACTOR assigned will conduct an initial review of documents

- If the **WR CONTRACTOR** determines that some/all the project area is outside of the original public notice, they will contact the **CD SPECIALIST** to advise the need to complete a CD Application to Change Water Reservation, Form 606-CD.
- The **CD SPECIALIST** notifies **CONSERVATION DISTRICT** that the **WR CONTRACTOR** identified some/all the project area is outside of the original public notice and will simultaneously conduct an application review and work on a CD Application to Change Water Reservation, Form 606-CD

STEP 7: CONSERVATION DISTRICT contacts **APPLICANT**

- Notifies that some/all the project area is outside the original public notice and will require a CD Application to Change Water Reservation, Form 606-CD
- Will discuss fee requirements for Form 606-CD with **APPLICANT**
 - **606-CD Filing Fee Structure:**
 - The filing fee is \$2500 **without** the *filing fee reduction*.
 - The filing fee is \$1500 **with** the *filing fee reduction*.
 - **600P Preapplication Meeting Fee:**
 - The preapplication meeting fee is \$500
 - The \$500 would be credited to the \$1500 fee

- **APPLICANT** may choose to proceed or withdraw application
- If **APPLICANT** wants to proceed with application and pay all fees:
 - **CONSERVATION DISTRICT** prepares Request for Preapplication Meeting form and submits to the appropriate **DNRC WATER RESOURCES REGIONAL OFFICE**
- **CONSERVATION DISTRICT** notifies **CD SPECIALIST** and the **WR CONTRACTOR** of **APPLICANT** decision

STEP 8: WR CONTRACTOR will provide technical review

- Reviews application using Detailed Development Plan Checklist, Project Information Worksheet, Criteria Assessment Review, Irrigation Requirement Volume Estimate Checklist, Water Use Flow Rate Recommendation Worksheet
- Works directly with the **APPLICANT** for clarification and request additional information if needed. Note: Onus should be on **APPLICANT** to submit completed application particularly if they are working with an Agricultural Engineer
- Develops maps: soils, wetlands, and areas of possible adverse effect
- Identifies Notice Area information to include areas of possible impact, water right listing by land description, and attach abstracts if applicable
- Sends DDP information to **APPLICANT** for review and make edits/corrections if needed
- **APPLICANT** required to sign-off on DDP and return document to **WR CONTRACTOR**
- Creates Public Notice documents
 - Add impacted water usernames and addresses to Basin Water Users List
 - Surface water 5 miles downstream
 - Groundwater 0.5-mile radius
 - Update public notice sample document for the Notice to Water Users
- Mail/email Public Notice documents to **CONSERVATION DISTRICT**
- Gather and provide Public Notice documents to CD
- Send signed off DDP to CD to include in supervisor board meeting packets after 30-day objection period ends
- Identify any special terms or conditions and add to prepared **Reserved Water Use Authorization Form, Form 102**
- Prepare **Conservation District Water Reservation Based Change, Form 606-CD** if water use authorization application is for projects outside the original public notice.

STEP 9: CONSERVATION DISTRICT will Public Notice

- Determine the date the Public Notice (PN) will be submitted to the local newspaper by assessing their publication day and the CD meeting date the application will be reviewed
 - Send PN to paper editor/staff
 - Request Affidavit of Certification of Publication from the publisher
- Prior to the scheduled PN publication date, mail (USPS) the Public Notice to the individuals and agencies in the notice area
- Create the Certificate of Service (COS) document
 - Sign and date COS when notices go out by mail (USPS) to the public
- Once the PN is published, the objection period is 30 days.
 - Send out Objection Form if requested.
 - If the form is received outside of the objection period, it is invalid
- If an objection is received, the **CONSERVATION DISTRICT** will immediately notify **WR CONTRACTOR** and email form for evaluation and review.

STEP 10: WR CONTRACTOR will address any objections prior to sending DDP to **CONSERVATION DISTRICT** to be included in **CONSERVATION DISTRICT SUPERVISORS** board meeting packets

STEP 11: CONSERVATION DISTRICT will prepare documents for board meeting

- Develop agenda for regular CD board meeting
- Send meeting notice to **APPLICANT**, **WR CONTRACTOR**, and **OBJECTOR**, if any
- Mail/email application, DDP and other documents in **CONSERVATION DISTRICT SUPERVISORS** packet

STEP 12: WR CONTRACTOR at board meeting

- Presents the DDP, gives assessment and recommendations to **CONSERVATION DISTRICT SUPERVISORS**
- Provide technical analysis if asked
- Answer **CONSERVATION DISTRICT SUPERVISORS** questions if asked
- Creates and brings two original Reserved Water Use Authorization documents to meeting
- If applicable, brings a completed Form 606-CD to meeting

STEP 13: CONSERVATION DISTRICT SUPERVISORS at board meeting

- Ask questions if any, of **APPLICANT** or **WR CONTRACTOR**
- Addresses any objections to application
- Reviews and approves or denies application that may or may not include projects outside original public notice area
 - Discuss next steps if the application contains points of diversion, place of use, or place of storage to the CD water reservation that was not included in the original public notice area
 - A water use authorization must be issued **first** before a Form 606-CD can be filed.
- **CONSERVATION DISTRICT SUPERVISORS** and **CONSERVATION DISTRICT** staff sign Water Use Authorization document

STEP 14: After CD meeting action: Approved application within original public notice area:

- **Yellowstone River Basin Only:** Email copy of original file documents to **CD SPECIALIST**. Contents include application, maps, variance, or modifications if applicable, and Detailed Development Plan and associated documents, public notice, Certificate of Services, and others *for DNRC Director's* final review and DocuSign.
 - Application must be signed and approved by the *DNRC Director* prior to changes can be filed.
 - **CONSERVATION DISTRICT** will receive a signed copy via DocuSign.
- **All other Basins:** Email copy of original file documents to **CD SPECIALIST**. Contents include application, maps, variance, or modifications if applicable, and Detailed Development Plan and associated documents, public notice, Certificate of Services, and others,

STEP 15: CD SPECIALIST to update Water Resources database and send an updated abstract to the **APPLICANT** and **CONSERVATION DISTRICT**.

STEP 16: Next steps: For project areas outside the original public notice area

- **CONSERVATION DISTRICT** and/or **WR CONTRACTOR** will work directly with the **DNRC WATER RESOURCES REGIONAL OFFICE**
- Preapplication meeting
 - **CONSERVATION DISTRICT** - Preapplication meeting
 - Set up date with the **DNRC WATER RESOURCES REGIONAL OFFICE** and notify **WR CONTRACTOR** of date and time of meeting.
 - Pay \$500 preapplication meeting fee within 180 days of initial meeting/follow-up period.

- **WR CONTRACTOR**– Preapplication meeting
 - Attend meeting with or without **CONSERVATION DISTRICT** representative
 - Bring completed Form 606-CD with attachments to meeting

STEP 17: DNRC WATER RESOURCES REGIONAL OFFICE

- Will complete Preapplication Meeting Form Change, 606P form with **WR CONTRACTOR**
- Reserves the first five days of the 45-day period to return the form if:
 - The completed form does not include all necessary follow-up information identified in the meeting, OR
 - The completed form is not adequate for DNRC to proceed with technical analysis, OR
 - The **WR CONTRACTOR** on behalf of the **CONSERVATION DISTRICT** has elected to complete technical analyses and has not submitted each piece of technical analysis required, OR
 - The **WR CONTRACTOR** on behalf of the **CONSERVATION DISTRICT** has substantially changed the details of the proposed project, such as in a way that alters which sections of the form are applicable, which technical analyses are required, or who is to complete the technical analyses
- **WR CONTRACTOR** to complete any identified follow-up 1-3 above within 5 days and then will have the balance of the 180-day to gather the remaining follow-up information needed.

STEP 18: WR CONTRACTOR will submit Form 606-CD after all deficiencies have been addressed or missing information provided.

STEP 19: CONSERVATION DISTRICT will pay \$1000 fee to DNRC.

- Timeline when payment should be made will be provided by the **DNRC WATER RESOURCES REGIONAL OFFICE**.

STEP 20: DNRC WATER RESOURCES REGIONAL OFFICE will complete the application review including a public notice period.

- Upon approval and issuance **DNRC WATER RESOURCES REGIONAL OFFICE** will provide original copies of the change certificate to the **CONSERVATION DISTRICT**

STEP 21: CONSERVATION DISTRICT will maintain Change Certificates

- A copy of the change certificate should be included in the CD Water Reservation Manual noting the project area added outside the original public notice.
- A copy should be included in the original Water Use Authorization Application file
- A copy should be emailed to the **CD SPECIALIST** to update **CONSERVATION DISTRICTS BUREAU** files and Water Resources database, if needed.

STEP 22: CONSERVATION DISTRICT will notify **AUTHORIZATION HOLDER** that the change was authorized, and project can commence.

- Mail a copy of the abstract to the **AUTHORIZATION HOLDER**

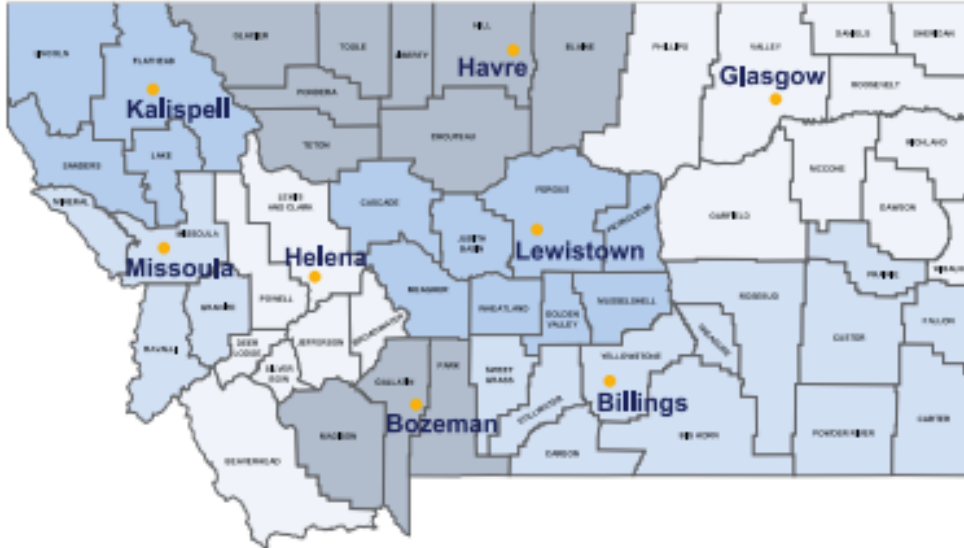
Additional Processes required with Change Certificates:

STEP 23: CONSERVATION DISTRICT mails Addendum to Notice of Completion of Authorization to Change, Form 112, to water use authorization holder.

STEP 24: Once the **CONSERVATION DISTRICT** receives Form 112 from the **AUTHORIZATION HOLDER**, the **CONSERVATION DISTRICT** files Notice of Completion for a Change of a Water Right, Form 618, with **DNRC WATER RESOURCES REGIONAL OFFICE**.

STEP 25: CONSERVATION DISTRICT files Extension of Time, Form 607, with **DNRC WATER RESOURCES REGIONAL OFFICE**, if needed.

WATER RESOURCES REGIONAL OFFICES



BILLINGS

Phone: 406-247-4415

Email: DNRCBillingsWater@mt.gov

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

BOZEMAN

Phone: 406-586-3136

Email: DNRCBozemanWater@mt.gov

Serves: Gallatin, Madison, and Park County

GLASGOW

Phone: 406-228-2561

Email: DNRCGlasgowWater@mt.gov

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

HAVRE

Phone: 406-265-5516

Email: DNRCHavreWater@mt.gov

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

LEWISTOWN

Phone: 406-538-7459

Email: DNRCLeWistownWater@mt.gov

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

FORM 102: CONSERVATION DISTRICT RESERVED WATER AUTHORIZATION

CONSERVATION DISTRICT RESERVED WATER USE AUTHORIZATION

§85-2-316, MCA

Form No. 102 (Revised 02/2024)

When to use this form:

This form is for the issuance of a Reserved Water Use Authorization.

Conservation District Name: _____

CD Water Reservation No: _____

Upon determination that the criteria for issuance of a reserved water use authorization have been met, this Authorization is hereby issued to:

1. Applicant Name: _____
Mailing Address: _____ City _____ State _____ Zip _____
Phone Numbers: _____
Email Address: _____

2. Authorization Number: _____ Internal Priority Date: _____

3. Source of Water Supply: _____
A tributary of _____

4. Total Amount: _____ up to _____ acre-ft per Anum

5. Period of Use: _____ Month/Day to _____ Month/Day

6. Point of Diversion:

LOT	¼	¼	¼	SEC	TWP N/S	RGE E/W	COUNTY

7. Place of Use:

ACRES	LOT	¼	¼	¼	SEC	TWP N/S	RGE E/W	COUNTY	N = New S = Supplemental	
									N/S	

8. Means of Diversion: _____

9. Means of Flow Measurement: _____

10. Standard and Special Terms, Conditions, Restrictions, and Limitations:

STANDARD TERMS:

Completion:

The diversion and distribution work for this use shall be completed, and water shall be applied to a beneficial use as specified above, on or before _____, 20 _____, or within any authorized extension of time. The Notice of Completion of Water Development, Form 106, shall be filed on or before _____, 20 _____.

Compliance with Board and Conservation District Rules, Regulations, and Requirements:

Authorization is subject to the order, rules, regulations, and requirements governing the water reservation and the laws of the State of Montana. Further, this Authorization is subject to the administrative rules, regulations, and procedures adopted by the Conservation District governing the water reservations, which by the reference is made a condition of the Authorization.

Control:

The Conservation District has exclusive control over the reservation by the Board. The authorization holder receives no right, title, ownership, control, or interest in the water reservation.

Revocations:

Failure to comply with the provisions of the Authorization including submission of the annual water user report, may result in revocation of the Authorization.

Senior Rights:

This Authorization is subject to all prior existing water rights in the source of supply. Further, this Authorization is subject to any final determination of existing water rights, as provided by Montana law.

Transfer of Authorization:

Upon a change in ownership of all or any portion of land associated with this Authorization, the person receiving the interest shall file a Notice of Transfer of Reserved Water Use Authorization, Form 109, with the Conservation District.

Water Status Annual Report

Notify the Conservation District whether any water had been used under the authorization or not. Complete and submit Water User Annual Status Report, Form 103, by November 1 annually. If the infrastructure for the use of the water have not been completed, give details of progress toward completion and if an extension of time is required, fill out and submit Application for Extension of Time, Form 108, to the Conservation District.

SPECIAL TERMS:

This Authorization is subject to the type of water use measuring device or water use estimation technique required by the Conservation District. The water user shall maintain the measuring device, so it always operates properly and measures flow rate and volume accurately. The water user shall keep written records of the flow rate and volume of water used. Records shall be submitted by November 15 of each year and upon request at

other times during the year. Failure to submit the *Water Use Annual Status Report* (Form 103) may be cause for revocation of this Authorization. The annual status report must be sent to the Conservation District Office.

APPROVAL:

Chairman Printed Name & Signature

Date

District Administrator Printed Name & Signature

Date

FORM 104: CD APPLICATION FOR CHANGE OF RESERVED WATER USE AUTHORIZATION

CONSERVATION DISTRICT APPLICATION FOR CHANGE OF RESERVED WATER USE AUTHORIZATION

§85-2-316, MCA Form No. 104 (Revised 02/2024)

For Conservation District Use Only

Date Received _____ Time Received _____ Fee Received _____ Received By _____

When to use this form:

- The Change of Reserved Water Use Authorization, Form 104, should only be used for a change in the place of use, point of diversion, and/or place of storage from the issued reserved water use authorization.
If a change requested is for the point of diversion, any portion of the proposed place of use/place of storage was not included in the original public notice, or an increase in flow, volume, or acres irrigated, the Conservation District Application to Change Water Reservation, Form 606-CD must be used.

Filing Fee:

- Contact the Conservation District for the filing fee schedule.

Important Information:

- There are three pages to this application. A separate Place of Use Addendum is also provided.
Complete only the type of change you are proposing, but multiple changes may be requested on the same form. Provide and label a map depicting the proposed point of diversion, means of conveyance, place of use, and place of storage.
If the change is portioned, it may lead to a split use authorization.

Conservation District Name: _____

CD Water Reservation No. _____ Water Use Authorization No. _____

1. Authorization Holder Name: _____
Mailing Address: _____ City _____ State _____ Zip _____
Phone Numbers: _____ Cell _____
Email Address: _____

2. "Sage Grouse Habitat Project Review" required if the diversion and/or place of use are located within an area designated as sage grouse habitat. (https://sagegrouse.mt.gov/)

3. Did you use all _____, or a portion _____, of the Reserved Water Use Authorization? If a portion, identify what portion by flow rate and volume below:
_____ gallons per minute, or _____ cubic ft per second, up to _____ acre-ft
If the change is portioned, include a clear and concise proposal of how the Water Use Authorization will be used.

4. Do you proposed to change all _____, or a portion _____, of the Reserved Water Use Authorization? Please identify what portion by flow rate and volume below:
_____ gallons per minute, or _____ cubic ft per second, up to _____ acre-ft
If the change is portioned, include a clear and concise proposal of how the Water Use Authorization will be used.

5. Change to Past Amount of Water Used

--	--	--	--	--	--	--	--

E. Proposed Method of Water Application:

Number of acres irrigated _____

Type of system used _____

Crop(s) grown _____

F. Past Method of Water Application:

7. Project completion – The Conservation District will set the project completion deadline to November 30 of the year set by its authorization.

8. Remarks

Use this section to expand and/or clarify the information provided in the application. If requested by the Conservation District, provide reasons for the proposed change. Attach additional sheets if necessary.

I declare under penalty of perjury and under the laws of the State of Montana that the information provided for this application is to the best of my knowledge true and correct. I have possessory interest, or the written consent of the person with the possessory interest, in the property where the water is to be put to beneficial use.

Authorization Holder Printed Name

Date

Authorization Holder Signature

Date

PLACE OF USE ADDENDUM

N = New S = Supplemental

ACRES	LOT	¼	¼	¼	SEC	TWP N/S	RGE E/W	COUNTY	N/S

TOTAL ACRES: _____

Form 104 Detailed Workflow Process

STEP 1: CONSERVATION DISTRICT will provide **APPLICANT** with change application

STEP 2: CONSERVATION DISTRICT will provide **APPLICANT** with current and accurate application fee structure

STEP 3: CONSERVATION DISTRICT will accept change application from **APPLICANT**

- Collect fees, if applicable
- Review application for completeness
- Review previously assign CD application number for accuracy
- Note date and time application was received
- Note who accepted the application

STEP 4: CONSERVATION DISTRICT SUPERVISORS reviews application at next board meeting

- Reviews and determines the change(s) is minor or insignificant, public transparency and notice is not required, and approves application.
- **CONSERVATION DISTRICT SUPERVISORS** and **CONSERVATION DISTRICT** staff sign Change Reserved Water Use Authorization document
- Go next to Step 12

OR

- Reviews and determines changes require further technical review.
- Go next to Step 5

OR

- *Reviews and determines changes doesn't meet criteria for Change Reserved Water Use Authorization, Form 104. Change requested for project outside of the original CD public notice or requires an increase in flow, volume, or acres irrigated to the issued Reserved Water Use Authorization.*
- **CONSERVATION DISTRICT** denies the change application and invites the **APPLICANT** to submit a Reserved Water Use Authorization Application, Form 101 that may also require a CD Application to Change Water Reservation, Form 606-CD.

STEP 5: CONSERVATION DISTRICT emails a copy of the change application to **CD SPECIALIST**

- **CONSERVATION DISTRICTS BUREAU (CDB)** coordinates technical assistance needs for processing the application.
- **CD SPECIALIST** reviews change application for completeness check
 - Meets criteria for Change Reserved Water Use Authorization. Change requested is for a change in the place of use, point of diversion, and/or storage for an issued Reserved Water Use Authorization. It does not require an increase in flow, volume, or acres irrigated.

STEP 6: WR CONTRACTOR assigned for technical review

- Will use Detailed Development Plan (DDP) Checklist, Criteria Assessment Review, and Irrigation Requirement Volume Estimate Checklist
 - Note: Onus should be on **APPLICANT** to submit completed change application particularly if they are working with an Agricultural Engineer
- Works directly with the **APPLICANT** for clarification and request additional information if needed

- Sends DDP information to **APPLICANT** for review and make edits/corrections if needed
- **APPLICANT** required to sign-off on DDP and return document to **WR CONTRACTOR**
- Creates Public Notice documents and provides that information to **CONSERVATION DISTRICT**

STEP 7: CONSERVATION DISTRICT will Public Notice if change is significant or public transparency is deemed required for minor changes.

- Determine the date the Public Notice (PN) will be submitted to the local newspaper by assessing their publication day and the CD meeting date the application will be reviewed
 - Send PN to paper editor/staff
 - Request Affidavit of Certification of Publication from the publisher
- Prior to the scheduled PN publication date, mail (USPS) the Public Notice to the individuals and agencies in the notice area.
- Create the Certificate of Service (COS) document
 - Sign and date COS when notices go out by mail (USPS) to the public
- Once the PN is published, the objection period is 30 days.
 - Send out Objection Form if requested.
 - If the form is received outside of the objection period, it is invalid.

STEP 8: WR CONTRACTOR will send DDP to **CONSERVATION DISTRICT** to include in **CONSERVATION DISTRICT SUPERVISORS** board meeting packets

STEP 9: CONSERVATION DISTRICT will prepare documents for board meeting

- Develop agenda for regular CD board meeting
- Send meeting notice to **APPLICANT**, **WR CONTRACTOR**, and **OBJECTOR**, if any
- Mail/email application, DDP and other documents in **CONSERVATION DISTRICT SUPERVISORS** packet

STEP 10: WR CONTRACTOR at board meeting

- Presents the DDP, gives assessment and recommendations to **CONSERVATION DISTRICT SUPERVISORS**
- Provide technical analysis if asked
- Answer **CONSERVATION DISTRICT SUPERVISORS** questions if asked
- Creates and brings two original Change of Reserved Water Use Authorization documents to meeting

STEP 11: CONSERVATION DISTRICT SUPERVISORS at board meeting

- Ask questions if any, of **AUTHORIZATION HOLDER** or **WR CONTRACTOR**
- Addresses any objections to change application
- Reviews and approves or denies application
- **CONSERVATION DISTRICT SUPERVISORS** and **CONSERVATION DISTRICT** staff sign Water Use Authorization document

STEP 12: After CD meeting action: Approved application within original public notice area:

- **Yellowstone River Basin Only:** Email copy of original change documents to **CD SPECIALIST**. Contents include change application, maps, variance, or modifications if applicable, and Detailed Development Plan and associated documents, public notice, Certificate of Services, and others *for DNRC Director's* final review and DocuSign.
 - Application must be signed and approved by the *DNRC Director* prior to changes can be filed.
- **CONSERVATION DISTRICT** will receive a signed copy via DocuSign.

- **All other Basins:** Email copy of original change documents to **CD SPECIALIST**. Contents include application, maps, variance, or modifications if applicable, and Detailed Development Plan and associated documents, public notice, Certificate of Services, and others.

STEP 13: **CD SPECIALIST** will update Water Resources database and send an updated abstract to the **AUTHORIZATION HOLDER** and **CONSERVATION DISTRICT**.

FORM 105: CHANGE OF RESERVED WATER USE AUTHORIZATION

CONSERVATION DISTRICT AUTHORIZATION TO CHANGE RESERVED WATER USE AUTHORIZATION

§85-2-316, MCA

Form No. 105 (Revised 02/2024)

When to use this form:

- The Conservation District will use this form to approve a modification to a change in the place of use, point of diversion, and/or place of storage from the Conservation District Reserved Water Use Authorization.

Conservation District Name: _____

CD Water Reservation No. _____ Water Use Authorization No. _____

Internal Priority Date: _____ Change Application Submitted: _____

1. Authorization Holder Name: _____

Mailing Address: _____ City _____ State _____ Zip _____

Phone Number: _____

Email Address: _____

2. Source of Water Supply: _____

A tributary of _____

3. Water Use: _____

4. Flow Rate: _____

5. Volume: _____

Change Approved:

The Conservation District hereby authorizes the Change of Reserved Water Use Authorization as follows:

Completion Deadline:

The deadline to complete this Authorization and file a Notice of Completion of Water Development, Form 106 is _____ (date). If you cannot meet the deadline, file an Application for Extension of Time, Form 108 at least thirty (30) days before _____ (date).

Conditional Approval:

The approval of this change is not to be construed as recognition by the Conservation District of the Reserved Water Use Authorization. All Reserved Water Use Authorizations are subject to possible modification under the Conservation District Administrative Rules and Procedures.

Failure to comply with the terms and conditions herein may result in the loss of the authorization to change hereby granted.

District Chairman Printed Name & Signature

Date

District Administrator Printed Name & Signature

Date

--	--	--	--	--	--	--	--	--

TOTAL acres _____ (Addendum sheet is attached if more room is needed for place of use).

C. Date water was first used: _____

D. Amount of water used:

Volume: _____ acre-ft

Flow rate: _____ cubic ft per second (cfs) or _____ gallons per minute (gpm)

E. Time of year water is diverted: Month/Day _____ to Month/Day _____

F. Time of year water is used: Month/Day _____ to Month/Day _____

G. Use of water: _____

H. Attach either a USGS topographic map or aerial photo showing the following:

- Township and range
- Section numbers and corners
- Scale of map in inches
- Project location and general layout
- Points of diversion and discharge
- Place of use

5. Objector would withdraw this objection under the following conditions. State any conditions, modifications, or criteria which would alter your position concerning this objection.

I declare under penalty of perjury and under the laws of the State of Montana that the information provided for this objection is to the best of my knowledge true and correct.

Objector's Printed Name

Date

Objector's Signature

Form 107 Detailed Workflow Process

Important Note: Following a thirty (30) day period following a public notice period of a new application for reserved water use authorization, objections can be submitted to the Conservation district. Objections received outside of this period will not be accepted or considered valid.

STEP 1: CONSERVATION DISTRICT provides form to OBJECTOR with a deadline to complete and submit on or before the 30-day period following the public notice period.

STEP 2: CONSERVATION DISTRICT emails the objection forms to the WR CONTRACTOR.

STEP 3: WR CONTRACTOR will review and determine if the objection is valid. Valid objections will be considered/resolved in the detailed development plan (DDP) provided to the CONSERVATION DISTRICT.

STEP 4: CONSERVATION DISTRICT mails/emails meeting notice to OBJECTOR.

STEP 5: CONSERVATION DISTRICT holds public notice board meeting to discuss application for reserved water use authorization and any objections/public comments.

STEP 6: If objection has been satisfied and CONSERVATION DISTRICT SUPERVISORS approves the application, the objection form will be placed in the Original file as part of the record.

DNRC WATER RESERVATIONS FORMS

The CD Water Reservation Program may be required to add projects areas to the original public notice boundaries. Conservation districts will use the following DNRC Water Resource Division forms to manage those changes.

DNRC FORM NUMBER AND TITLE:	All fees paid by Authorization Holder	Completed by CD May require Authorization Holder's assistance on forms	Completed by WR Contractor May require Authorization Holder's assistance on forms	Completed by Regional DNRC Water Resources Division
606-CD : Conservation District Water Reservation Based Change	√	√	√	
Request for Preapplication Meeting	√	√	√	
606P : Change Preapplication Meeting Form – completed at meeting	√		√	√
607 : Application for Extension of Time	√	√		√
618 : Project Completion Notice for Change of a Water Right	√	√		√

Public Notice to Publisher Example

The following application has been submitted for reserved water use to the Park Conservation District.

Name:	G. Kimball hart
Application No:	PA-0301
Date Filed:	August 18, 2003
Priority Date:	December 15, 1978
Source:	Yellowstone River
Total Amount:	0.32 cfs or 140 gpm up to 38 acre-feet per annum
Period of Appropriation:	April 15 to October 15
Use:	Agricultural irrigation
Diversion Means:	Pump
Diversion Point:	SE ¼, SE ¼, NW ¼, Sec. 18, Twp. 6S, Range 8E, Park County
Place of Use:	6 acres, N ½, NE ¼, SW ¼, Sec. 18, Twp. 6S, Range 8E, (new irrigation) 13 acres, S ½, SE ¼, NW ¼, Sec. 18, Twp. 6S, Range 8E, (new irrigation)
Total acres:	19

This application is to use a portion of the water right reserved by the Park Conservation District.

If issued, the Authorization will be subject to prior existing water rights.

Comments or objections to the issuance of an Authorization under this application must be received by the Park Conservation District, 5242 Highway 89 South, Livingston, MT 59047, 406-222-2899, on or before January 5, 2004. Objection forms are available from the Park Conservation District. The Conservation District will review this application and any objections at their January 6, 2004, meeting at 12:00 noon at the district office.

Assistance or questions regarding this application should be directed to the Park Conservation District, 5242 Highway 89 South, Livingston, MT 59047, 406-222-2899.

AFFIDAVIT AND CERTIFICATION OF PUBLICATION

STATE OF MONTANA

COUNTY OF _____ (s)

_____, being duly sworn, deposes and says he/she is the _____ (title) of _____ (publication), a newspaper of general circulation, printed and published at _____ (location), Montana, and the attached notice number _____, was printed and published in said newspaper on _____ (date), in the regular and entire issue of each paper printed.

I certify I have read §18-7-201 to §18-7-205, MCA, and subsequent revisions, and declare the price or rate charged the State of Montana for the publication for which claim is made is not in excess of the minimum rate charged any other advertiser for publication or advertisement.

I further certify this claim is correct and just in all respects, and that payment or credit has not been received.

Subscribed and sworn before me this _____ day of _____ month, _____ year

NOTARY PUBLIC for the State of Montana,

SEAL

Residing at _____

My commission expires _____

ATTACH NOTICE HERE

NOTE TO PUBLISHER: For billing to any State of Montana Division, basis of folio measure is to be on a word count of 100 words with heading and dates of publication included in the word count. Example: 299 words = 3 folio, 301 words = 4 folio

CERTIFICATE OF SERVICE – MISSOURI

This certifies a true and correct copy of the public notice for the Conservation District Reserved Water Use Application number _____ was served upon all individuals listed below. Notices were served as specified or by first class mail at the addresses shown.

 Conservation District Administrator _____
Date

MT Department of Environmental Quality DEQ Headquarters ATTN: Water Quality Division 1520 East Sixth Avenue Helena, MT 59601	Bureau of Indian Affairs Rocky Mountain Regional Office ATTN: Water Rights and Resources 2021 4 th Avenue North Billings, MT 59101
US Fish & Wildlife Service Montana Fish and Wildlife Conservation Office 4052 Bridger Canyon Road Bozeman, MT 59715	Bureau of Reclamation Montana Area Office PO Box 30137 Billings, MT 59107-0137
MT Department of Fish, Wildlife and Parks ATTN: Fisheries Division 1420 East Sixth Avenue PO Box 200701 Helena, MT 59620-0701	US Department of the Interior Billings Field Office ATTN: Office of the Solicitor 2021 4 th Avenue North, Suite 112 Billings, MT 59101-1405
*MT Department of Fish, Wildlife and Parks ATTN: Fisheries Division PO Box 938 Lewistown, MT 59457-0938	Fort Peck Tribes ATTN: Water Resources Office PO Box 1027 Poplar, MT 59255
**MT Department of Natural Resources and Conservation Glasgow Regional Office PO Box 1269 Glasgow, MT 59230-1269	CONSERVATION DISTRICT
***NorthWestern Energy 1944 Monad Road Billings, MT 59102	INDIVIDUAL NOTICES – sent to all water right owners in the notice area
US Army Corps of Engineers Fort Peck, MT 59223	*MT FWP – use regional office closest to CD **MT DNRC – use regional office assigned to CD ***Energy Co – use company closest to CD

Include the Public Notice to addressees (refer to sample provided)

CERTIFICATE OF SERVICE - YELLOWSTONE

This certifies a true and correct copy of the public notice for the Conservation District Reserved Water Use Authorization number _____ was served upon all individuals listed below. Notices were served as specified or by first class mail at the addresses shown.

 Conservation District Administrator _____
 Date

MT Department of Environmental Quality DEQ Headquarters ATTN: Water Quality Division 1520 East Sixth Avenue Helena, MT 59601	Bureau of Indian Affairs Rocky Mountain Regional Office ATTN: Water Rights and Resources 2021 4 th Avenue North Billings, MT 59101
US Fish & Wildlife Service Montana Fish and Wildlife Conservation Office 4052 Bridger Canyon Road Bozeman, MT 59715	Bureau of Reclamation Montana Area Office PO Box 30137 Billings, MT 59107-0137
MT Department of Fish, Wildlife and Parks ATTN: Fisheries Division 1420 East Sixth Avenue PO Box 200701 Helena, MT 59620-0701	US Department of the Interior Billings Field Office ATTN: Office of the Solicitor 2021 4 th Avenue North, Suite 112 Billings, MT 59101-1405
*MT Department of Fish, Wildlife and Parks ATTN: Fisheries Division 2300 Lake Elmo Drive Billings, MT 59105	CONSERVATION DISTRICT
**MT Department of Natural Resources and Conservation Billings Regional Office ATTN: Water 1371 Rimtop Drive Billings, MT 59105-1978	INDIVIDUAL NOTICES – sent to all water right owners in the notice area
***NorthWestern Energy 1944 Monad Road Billings, MT 59102	*MT FWP – use regional office closest to CD **MT DNRC – use regional office assigned to CD ***Energy Co – use company closest to CD
US Army Corps of Engineers 490 N 31 st Street #112 Billings, MT 59101	

Include the Public Notice to addressees (refer to sample provided)

PUBLIC NOTICE SAMPLE

Notice to Water Users

THE FOLLOWING APPLICATION HAS BEEN SUBMITTED FOR RESERVED WATER USE TO THE PARK CONSERVATION DISTRICT.

Remarks:

- This notice is provided as a courtesy by the Conservation District. The project area may have been public notice under the original Conservation District Reservation Application.
- This application is to use a portion of the water reserved by the Conservation District. If issued, the Authorization will be subject to prior existing water rights.

Important Information:

- During the Public Notice of a new Reserved Water Use Authorization application, objections may be submitted for a 30-day period to the Conservation District using Objection to Application for Reserved Water Use Authorization, Form 107. Objections received outside this period will not be accepted or considered valid.

NAME: G. KIMBALL HART
APPLICATION NO: PA-0301
DATE FILED: AUGUST 18, 2003
INTERNAL PRIORITY DATE: DECEMBER 15, 1978
WATER SOURCE: YELLOWSTONE RIVER
TOTAL AMOUNT: 0.32 C.F.S. OR 140 G.P.M. UP TO 38 ACRE-FEET PER ANNUM
PERIOD OF APPROPRIATION: APRIL 15 TO OCTOBER 15
DIVERSION POINT: SE ¼, SE ¼, NW ¼, SECTION 18, TOWNSHIP 6S, RANGE 8E
DIVERSION MEANS: PUMP
USE: AGRICULTURAL IRRIGATION
PLACE OF USE: COUNTY: PARK

ACRES	Quarter Section	Section	Township	Range	New/Supplemental
6	N ½, NE ¼, SW ¼,	18	6S	8E	New
13	S ½, SE ¼, NW ¼,	18	6S	8E	New
19	Total Acres				

COMMENTS OR OBJECTIONS to the issuance of an authorization under this application must be received by the Park Conservation District, 5242 highway 89 South, Livingston, MT 59047, 406-222-2899, on or before January 5, 2004. Objection forms are available from the Park Conservation District. The conservation district will review this application and any objections at their January 6, 2004, meeting at 12:00 noon at the district office.

Assistance or questions regarding this application should be directed to the Park Conservation District, 5242 highway 89 South, Livingston, MT 59047, 406-222-2899.

PUBLISHED IN THE _____ (publication name) on _____ (date).

SECTION 3

FORM 103: CONSERVATION DISTRICT WATER USER ANNUAL STATUS REPORT

CONSERVATION DISTRICT WATER USER ANNUAL STATUS REPORT

§85-2-316, MCA
Form No. 103 (Revised 01/2024)

For Conservation District Use Only

Date Received _____
Time Received _____
Fee Received _____
Received By _____

When to use this form:

- Use this form to notify the Conservation District of the annual water usage for the approved Reserved Water Use Authorization.

Filing Fee:

- Contact the Conservation District for the filing fee schedule.

Important Information:

- There are **two pages** to this form.
- Complete and submit Form 103 to the Conservation District by November 15 annually to report if water was used under the Authorization or not. If used, report how much.
- If the infrastructure for the use of the water has not been completed, give details of progress toward completion and if an extension of time is required. If so, fill out and submit Application for Extension of Time, Form 108, to the Conservation District.

Conservation District Name: _____

CD Water Reservation No. _____ Water Use Authorization No. _____

1. Authorization Holder Name: _____

Mailing Address: _____ City _____ State _____ Zip _____

Phone Numbers: _____ Cell _____

Email Address: _____

2. Reserved Water Use for calendar year: _____

3. Period of Use	Volume Use/Acre-Ft	Acres Served
Month/Day _____ to Month/Day _____	_____	_____
Month/Day _____ to Month/Day _____	_____	_____

4. Total volume used: _____ acre-ft

5. Maximum diversion rate: _____ cubic ft per second (CFS)

6. Total acres served: _____

7. Measurement method: _____

8. Please attach yearly records maintained on the system and calculations used to determine “volume used.”
9. If the water wasn’t used, explain why.
10. Have there been any modifications to your Reserved Water Use Authorization infrastructure this year?
11. If the project has not been completed, what progress has been made toward completing the project?
12. Deadline for completion of project is (see authorization for details): _____
13. Will an extension of time for completion be needed? ___ Yes ___ No

If yes, please fill out Application for Extension of Time, Form 108.

The information provided for this application is to the best of my knowledge true and correct. I have possessory interest, or the written consent of the person with the possessory interest, in the property where the water is to be put to beneficial use.

I declare under penalty of perjury and under the laws of the State of Montana that the foregoing is true and correct.

 Authorization Holder Printed Name and Signature

 Date

Form 103 Detailed Workflow Process

Important Note: The **AUTHORIZATION HOLDER** is required to submit a water user report annually whether if the water was used or not. If used, report how much.

If the infrastructure for the use of the water has not been completed, give details of progress toward completion and if an extension of time is required. If so, fill out and submit Application for Extension of Time, Form 108, to the **CONSERVATION DISTRICT**.

STEP 1: **CONSERVATION DISTRICT** mails form and letter to the **AUTHORIZATION HOLDER** October 1 with deadline to complete and return Form by November 15 annually.

STEP 2: **CONSERVATION DISTRICT** compiles water use reports from all **AUTHORIZATION HOLDER** and submit Reserved Water Use Annual Report to DNRC by December 15 annually.

STEP 3: **CONSERVATION DISTRICT** will mail/email Reserved Water Use Annual Report to DNRC to **CD SPECIALIST**.

Some **CONSERVATION DISTRICTS** are on a biennial schedule. Please refer to your **CONSERVATION DISTRICT** Water Reservation Program Manual.

FORM 106: CONSERVATION DISTRICT NOTICE OF COMPLETION OF WATER DEVELOPMENT

CONSERVATION DISTRICT NOTICE OF COMPLETION OF WATER DEVELOPMENT

§85-2-316, MCA
Form No. 106 (Revised 02/2024)

For Conservation District Use Only	
Date Received	_____
Time Received	_____
Fee Received	_____
Received By	_____

When to use this form:

- This form must be filed by the authorization holder on each reserved water use that was developed as originally authorized. Completed by the authorization holder, this form serves as a notice of completion of a portion of the Conservation District’s water reservation to the Department of Natural Resources and Conservation.

Filing Fee:

- Contact the Conservation District for the filing fee schedule.

Important Information:

- If the project was NOT fully developed as specified within the terms, conditions, order, and limitations of the Authorization issued, complete the Notice of Completion of Water Development for Projects Not Developed as Authorized, Form 106A and provide details of the allocation as actually developed.

Conservation District Name: _____

CD Water Reservation No. _____ Water Use Authorization No. _____

11. Authorization Holder Name: _____

Mailing Address: _____ City _____ State _____ Zip _____

Phone Numbers: _____ Cell _____

Email Address: _____

12. The diversion and distribution work for this allocation must have been completed and water applied to beneficial use on or before (fill in date) _____ as specified in the Authorization or within any extension of time. This notice shall be filed on or before _____.

I (We) _____ of _____
(Name of Authorization Holder) (City and State)

attest that the water development has been completed and water put to beneficial use as specified within the terms, conditions, order, and limitation of the Authorization.

Authorization Holder Printed Name & Signature

Date

Form 106 Detailed Workflow Process

Important Note: The **AUTHORIZATION HOLDER** must file Form 106 on each reserved water use that was developed as originally authorized.

This form serves as a notice of completion of a portion of the CD water reservation to the Department of Natural Resources and Conservation.

STEP 1: CONSERVATION DISTRICT reviews Authorization and mail Form 106, to the **AUTHORIZATION HOLDER** prior to completion of water development as specified in the Authorization or within any extension of time allowed.

STEP 2: Upon receipt of Form 106, the **CONSERVATION DISTRICT** will make a copy for the Original file and place item on an upcoming conservation district board meeting agenda for review and acknowledgment.

STEP 3: CONSERVATION DISTRICT SUPERVISORS reviews and accepts Notice of Completion at board meeting.

STEP 4: CONSERVATION DISTRICT will mail/email Form 106, to **CD SPECIALIST** to update Water Rights database.

STEP 5: CD SPECIALIST will send an updated abstract to the **AUTHORIZATION HOLDER** and **CONSERVATION DISTRICT**.

FORM 106A: CONSERVATION DISTRICT NOTICE OF COMPLETION OF WATER DEVELOPMENT FOR PROJECTS NOT DEVELOPED AS AUTHORIZED

CONSERVATION DISTRICT NOTICE OF COMPLETION OF WATER DEVELOPMENT FOR PROJECTS NOT DEVELOPED AS AUTHORIZED

§85-2-316, MCA
Form No. 106A (Revised 02/2024)

For Conservation District Use Only	
Water Use Authorization #	_____
Date Received	_____
Time Received	_____
Fee Received	_____
Received By	_____

When to use this form:

- If the project was NOT fully developed as specified within the terms, conditions, order, and limitations of the Authorization issued, complete this form, and provide details of the allocation as actually developed.

Filing Fee:

- Contact the Conservation District for the filing fee schedule.

Important Information:

- There are **five pages** to this document.
- To review guidelines, see Instructions for Notice of Completion of Water Development for Projects Not Developed as Authorized, Form 106B.

Conservation District Name: _____

CD Water Reservation No. _____ Water Use Authorization No. _____

1. Authorization Holder Name: _____

Mailing Address: _____ City _____ State _____ Zip _____

Phone Numbers: _____ Cell _____

Email Address: _____

2. Field Examiner Name: _____

Mailing Address: _____ City _____ State _____ Zip _____

Phone Numbers: _____ Cell _____

Email Address: _____

Field Investigation Date: _____

3. Overlapping Water Rights

A. Other water rights with same place of use: Number _____

B. Other water rights with same point of diversion: Number _____

4. Source of Water

___ Lake/Reservoir Name _____ Tributary to _____

___ Stream Name _____ Tributary to _____

___ Unnamed Source – Tributary to _____

K. Volume Calculations

Select one calculation method for ___ Complete 1 **and** 2 or ___ Complete 3 or ___ Complete 4
irrigation (crop requirement):

Select one calculation method for ___ Complete 2 or ___ Complete 3 or ___ Complete 4
actual amount used:

1. $V_{IR} =$ _____ x _____ = _____ acre-ft
(acres) (irrigation requirement)
2. $V_{DR} =$ _____ x _____ \div 325,851 = _____ acre-ft
(diversion rate-GPM) (number of minutes pumped)
3. $V_{IN} =$ _____ x _____ x _____ \div 12 = _____ acre-ft
(inches/irrigation) (number of irrigations) (acres)
4. $V_{MT} =$ _____ acre-ft
(metered volume)

[DNRC Flow-Measurement Calculator](#)

Calculations for Other Uses: [A Water Conversion Table, Form Number 615](#)

Show your calculations for determining the volume for non-irrigation use.

L. Beneficial Use

___ Stock: Number and type: _____

From Month/Day _____ to Month/Day _____, _____ cfs/gpm, volume _____ acre-ft

___ Irrigation: Number of acres: _____

From Month/Day _____ to Month/Day _____, _____ cfs/gpm, volume _____ acre-ft

___ Other uses: _____

From Month/Day _____ to Month/Day _____, _____ cfs/gpm, volume _____ acre-ft

M. Attach an aerial photo showing the following:

- Section corners and numbers
- Township and range numbers
- Point of diversion
- Location of ditch, pipeline, etc.
- Place of use (stock tanks, acres irrigated)
- Reservoir location

N. Conditions or Limitations

Explain how all the conditions or limitations of the authorization have or have not been complied with.

O. Remarks

P. Certification

The above information is a true statement of the extent to which the authorization was developed.

Field Examiner's Signature

Date

Subscribed and Sworn before me this _____ day of _____, 20_____

Notary's Signature _____

Notary for the State of _____

Residing at _____

My Commission expires _____

I declare under penalty of perjury and under the laws of the State of Montana that the information provided for this application is to the best of my knowledge true and correct. I have possessory interest, or the written consent of the person with the possessory interest, in the property where the water is to be put to beneficial use.

I have reviewed these findings and submit this Notice of Completion to the Conservation District.

Authorization Holder Printed Name

Date

Authorization Holder Signature

Date

Form 106A Detailed Workflow Process

Important Note: The **AUTHORIZATION HOLDER** must complete Form 106A if the project was not fully developed as specified within the terms, conditions, order, and limitations of the Authorization issued.

The form must provide the details of the allocation as actually developed and reviewed through a **field examiner**.

*The field examiner should be a **CONSERVATION DISTRICT SUPERVISOR** or **CONSERVATION DISTRICT** but can be a NRCS representative or consultant hired by the **AUTHORIZATION HOLDER**.

STEP 1: **CONSERVATION DISTRICT** mails the Form 106A and instructions Form 106B to the **AUTHORIZATION HOLDER** prior to completion of water development as specified in the Authorization or within any extension of time allowed.

STEP 2: Upon receipt of Form 106A, the **CONSERVATION DISTRICT** will make a copy for the Original file and place item on an upcoming conservation district board meeting agenda for review.

STEP 3: **CONSERVATION DISTRICT SUPERVISOR** will discuss field examiner findings and determines if the Completion of Water Development for Projects Not Developed as Authorized is within the water use authorization held by the **AUTHORIZATION HOLDER**.

STEP 4: if yes, the **CONSERVATION DISTRICT** can reissue a water use authorization to reflect the change. **RED LETTERS "CORRECTED."**

- Special terms to be added: This authorization supersedes all previous authorizations issued for this CD Water Use Authorization.
- See Step 7 and 8

OR

STEP 5: **CONSERVATION DISTRICT** determines that the combination of rate, volume, and acres exceed the limits of the original Authorization resulting in a need for additional point of diversion, place of use, place of storage, point of discharge, water distribution methods, and additional water.

STEP 6: **CONSERVATION DISTRICT SUPERVISORS** at the board meeting

- Reviews and accepts the Notice of Completion Not Authorized
 - Require the **AUTHORIZATION HOLDER** to submit Form 104, CD Application for Change of Reserved Water Use Authorization.
 - Subsequently, if a 606-CD Change Form is required, the **AUTHORIZATION HOLDER** will be required to pay associated fees.
- See Step 9

STEP 7: Upon approval, **CONSERVATION DISTRICT** will mail/email Form 106A to **CD SPECIALIST** to update Water Rights database.

STEP 8: **CD SPECIALIST** will send an updated abstract to the **AUTHORIZATION HOLDER** and **CONSERVATION DISTRICT**.

STEP 9: **CONSERVATION DISTRICT** will provide the **AUTHORIZATION HOLDER** Form 104, CD Application for Change of Reserved Water Use Authorization to complete.

FORM 106B: INSTRUCTIONS FOR NOTICE OF COMPLETION OF WATER DEVELOPMENT FOR PROJECTS NOT DEVELOPED AS AUTHORIZED

CONSERVATION DISTRICT INSTRUCTIONS FOR NOTICE OF COMPLETION OF WATER DEVELOPMENT FOR PROJECTS NOT DEVELOPED AS AUTHORIZED

§85-2-316, MCA

Form No. 106B (Revised 02/2024)

Important Information:

- The Conservation District Reserved Water Administrative Procedures and Rules require a holder of a Reserved Water Use Authorization to file a Notice of Completion of Water Development, Form 106, notifying the Conservation District how the project was completed. If the project was NOT fully developed as specified within the terms, conditions, order, and limitations of the Authorization issued, Notice of Completion of Water Development for Projects Not Developed as Authorized, Form 106A must be completed.
- This form must be completed by a person experienced in the design, construction, or operation of the infrastructure workings. This may include but is not limited to hydrologists, water resource consultants, irrigation specialists, engineers, or the Authorization holder if experienced in water measurement and legal land descriptions. If the form is not completed properly or corrected within the time allowed by the Conservation District, the Authorization may be subject to revocation pursuant to the District Administrative Procedures and Rules.

General Instructions to complete form:

- Form 106A is to be completed with information showing how the project was developed and used. Show all measurements or calculations or attach the field notes. For ease of completing the form, follow the line-by-line instructions below and if you have any questions, contact the Conservation District.

General Information

Provide the CD Water Reservation and Water Use Authorization numbers.

1. Name the current owner of the Authorization, mailing address, and daytime phone number. If the current owner is different from the owner listed on the Authorization or in the district records, a Notice of Transfer of Reserved Water Use Authorization, Form 109, must be filed.
2. If the field examiner (the person completing this form) is someone other than the authorization holder, indicate that person's full name, professional title, mailing address, and daytime phone number. If the field examiner is the authorization holder, write "same." Indicate the date on which the project was examined.
3. List the Authorization number. This number can be found on the Authorization or in the district records.

Overlapping Water Rights

- 4A. List the water right numbers of any other water rights that are used on the same place of use as the Authorization. Contact the District or local Water Resources Division Regional Office, if needed, to identify the proper water right numbers.
- 4B. List the water right numbers of any other water rights that are diverted from the same point of diversion as the Authorization. Contact the District or local Water Resources Division Regional Office, if needed, to identify the proper water rights numbers.

Source of Water

5. Select the appropriate box for the source of water, specifically for:
 - Lake or Reservoir: List its name and the outflowing stream of which it is tributary.
 - Stream: List its name and the source or stream of which it is tributary
 - Unnamed streams: List the name of the source or stream of which it is tributary.

- Closed Basin: Check this box if the water drains into a depression, lake, etc., from which water escapes only by evaporation.

System Description

- 6A. Indicate how the water is diverted from the source. Check the appropriate box or describe the diversion.
- 6B. Identify pump diversion, brand name, motor, and engine information.
- 6C. For reservoirs, give the capacity in acre-ft. Attach a NRCS survey or attach the field examiner's measurements and complete the appropriate formula.
 - Indicate whether there is a release in the dam other than the spillway. If so, describe in detail the type and size of the release or drainage device.
- 6D. Describe the conveyance facilities. How is the water conveyed from the source to the place of use.
 - Describe the type, length, and inside diameter of any pipeline, or the length, top and bottom width, and depth of any ditch or natural carrier or other means of conveyance.
- 6E. For irrigation projects, describe the type of system installed.
 - For sprinkler systems, include the number of heads, the pounds per square inch (PSI), the type and size of nozzles, or attach a sprinkler chart.
- 6F. Indicate the type of crop irrigated.

Period of Appropriation

- 6G. The period of appropriation is the time during the year that water is diverted, impounded, or withdrawn from the source.
 - Indicate the first month and day and the last month and day of year that water is removed from the source.

Point of Diversion

- 6H. Assign each point of diversion listed an identification number (ID number) that corresponds to that diversion on the map required in Part 12. List every point of diversion for the Authorization. This is the location where the water is diverted from the source. Describe the point of diversion to the nearest 10-acres: the ¼ section, Section, Township, Range, and County.

Place of Use

- 6I. For irrigation, list the legal description for each parcel of irrigation and the number of acres in each parcel. Describe the parcel to the nearest ¼ section, and the Section, Township, Range, and County. Indicate whether the irrigation is on new (N) ground. If other water rights are used on the same ground, this Authorization is considered supplemental (S) to the other water rights.
 - For non-irrigation purposes, indicate the purpose and the place of use. If it is the same location as the point of diversion, check the box.

Flow Measurements

- 6J. The rate at which the water is diverted from the source must be identified. The method of measurement, type of equipment used, and the measurement readings must be indicated. Attach copies of any field notes taken of the measurements.
 - Check the appropriate box and if checking "other," describe how the flow rate was measured.
 - Give the details requested for the equipment used to take the measurement.
 - List the measurement readings or attach a copy of the field notes.

Volume Calculations

- 6K. The volume (acre-ft) of water used for each purpose must be determined. For irrigation, identify the crop requirement. Irrigation guides may be available at your local Natural Resources Conservation Service office or Department of Natural Resources and Conservation office. To reasonably determine the amount of water used, complete one of items 2, 3, or 4. If item 1 is greater than or less than the actual amount used as indicated in items 2, 3, or 4, identify any facts that would explain why.
- For other uses, show the calculations used to determine the volume of water used on an annual basis. Water conversion standards can be found on Water Conversion Table, Form 615, available at your local [Water Resources Division Regional Office](#).

Beneficial Use

- 6L. Check the purpose for which the permit is used. Complete the requested information for each purpose.
- Identify the period of use, the time during the year water is used for the particular purpose.
 - Indicate the first month and day and the last month and day that water is used during the year.
 - If there is more than one purpose and only one point of diversion, the flow rate for each purpose should read the same.

Map and Photographs

- 6M. A map of the project must accompany the form.
- Use a copy of an aerial photograph that shows section corners, section numbers, township and range numbers, the means of conveyance, the point of diversion, and its map identification number (ID number), place of use, and reservoir location(s).
 - Photographs may be used as additional documentation to show that the Authorization was developed and that the water was put to beneficial use. Photos must include the Authorization number, date photo was taken, photographer's name, and the subject of the picture (e.g.: point of diversion, etc.)

Conditions or Limitations

- 6N. All Reserved Water Use Authorizations are issued subject to prior existing water rights and the final determination of those water rights. Some Authorizations include other conditions or limitations to protect prior water rights or to ensure that the Authorization criteria are met. Review the Authorization to identify any conditions or limitations placed on the Authorization. Describe how the conditions or limitations have been complied with or not. If they have not been complied with, explain why.

Remarks

- 6O. Use this space to explain further any information included on this form further. If more space is need, attach additional paper to respond.

Certification

- 6P. The Field Examiner completing the form must sign and notarize the certification.

Authorization Owner Signature

Even if another party such as the Field Examiner completes the form, the Authorization Holder must also sign and date the form.

FORM 108: CONSERVATION DISTRICT APPLICATION FOR EXTENSION OF TIME

CONSERVATION DISTRICT APPLICATION FOR EXTENSION OF TIME

§85-2-316, MCA
Form No. 108 (Revised 02/2024)

For Conservation District Use Only

Water Use Authorization # _____
Date Received _____
Time Received _____
Fee Received _____
Received By _____

When to use this form:

- Use this form to apply to the Conservation District for an extension of time to complete projects approved in the Reserved Water Use Authorization.

Filing Fee:

- Contact the Conservation District for the filing fee schedule.

Important Information:

- If the infrastructure for the use of water have not been completed, submit Form 108 to the Conservation District by November 15 of the projected completion year to request an extension of time.
- Repeated failures to notify the Conservation District of project completion delays and/or extension of time requests may result in a forfeiture of the Reserved Water Use Authorization.

Conservation District Name: _____

CD Water Reservation No. _____ Water Use Authorization No. _____

1. Authorization Holder Name: _____

Mailing Address: _____ City _____ State _____ Zip _____

Phone Numbers: _____ Cell _____

Email Address: _____

2. Reasons for requesting extension of time:

___ Insufficient funds ___ Adverse weather conditions ___ Contractor unavailability

___ Other _____

3. I hereby request the deadline for completion of my project to be extended to:

_____ Month/Day, _____ Year

I declare under penalty of perjury and under the laws of the State of Montana that the information provided for this application is to the best of my knowledge true and correct.

Authorization Holder Printed Name & Signature

Date

CONSERVATION DISTRICT USE ONLY

Project extension request: ___ Approved ___ Denied

Completion of Project Extension Date: _____

Notice of Completion of Water Development Due Date: _____

Comments:

Form 108 Detailed Workflow Process

Important Note: The **AUTHORIZATION HOLDER** must complete Form 108, to request an extension of time to complete projects approved in the Authorization.

Repeated failures to notify the **CONSERVATION DISTRICT** of project completion delays and/or extension of time requests may result in a forfeiture of the Reserved Water Use Authorization.

STEP 1: **CONSERVATION DISTRICT** contacts **AUTHORIZATION HOLDER** and notifies that if the infrastructure for the use of water has not been completed by November 15 of the projected completion year, Form 108 will be mailed to request an extension of time.

STEP 2: Upon receipt of Form 108, the **CONSERVATION DISTRICT** will make a copy for the Original file and place item on an upcoming conservation district board meeting agenda for review.

STEP 3: The **CONSERVATION DISTRICT SUPERVISOR** will determine if the project extension request has been approved or denied.

STEP 4: The **CONSERVATION DISTRICT** will set the new completion due date and when the next Notice of Completion of Water Development Form 108 will be mailed to the **AUTHORIZATION HOLDER**.

STEP 5: **CONSERVATION DISTRICT** will mail/email Form 108, to **CD SPECIALIST** to update Water Rights database.

FORM 109: NOTICE OF TRANSFER OF RESERVED WATER USE AUTHORIZATION

CONSERVATION DISTRICT NOTICE OF TRANSFER OF RESERVED WATER USE AUTHORIZATION

§85-2-316, MCA
Form No. 109 (Revised 02/2024)

For Conservation District Use Only

Date Received
Time Received
Fee Received
Received By

When to use this form:

- Transfer of ownership of your existing Reserved Water Use Authorization

Filing Fee:

- Contact the Conservation District for the filing fee schedule.

Conservation District Name:

CD Water Reservation No. Water Use Authorization No.

13. Authorization Holder Name:

Mailing Address: City State Zip

Phone Numbers: Cell

Email Address:

14. Receiving Entity Name:

Mailing Address: City State Zip

Phone Numbers: Cell

Email Address:

15. Is the receiving entity receiving 100 percent interest? Yes No

16. Attach a completed Portioned Transfer Addendum, Form 109A, and a map for each Authorization if the receiving entity did not receive 100 percent interest.

17. Attach a copy of the document verifying the transfer of ownership, (e.g., deed, contract for deed), if either the authorization holder or the receiving entity's signature isn't provided.

18. Remarks:

I declare under penalty of perjury and under the laws of the State of Montana that the information provided for this application is to the best of my knowledge true and correct. I had possessory interest, or the written consent of the person with the possessory interest, in the property where the water was put to beneficial use.

Authorization Holder Printed Name & Signature Date

I, the Receiving Party, have fully reviewed and find acceptable the provisions of the Conservation District's General Development Plan and Reserved Water Use Authorization.

Receiving Entity Printed Name & Signature Date

Form 109 Detailed Workflow Process

The Notice of Transfer of Reserved Water Use Authorization, Form 109, must be completed by the **APPLICANT** when the receiving entity is receiving 100 percent interest. The **CONSERVATION DISTRICT** can approve this transfer without **WR CONTRACTOR** review or assistance.

If the receiving entity or entities receive a percentage of interest, a Portioned Transfer Addendum, Form 109A must be used and the **CONSERVATION DISTRICT** should request a **WR CONTRACTOR** review or assistance.

STEP 1: CONSERVATION DISTRICT mails form to the **APPLICANT** or **AUTHORIZATION HOLDER** requesting an ownership transfer update.

STEP 2: Upon receipt of Form 109, the **CONSERVATION DISTRICT** will make a copy for the Original file and place item on an upcoming conservation district board meeting agenda for review and acknowledgment.

STEP 3: CONSERVATION DISTRICT SUPERVISORS reviews and accepts Notice of Transfer form at board meeting.

STEP 4: CONSERVATION DISTRICT will mail/email Form 109, to **CD SPECIALIST** to update Water Rights database.

STEP 5: CD SPECIALIST will send an updated abstract to the **APPLICANT** or **AUTHORIZATION HOLDER** and **CONSERVATION DISTRICT**.

FORM 109A: CONSERVATION DISTRICT PORTIONED TRANSFER ADDENDUM

CONSERVATION DISTRICT PORTIONED TRANSFER ADDENDUM

§85-2-316, MCA
Form No. 109A (Revised 02/2024)

For Conservation District Use Only

Date Received
Time Received
Fee Received
Received By

When to use this form:

- Use the Portioned Transfer Addendum Form and a map for each Authorization in which the receiving entity did not receive 100 percent interest in the transfer.

Filing Fee:

- Contact the Conservation District for the filing fee schedule.

Important Information:

- There are two pages in this document.
If there is more than one Authorization being transferred, use a separate Form 109A for each Authorization.
The combination of rate, volume and acres irrigated shall not exceed the limits of the original Authorization. No change in point of diversion, place of use, place of storage, point of discharge, and/or method of water application shall take place without prior Conservation District approval.

Conservation District Name:

CD Water Reservation No. Water Use Authorization No.

1. Authorization Holder Name:
Mailing Address: City State Zip
Phone Numbers: Cell
Email Address:

2. Receiving Entity Name:
Mailing Address: City State Zip
Phone Numbers: Cell
Email Address:

3. Attach a copy of the document verifying the transfer of ownership, (e.g., deed, contract for deed), if either the authorization holder or the receiving entity's signature isn't provided.

4. Total Use:
Purpose of Use Flow rate cfs or gpm, volume ac-ft acres irrigated

5. Portion of Use Received:
Purpose of Use Flow rate cfs or gpm, volume ac-ft acres irrigated

6. Explain how the portion or percentage of water use received was determined.

7. Place of Use (Describe the location where you propose to use the water right)

ACRES	LOT	¼	¼	¼	SEC	TWP N/S	RGE E/W	COUNTY

8. Point of Diversion (Proposed Point of Diversion Description to the nearest 10 acres)

LOT	¼	¼	¼	SEC	TWP N/S	RGE E/W	COUNTY

9. Means of Diversion: _____

10. A location map showing the following must accompany this application.

- Township and Range
- Project location and general layout
- Section numbers and corners
- Points of diversion and discharge
- Scale of map in inches
- Place of use

I declare under penalty of perjury and under the laws of the State of Montana that the information provided for this application is to the best of my knowledge true and correct. I had possessory interest, or the written consent of the person with the possessory interest, in the property where the water was put to beneficial use.

Authorization Holder Printed Name

Date

Authorization Holder Signature

Date

I, the Receiving Party, have fully reviewed and find acceptable the provisions of the Conservation District's General Development Plan and Reserved Water Use Authorization.

Receiving Entity Printed Name

Date

Receiving Entity Signature

Date

Form 109A Detailed Workflow Process

STEP 1: CONSERVATION DISTRICT will provide form(s) to the **APPLICANT** requesting an ownership transfer where the receiving entity did not receive 100 percent interest in the transfer. A separate Form 109A must be used for each Authorization being transferred.

STEP 2: CONSERVATION DISTRICT will provide **APPLICANT** with current and accurate application fee structure

STEP 3: CONSERVATION DISTRICT will accept Portioned Transfer Addendum form from the **APPLICANT**

- Collect fees, if applicable
- Review form for completeness
- Receive copy of document verifying the instrument of transfer if either the **AUTHORIZATION HOLDER** or receiving entity's signature isn't provided
- Note date and time form was received and who accepted it

STEP 4: CONSERVATION DISTRICT will verify that Form 109A, doesn't have any change in point of diversion, place of use, and place of storage.

STEP 5: CONSERVATION DISTRICT SUPERVISORS reviews form at next board meeting

- Reviews and determines changes require further technical review.

STEP 6: CONSERVATION DISTRICT emails a copy of the form to **CD SPECIALIST**

- **CONSERVATION DISTRICTS BUREAU (CDB)** coordinates technical assistance needs for processing the application.
- **CD SPECIALIST** reviews portioned transfer form for completeness
 - Assigns the project to a **WR CONTRACTOR**
 - Conveys to all parties, that if a substantial error or correction is required with an application, the **CD SPECIALIST** should be included in the discussion.

STEP 7: WR CONTRACTOR assigned will conduct an initial review of documents

- Will use the Portioned Transfer Addendum worksheet and reviews and determines the transfer is accurately represented and supported with Instruments of transfer documents.
- Public notice is not required for transfers.
- Will provide review documents and findings to CD for board approval
- Go to Step 8

OR

- a. Reviews and determines that the combination of rate, volume, and acres exceed the limits of the original Authorization resulting in a need for additional point of diversion, place of use, place of storage, point of discharge, water distribution methods, and additional water.
- The **WR CONTRACTOR** will contact the **CD SPECIALIST** to notify findings but will continue with the review for portioned transfer only*

*Portioned transfer must be completed before a reserved water use authorization applications can be submitted to the **CONSERVATION DISTRICT**.

- Works directly with the **APPLICANT** for clarification and request additional information if needed
- The **CD SPECIALIST** notifies **CONSERVATION DISTRICT** that the **WR CONTRACTOR** identified some/all the change is substantial to the Reserved Water Use Authorization, is outside of the original public notice and will simultaneously conduct a review for portioned transfer only.

Public notice is not required for transfers.

STEP 8: CONSERVATION DISTRICT will prepare documents for board meeting

- Develop agenda for regular conservation district board meeting
- Send meeting notice to **APPLICANT** and **WR CONTRACTOR**, if applicable
- Mail/email application, portioned transfer addendum and other documents in supervisor packet

STEP 9: CONSERVATION DISTRICT SUPERVISORS at board meeting

- If **APPLICANT** is present, can suggest they submit a CD Water Use Authorization Application, Form 101
- Reviews and approves transfer

STEP 10: After CD meeting action:

- **All Basins:** Email copy of transfer documents to **CD SPECIALIST**. Contents include application, maps, variance, or modifications if applicable.

STEP 11: CD SPECIALIST will update the Water Resources database.

STEP 12: CD SPECIALIST will send an updated abstract to the **APPLICANT** or **AUTHORIZATION HOLDER** and **CONSERVATION DISTRICT**.

FORM 110: CONSERVATION DISTRICT RESERVED WATER USE AUTHORIZATION COMPLAINT FORM

CONSERVATION DISTRICT RESERVED WATER USE AUTHORIZATION COMPLAINT FORM

§85-2-316, MCA
Form No. 110 (Revised 02/2024)

For Conservation District Use Only

Water Use Authorization # _____
 Date Received _____
 Time Received _____
 Fee Received _____
 Received By _____

When to use this form:

- Use this form to notify the Conservation District of a complaint to a Reserved Water Use Authorization.

Filing Fee:

- Contact the Conservation District for the filing fee schedule.

Important Information:

- There are **two pages** in this document.
- Provide and label a map depicting the location of point of diversion, place of use, and/or other pertinent data describing the nature of the complaint.

Conservation District Name: _____

1. Complainant Name: _____

Mailing Address: _____ City _____ State _____ Zip _____

Phone Numbers: _____

Email Address: _____

2. *Reserved Water Use Authorization involved in complaint:*

Water User Name: _____

Mailing Address: _____ City _____ State _____ Zip _____

Phone Numbers: _____ Cell _____

Email Address: _____

Reserved Water Use Authorization number: _____

3. Water Source: _____

A tributary of _____

4. Point of Diversion

LOT	¼	¼	¼	SEC	TWP N/S	RGE E/W	COUNTY

5. Place of Use

LOT	¼	¼	¼	SEC	TWP N/S	RGE E/W	COUNTY

6. Describe the Complaint (attach additional sheets if necessary):

I declare under penalty of perjury and under the laws of the State of Montana that the information provided in this document is to the best of my knowledge true and correct.

Complainant Printed Name

Date

Complainant Signature

Date

Form 110 Detailed Workflow Process

Important Note: This form is used by a **COMPLAINANT** to notify the **CONSERVATION DISTRICT** of a complaint to a Reserved Water Use Authorization.

COMPLAINANT must contact **AUTHORIZATION HOLDER** to discuss complaint first prior to submitting a complaint form to the **CONSERVATION DISTRICT**.

STEP 1: **CONSERVATION DISTRICT** provides complaint form to the **COMPLAINANT**.

STEP 2: **CONSERVATION DISTRICT** will place complaint on upcoming board meeting agenda.

STEP 3: **CONSERVATION DISTRICT** mails/emails meeting notice to the **AUTHORIZATION HOLDER** and **COMPLAINANT**.

STEP 4: **CONSERVATION DISTRICT** holds public notice board meeting to discuss complaint received on a reserved water use authorization.

STEP 5: If complaint is valid, the **CONSERVATION DISTRICT SUPERVISORS** may take corrective action. If the complaint isn't valid, it will be dismissed.

STEP 6: The complaint form copy will be placed in the Original file as part of the record.

FORM 112: ADDENDUM TO NOTICE OF COMPLETION OF AUTHORIZATION TO CHANGE

CONSERVATION DISTRICT ADDENDUM TO NOTICE OF COMPLETION OF AUTHORIZATION TO CHANGE

§85-2-316, MCA

Form No. 112 (Revised 02/2024)

When to use this form:

- The Conservation District will use this form to notify the water user to complete the Notice of Completion of Change of Appropriation Water Right, Form 618 on their Conservation District Water Reservation Based Change, Form 606-CD used for changes **not included in the original CD public notice**.

Important Information:

- Form 618 must be filed on or before the deadline date on the Authorization or authorized extension of time.
- If the project is not completed, file an Application for Extension of Time, Form 607 before the authorization deadline; otherwise, the Authorization is void.

Your reserved water use project, Authorization number _____, involves a change in the Conservation District Water Reservation. The Conservation District applied for and received an Authorization to Change Appropriation Water Right from the Department of Natural Resources and Conservation (DNRC) for your project.

Montana law requires that the holder of an Authorization to Change Appropriation Water Right file a certified statement with the DNRC notifying it that the authorized change has been completed in substantial accordance with the terms and conditions of the Authorization. In order for the Conservation District to comply with the law, the District requires that you, the reserved water user, complete the application sections of the enclosed Notice of Completion of Change of Appropriation Water Right, Form 618, and return it to the Conservation District by _____.

If the completed Form 618 is not submitted to the Conservation District by the deadline, the Authorization to Change may be subject to revocation by the DNRC which would result in revocation of your Reserved Water Use Authorization number _____.

It is the responsibility of the reserved water user to provide correct and complete information to the Conservation District regarding all reserved water use forms and matters. The water user shall hold harmless the Conservation District from all claims, demands, or actions arising from the use of reserved water granted to the water user by the Conservation District.

I have read and understand the above statement.

Authorization Holder Printed Name and Signature

Date

Form 112 Detailed Workflow Process

Important Note: Form 112 is a notification to the **AUTHORIZATION HOLDER** that a Notice of Completion of Change of Appropriation Water Right, Form 618, on their CD Water Reservation Based Change, Form 606-CD must be completed.

STEP 1: **CONSERVATION DISTRICT** mails form to the **AUTHORIZATION HOLDER** prior to the deadline date on the Authorization or authorized extension of time to learn status of the water authorization.

STEP 2: Upon receipt of Form 112, the **CONSERVATION DISTRICT** will make a copy for the Original file and place item on an upcoming conservation district board meeting agenda for review.

- **AUTHORIZATION HOLDER** had indicated the 606-CD authorization is completed.
- See Step 5

OR

- **AUTHORIZATION HOLDER** had indicated the 606-CD authorization requires an extension.
- See Step 6

STEP 3: **CONSERVATION DISTRICT SUPERVISORS** reviews form and acknowledges either the project is completed or requires an extension of time.

STEP 4: **CONSERVATION DISTRICT** will correspond directly with the **DNRC WATER RESOURCES REGIONAL OFFICE**.

STEP 5: **CONSERVATION DISTRICT** will complete and mail/email Form 618 Notice of Completion of Change of Appropriation Water Right to the **DNRC WATER RESOURCES REGIONAL OFFICE**.

STEP 6: **CONSERVATION DISTRICT** will collect filing fee (currently \$400) from the **AUTHORIZATION HOLDER** and complete, mail or email Form 607 Application for Extension of Time to **DNRC WATER RESOURCES REGIONAL OFFICE**.

CONSERVATION DISTRICT RESERVED WATER ANNUAL REPORT TO DNRC

§85-2-316, MCA
(Revised 02/2024)

For Conservation District Use Only

When to use this form:

- Use this form to notify the Department of Natural Resources and Conservation – Conservation Districts Bureau the annual water usage for the Conservation District Reserved Water Use Authorizations.

Important Information:

- Complete and submit Annual Report to DNRC Form to your Conservation District Specialist by **December 15** of each year whether any water had been used under the authorization or not.

Conservation District Name: _____

Reservation Data

1. Amount, source, and purpose of reservation as granted by the Board of Natural Resources and Conservation:
 - A. Amount: _____ acre-feet (ac-ft)
 - B. Flow: _____ cubic feet per second (cfs)
 - C. Source: _____
 - D. Purpose: _____

2. Total number of applications accepted, and amount of water given final approval by the Conservation District (CD) and the Department of Natural Resources and Conservation (DNRC):
 - A. Current number of applications approved for use by CD and DNRC: _____
 - B. Total amount of water currently approved for use by CD and DNRC: _____ ac-ft _____ cfs
 - C. The amount of reserved water undeveloped and available for future use: _____ ac-ft _____ cfs

Action on Applications in the last year by Conservation District

1. Number of new applications received: _____
2. Total number of applications approved by CD: _____
 Amount of water approved: _____ ac-ft _____ cfs
 - a. Number of applications approved by CD but pending DNRC approval: _____
 - b. Amount of water approved: _____ ac-ft _____ cfs
3. Number of applications denied and reasons for denial: _____
4. Number of applications received pending CD approval: _____

Public Awareness Activities:

Legal Activities:

Long Term Project Development Activities:

Future Activities and Anticipated Progress:

Water Conservation Measures:

Other Points of Interest or Problems with the Reservation:

CD Reserved Water Annual Report To DNRC Workflow Process

STEP 1: CONSERVATION DISTRICT mails Form 103 Reserved Water User Annual Report to the **AUTHORIZATION HOLDER** on November 1. **AUTHORIZATION HOLDER** should be returned the form to the **CONSERVATION DISTRICT** in time to processing and submission to DNRC by the December 15 deadline.

STEP 2: CONSERVATION DISTRICT will compile data from all water use authorizations and complete the Water Annual Report to DNRC form.

STEP 3: CONSERVATION DISTRICT will mail/email the Reserved Water Annual Report to DNRC to the **CD SPECIALIST**.

STEP 4: CD SPECIALIST will collect Annual Reports and provide information to the **DNRC WATER RESOURCES DIVISION** for the purpose of creating ten-year reports to the legislature.

Appendix 1: Montana Code Annotated Pertaining To Water Reservations

Application for permit or change in appropriation right 85-2-302, MCA — [85-2-302, MCA](#)

State Reservation of Waters — [85-2-316, MCA](#)

Yellowstone River Basin Reservations — [85-2-6, MCA](#)

Reservations within Missouri River Basin and Little Missouri River Basin — [85-2-331, MCA](#)

[Technical analysis defined in Rule 36.12.1303 \[casetext.com\]](#)

Appendix 2: DNRC Water Rights Query System

The screenshot displays the DNRC Water Rights Query System interface. At the top, there is a navigation bar with 'Search', 'Table', and 'About' buttons. Below this, the interface is divided into a left sidebar and a main map area. The sidebar contains filters for 'Identifiers' (Water Right #, Water Right Type, Water Right Status), 'Water Right Owner' (Person Search, Entity/Business Search), and 'Geocode'. The main area is a map of the western United States and southern Canada, showing state and provincial boundaries. A search results dropdown at the bottom left shows 'Search Results' and 'Count: 0'. The map is powered by Earthstar Geographics.

<https://gis.dnrc.mt.gov/apps/WRQS/>

Appendix 3: Conservation Districts With Water Reservations

Yellowstone River Basin

Applications were granted on December 15, 1978, at 4:18 p.m.

- | | |
|--|---|
| <ul style="list-style-type: none">• Park Conservation District• Sweet Grass Conservation District• Stillwater Conservation District• Carbon Conservation District• Yellowstone Conservation District• Big Horn Conservation District• Treasure Conservation District | <ul style="list-style-type: none">• Rosebud Conservation District• Custer Conservation District• Powder River Conservation District• Prairie Conservation District• Dawson Conservation District• Richland Conservation District• Little Beaver Conservation District |
|--|---|

Orders of Priority

Applicants below the mouth of the Bighorn River and within the Bighorn River watershed:

1. Municipalities
2. Conservation Districts
3. Agencies with Instream Flows

Applicants above the mouth of the Bighorn River:

1. Municipalities
2. Agencies with Instream Flows
3. Conservation Districts

Upper Missouri River Basin

Applications were granted on July 1, 1985, at 8:00 a.m.

- | | |
|---|---|
| <ul style="list-style-type: none">• Broadwater Conservation District• Cascade Conservation District• Chouteau County Conservation District• Fergus County Conservation District• Gallatin County Conservation District• Glacier County Conservation District• Jefferson Valley Conservation District• Judith Basin Conservation District | <ul style="list-style-type: none">• Lewis & Clark County Conservation District• Liberty County Conservation District• Lower Musselshell Conservation District• Meagher County Conservation District• Pondera County Conservation District• Teton County Conservation District• Toole County Conservation District• Valley County Conservation District |
|---|---|

Order of Priority

Applicants above Fort Peck Dam (Upper Missouri River Basin):

1. Municipalities
2. Instream Flows granted to the Department of Health and Human Services, the Department of Fish Wildlife and Parks, and the U.S. Department of Interior, Bureau of Reclamation
3. Equal to all other Conservation District Reservations granted
4. U.S. Department of the Interior, Bureau of Reclamation

Little and Lower Missouri River Basins

Lower Missouri Applications were granted on July 1, 1985, at 8:00 a.m.
Little Missouri Applications were granted on July 1, 1989

Blaine County Conservation District
Carter County Conservation District
Daniels County Conservation District
Little Beaver County Conservation District
Liberty County Conservation District
McCone Conservation District

Richland County Conservation District
Roosevelt County Conservation District
Sheridan County Conservation District
Valley County Conservation District
Wibaux Conservation District

[Order of Priority](#)

Applicants below Fort Peck Dam (Lower and Little Missouri River Basin)

1. Municipalities
2. Equal to all other Conservation Districts in the Basin
3. Montana Department of Fish, Wildlife and Parks for Instream Flow