

Processing Materials

- Work copies of applicant-submitted information
- Deficiency letter
- Deficiency response
- Correct & complete determination
- Any correspondence with the applicant after application receipt and prior to sending the Draft PD

Processing Materials

THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

GOVERNOR GREG GIANFORTE



DNRC DIRECTOR AMANDA KASTER

Missoula Water Resources Regional Office
PO Box 5004
2705 Spurgin Road, Bldg. C
Missoula, MT 59806-5004
(406) 721-4284

January 12, 2026

Lee Yelin
5980 Kerr Dr
Missoula, MT 59803-3028

Subject: Correct and Complete Application for Change No. 76M 30171923

Dear Applicant,

The Department of Natural Resources and Conservation (Department) has determined that your application is correct and complete pursuant to ARM 36.12.1601. Please remember that correct and complete **does not mean that your application will be granted**. The purpose of this letter is to indicate that the Department has enough information to analyze your water right application.

The Department will issue a Draft Preliminary Determination within 60 days of the date of this letter per §85-2-307(2)(b), MCA.

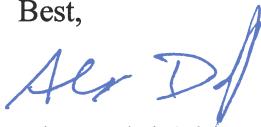
Following issuance of the Draft Preliminary Determination, you (Applicant) will have 15 business days to request an extension of time to submit additional information, if desired pursuant to §85-2-307(3)(a), MCA.

If no extension of time is requested and the Draft Preliminary Determination decision is to grant your application or grant your application in modified form, the Department will prepare a notice of opportunity to provide public comment, per §85-2-307(4)(a), MCA.

If no extension of time is requested and the Draft Preliminary Determination decision is to deny your application, the Department will adopt the Draft Preliminary Determination as the final determination per §85-2-307(3)(d)(ii), MCA.

If you have any questions or concerns about the application process, please contact me.

Best,



Alex Dalglish
Water Resource Specialist
Missoula Regional Office
(406)-542-5886
Alexander.dalgleish@mt.gov



Dalgleish, Alex

From: Dalgleish, Alex
Sent: Monday, January 12, 2026 10:44 AM
To: Water Rights Inc.
Subject: RE: [EXTERNAL] Lee's 606 Deficiency
Attachments: A2_Correct&Complete_Letter 76M 30171923.pdf

Categories: Changes

John,

Your responses look sufficient, and I can accept these documents as your response. You do not need to mail in a copy of the letter and maps.

Attached is the letter notifying you that the Application is correct and complete (I will not be mailing a physical copy).

Please reach out with any questions.



Alex Dalgleish | Water Conservation Specialist II
Water Resources Division, Missoula Regional Office
Montana Department of Natural Resources and Conservation
2705 Spurgin Road, Bldg C
DESK: 406-542-5886 EMAIL: alexander.dalgleish@mt.gov
[Website](#) | [Facebook](#) | [X \(Twitter\)](#) | [Instagram](#)
How did we do? Let us know here: [Feedback Survey](#)

From: Water Rights Inc. <waterrightsinc@gmail.com>
Sent: Friday, January 9, 2026 3:34 PM
To: Dalgleish, Alex <Alexander.Dalgleish@mt.gov>
Subject: Re: [EXTERNAL] Lee's 606 Deficiency

Alex,

Thanks for the heads up on that POU and the shapefile. I wanted to run my draft past you to make sure there was nothing else before we emailed/mailed the formal copies in to make it complete. Let me know. Thanks!

John Hackethorn III

On Fri, Jan 9, 2026 at 11:32 AM Dalgleish, Alex <Alexander.Dalgleish@mt.gov> wrote:

Hey John,

In the Water Court's Masters Report detailing the split of parent right 76M 16758 00, on the bottom of page 2 the report mentions a color-coded map of the proposed acreage split. Looking back in the original file of 76M 116758 00, this color map shows the split of right 76M 116758 00 for all child rights. I've attached this map for reference.

I georeferenced the color map and outlined Lee's portion. Attached is my shapefile that you can use for your maps. While the Master's Report assigned 21.10 acres to child right 76M 30048497, the shapefile does not exactly match those acres. The map was the best representation of the 76M 30048497 acreage/portion.



Alex Dalgleish | Water Conservation Specialist II

Water Resources Division, Missoula Regional Office

Montana Department of Natural Resources and Conservation

2705 Spurgin Road, Bldg C

DESK: 406-542-5886 **EMAIL:** alexander.dalgleish@mt.gov

[Website](#) | [Facebook](#) [facebook.com] | [x](#) ([Twitter](https://twitter.com) [twitter.com]) | [Instagram](#) [instagram.com]

How did we do? Let us know here: [Feedback Survey](#) [forms.office.com]

From: Water Rights Inc. <waterrightsinc@gmail.com>

Sent: Friday, January 9, 2026 10:09 AM

To: Dalgleish, Alex <Alexander.Dalgleish@mt.gov>

Subject: [EXTERNAL] Lee's 606 Deficiency

Alex,

I am looking at the deficiency you sent for Lee's 606 change for instream flow on child right 76M 30048497. Looking at question 17, you mention that the project overview map should only include the

POU of the child right. I represented the historical POU for the parent right as well as the instream flow "POU." If there is a place of use to represent for the child right, I would be happy to map it but I am not sure what that POU is given the abstract says it does not have a place of use in the remarks. Please let me know how to go about this. Thanks!

Sincerely,

--

John Hackethorn III

GIS Specialist

Water Rights, Inc.

Missoula, MT

Office: (406) 251-6100



WATER

Bus: (406) 251-6100

Fax: (406) 251-3191

E-mail: waterrightsinc@gmail.com

Web Site: waterrightsinc.net



RIGHTS, INC.

P.O. Box 9285 • Missoula, Montana 59807

January 9, 2026

Project No. R25-067

Alex Dalgleish
Missoula Water Resources Regional Office
PO Box 5004
2705 Spurgin Road, Bldg. C
Missoula, MT 59806-5004

RE: Deficiency letter for Change Application No. 76M 30171923 (WR 76M 30048497)

Alex,

Thank you for the feedback on the change application (No. 76M 30171923) for Lee Yelin. Below is a response to all deficiencies noted.

Q 10: Thank you for the heads up. In the future we will make sure to attach all supporting documents, even if it is something already in the possession of the DNRC.

Q 17: Attached is a revised "Historical Use Map" and "Project Overview Map" focusing solely on the historical place of use for child right 76M 30048497 with the shapefile provided by the DNRC, rather than the historical POU for the parent right.

Q 36/606-IFA Q 5: We intend to use the Department's findings of diverted and consumed volumes as found in DNRC Technical Analysis.

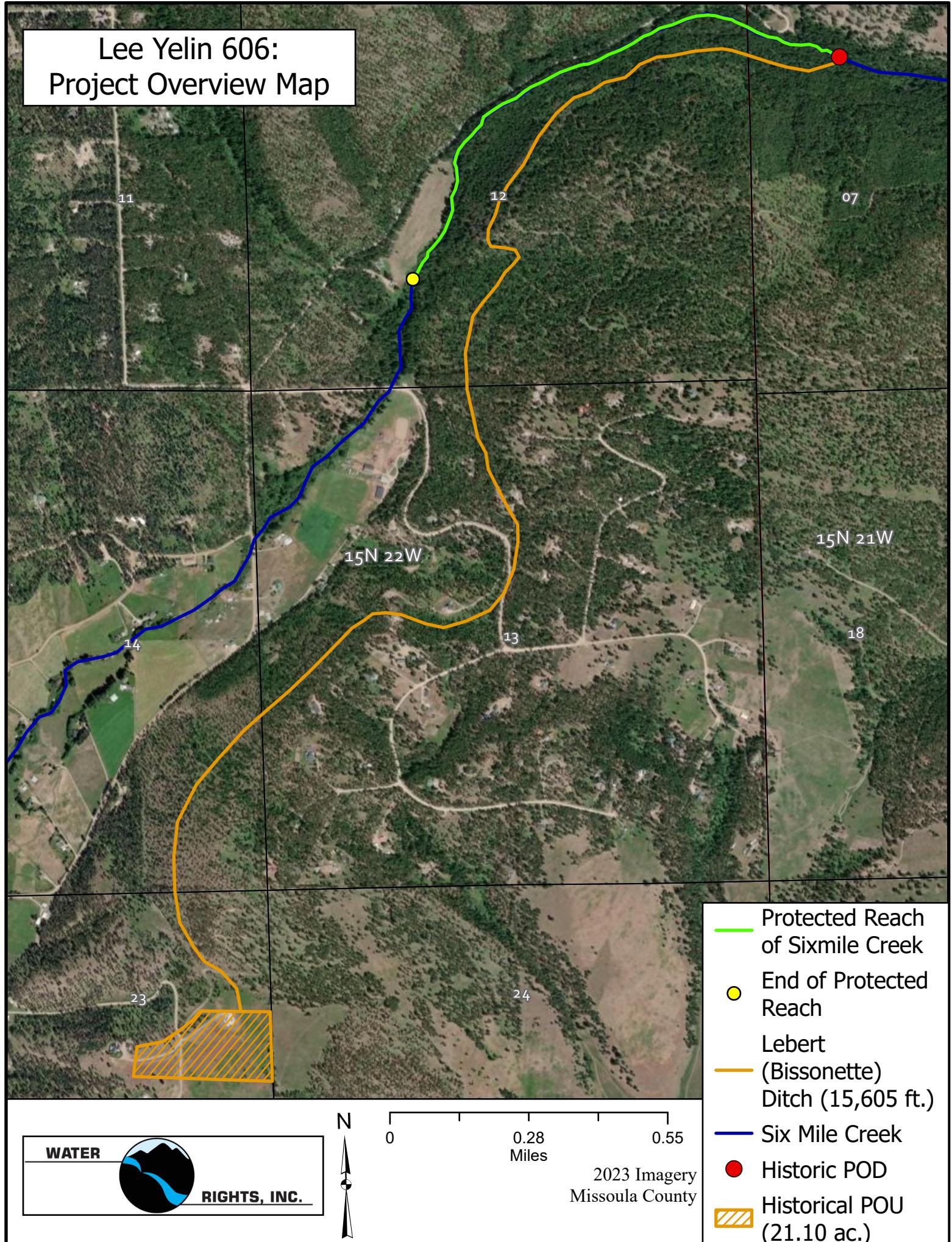
If there is anything else to be done to make this application complete, please let us know ASAP!

Sincerely,

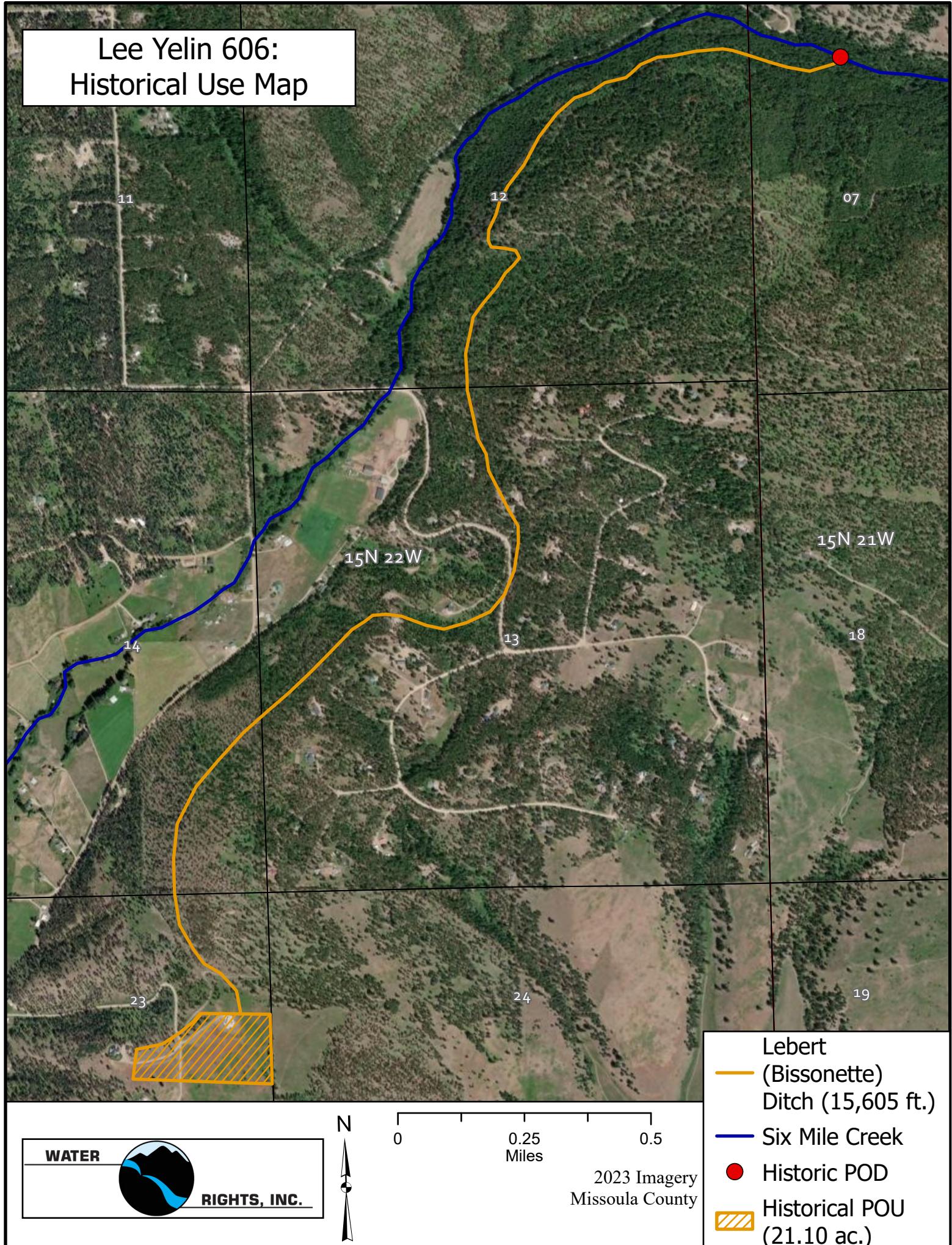
Lee Yelin
Senior Water Rights Specialist

LY/jh

Lee Yelin 606: Project Overview Map



Lee Yelin 606: Historical Use Map





Missoula Water Resources Regional Office
PO Box 5004
2705 Spurgin Road, Bldg. C
Missoula, MT 59806-5004
(406) 721-4284

January 5, 2026

Lee Yelin
5980 Kerr Dr
Missoula, MT 59803-3028

Subject: Deficiency letter for Change Application No. 76M 30171923

Dear Applicant,

The Department of Natural Resources and Conservation (DNRC or Department) has begun reviewing your application. This letter is to notify you of the deficiencies in your application as required in ARM 36.12.1501(1) and §85-2-302(5)(b), MCA. An Applicant is required to submit substantial and credible information addressing the rules and statutes that are relative to your application. You must provide the information specified below for your application to be considered correct and complete. “Correct and complete” means all of the information provided is substantial and credible and provides all of the information as required by applicable rules and statutes. The application as submitted contains deficiencies in the following section(s):

- Question 10. If you propose to add a point of diversion or place of use on State of Montana Trust Land, submit documentation of consent from DNRC Trust Lands Management Division. If you propose to add a place of use on Trust Land with all***

points of diversion on private land, then, at a minimum, that component of the change authorization will be temporary for the duration of the lease term (85-2-441, MCA).

This question was marked as "S" which denotes that items are required to be submitted to the Department. While the Application documents did not include consent from DNRC Trust Lands Management Division, the preapplication materials did include correspondence between you, the Applicant, and DNRC Deputy Trust Lands Administrator Ryann Weiss. The Department will use the previously submitted correspondence as evidence of consent from the Trust Lands Division. While this question is not technically deficient, we wanted to note the inconsistency between the answer and the lack of submitted documentation with the Application.

- Question 17. Submit a historical use map created on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, north arrow, all historic points of diversion (POD) labeled with a unique POD ID ("H" followed by a number), all historical places of use (POU), all historical conveyance structures, all historical places of storage, and historical place of use for all overlapping water rights. More than one map may be submitted, if necessary, to clearly convey all required information.***

The historical map provided with the Application depicts the historic POU. However this POU appears to be of the entire POU associated with parent right 76M 116758 00 and not that of the child right proposed for change. Please submit a map showing the historical POU of water right 76M 30048497 proposed for change.

In addition to the historic use map, the project overview map also appears to represent the larger historic POU of parent right 76M 116758 00. The project overview map should only the POU of child right 76M 30048497.

- Question 36. Describe your plan of operations, including specific information about how water is delivered within the place of use. This may include, where applicable, the range of flow rates needed for a pivot.***

The answer to this question is inconsistent with the Department's findings. The prior change authorization (76M 30049150) and the Technical Analyses for this current change proposal found the historical and proposed diverted volume for the water right 76M 30048497 to be 208.15 AF. You describe a diverted volume of 402.2 AF. It is unclear if this figure designates the historical and/or proposed diverted volume.

Next, in the Application, you describe the historically consumed volume to be 52.94 AF. Again, in the prior change authorization and the Technical Analyses for this current change, the Department found the historic consumptive use of right 76H 30048497 to be 19.5 AF.

Please clarify if you intend to use the Department's findings of diverted and consumed volumes, as listed in the Technical Analyses for this change application. If not, and you propose to deviate from the previously completed Technical Analyses, you'll need to



submit Technical Analyses Addendum (Form 606-TAA) with the Application. Form 606-TAA would result in the loss of the preapplication meeting benefits (expedited timelines and reduced fees).

- Form 606-IFA – Question 5: Provide details about an operation plan, which included the proposed flow rate (GPM or CFS) to be protected up to the proposed volume (AF) and the period when protection is to occur. If there is a “trigger flow” associated with your operation plan, please explain.***

The answer to this question is similar to the answer to Question 36 on the Application where different values are described for the diverted and consumed volumes of the water right proposed for change. Please clarify if you wish to use the diverted and consumed volumes determined in the Department's Technical Analyses. If you wish to use information different from the findings in the Technical Analyses, submit Form 606-TAA.

As stated above, the information submitted to address the rules and statutes listed in this deficiency letter must be substantial credible information to be acceptable at the correct and complete determination. §§85-2-102 (9) and (26), MCA.

Please submit the information specified above to the Missoula Regional Office by May 6, 2026. This is the only deficiency letter that will be sent. An application not corrected or completed within 120 days from the date of this letter is terminated per ARM 36.12.1501(2) and §85-2-302(6)(a), MCA.

Please let me know if you have any questions.

Best,



Alex Dagleish
Water Resource Specialist
Missoula Regional Office
(406)-542-5886
Alexander.dagleish@mt.gov



IMPORTANT NOTICE: This will be the final opportunity for you to provide the required information to the Department. If all of the requested information in this letter is not postmarked or submitted within 120 days of this letter, the application will be terminated within 30 days and the application fee will not be refunded.



Application Materials

- Application
- Any information submitted with Application including maps

Application Materials



APPLICATION TO
CHANGE A WATER RIGHT
§ 85-2-302, MCA
Form No. 606 (Revised 10/2025)

For Department Use Only

RECEIVED

DEC 30 2025

FILING FEE

\$2500/\$1500 – Without/with filing fee reduction.

\$400 – (The following types do not qualify for a filing fee reduction)

- Replacement well greater than 200 feet from original
- Replacement reservoir on the same source

INFORMATION

An application will be eligible for a filing fee reduction and expedited timelines if the applicant completes a preapplication meeting with the Department (ARM 36.12.1302(1)), which includes submitting any follow-up information identified by the Department (ARM 36.12.1302(3)(c)) and receiving either Department-completed technical analyses or Department review of applicant-submitted technical analyses (ARM 36.12.1302(4) and (5)). An application for the proposed project also must be submitted within 180 days of delivery of Department technical analyses or scientific credibility review and no element on the submitted application can be changed from the completed preapplication meeting form (ARM 36.12.1302(6)). If application is eligible for a filing fee reduction, \$500 paid for Form 606P-B will be credited toward filing fees shown above.

MONTANA D.N.R.C.
MISSOULA REGIONAL OFFICE

Application # 30171923 Basin 76M
Priority Date 9/30/2025 Time _____ AM/PM
Rec'd By TS
Fee Rec'd \$ 1500.02 Check # 4746
Deposit Receipt # MSS2612841
Payor Yelin, Lee
Refund \$ _____ Date _____

Applicant Information: Add more as necessary.

Applicant Name Lee Yelin

Mailing Address 5890 Kerr Dr City Missoula State MT Zip 59803-3028

Phone Numbers: Home _____ Work _____ Cell (406)396-3833

Email Address waterrightsinc@gmail.com

Applicant Name _____

Mailing Address _____ City _____ State _____ Zip _____

Phone Numbers: Home _____ Work _____ Cell _____

Email Address _____

Applicant Name _____

Mailing Address _____ City _____ State _____ Zip _____

Phone Numbers: Home _____ Work _____ Cell _____

Email Address _____

Contact/Representative Information: Add more as necessary.

Contact/Representative is: Applicant Consultant Attorney Other

Contact/Representative Name Water Rights Inc.

Mailing Address PO Box 9285 City Missoula State MT Zip 59807

Phone Numbers: Home _____ Work (406)251-6100 Cell _____

Email Address waterrightsinc@gmail.com

NOTE: If a contact person is identified as an attorney, all communication will be sent only to the attorney unless the attorney provides written instruction to the contrary (ARM 36.12.122(2)). If a contact person is identified as a consultant, employee, or lessee, the individual filing the water right form or objection form will receive all correspondence and a copy may be sent to the contact person (ARM 36.12.122(3)).



Answer every question and applicable follow-up questions. Use the checkboxes to denote yes ("Y"), no ("N"), or not applicable ("NA"). Questions that require items to be submitted to the Department have a submitted ("S") checkbox, which is marked when the required item is attached to the Application. Label all submitted items with the question number for which they were submitted. Narrative 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. Responses in the form of a table may be entered into the table provided on this form or in an attachment. If an attachment is used, the table must have the exact headings found on this form, and "see attachment" must be entered as a response to the relevant question. Clearly label all units in tables and narrative responses.

PREAPPLICATION AND TECHNICAL ANALYSES INFORMATION

1. Y N Do you elect for Department technical analyses to be used for criteria assessment?
2. Y N Did you have a preapplication meeting AND complete a Change Preapplication Meeting Form Part A and Part B (Form 606P-A and 606P-B)?

IF QUESTION 2 IS NO, answer 2.a and 2.b:

- 2.a. S Submit the Technical Analyses Addendum (Form 606-TAA).
- 2.b. S NA Submit the technical analyses, if you elected in question 1 for Applicant technical analyses to be used for criteria assessment. Select "NA" if you elected for Departmental technical analyses.

IF QUESTION 2 IS YES, answer 2.c, 2.d, and 2.e:

- 2.c. Y N Has any element of the project described in this application changed from the mandatory elements of the project described in the completed Form 606P? **If yes,**
- 2.c.i. Please explain.

- 2.c.ii. S Submit the Technical Analyses Addendum (Form 606-TAA).

- 2.d. Y N Are the technical analyses to be used for criteria assessment exactly the same as those completed during the preapplication process? **If no:**
- 2.d.i. Please explain.

- 2.d.ii. S Submit the Technical Analyses Addendum (Form 606-TAA).

- 2.e. Y N Did you elect in question 1 for Department technical analyses to be used for criteria assessment? **If no:**

- 2.e.i. S Submit the technical analyses.



APPLICATION ADDENDA AND REVIEW

3. **NA** If the proposed change involves one or more places of storage, submit a Change Storage Addendum (Form 606-SA). This does not include reservoirs, pits, pit-dams, or ponds with a capacity less than 0.1 AF; water tanks; or cisterns (ARM 36.12.113(6)).

4. **NA** If the project involves an appropriation that is greater than 5.5 CFS and 4,000 acre-feet, submit a Reasonable Use Addendum (Form 606-B).

5. **NA** If the project involves out-of-state water use, submit an Out-of-State Use Addendum (Form 600/606-OSA).

6. **NA** If the proposed purposes include marketing or selling water, submit a Water Marketing Purpose Addendum (Form 600/606-WMA). This doesn't include marketing for mitigation/aquifer recharge.

7. **NA** If the proposed purpose includes instream flow, submit a Change to Instream Flow Addendum (Form 606-IFA).

8. **NA** If the proposed purposes include mitigation, aquifer recharge, or marketing for mitigation/aquifer recharge, submit a Mitigation Purpose Addendum (Form 606/606-MIT).

9. **NA** If the project is in designated sage grouse habitat, submit a review letter from the Montana Sage Grouse Habitat Conservation Program.

10. **NA** If you propose to add a point of diversion or place of use on State of Montana Trust Land, submit documentation of consent from DRNC Trust Lands Management Division. If you propose to add a place of use on Trust Land with all points of diversion on private land, then, at a minimum, that component of the change authorization will be temporary for the duration of the lease term (§ 85-2-441, MCA).

11. **NA** You must provide a written notice of the application to each owner of an appropriation right sharing a point of diversion or means of conveyance (e.g., canal, ditch, flume, pipeline, or constructed waterway) pursuant to § 85-2-302(4)(c), MCA. Submit a copy of this notice and the recipient list.

APPLICATION DETAILS

12. How many change applications will be needed for this project? Refer to ARM 36.12.1305 for more information. ONE

13. Fill out the table below for the water rights proposed for change.

Water Right No.	Current Authorized Flow Rate			Flow Rate Needed for Project			Means of Diversion
	Flow	GPM	CFS	Flow	GPM	CFS	
76M 30048497	359	<input checked="" type="checkbox"/>	<input type="checkbox"/>	359	<input checked="" type="checkbox"/>	<input type="checkbox"/>	HEADGATE
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	

14. Is the source surface water or groundwater? SURFACE

15. What is the source name? SIX MILE CREEK

16. Identify the water right elements proposed for change, with a checkmark, for each water right proposed for change.

Water Right No.	76M 30048497				
Point of Diversion	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Place of Use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Purpose of Use	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Place of Storage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

17. S Submit a historical use map created on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, north arrow, all historical points of diversion (POD) labeled with a unique POD ID ("H" followed by a number), all historical places of use (POU), all historical conveyance structures, all historical places of storage, and historical place of use for all overlapping water rights. More than one map may be submitted, if necessary, to clearly convey all required information.

18. S Submit a proposed use map created on an aerial photograph or topographic map that shows section corners, township and range, scale bar, north arrow, and the following elements: points of diversion labeled with a unique POD ID ("P" followed by a number), places of use, conveyance structures, places of storage, and place of use for all overlapping water rights. Include all elements that will be on the water rights after the proposed change, regardless of whether the element will be modified by the change. The map should fully depict the water rights, as proposed, after the change. More than one map may be submitted, if necessary, to clearly convey all required information.

19. Y N Does the proposed change involve a change in point of diversion?

IF YES,

19.a. Describe the location for all *new* and *unchanged* points of diversion to the nearest 10 acres. Label POD ID with the same POD ID number assigned for the proposed use map (question 18).

POD ID	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Lot	Block	Tract	Subdivision	Gov. Lot	New or Unchanged
2	S2	NE		12	15N	22W	MISSOULA						NEW
3	SE	SE	Nw	12	15N	22W	MISSOULA						NEW
4	E2	NE	Sw	12	15N	22W	MISSOULA						NEW
5	Sw	NE	Sw	12	15N	22W	MISSOULA						NEW
6	Nw	SE	Sw	12	15N	22W	MISSOULA						NEW



19.b. NA Describe the location of all historical PODs you propose to *retire*. Label POD ID with the same POD ID assigned for the historical use map (question 17). If none are proposed for retirement, select "NA" checkbox.

19.c. What is the means of diversion for all new PODs? Means of diversion for surface water includes headgate, pump, dam, and others. Means of diversion for groundwater includes well, developed spring, pit pond, and others.

Instream flow. We are not really adding any points of diversion, this just lays out the protected reach.

20. Y N Does the proposed change involve a change in place of use?

IF YES,

20.a. What are the geocodes of the proposed place of use?

NA - WATER RIGHT SEVERED AND USED FOR INSTREAM FLOW PURPOSE	

20.b. Describe the legal land description of the proposed place of use, and if the water rights being changed will have an irrigation or lawn and garden purpose, list the number of irrigated acres.

21. Y N Does the proposed change involve a change in place of use or purpose?

IF YES,

21.a. Y N Do other water rights supplement or overlap the proposed place of use?

IF YES,

21.a.i. How will the water rights be operated to serve the proposed purposes?

21.a.ii. For each supplemental or overlapping water right, please list the average period of diversion and use (MM/DD-MM/DD), flow rate (GPM or CFS), and the volume of water (AF) contributed.

Water Right No.	Avg. Period of Diversion	Avg. Period of Use	Flow Rate			Volume Contributed
	MM/DD-MM/DD	MM/DD-MM/DD	Flow	GPM	CFS	AF

22. Y N Are you filing on behalf of another entity? If yes, describe.

23. Y N Do you own the entire historical place of use for all water rights proposed for change?

IF QUESTION 23 IS NO,

23.a. Y N Was the water historically used for sale, rental, distribution, municipal use, or any other context in which water is being supplied to another and it is clear that the ultimate user would not accept the supply without consenting to the use of water on the user's place of use?

IF QUESTION 23.a IS NO,

23.a.i. Y N List the water rights for which you do not own the entire historical place of use.
76M 30048497

23.a.ii. Y N Are the water rights listed in question 23.a.i severed from the historical place of use?

IF QUESTION 23.a.ii IS YES,

23.a.ii.1. Y N Do you own the entirety of the severed water rights proposed for change? If yes, skip to question 24. If no, answer question 23.a.iii.

IF QUESTION 23.a.ii OR 23.a.ii.1 IS NO,

23.a.iii. Y N NA Are all owners of the historical place of use or, if applicable, owners of the severed water rights, willing to sign the application?



IF QUESTION 23.a.iii IS NO,

23.a.iii.1. S Submit a Form 641 or 642 to split the water rights being changed for which all owners will not sign.

ADVERSE EFFECT

24. Explain how you can control your diversion in response to a call being made.

N/A INSTREAM FLOW

25. Describe any plans you have for ensuring existing water rights will be satisfied during times of water shortage.

The water stays in the stream, beneficially helping downstream water right holders and instream flow fisheries.

26. Y N Are you aware of any calls that have been made on the source of supply or, if groundwater, on nearby surface water sources?

26.a. If yes, explain.

27. Describe how the proposed change will or will not affect your ability to make call.

We can still call for water when it is not available at the point of diversion. If any junior rights are in use upstream we can call for water.

28. Y N Does a water commissioner distribute water or oversee water distribution on your proposed source, or if groundwater, on nearby surface water sources?

28.a. If yes, list the sources.

29. When was the last time each water right proposed for change was appropriated and used beneficially?
August 24, 2011 until expiration.

IF THERE HAS BEEN A PERIOD OF NONUSE,

29.a. Why was the water right not used?

Instream use expired and is now being refiled for another 10 years.

29.b. Why will a resumption of use not adversely affect other water users?

There will be no change. When the instream change expired, the water was not used to irrigate. For approximately two years while re-working on new change. We were unaware of the expiration and are working to renew this change.

29.c. Y N Is the period of nonuse greater than 10 years for any of the water rights proposed for change? If yes, list which water rights.

29.d. Y N Have new water rights been authorized to use the source during the period of nonuse for any of the water rights proposed for change? If yes, explain.

30. Y N Do you propose to add one or more points of diversion or use new or existing conveyance infrastructure that will be shared with one or more existing water rights?

30.a. If yes, describe how the capacity of the shared points of diversion and/or conveyance infrastructure is sufficient for all water rights and how the proposed project will not adversely affect these water rights.

31. NA Answer questions 31.a to 31.b for point of diversion changes. If you do not propose a point of diversion change, mark "NA" instead.

31.a. Are the proposed points of diversion upstream or downstream of the historical points of diversion?
N/A INSTREAM FLOW

31.b. Y N Are there intervening water users between the historical and proposed points of diversion?

31.b.i. If yes, list the water rights.

ADEQUATE MEANS OF DIVERSION AND OPERATION

32. S Submit a diagram of how you will operate your system from all proposed points of diversion to all proposed places of use.



33. Describe specific information about the capacity of all proposed diversionary structures. This may include, where applicable: pump curves and total dynamic head calculations, headgate design specifications, and dike or dam height and length.

N/A In Stream Flow

34. Describe the size, materials, capacity, and configuration of infrastructure to convey water from all proposed points of diversion to all proposed places of use.

N/A In Stream Flow

35. Y N Does the proposed conveyance require easements?

35.a. If yes, explain.

36. Describe your plan of operations, including specific information about how water is delivered within the place of use. This may include, where applicable, the range of flow rates needed for a pivot.

The proposed change will leave water instream, rather than the historic operation, which has been to divert and use this water for irrigation. The diverted volume of 402.2 AC-FT in this claim is calculated by multiplying 538.56 gpm x 1440 x 169 $\div 325,851 = 402.2 \text{ AC-FT}$. We request that the 1.15-mile reach downstream of the POD, ending at the state land boundary, which is a section of road that passes over the culvert, is the protected stretch receiving the historically consumed volume of 52.94 AC-FT (31.7 acres X 1.67 ft/acre) be allowed to stay in-stream for fisheries enhancement.

37. Y N NA If you propose to add one or more points of diversion, do you own the land where all proposed points of diversion are located? If you do not propose to add one or more points of diversion, mark "NA" instead.

37.a. S If no, submit documentation to show you have the right to use all points of diversion located on each property you do not own. This may include, but is not limited to, a well agreement, an easement, or permission of the party that owns the property where the proposed point(s) of diversion are located.

38. Y N Will your system be designed to discharge water from the project?

38.a. If yes, explain the wastewater disposal method.

38.b. Y N NA Have the necessary permits been obtained to comply with §§ 75-5-410 and/or 85-2-364, MCA?

39. Y N Is the means of diversion for any proposed point of diversion a well?

IF YES,

39.a. Y N Have all wells been drilled?

39.b. For all wells that have been drilled, what is the name of the well driller and, if available, what is their license number?

39.c. Y N NA For all wells yet to be drilled, will a licensed well driller construct the wells? If no wells are yet to be drilled, mark "NA" instead.

39.d. S NA Submit any well logs not yet submitted to the Department, such as for wells drilled after submittal of Form 606P. If all well logs have been submitted to the Department, mark "NA."



BENEFICIAL USE

40. Y N Does the Department have a standard period of diversion, period of use, flow rate, and/or volume for any of the purposes for which water is used? Department standards can be found in the DNRC Water Calculation Guide, ARM 36.12.112, ARM 36.12.115, and ARM 36.12.1902.

40.a. If yes, list the purposes for which the Department has a standard and note whether the water use falls within or outside the standard.

40.b. For any of the purposes with no Department standard or with proposed beneficial use that falls outside of Department standards, explain how the use is reasonable for that purpose.

The purpose of use is reasonable as it enhances instream flow, by leaving the water in the stream rather than pulling it and using it. There are no standards within ARM 36.12.112 or 36.12.115 for this purpose. This complies with MCA 85-2-408 (7) regarding maximum and minimum water quantities that maintain and enhance streamflows to benefit fisheries.

41. Y N Will your proposed project be subject to Montana Department of Environmental Quality (DEQ) requirements for a public water supply (PWS) system or Certificate of Subdivision Approval (COSA)?

42. Y N Are you proposing to use surface water for in-house domestic use?

42.a. Y N If yes, does a COSA exist for the proposed place of use?

42.a.i. S If yes, submit the COSA.

POSSESSORY INTEREST

43. Y N Do you meet one of the exceptions to possessory interest requirements, pursuant to ARM 36.12.1802 and § 85-2-402(2)(d), MCA? Exceptions include cases where the application is for sale, rental, distribution, or is a municipal use, or in any other context in which water is being supplied to another and it is clear that the ultimate user will not accept the supply without consenting to the use of water on the user's place of use, and applications for the purposes of instream flow, mitigation, and marketing for mitigation.

43.a. If yes, explain.

44. Y N NA Do you own all proposed places of use? Mark "NA" if you meet one of the exceptions to the possessory interest requirement.

44.a. S If no, explain and submit documentation that shows you either have possessory interest or written permission of the parties with possessory interest of the proposed place of use.

PROPOSED COMPLETION PERIOD

45. How many years will be needed to complete this project and to submit to the DNRC a Project Completion Notice (Form 618)? 10 years or date of expiration.

46. Describe why this amount of time is needed to complete this project.

It is completed from previous 606 instream flow change application.

AFFIDAVIT & CERTIFICATION

Read carefully before you sign and review with legal counsel if you have any questions. All owners (or trustees) must sign the form. ***If the owner is a business or trust, include the title of the representative(s) signing the form (i.e., president, trustee, managing partner, etc.) and provide documentation that establishes the authority of the representative to sign the application.*

I affirm the information provided for this application is to the best of my knowledge true and correct. If a preapplication meeting form was submitted, I am aware that my application for this project will not qualify for a discounted filing fee and expedited timelines if upon submittal of the application to the Department, I changed any element of the proposed application from the preapplication meeting form and follow-up materials (ARM 36.12.1302(6)(a)).

I affirm 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, unless this application meets an exception to the possessory interest requirements in ARM 36.12.1802(1)(b).

I understand that making a false statement under oath or affirmation in this application and official proceedings throughout the examination of my application may subject me to prosecution under § 45-7-202, MCA, a misdemeanor punishable by a jail term not to exceed 6 months or a fine not to exceed \$500, or both. I have read this Affidavit and understand the terms and conditions.

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

Printed Name Lee Yelin

Applicant Signature Lee Date: 12-23-25

Printed Name _____

Applicant Signature _____ Date: _____

Printed Name _____

Applicant Signature _____ Date: _____





APPLICATION TO CHANGE A WATER RIGHT CHANGE TO INSTREAM FLOW ADDENDUM

§§ 85-2-402, 85-2-436, MCA

It is highly recommended that Technical Analyses are complete before filling out this addendum. The operation plan must define the flow rate(s) and volume(s) protected instream over specific time intervals. The maximum quantity of water that can be changed to instream flow protected at the historical point of diversion, or the point where return flow historically accrued, is the amount historically diverted. However, only the amount historically consumed from the source, or a smaller amount if specified by the department, may be used to protect, maintain, or enhance streamflow below the historical point of diversion or the point where return flows historically accrued. The protected flow rate may be no higher than the historical flow rate at the historical point of diversion. The flow rate protected downstream of the historical point of diversion, when protected over the time interval defined for protection, cannot result in a volume that is higher than the protectable volume. The measurement plan should include one or more measurement points, sufficient to show beneficial use and lack of adverse effect. Ideally, measurement points are located as close as possible to the start and end of the protected reach.

Answer every question and applicable follow-up questions. Use the checkboxes to denote yes ("Y") or no ("N"). Questions that require items to be submitted to the Department have a submitted ("S") checkbox, which is marked when the required item is attached to the Technical Analyses Addendum. Label all submitted items with the question number for which they were submitted. Narrative responses that are larger than the space provided can be answered in an attachment. If an attachment is used, mark the "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. Label all units in narrative responses.

- S** Submit a map labeling all historical points of diversion, the protected reach, the locations where historical return flows accrued, and all water rights diverted from the source between the upstream-most historical point of diversion and the end of the protected reach.
- Y** **N** **NA** Do all historical return flows go back to the source of supply?

If no,

2.1. What is the name of the other sources where historical return flows accrued?

2.2. What are the monthly volumes of return flows that do not return to the source of supply?

2.3. **Y** **N** Are any water rights diverted from the sources identified in question 2.1 within the Area of Potential Adverse Effect identified in the Extended Return Flow Analysis: Evaluation of Impacts to Identified Water Rights? **If yes**, add these water rights to the map submitted for question 1.

3. Explain how this change will not adversely affect the water rights identified on the map submitted for question 1, which include, if applicable, all water rights 1) diverted from the source between the upstream-most historical point of diversion and the end of the protected reach and 2) diverted from other sources where historical return flows accrued that are located within the Area of Potential Adverse Effect identified in the Extended Return Flow Analysis: Evaluation of Impacts to Identified Water Rights.

There are no other users accessing the historic POD due to no water being diverted. The 1.15 miles of stream will be protected as the POU for instream flows from the POD to the State of Montana POD. Water users in the drainage will be not be adversely affected because leaving water instream will allow for more carriage water to all downstream users, whether junior or senior. Changing to non consumptive use will benefit all users in the drainage, especially the aquatic species. The 1.15 mile portion of stream is a continuation of the flows coming from 4 miles up at the headwaters, through federal lands, then through state lands. It is an ideal area for fisheries because it is state leased ground that cannot be subdivided. After the State of Montana POD (the end of the protected stretch) there are an abundant series of diversions all the way to the Clark Fork River. So, the 1.15 mile stretch was selected for optimal pool and riffle ratios for spawning and juvenile habitat accommodations that serve to extend the viable habitats of the communities further upstream, i.e., trout populations, in Sixmile Creek.

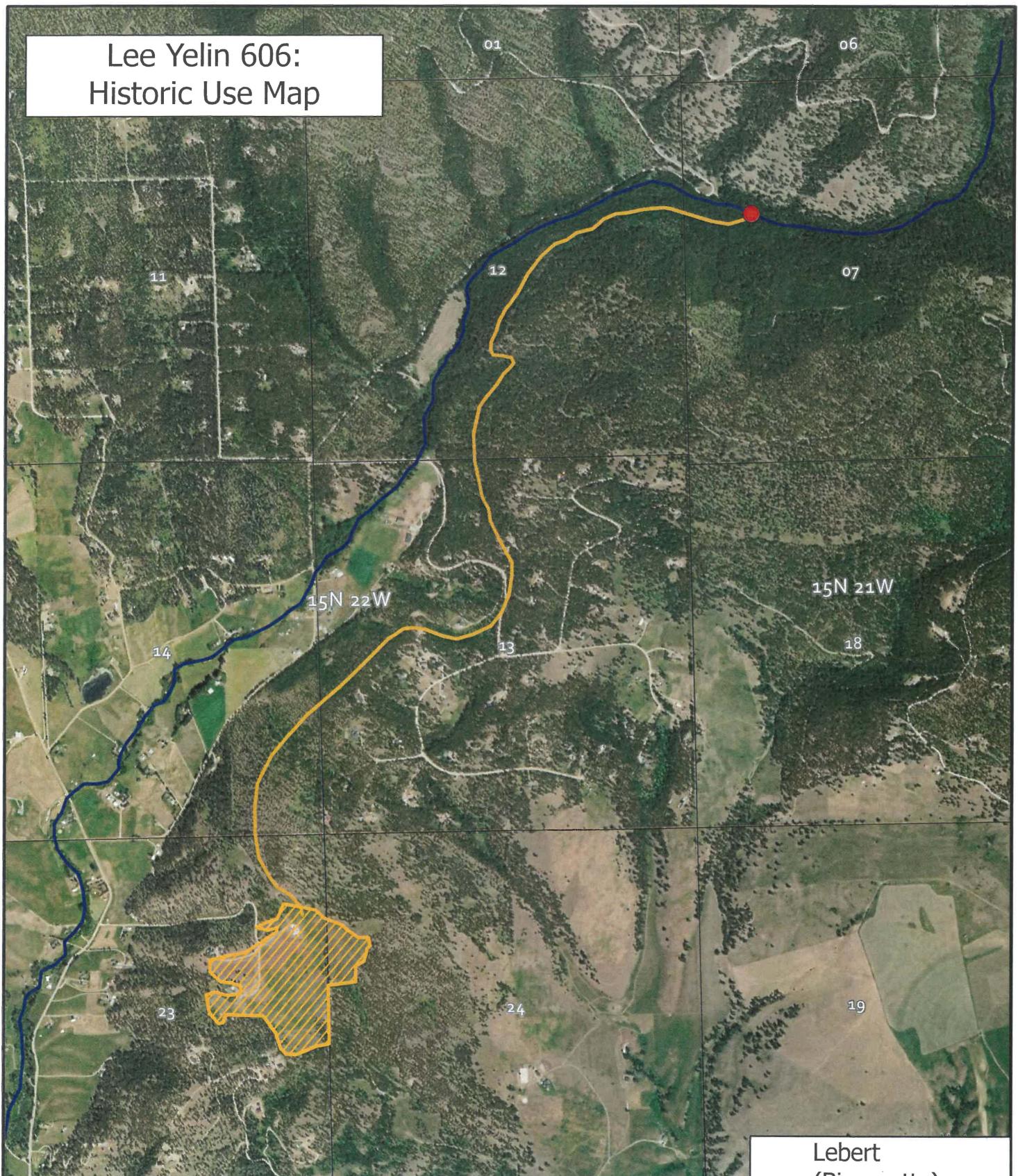
4. Provide a detailed measurement plan, which includes the point(s) where measurements occur, the interval of measurement, the methods and equipment used, and explain how this plan is sufficient to evaluate for adverse effect and show beneficial use.

The measurement method being employed is at the two (2) staff gauges locations (at the headgate, SWSENW of Section 7, T15N R21W, and the state land boundary, S2NE and E2SW of Section 12, T15N R22W. The staff gauges will be measured using a Marsh McBirney flow meter and after that has been completed, the gauges can be visually read and the flow rate known without the use of a current meter. Rating charts will be supplied to DNRC upon completion. Staff gauge readings will occur quarterly to verify compliance and more often during extreme low flow periods, if necessary.

5. Provide details about an operation plan, which include the proposed flow rate (GPM or CFS) to be protected up to the proposed volume (AF) and the period when protection is to occur. If there is a "trigger flow" associated with your operation plan, please explain.

The proposed change will leave water instream, rather than the historic operation, which has been to divert and use this water for irrigation. The diverted volume of 402.2 AC-FT in this claim is calculated by multiplying $538.56 \text{ gpm} \times 1440 \times 169 \div 325,851 = 402.2 \text{ AC-FT}$. We request that the 1.15-mile reach downstream of the POD, ending at the state land boundary, which is a section of road that passes over the culvert, is the protected stretch receiving the historically consumed volume of 52.94 AC-FT (31.7 acres X 1.67 ft/acre) be allowed to stay in-stream for fisheries enhance.

Lee Yelin 606: Historic Use Map



WATER



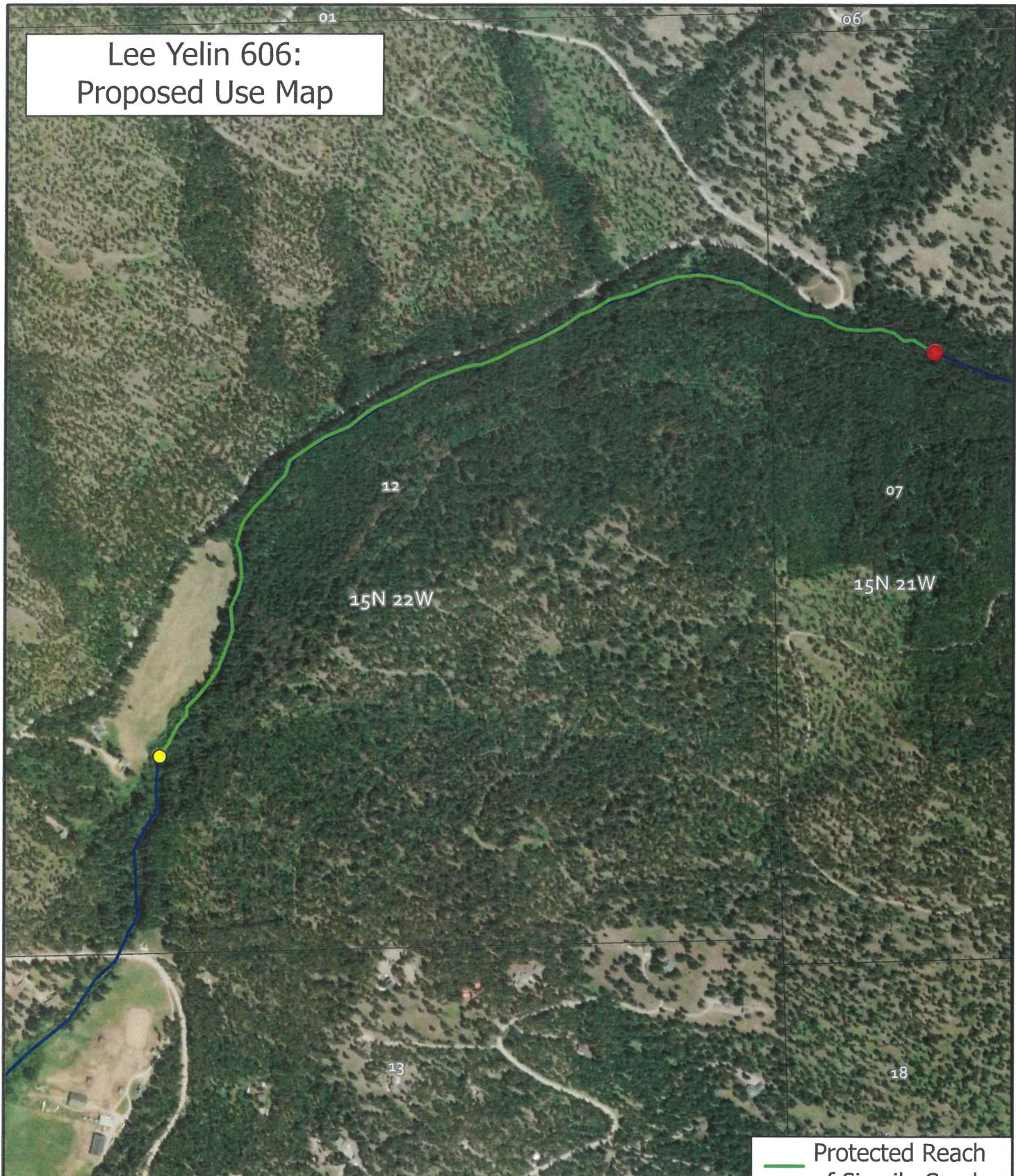
RIGHTS, INC.

N

0 0.33 0.65
Miles

- Lebert
— (Bissonette)
Ditch (15,605 ft.)
- Six Mile Creek
- Historic POD
- Historic POU

Lee Yelin 606:
Proposed Use Map

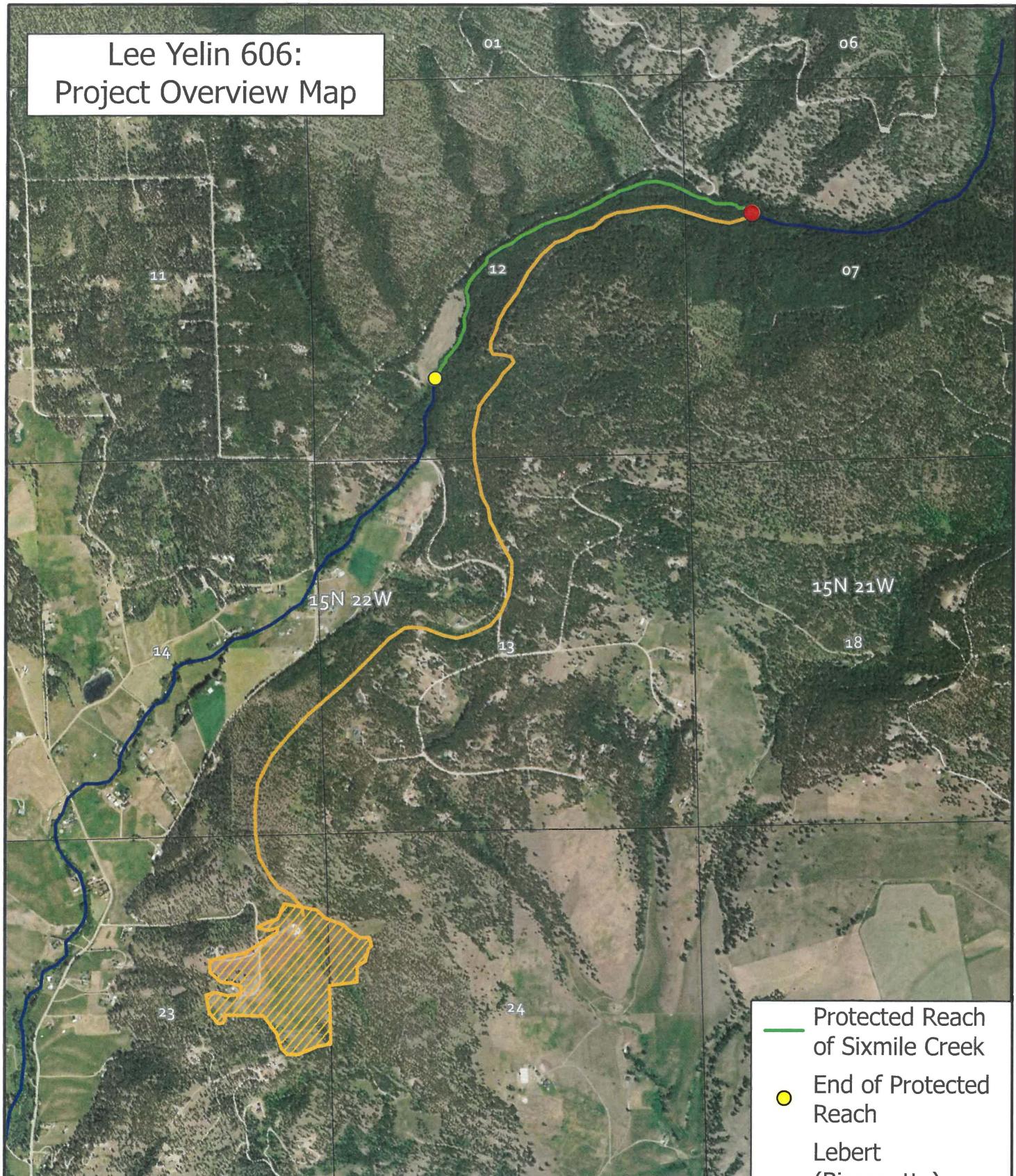


- Protected Reach of Sixmile Creek
- End of Protected Reach
- Six Mile Creek
- Historic POD



0 0.13 0.25
Miles

Lee Yelin 606: Project Overview Map



Protected Reach
of Sixmile Creek

End of Protected
Reach

Lebert

(Bissonette)
Ditch (15,605 ft.)

Six Mile Creek

Historic POD

Historic POU

WATER



RIGHTS, INC.

N

0 0.33 0.65
Miles

Preapplication Materials

- Preapplication Meeting Request
- Preapplication Meeting Form
- All attachments
- All correspondence prior to application receipt

Preapplication Materials

THE MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

GOVERNOR GREG GIANFORTE



DNRC DIRECTOR AMANDA KASTER

Missoula Water Resources Regional Office
PO Box 5004
2705 Spurgin Road, Bldg. C
Missoula, MT 59806-5004
(406) 721-4284

October 21, 2025

Lee Yelin
5890 Kerr Dr.
Missoula, MT 59803-3028

Subject: Complete Preapplication Form for Change Application No. 76M 30171923

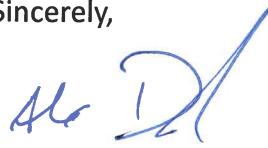
Dear Applicant,

The Missoula Regional Office of the Department of Natural Resources and Conservation (DNRC or Department) received your Preapplication Meeting Form and preapplication meeting fee on October 15, 2025 and the Department deemed the submitted Preapplication Meeting Form to be successfully completed per ARM 36.12.1302 on October 21, 2025.

As designated on the submitted Preapplication Meeting Form per § 85-2-302(3)(b), MCA, the Department will produce the technical analyses based on the parameters included in the Preapplication Meeting Form (ARM 36.12.1302(4)) within 45 days of October 21, 2025.

Please let me know if you have any questions.

Sincerely,



Alex Dalgleish
Water Resource Specialist
Missoula Regional Office
(406)-542-5886
Alexander.dalgleish@mt.gov





**PREAPPLICATION MEETING
FORM: PART B
CHANGE**
§ 85-2-302(3)(b), MCA
Form No. 606P-B (Revised 02/2025)

PREAPPLICATION MEETING FEE

\$ 500

FILING FEE REDUCTION & EXPEDITED TIMELINE

An application will be eligible for a filing fee reduction and expedited timelines if the Applicant completes a preapplication meeting with the Department (ARM 36.12.1302(1)), which includes submitting any follow-up information identified by the Department (ARM 36.12.1302(3)(c)) and receiving either Department-completed technical analyses or Department review of Applicant-submitted technical analyses (ARM 36.12.1302(4) and (5)). An application for the proposed project also must be submitted within 180 days of delivery of Department technical analyses or scientific credibility review and no element on the submitted application can be changed from the completed preapplication meeting form (ARM 36.12.1302(6)).

The Applicant is responsible for providing a "Follow-up Responses" document for all follow-up identified in Preapplication Meeting Form Part A (Form 606P-A). The Applicant may not alter Form 606P-A. If a response has changed to a question answered at the preapplication meeting, the Applicant can provide a new response in a separate document entitled "Amended Responses" with the question number labeled.

The following guidelines are applicable to both the "Follow-up Responses" and "Amended Responses" documents. Clearly label all question numbers. Answer questions in the same format as Form 606P-A. For responses in the form of checkboxes, write "Y", "N", or "S". Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative. Label units in narrative responses and tables. Tables must have the exact headings found on the form. Questions that require items to be submitted to the Department may be marked "S" when the required item is included with the document.

1. Y N Are you submitting this form in response to a determination by the Department that a previously submitted Form 606P-B was inadequately completed?

If yes,

- Date form was returned ("Form Returned" date found in "For Department Use Only" box on the previously submitted Form 606P-B): _____
- If a "Follow-up Responses" or "Amended Responses" document is required by questions 2 or 3, submit complete updated documents with responses that stand-alone. The Department will only use the most recently submitted "Follow-up Responses" and "Amended Responses" documents for departmental technical analyses or scientific credibility review; the Department will not use multiple versions of a document.

2. Y N Were any questions identified as requiring follow-up on Form 606P-A?

If yes,

- S Submit "Follow-up Responses" document for all questions requiring follow-up.

For Department Use Only

Application # 30171923 Basin 76M
Form Received 10/15/2025
Fee Rec'd \$ 500.00 Check # 26914
Deposit Receipt # MSS2606652
Payor Water Rights Inc
Form Returned _____
Refund \$ _____ Date _____

RECEIVED

OCT 15 2025

**MONTANA D.N.R.C
MISSOULA REGIONAL OFFICE**



3. Y N Are you submitting amended responses to any questions from Form 606P-A?

If yes,

a. **S** Submit “Amended Responses” document and record in the table below each question number with an amended response. The amended response will entirely replace the previous response; the amended response cannot build off the previous response.



FOLLOW-UP AND AMENDED RESPONSES AFFIDAVIT & CERTIFICATION

"I attest that this preapplication meeting form (Form 606P-A and Form 606P-B), follow-up, and amended responses accurately portray the proposed project. I am aware that my application for this project will not qualify for a discounted filing fee and expedited timelines if, upon submittal of the application to the department, I change any element of the proposed application from the preapplication meeting form, amended responses, or follow-up materials (ARM 36.12.1302(6)(a))."



Applicant Signature

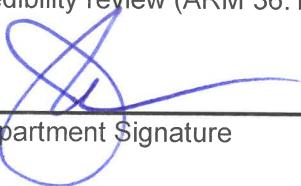


Date

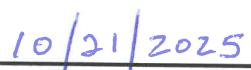
Applicant Signature

Date

"We confirm that the preapplication form (Form 606P-A and Form 606P-B), amended responses, and follow-up information are adequate for the Department to proceed with technical analyses in ARM 36.12.1303. Or, if the Applicant has elected to complete technical analyses, we confirm they have submitted each required element of technical analysis based on the proposed project and the Department is able to proceed with the scientific credibility review (ARM 36.12.1303(8))."



Department Signature



Date

Department Signature

Date



WATER

Bus: (406) 251-6100
Fax: (406) 251-3191

E-mail: waterrightsinc@gmail.com
Web Site: waterrightsinc.net



RIGHTS, INC.

P.O. Box 9285 • Missoula, Montana 59807

October 10, 2025

DNRC Water Resources – Missoula
Attn: Jim Nave
2705 Spurgin Road, Building C
PO Box 5004
Missoula, Montana 59806-5004

RE: Lee Yelin 606-B Follow Up Responses: WR 76M 30048497

20.a.i.: Documentation of consent from the DNRC Trust Lands Management Division will be required at application submittal.

See attached.

61: How many acres, if any, will be retired from the historical place of use?

According to a Master's report in fellow child right (76M 30048498) claim files, the place of use to be retired for in-stream flow associated with claim 76M 30048497 is 21.10 acres. Attached is the Master's report with the evidence to support this acreage.

153.b.i.ii.*: Send in flow measurements to the Department, collected by Water Rights Inc.

No longer required, but see attached.

Please don't hesitate to contact us if you have any questions or need clarification on any discussion within in this response.

Sincerely,



Lee Yelin

Senior Water Resource Specialist

LY/jh

Attachments:

- Email Response from DNRC Trust Lands Management Division
- Master's Report from WR 76M 30048498 Claim File
- Flow Measurements from Six Mile Creek from 2012-2017



Water Rights Inc. <waterrightsinc@gmail.com>

Consent for In-Stream Flow

3 messages

Lee Yelin <waterrightsinc@gmail.com>
To: landboard@mt.gov, ryanweiss@mt.gov
Cc: Jim Nave <jnave@mt.gov>

Fri, Oct 3, 2025 at 11:18 AM

Ryan; I believe this is for you but if not please forward to whoever is responsible for this.

We are working with the water rights division to complete a 606 change application to change water right claim 76M 30048497 to in-stream flow. This change (change no. 3017923) has a place of use on state lands, within Sixmile Creek. The term (10 years) expired and we are filing for another 10 years. Attached is a map showing the legal range of the proposed protected reach. On the 606-A form, question 20.a.i. requires written consent from the DNRC Trust Lands Management Division by the time we submit the follow up. Also enclosed is the previous change authorization so you can see nothing has changed since the previous approval. Please let us know if this is acceptable so we can proceed. Thank you!

Sincerely,

--
Lee Yelin
Senior Water Resource Specialist
Water Rights, Inc.
Missoula, MT
(406) 251-6100 (Office)
(406) 396-3833 (Cell)

2 attachments

[Change76M30049150.pdf](#)
913K

[ProposedUse.pdf](#)
1186K

Weiss, Ryan <ryanweiss@mt.gov>
To: Lee Yelin <waterrightsinc@gmail.com>, DNRC Land Board <landboard@mt.gov>
Cc: "Nave, Jim" <jnave@mt.gov>

Fri, Oct 3, 2025 at 12:05 PM

Lee,

This email is to confirm receipt of your request. I'll review the materials and get back to you no later than early next week.

Best Regards,

Ryan

[Quoted text hidden]

10/9/25, 2:19 PM

Gmail - Consent for In-Stream Flow

Weiss, Ryan <ryanweiss@mt.gov>

To: Lee Yelin <waterrightsinc@gmail.com>, DNRC Land Board <landboard@mt.gov>

Cc: "Nave, Jim" <jnave@mt.gov>

Thu, Oct 9, 2025 at 1:20 PM

Lee,

Thank you for the inquiry. A lease with state trust lands is not required to temporarily convert the purpose, place of use and point of diversion of your historical irrigation water right to instream flow in Six mile Creek as it flows through state trust lands in T 15N R 22W S12. Trust lands raises no concern with your change application.

Best Regards,

Ryan

[Quoted text hidden]



FILE



STATEMENT OF CLAIM



***76M ***



30048498

Current File Location: RECORDS UNIT

Box Bar Code _____

File Bar Code _____

Date/Initials _____

MAY 27 2011

Montana Water Court

IN THE WATER COURT OF THE STATE OF MONTANA
CLARK FORK DIVISION - CLARK FORK RIVER BETWEEN THE
BLACKFOOT RIVER AND FLATHEAD RIVER BASIN (76M)

CLAIMANT: John and Brenda K. Dudik;
Ralph E. Sievers and Charlotte J. Sievers;
Lee Yelin;
Six Mile Water Rights Purchasing Association

76M 116758-00
76M 30048497
76M 30048498
76M 30048499

ON MOTION OF WATER COURT

ORDER ADOPTING MASTER'S REPORT

Pursuant to Montana Code Annotated, § 85-2-233(5), the above entitled case was assigned to Water Master Peter Fritsch. The Water Master filed a report containing Findings of Fact and Conclusions of Law with the Clerk of Court. Copies of the report were served upon the parties on May 5, 2011. Over ten (10) days have elapsed since service, and no objections to the Findings and Conclusions have been filed by any party.

The Court has reviewed the Water Master's Findings, Conclusions, and Recommendations, and each Post Decree Abstract of Water Right Claim served with the report. Pursuant to Rule 53(e), Montana Rules of Civil Procedure, the Court **ADOPTS** the Master's Report and its Recommendations, and **APPROVES** the changes to the centralized computer record system that are reflected on each abstract served with the report.

DATED this 27 day of May , 2011.


C. Bruce Loble
Chief Water Judge

CERTIFICATE OF SERVICE

I, Patricia J. Gunderson, Deputy Clerk of Court of the Montana Water Court, hereby certify that a true and correct copy of the above **ORDER ADOPTING** **MASTER'S REPORT** was duly served upon the persons listed below by depositing the same, postage prepaid, in the United States mail.

John & Brenda Dudik
PO Box 460123
Huson, MT 59846

Lee Yelin
5890 Kerr Drive
Missoula, MT 59846

Ralph and Charlotte J. Sievers
PO Box 697
Anaconda, MT 59711

Six Mile Water Rights Purchaser's Association
% Paul Long Jr.
24765 Brookview Drive
Huson, MT 59846

DATED this 27 day of May, 2011.

Patricia J. Gunderson
Patricia J. Gunderson
Deputy Clerk of Court

Montana Water Court
PO Box 1389
Bozeman, MT 59771-1389
(406) 586-4364
1-800-624-3270 (In-state only)
Fax: (406) 522-4131

FILED

MAY 05 2011

Montana Water Court

IN THE WATER COURT OF THE STATE OF MONTANA
CLARK FORK DIVISION - CLARK FORK RIVER BETWEEN THE
BLACKFOOT RIVER AND FLATHEAD RIVER BASIN (76M)

* * * * *

CLAIMANT: John and Brenda K. Dudik;
Ralph E. Sievers and Charlotte J. Sievers;
Lee Yelin;
Six Mile Water Rights Purchasing Association

76M 116758-00
76M 30048497
76M 30048498 ✓
76M 30048499

ON MOTION OF WATER COURT

NOTICE OF FILING OF MASTER'S REPORT

This Master's Report was filed with the Clerk of the Montana Water Court on the
above stamped date. Please carefully review this Report.

If you disagree with the Master's Findings of Fact, Conclusions of Law, or
Recommendations; or if there are errors in the Report, you may file a written objection to
the Report within 10 days from the above stamped date. (Rule 23, Water Right
Adjudication Rules.) If you file an objection, you must also mail a copy of the objection
to all the other parties on the Service List found at the end of the Master's Report. The
original objection and a certificate of mailing to the parties on the Service List must be
filed with the Water Court. If you do not file a timely objection, the Water Court will
conclude that you agree with the content of this Master's Report.

MASTER'S REPORT

On February 3, 2011, Amy Groen, Department of Natural Resources and Conservation Compliance Technician for the Missoula Water Resources Regional Office, filed a memorandum detailing documents filed by co-claimants of water right claim 76M 116758-00 pertaining to a request to split the claim into four claims, the original "parent" claim and three "child" claims.

This split request was missing some information regarding the acreage to be removed from claim 76M 116758-00 and resulted in a very high quantified volume remaining on the claim. The Master scheduled a telephonic conference to discuss the issues.

Prior to the conference, claimants John Dudik and Lee Yelin submitted information to the Court that resolved the volume issue for all claims and the acreage issue for the Dudik claim.

The Master was able to discern the appropriate acreage split for the rest of the claims through the following analysis. The original Six Mile Creek Water Purchasers' Association (SMCWPA) 641 form provided complete acreage information for their claim. The Master was able to discern that a proportional acreage split was instituted for both the SMCWPA and Dudik claims, so the Master assumed a proportional split was appropriate for the Yelin claim as well, which provided an acreage figure, but no legal description. The SMCWPA 641 split form also provided complete acreage details for the Siever's after removing the acreage for the Yelin and SMCWPA splits, but not the Dudiks. Using this information, the Master was able to ascertain the legal description for Yelin's split acreage.

The Master's analysis was augmented by a DNRC filing that confirmed the proposed acreage split with a color-coded map submitted for Change Authorization filings already filed at the Missoula Regional Office. The Findings of Fact below set out the agreed upon parameters of the ownership split. If the Master's acreage analysis is

incorrect, the affected claimants should file an objection to this Report.

FINDINGS OF FACT

1. Based on the DNRC Memorandum and the Claimants' submissions, three new water right claim numbers should be created. Those numbers are 76M 30048497, belonging to Lee Yelin's portion of the original claim, 76M 30048498, belonging to John and Brenda Dudik's portion of the original claim, and 76M 30048499, belonging to the Six Mile Water Rights Purchaser's Association's portion of the original claim. Ralph and Charlotte Sievers shall retain ownership of the original claim number 76M 116758-00.

2. After the split, the following corrections should be made to claim 76M 116758-00:

OWNERS: RALPH & CHARLOTTE SIEVERS (Sole Owners)

FLOW RATE: 1.25 CFS

VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

MAXIMUM ACRES: 33.08

PLACE OF USE:

ID	ACRES	QTRSEC	SEC	TWP	RGE	COUNTY
1	5.18	S2NENE	23	15N	22W	MISSOULA
2	0.40	S2NE	23	15N	22W	MISSOULA
3	12.50	E2SWNE	23	15N	22W	MISSOULA
4	<u>15.00</u>	N2NESE	23	15N	22W	MISSOULA
Total:	33.08					

3. The place of use taken out of irrigation under claim 76M 116758-00 in lieu of the transfer of water to Lee Yelin, creating claim 76M 30048497, is:

ID	ACRES	QTRSEC	SEC	TWP	RGE	COUNTY
1	21.10	S2NE	23	15N	22W	MISSOULA

4. The place of use taken out of irrigation under claim 76M 116758-00 in lieu

of the transfer of water to John and Brenda Dudik, creating claim 76M 30048498, is:

<u>ID</u>	<u>ACRES</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
2	1.32	S2NENE	23	15N	22W	MISSOULA

5. The place of use taken out of irrigation under claim 76M 116758-00 in lieu of the transfer of water to Six Mile Creek Water Purchasers' Association, creating claim 76M 30048499, is:

<u>ID</u>	<u>ACRES</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
1	18.50	S2NE	23	15N	22W	MISSOULA

6. On May 12, 1986, a Stipulation was filed with the Court resolving the objections to claim 76M 116758-00 in case 76M-78. On February 18, 1992, the Court issued a Master's Report ratifying the Stipulation, correcting the place of use as well, even though it did not specifically appear on the objection list. The correction in the Report resulted in a decrease mirroring the Stipulation submitted in the case. An issue remark was added to the claim to notice this correction for the next decree. The issue remark should be removed.

7. On November 22, 2010, Phyllis Ballard withdrew her late objection to the priority date of claim 76M 116758-00 originally filed on October 9, 1987. Because several other water users also filed the same objection to priority date, the issue remark on the claim should be corrected to read:

LATE OBJECTIONS WERE FILED BY ELEVEN OTHER SIX MILE CREEK WATER RIGHT OWNERS ALLEGING THAT THE PRIORITY DATE SHOULD BE CHANGED.

This same issue remark should be added to claims 76M 30048497, 76M 30048498, and 76M 30048499.

7. The elements of claim 76M 30048497, after the split, are:

OWNER: LEE YELIN

PRIORITY DATE: OCTOBER 9, 1880

FLOW RATE: 359.04 GPM

VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

SOURCE: SURFACE WATER

PURPOSE (USE): IRRIGATION - FLOOD

PERIOD OF USE: APRIL 1 TO OCTOBER 31

POINT OF DIVERSION:

	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
001	SWSENW	7	15N	22W	MISSOULA

MEANS OF DIVERSION: HEADGATE

PLACE OF USE:

<u>ACRES</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
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8. The elements of claim 76M 30048498, after the split, are:

OWNER: JOHN & BRENDA DUDIK

PRIORITY DATE: OCTOBER 9, 1880

FLOW RATE: 22.44 GPM

VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

SOURCE: SURFACE WATER

PURPOSE (USE): IRRIGATION - FLOOD

PERIOD OF USE: APRIL 1 TO OCTOBER 31

POINT OF DIVERSION:

	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
001	SWSENW	7	15N	22W	MISSOULA

MEANS OF DIVERSION: HEADGATE

PLACE OF USE:

<u>ACRES</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
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9. The elements of claim 76M 30048499, after the split, are:

OWNER: SIX MILE WATER RIGHTS PURCHASERS' ASSOCIATION

PRIORITY DATE: OCTOBER 9, 1880

FLOW RATE: 314.16 GPM

VOLUME: THE TOTAL VOLUME OF THIS WATER RIGHT SHALL NOT EXCEED THE AMOUNT PUT TO HISTORICAL AND BENEFICIAL USE.

SOURCE: SURFACE WATER

PURPOSE (USE): IRRIGATION - FLOOD

PERIOD OF USE: APRIL 1 TO OCTOBER 31

POINT OF DIVERSION:

<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>	
001	SWSENW	7	15N	22W	MISSOULA

MEANS OF DIVERSION: HEADGATE

PLACE OF USE:

<u>ACRES</u>	<u>QTRSEC</u>	<u>SEC</u>	<u>TWP</u>	<u>RGE</u>	<u>COUNTY</u>
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10. The following remark should be added to the abstract of claim 76M 116758-00:

THE SPLIT CLAIMS LISTED FOLLOWING THIS STATEMENT WERE AUTHORIZED AND GENERATED BASED ON INFORMATION IN THIS CLAIM. 76M 30048497, 76M 30048498, AND 76M 30048499.

11. The following remarks should be added to the abstract of claim 76M 30048497:

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 76M 116758-00.

THIS CLAIM WAS NOT INCLUDED IN THE BASIN 76M TEMPORARY PRELIMINARY DECREE ISSUED 11/29/84.

THIS SPLIT PORTION OF WATER RIGHT 76M 116758-00 HAS NO PLACE OF USE. THE CURRENT CLAIMANT DOES NOT OWN ANY OF THE HISTORIC PLACE OF USE FOR CLAIM 76M 116758-00. UNTIL THE MONTANA DNRC APPROVES A CHANGE OF USE FOR THIS CLAIM, IT MAY NOT BE USED BY THE CLAIMANT.

12. The following remarks should be added to the abstract of claim 76M 30048498:

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 76M 116758-00.

THIS CLAIM WAS NOT INCLUDED IN THE BASIN 76M TEMPORARY PRELIMINARY DECREE ISSUED 11/29/84.

THIS SPLIT PORTION OF WATER RIGHT 76M 116758-00 HAS NO PLACE OF USE. THE CURRENT CLAIMANT DOES NOT OWN ANY OF THE HISTORIC PLACE OF USE FOR CLAIM 76M 116758-00. UNTIL THE MONTANA DNRC APPROVES A CHANGE OF USE FOR THIS CLAIM, IT MAY NOT BE USED BY THE CLAIMANT.

13. The following remarks should be added to the abstract of claim 76M 30048499:

THIS SPLIT CLAIM WAS AUTHORIZED BY THE WATER COURT BASED ON INFORMATION IN CLAIM NO. 76M 116758-00.

THIS CLAIM WAS NOT INCLUDED IN THE BASIN 76M TEMPORARY PRELIMINARY DECREE ISSUED 11/29/84.

THIS SPLIT PORTION OF WATER RIGHT 76M 116758-00 HAS NO PLACE OF USE. THE CURRENT CLAIMANT DOES NOT OWN ANY OF THE HISTORIC PLACE OF USE FOR CLAIM 76M 116758-00. UNTIL THE MONTANA DNRC APPROVES A CHANGE OF USE FOR THIS CLAIM, IT MAY NOT BE USED BY THE CLAIMANT.

CONCLUSIONS OF LAW

1. The Montana Water Court has jurisdiction over all matters relating to the determination of existing water rights and may consider any matter within the Court's

jurisdiction on its own motion, or on the motion of an interested party. Section 3-7-224, MCA.

2. Montana law allows claimants to amend their statements of claim, and objectors to amend their timely filed objections after the objection period in a basin has closed. Motions to amend a claim or objection are governed by Section 85-2-233(6), MCA:

(6) After the issuance of a temporary preliminary decree or preliminary decree, notice of any motion to amend a statement of claim or a timely filed objection that may adversely affect other water rights must be published for 3 consecutive weeks in two newspapers of general circulation in the basin where the statement of claim or objection was filed. The notice must specify that any response or objection to the proposed amendment must be filed within 45 days of the date of the last notice. The water judge may order any additional notice of the motion as the water judge considers necessary. The cost of notice required pursuant to this subsection must be borne by the moving party.

3. The splitting of claim 76M 116758-00 does not constitute an increase to any of the claim's elements. The split only serves to reflect, more accurately, the current proportional ownership of the claimed place of use and flow rate. As a result, the notice requirements found in Section 85-2-233(6), MCA do not apply.

4. The quantified volume for claim 76M 116758-00, which was stipulated to in case 76M-78 was exceedingly high. The total volume equated to 9.4 Ac-Ft/Acre, or almost twice the standard volume (5.0 Ac-Ft/Acre) for flood irrigation in Climatic Area 3. (See DNRC Claim Examination Manual Ch.7(C)(3)(c)). Further, every co-owner of the claim has filed DNRC change authorizations, which will provide for more constrictive volume quantifications than the previously stipulated volume. Therefore, correcting the volume for claim 76M 116758-00 to the standard "historic and beneficial use" volume remark from the previously quantified volume is proper and does not require notice per Section 85-2-233(6), MCA.

5. When the Master's Report was written in case 76M-78, it included corrections to the place of use. An objection to place of use for claim 76M 116758-00 was not explicitly noticed in the Basin 76M Decree. However, an objection to irrigated acres was noticed. The Court's policy regarding corrections to elements not noticed in the objection list at the time was to make the correction and then place an issue remark on the claim to notice the correction in the next decree.

Since the passage of Section 85-2-233(6), MCA, the Court's position on notice to the public of post-Decree corrections has evolved substantially. The Court no longer holds to the position that material decreases in quantifiable elements such as flow rate or place of use require notice to the public. Moreover, irrigated acres and place of use are actually one and the same, the place of use element simply providing more detail of what exactly the irrigated acreage is. It is, therefore, not unreasonable to find constructive notice that potential corrections to place of use could occur in resolving a properly noticed objection to irrigated acres. The place of use issue remark should be removed from claim 76M 116758-00 and not added to any of the split child claims in this proceeding.

6. A properly filed Statement of Claim for Existing Water Right is *prima facie* proof of its content. Section 85-2-227, MCA. This *prima facie* proof may be contradicted and overcome by other evidence that proves an element of the *prima facie* proof is incorrect. This is the standard of proof for every assertion that a claim is incorrect including claimants objecting to their own claims. Rule 19 W.R.Adj.R.

7. The evidence entered into the record regarding the current ownership of the claimed flow rate and historically irrigated acreage to be taken out of irrigation is sufficient to justify splitting claim 76M 116758-00 as stated in the Findings of Fact.

RECOMMENDATIONS

Therefore, pursuant to section 85-2-233(6), MCA and Rule 15, M.R.Civ.P., it is recommended that

1. The Motion to Split statement of claim 76M 116758-00 be GRANTED;
3. The changes to this claim, as stated in the Findings of Fact, should be adopted by the Water Court to correct the Temporary Preliminary Decree for this Basin.
4. **New Post Decree Abstracts of Water Right Claim 76M 30048497, 76M 30048498, and 76M 30048499** be created to reflect the proportional use of the above identified co-owners.
5. **All Updated Post Decree Abstracts of Water Right Claims** be served with this Report to confirm the recommended changes have been made in the state's centralized water right record system.

DATED this 5th day of May, 2011.



Peter Fritsch
Water Master

CERTIFICATE OF SERVICE

I, Patricia J. Gunderson, Deputy Clerk of Court of the Montana Water Court, hereby certify that a true and correct copy of the above **NOTICE OF FILING OF MASTER'S REPORT** and **MASTER'S REPORT** was duly served upon the persons listed below by depositing the same, postage prepaid, in the United States mail.

John & Brenda Dudik
PO Box 460123
Huson, MT 59846

Lee Yelin
5890 Kerr Drive
Missoula, MT 59846

Ralph and Charlotte J. Sievers
PO Box 697
Anaconda, MT 59711

Six Mile Water Rights Purchaser's
Association
%Paul Long Jr.
24765 Brookview Drive
Huson, MT 59846

DATED this 5 day of *May*, 2011.

Patricia J. Gunderson
Patricia J. Gunderson
Deputy Clerk of Court

Sixmile Creek Below Siever POD

Flow measurement for May 14, 2012					
Water Rights, Inc.	Staff Gauge Reading	27			
Station	Distance (ft)	Depth (ft)	Velocity (ft/sec)	Discharge (cfs)	Comments
1	2	0	0	0	bank
2	2.5	0.2	0.8	0.08	
3	3	0.3	1.26	0.189	
4	3.5	0.35	2.11	0.36925	
5	4	0.425	1.66	0.35275	
6	4.5	0.55	2.43	0.66825	
7	5	0.6	1.48	0.444	
8	5.5	0.6	1.68	0.504	
9	6	0.6	2.01	0.603	
10	6.5	0.65	2.67	0.93275	
11	7	0.7	3.32	1.162	
12	7.5	0.75	2.04	0.765	
13	8	0.85	1.6	0.68	
14	8.5	1	1.54	0.77	
15	9	1.1	1.26	0.693	
16	9.5	1.35	1.13	0.76275	
17	10	1.1	1.22	0.871	
18	10.5	0.5	0.91	0.2275	
19	11	0	0	0	bank
		Total	7.52		

Sixmile Creek at Road Crossing

Flow measurement for May 4, 2012					
Water Rights, Inc.	Staff Gauge Reading	20.5			
Station	Distance (ft)	Depth (ft)	Velocity (ft/sec)	Discharge (cfs)	Comments
1	2	0	0	0	bank
2	2.5	0.575	1.39	0.399625	
3	3	0.6	1.72	0.516	
4	3.5	0.5	2.18	0.545	
5	4	0.8	2.54	1.016	
6	4.5	1	2.72	1.36	
7	5	0.9	2.53	1.1385	
8	5.5	1.2	2.57	1.542	
9	6	1.2	2.57	1.542	
10	6.5	1.2	1.09	0.654	
11	7	1.5	1.14	0.855	
12	7.5	1	1.61	0.805	
13	8	0.8	0.79	0.316	
14	8.5	0.6	0.4	0.12	rock
15	9	0.65	0.17	0.05525	
16	9.5	0.35	0.12	0.021	
17	10	0.25	0.1	0.0125	
18	10.5	0.1	0	0	
19	11	0	0	0	bank
		Total	10.897875		

Sixmile Creek Below Siever POD

Flow measurement for July 25, 2011					
Water Rights, Inc.	Distance (ft)	Depth (ft)	Velocity (ft/sec)	Discharge (cfs)	Comments
1	3	0	0	0	bank
2	3.5	0.2	0.25	0.025	
3	4	0.225	0.24	0.027	
4	4.5	0.325	0.55	0.089375	
5	5	0.325	1.19	0.193375	
6	5.5	0.35	1.27	0.22225	
7	6	0.4	1.8	0.36	
8	6.5	0.425	1.92	0.408	
9	7	0.5	1.97	0.4925	
10	7.5	0.55	2.22	0.6105	
11	8	0.625	1.96	0.6125	
12	8.5	0.75	1.37	0.51375	
13	9	0.875	1.49	0.651875	
14	9.5	1.05	1.66	0.8715	
15	10	0.4	1.91	0.362	overbank
16	10.5	0.1	0	0	overbank
17	11	0	0	0	bank
		Total		5.077625	

Sixmile Creek at Road Crossing

Water Rights, Inc.	Flow measurement for July 25, 2012		Staff Gauge Reading:	27	
Station	Distance (ft)	Depth (ft)	Velocity (ft/sec)	Discharge (cfs)	Comments
1	2	0	0	0	bank
2	2.5	0.3	0.96	0.144	rock
3	3	0.35	0	0	rock
4	3.5	0.55	2.96	0.814	
5	4	0.6	2.34	0.702	
6	4.5	0.7	1.77	0.6195	rock
7	5	1	2.37	1.185	
8	5.5	1.05	2.24	1.176	
9	6	0.7	1.57	0.5495	rock
10	6.5	0.9	0.74	0.333	
11	7	0.55	0.83	0.22825	
12	7.5	0.5	0.57	0.1425	
13	8	0.4	0.41	0.082	
14	8.5	0.2	0	0	
15	9	0	0	0	bank
		Total		5.97575	

Sixmile Creek Below Siever POD

Flow measurement for October 25, 2012					
Water Rights, Inc.			Staff Guage Reading:	32	
Station	Distance (ft)	Depth (ft)	Velocity (ft/sec)	Discharge (cfs)	Comments
1	3	0	0	0	bank
2	3.5	0.1	0	0	
3	4	0.15	0	0	
4	4.5	0.175	0.48	0.042	
5	5	0.2	0.49	0.049	
6	5.5	0.25	1.63	0.20375	
7	6	0.3	1.7	0.255	
8	6.5	0.3	1.84	0.276	
9	7	0.3	1.76	0.264	
10	7.5	0.45	1.86	0.4185	
11	8	0.5	1.71	0.4275	
12	8.5	0.55	1.55	0.42625	
13	9	0.7	1.12	0.392	
14	9.5	0.85	1.47	0.62475	
15	10	0.35	1.48	0.259	
16	10.5	0	0	0	bank
			Total	3.37875	

Sixmile Creek at Road Crossing

Water Rights, Inc.	Flow (ft)		Width (ft)	Depth (ft)	Velocity (ft/sec)	Staff Guage Reading:	28
Station	Distance (ft)		Depth (ft)	Velocity (ft/sec)	Discharge (cfs)	Comments	
1	1.5	0	0	0	0		bank
2	2	0.25	0.3	0.3	0.0375		
3	2.5	0.275	0.33	0.33	0.045375		
4	3	0.2	2.44	2.44	0.244		
5	3.5	0.375	2.38	2.38	0.44625		
6	4	0.8	2.1	2.1	0.84		
7	4.5	0.75	2.13	2.13	0.79875		
8	5	0.55	1.81	1.81	0.49775		
9	5.5	0.5	1.03	1.03	0.2575		
10	6	0.35	0.8	0.8	0.14		
11	6.5	0.4	0.56	0.56	0.112		
12	7	0.2	0.39	0.39	0.039		
13	7.5	0.1	0	0	0		
14	8	0	0	0	0		bank
			Total	3.458125			

Sixmile Creek Below Siever POD

Flow measurement for July 15, 2013			Staff Guage Reading	31	
Water Rights, Inc.	Distance (ft)	Depth (ft)	Velocity (ft/sec)	Discharge (cfs)	Comments
1	3	0	0	0	bank
2	3.5	0.175	0.04	0.0035	
3	4	0.2	0.15	0.015	
4	4.5	0.275	0.41	0.056375	
5	5	0.275	0.66	0.09075	
6	5.5	0.3	1.01	0.1515	
7	6	0.35	1.33	0.23275	
8	6.5	0.4	1.67	0.334	
9	7	0.4	1.73	0.346	
10	7.5	0.5	2.01	0.5025	
11	8	0.525	1.63	0.427875	
12	8.5	0.675	1.21	0.408375	
13	9	0.7	1.01	0.3535	
14	9.5	0.8	1.03	0.412	
15	10	0.7	0.91	0.3185	
16	10.5	0.4	1.03	0.206	
17	11	0.2	0.34	0.034	
18	11.5	0	0	0	
			Total	3.892625	

Sixmile Creek at Road Crossing

Flow measurement for July 15, 2013			Staff Guage Reading	27.25	
Water Rights, Inc.	Distance (ft)	Depth (ft)	Velocity (ft/sec)	Discharge (cfs)	Comments
1	2	0.2	0.88	0.088	
2	2.5	0.2	0.71	0.071	
3	3	0.3	1.22	0.183	
4	3.5	0.4	1.89	0.378	
5	4	0.5	1.99	0.4975	
6	4.5	0.7	2.03	0.7105	
7	5	0.75	1.98	0.7425	
8	5.5	0.75	1.31	0.49125	
9	6	0.675	1.05	0.354375	
10	6.5	0.725	0.85	0.308125	
11	7	0.5	0.72	0.18	
12	7.5	0.45	0.61	0.13725	
13	8	0.35	0.22	0.0385	
14	8.5	0.225	0.03	0.003375	
15	9	0	0	0	
			Total	4.183375	

Sixmile Creek Below Siever POD

o m asu m n fo J y 9, 2014					
Water Rights, Inc.		Staff Guage Reading:			
Station	Distance (ft)	Depth (ft)	Velocity (ft/sec)	Discharge (cfs)	Comments
1	3	0	0	0	bank
2	3.5	0.1	0	0	
3	4	0.2	0	0	
4	4.5	0.25	1.13	0.14125	
5	5	0.3	1.22	0.183	
6	5.5	0.3	1.71	0.2565	
7	6	0.3	1.73	0.2595	
8	6.5	0.325	1.95	0.3185	
9	7	0.3	1.61	0.2415	rock
10	7.5	0.45	2.02	0.4545	
11	8	0.45	2.58	0.5805	
12	8.5	0.625	1.79	0.559375	
13	9	0.7	1.1	0.385	
14	9.5	0.825	1.47	0.606375	
15	10	0.95	2.1	0.9975	
16	10.5	0.55	1.73	0.47575	
17	11	0.4	1.38	0.276	
18	11.5	0.325	1.15	0.186875	
19	12	0	0	0	
		Total		5.922125	

Sixmile Creek at Road Crossing

m asu m n fo J y 9, 2014					
Water Rights, Inc.		Staff Guage Reading: 27			
Station	Distance (ft)	Depth (ft)	Velocity (ft/sec)	Discharge (cfs)	Comments
1	2	0	0	0	
2	2.5	0.45	1.11	0.24975	
3	3	0.3	1.25	0.1875	rock
4	3.5	0.75	1.84	0.69	
5	4	0.65	2.35	0.76375	
6	4.5	0.725	2.66	0.96425	
7	5	0.75	3.37	1.26375	
8	5.5	0.8	2.64	1.056	
9	6	0.65	1.87	0.60775	rock
10	6.5	0.85	1.44	0.612	
11	7	0.6	1.4	0.42	
12	7.5	0.4	1.1	0.22	
13	8	0.3	0.85	0.1275	
14	8.5	0.2	0.5	0.05	
15	9	0.1	0	0	
			Total	7.21225	

Sixmile Creek Below Siever POD

Flow measurement for October 1, 2015					
Water Rights, Inc.		Staff Guage Reading:		28.5	
Station	Distance (ft)	Depth (ft)	Velocity (ft/sec)	Discharge (cfs)	Comments
1	3	0	0	0	bank
2	3.5	0.1	0.25	0.0125	Flowing
3	4	0.1	0.25	0.0125	Flowing
4	4.5	0.1	0.5	0.025	Flowing
5	5	0.1	0.5	0.025	Flowing
6	5.5	0.1	0.75	0.0375	Flowing
7	6	0.1	0.75	0.0375	Flowing
8	6.5	0.2	1.01	0.101	
9	7	0.3	1.48	0.222	
10	7.5	0.35	1.28	0.224	
11	8	0.5	1.21	0.3025	
12	8.5	0.6	1.47	0.441	
13	9	0.8	1.32	0.528	
14	9.5	0.75	1.66	0.6225	
15	10	0.3	1.47	0.2205	
16	10.5	0.2	0.83	0.083	
17	11	0	0	0	bank
		Total		2.8945	

*note Station 2-7 were below mouth of Ma sha McBirney River, but flow was estimated.

Sixmile Creek at Road Crossing

Flow measurement for October 1, 2015					
Water Rights, Inc.		Staff Guage Reading:		29.5	
Station	Distance (ft)	Depth (ft)	Velocity (ft/sec)	Discharge (cfs)	Comments
1	0.5	0	0	0	bank
2	1	0.275	0.13	0.017875	
3	1.5	0.3	0.03	0.0045	rock
4	2	0.5	0.97	0.2425	rock
5	2.5	0.45	0.85	0.19125	
6	3	0.625	2.1	0.55625	rock
7	3.5	0.6	1.21	0.363	
8	4	0.55	1.36	0.374	
9	4.5	0.55	0.77	0.21175	
10	5	0.6	0.84	0.252	
11	5.5	0.475	0.74	0.17575	
12	6	0.3	0.87	0.1305	
13	6.5	0.2	0.71	0.071	
14	7	0	0	0	
		Total		2.690375	

Sixmile Creek Below Siever POD

Flow measurement for August 8, 2017					
Water Rights, Inc.		Staff Guage Reading:			26.25
Station	Distance (ft)	Depth (ft)	Velocity (ft/sec)	Discharge (cfs)	Comments
1	1	0	0	0	bank
2	1.5	0.3	0.1	0.015	rock
3	2	0.4	1.65	0.33	
4	2.5	0.45	1.79	0.40275	
5	3	0.5	1.84	0.46	
6	3.5	0.425	2.27	0.482375	
7	4	0.55	1.93	0.53075	rock
8	4.5	0.5	1.82	0.455	rock
9	5	0.55	2.75	0.75625	
10	5.5	0.5	2.51	0.6275	
11	6	0.45	2.53	0.56925	
12	6.5	0.55	2.14	0.5885	
13	7	0.3	1.78	0.267	
14	7.5	0.3	0.12	0.018	rock
15	8	0.1	0	0	
16	8.5	0	0	0	
		Total		5.502375	

Sixmile Creek at Road Crossing

Flow measurement for August 8, 2017					
Water Rights, Inc.		Staff Guage Reading:			Missing
Station	Distance (ft)	Depth (ft)	Velocity (ft/sec)	Discharge (cfs)	Comments
1	1	0	0	0	
2	1.5	0.2	1.3	0.13	
3	2	0.3	0.24	0.036	rock
4	2.5	0.5	2.61	0.6525	
5	3	0.5	2.94	0.735	
6	3.5	0.6	3	0.9	
7	4	0.6	3.27	0.981	
8	4.5	0.7	2.64	0.924	
9	5	0.7	1.72	0.602	
10	5.5	0.75	1.42	0.5325	
11	6	0.55	1.06	0.2915	
12	6.5	0.45	0.8	0.18	
13	7	0.3	0.5	0.075	
14	7.5	0.25	0	0	
15	8	0.15	0	0	
16	8.5	0	0	0	
		Total		6.0395	

Sixmile Creek Flow Measurements

Date	Flow at Siever POD (cfs)	Flow at Crossing (cfs)
5/14/2012	7.52	10.9
7/25/2012	5.08	5.98
10/25/2012	3 38	3 46
7/15/2013	3	4 1
7/ /2014	5.92	7 21
0/ /20 5	2.89	2.6
8/8/20 7	5.5	6 4
Averages:	4.88	5.78

From: [Lee Yelin](#)
To: [Dalgleish, Alex](#)
Subject: [EXTERNAL] Re: In Stream Flow Change 76M 30171923
Date: Sunday, October 5, 2025 9:50:23 AM
Attachments: [image001.png](#)
[image001.png](#)

Thanks Alex but we did find them and will forward anyway to prove we did continue to obtain them.

On Fri, Oct 3, 2025, 3:26 PM Dalgleish, Alex <Alexander.Dalgleish@mt.gov> wrote:

Hey Lee,

We received some additional clarification from the Water Sciences Bureau (WSB) regarding the preapplication meeting we had earlier this week for your in-stream flow change. The WSB will not need to do an extended return-flow analysis for this application. Therefore, you do not need to dig up prior stream-flow measurements. Please disregard follow-up question 153.a from the Additional Return Flow Source Sheet.

The WSB will complete a light return-flow analysis, consisting of an evaluation of the annual volume and location of return flows. The Department will still need to know the number of acres historically irrigated by child right 76M 30048497.

Thanks,



Alex Dalgleish | Water Conservation Specialist II

Water Resources Division, Missoula Regional Office

Montana Department of Natural Resources and Conservation

[2705 Spurgin Road, Bldg C \[google.com\]](http://2705 Spurgin Road, Bldg C [google.com])

DESK: 406-542-5886 **EMAIL:** alexander.dalgleish@mt.gov

[Website](#) | [Facebook](#) [[facebook.com](#)] | [X \(Twitter\)](#) [[twitter.com](#)] | [Instagram](#) [[instagram.com](#)]

How did we do? Let us know here: [Feedback Survey](#) [[forms.office.com](#)]



**PREAPPLICATION MEETING FORM:
PART A
CHANGE**
§ 85-2-302(3)(b)
Form No. 606P-A (Revised 02/2025)

PREAPPLICATION MEETING FEE

\$ 500

For Department Use Only

Application # _____ Basin _____
Meeting Date _____ Time _____
Variance Request Deadline _____
Completed Form Deadline _____

FILING FEE REDUCTION & EXPEDITED TIMELINE

An application will be eligible for a filing fee reduction and expedited timelines if the applicant completes a preapplication meeting with the Department (ARM 36.12.1302(1)), which includes submitting any follow-up information identified by the Department (ARM 36.12.1302(3)(c)) and receiving either Department-completed technical analyses or Department review of applicant-submitted technical analyses (ARM 36.12.1302(4) and (5)). An application for the proposed project also must be submitted within 180 days of delivery of Department technical analyses or scientific credibility review and no element on the submitted application can be changed from the completed preapplication meeting form (ARM 36.12.1302(6)).

The Department will fill out Form 606P-A and will identify items for follow-up during the preapplication meeting. The Department and Applicant will sign the Preapplication Meeting Affidavit and Certification within 10 business days. Within 180 days of the preapplication meeting, the Applicant will complete Preapplication Meeting Form Part B (Form 606P-B), including identified follow-up, any amended responses, and the Follow-up and Amended Responses Affidavit & Certification.

Applicant Information: Add more as necessary.

Applicant Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone Numbers: Home _____ Work _____ Cell _____
Email Address _____

Applicant Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone Numbers: Home _____ Work _____ Cell _____
Email Address _____

Contact/Representative Information: Add more as necessary.

Contact/Representative is: Applicant Consultant Attorney Other (describe) _____
Contact/Representative Name _____
Mailing Address _____ City _____ State _____ Zip _____
Phone Numbers: Home _____ Work _____ Cell _____
Email Address _____

NOTE: If a contact person is identified as an attorney, all communication will be sent only to the attorney unless the attorney provides written instruction to the contrary. If a contact person is identified as a consultant, employee, or lessee, the individual filing the water right form or objection form will receive all correspondence and a copy may be sent to the contact person. (ARM 36.12.122)

Meeting Attendees: Add more as necessary.

Name	Organization	Position



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Application Details

The following questions are mandatory and must be filled out before the Preapplication Meeting Form is determined to be complete. Narrative responses that are larger than the space provided can be answered in an attachment. If an attachment is used, mark the see attachment ("A") checkbox 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. Responses in the form of a table may be entered into the table provided on this form or in an attachment. If an attachment is used, the table must have the exact headings found on this form, and the see attachment ("A") checkbox must be marked. Label units in narrative responses and tables. Questions that require Applicant to submit items to the Department have a submitted ("S") checkbox, which is marked when the required item is attached to the Preapplication Meeting Form. Label all submitted items with the question number for which they were submitted. For all questions where follow-up is necessary, mark the "F" checkbox in the "Follow-Up" column and write the question number on the "Follow-Up Page".

S = Submitted. Use when required item is included with form.

A = See attachment. Use when additional space is needed to answer a question.

F = Follow-up. Use when follow-up is necessary.

Questions, Narrative Responses, and Tables						Check-boxes	Follow-Up
1. Do you elect to have DNRC conduct technical analyses?						<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
2. How many change applications will be needed for this project? Please refer to ARM 36.12.1305 for more information. <hr/>							<input type="checkbox"/> F
3. Which water right(s) are proposed for change?						<input type="checkbox"/> A	<input type="checkbox"/> F
Water Right No.	Current Authorized Flow Rate			Flow Rate Needed for Project		Means of Diversion	
	Flow	GPM	CFS	Flow	GPM		
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		
	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>		
4. Is the proposed change on a non-filed water project?						<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, please submit a Non-Filed Water Project Addendum (Form 606/634-NFWPA). The project must meet the requirements of the addendum. The addendum is required before the Preapplication Meeting Form is completed.						<input type="checkbox"/> S	<input type="checkbox"/> F



5. Is the source surface water or groundwater? _____		
6. What is the source name? _____		
7. Identify the water right elements proposed for change, with a checkmark, for each water right proposed for change.	<input type="checkbox"/> A	<input type="checkbox"/> F

Water Right #						
Point of diversion	<input type="checkbox"/>					
Place of use	<input type="checkbox"/>					
Purpose of use	<input type="checkbox"/>					
Place of storage	<input type="checkbox"/>					

8. Submit a historical use map created on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, north arrow, all historical points of diversion (POD) labeled with a unique POD ID ("H" followed by a number), all historical places of use (POU), all historical conveyance structures, all historical places of storage, and historical place of use for all overlapping water rights. More than one map may be submitted, if necessary to clearly convey all required information.	<input type="checkbox"/> S	<input type="checkbox"/> F
9. Submit a proposed use map created on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, north arrow, all proposed points of diversion labeled with a unique POD ID ("P" followed by a number), all proposed places of use, all proposed conveyance structures, all proposed places of storage, and proposed place of use for all overlapping water rights. More than one map may be submitted, if necessary to clearly convey all required information.	<input type="checkbox"/> S	<input type="checkbox"/> F
10. Does the change involve a change in point of diversion?	<input type="checkbox"/> Y	<input type="checkbox"/> N
a. If yes, describe the location for all <i>new</i> and <i>unchanged</i> points of diversion to the nearest 10 acres. Label POD ID with the POD ID assigned for the proposed use map (question 9).	<input type="checkbox"/> A	<input type="checkbox"/> F

POD ID	1/4	1/4	1/4	Sec	Twp	Rge	County	Lot	Block	Tract	Subdivision	Gov. Lot	New or Unchanged





iii. Do other water rights supplement or overlap the historical and/or proposed place of use?				<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes,					
<p>a. How were the water rights operated to serve the historical purposes and how will they be operated to serve the proposed purposes?</p> <hr/> <hr/> <hr/>				<input type="checkbox"/> A	<input type="checkbox"/> F
<p>b. For each supplemental or overlapping water right, please list whether they contribute water for historical use, proposed use, or both; the average period of contribution (MM/DD-MM/DD); flow rate contributed (GPM or CFS); and, if known, the volume of water contributed (AF) contributed (otherwise write "unknown").</p>				<input type="checkbox"/> A	<input type="checkbox"/> F

Water Right No.	Contributions to Use			Average Period of Contribution	Flow Rate Contributed			Volume Contributed
	Hist.	Prop.	Both	MM/DD-MM/DD	Flow	GPM	CFS	AF
					<input type="checkbox"/>	<input type="checkbox"/>		
					<input type="checkbox"/>	<input type="checkbox"/>		
					<input type="checkbox"/>	<input type="checkbox"/>		

14. Does the proposed change include a change in purpose of use? If yes, answer questions 101 to 108 for change in purpose of use and question 13.a.iii for supplemental or overlapping water rights.				<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
15. Are conveyance ditches used for historical or proposed uses? If yes, answer ditch-specific questions 109 to 115.				<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
16. Do you propose to add or modify one or more places of storage? This does not include reservoirs, pits, pit-dams, or ponds with a capacity less than 0.1 AF; water tanks; or cisterns (ARM 36.12.113(6)). If yes, answer mandatory questions 116 to 123. Additionally, you may choose to answer non-mandatory questions 175 to 179. A Change Storage Addendum (Form 606-SA) will be required at application submittal.				<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
17. Is the proposed use temporary? If yes, answer questions 94 to 100 for temporary changes.				<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
18. Are you filing on behalf of another entity? If yes, describe.				<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<hr/> <hr/>					



19. Do you own the entire historical place of use for all water rights proposed for change?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, was the water historically used for sale, rental, distribution, municipal use, or any other context in which water is being supplied to another and it is clear that the ultimate user would not accept the supply without consenting to the use of water on the user's place of use?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If no,		
1. List the water rights for which you do not own the entire historical place of use.	<input type="checkbox"/> A	<input type="checkbox"/> F
2. Are the water rights listed in question 19.a.i.1 severed from the historical POU?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, do you own the entirety of the severed water rights proposed for change?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, skip to question 20. If no, answer question 19.a.i.3.		
b. If no, answer question 19.a.i.3.		
3. Are all owners of the historical place of use or, if applicable, owners of the severed water rights, willing to sign the application?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no,		
i. A Form 641 or 642 to split the water rights being changed must be received and processed by the Department prior to application submittal.		
ii. Describe how the water rights will be split, and which part of the split water rights will be proposed for change.	<input type="checkbox"/> A	<input type="checkbox"/> F
20. Are you proposing to add a point of diversion or place of use on State of Montana Trust Land?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. Documentation of consent from the DNRC Trust Lands Management Division will be required at application submittal.		
ii. Do you propose to add a place of use on Trust Land with all points of diversion on private land? If yes, the change authorization will be temporary for the duration of the lease term (§85-2-441, MCA); answer temporary change project-specific questions 94 to 100.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F



21. Will your system be designed to discharge water from the project?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, explain the wastewater disposal method. A discharge permit may be required to comply with §§ 75-5-410 and 85-2-364, MCA.	<input type="checkbox"/> A	<input type="checkbox"/> F
22. Is the application to change the purpose of use or place of use of an appropriation of 4,000 or more acre-feet (AF) of water a year and 5.5 or more cubic feet per second (CFS)? If yes, you must submit a Reasonable Use Addendum (Form 606-B) with the application. The reasonable use criteria are found in §85-2-402(4-5), MCA.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
23. Will you be transporting water for use outside of Montana? If yes, you will need to submit an Out-of-State Use Addendum (Form 600/606-OSA) with the application. The out-of-state use criteria are outlined in §85-2-402(6), MCA.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
24. Is the project located in designated sage grouse habitat? If yes, a review letter from the Montana Sage Grouse Habitat Conservation Program will be required at application submittal.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
25. Does the application include a mitigation, aquifer recharge, or marketing for mitigation/aquifer recharge purpose? If yes, answer mandatory questions 124 to 129. Additionally, you may choose to answer non-mandatory questions 185 to 190. A Mitigation Addendum (Form 600/606-MIT) will be required with application submittal.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
26. Does the application include the water marketing purpose? This does not include marketing for mitigation/aquifer recharge. If yes, answer the following question. Additionally, you may choose to answer non-mandatory questions 191 to 195. A Water Marketing Purpose Addendum (Form 600/606-WMA) will be required with application submittal.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. For what purposes will the marketed water be used?	<input type="checkbox"/> A	<input type="checkbox"/> F
27. Does the proposed purpose include instream flow? If yes, answer mandatory questions for instream flow changes 130 to 136. Additionally, you may choose to answer non-mandatory questions 180 to 184. A Change to Instream Flow Addendum (Form 606-IFA) will be required with application submittal.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
28. Will the proposed use include water made available through creation of a "water saving method" (i.e., salvage water) as defined in ARM 36.12.101? If yes, answer questions 137 to 141 for Salvage Water.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F



Historical Use

The following questions are mandatory and must be filled out for both Surface Water and Groundwater Applications before the Preapplication Meeting Form is determined to be complete.

<u>Questions, Narrative Responses, and Tables</u>	<u>Check-boxes</u>	<u>Follow-Up</u>
29. What is the water right type for each water right proposed for change? Answer question 30 for each Statement of Claim, question 31 for each Provisional Permit, and question 32 for water right that is not a Statement of Claim or Provisional Permit. _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
30. In the table below, write the water right number for each Statement of Claim proposed for change in the "Statement of Claim Number" column. If there is one or more previous change authorizations, write the application numbers for the change authorizations in the "Previous Change Authorization Number" column. If there are no previous change authorizations, write "none" in the "Previous Change Authorization Number" column and "N/A" in all the remaining columns. Write the date of the Project Completion Notice for each previous change authorization in the "Project Completion Notice Date" column and if no Project Completion Notice has been submitted, write "none" instead. In the "Previous Historical Use Analysis Quality" column, describe the quality of the previous historical use analysis.	<input type="checkbox"/> A	<input type="checkbox"/> F

Statement of Claim Number	Previous Change Authorization Number	Project Completion Notice Date	Previous Historical Use Analysis Quality



31. In the table below, write the water right number for each Provisional Permit proposed for change in the "Provisional Permit Number" column. In the "Project Completion Notice Date" column, write the date of the Project Completion Notice and if no Project Completion Notice has been submitted, write "none" instead. Write the application number for each previous change authorization in the "Previous Change Authorization Number" column. If there are no previous change authorizations, write "none" in the "Previous Change Authorization Number" column and "N/A" in all the remaining columns. Write the date of the Project Completion Notice for each previous change authorization in the "Previous Change Project Completion Notice" column and if no Project Completion Notice has been submitted, write "none" instead. In the "Previous Change Historical Use Analysis Quality" column, describe the quality of the previous historical use analysis.	<input type="checkbox"/> A	<input type="checkbox"/> F
---	----------------------------	----------------------------

Provisional Permit Number	Project Completion Notice Date	Previous Change Authorization Number	Previous Change Project Completion Notice Date	Previous Historical Use Analysis Quality

32. In the table below, write the water right number for each water right proposed for change that is not a Statement of Claim or Provisional Permit, the type of water right, and the completion date. If a Groundwater Certificate, the completion date will be the date of filing. If an exempt or non-filed water right, the completion date will be July 1, 1973. If there are one or more previous change authorizations, write the application number for each change authorization in the "Previous Change Authorization Number" column. If there are no previous change authorizations, write "none" in the "Previous Change Authorization Number" column and "N/A" in all the remaining columns. Write the date of the Project Completion Notice for each previous change authorization in the "Previous Change Project Completion Notice Date" column and if the previous change authorization does not have a Project Completion Notice, write "none" instead. In the "Previous Historical Use Analysis Quality" column, describe the quality of the previous historical use analysis.	<input type="checkbox"/> A	<input type="checkbox"/> F
--	----------------------------	----------------------------

Water Right Number	Water Right Type	Completion Date	Previous Change Authorization Number	Previous Change Project Completion Notice Date	Previous Historical Use Analysis Quality



33. Are there previous Montana Water Court approved stipulations, Water Master reports, or prior Montana Water Court or Department decisions related to the water right(s) being changed?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, explain. <hr/> <hr/> <hr/> <hr/> <hr/>	<input type="checkbox"/> A	<input type="checkbox"/> F	
34. Fill in the table below based on ARM 36.12.1902(1) and the information provided in questions 29 to 33. In column "Water Right Number", list all water rights proposed for change. Select one of the three historical use analysis options and fill in the required information associated with that option. Select "Full Historical Use Analysis N/A" only if an unperfected Provisional Permit will be used to serve as historical use in lieu of analysis. If the "Existing Historical Use Analysis" or "Full Historical Use Analysis N/A" option is selected, skip to question 57 because this section is complete.	<input type="checkbox"/> A	<input type="checkbox"/> F	
Water Right No. Proposed for Change	Historical Use Analysis Options		
	<input type="checkbox"/> New Historical Use Analysis. Date for which historical use will be analyzed: _____		
	<input type="checkbox"/> Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: _____		
	<input type="checkbox"/> Full Historical Use Analysis N/A. Water right number serving as historical use in lieu of analysis: _____		



	<input type="checkbox"/> New Historical Use Analysis. Date for which historical use will be analyzed: _____
	<input type="checkbox"/> Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: _____
	<input type="checkbox"/> Full Historical Use Analysis N/A. Water right number serving as historical use in lieu of analysis: _____
	<input type="checkbox"/> New Historical Use Analysis. Date for which historical use will be analyzed: _____
	<input type="checkbox"/> Existing Historical Use Analysis. Change authorization number with existing Historical Use Analysis: _____
	<input type="checkbox"/> Full Historical Use Analysis N/A. Water right number serving as historical use in lieu of analysis: _____

35. Do you have knowledge of historical use?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,			
i. Is this firsthand knowledge?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
ii. Who has this knowledge and what was their role? _____	<input type="checkbox"/> A	<input type="checkbox"/> F	
b. If no, where will the historical use data be derived? _____	<input type="checkbox"/> A	<input type="checkbox"/> F	



Fill out the remaining Historical Use questions (questions 37 to 56) **one time for each** water right proposed for change. Use the "Additional Water Right Historical Use (606P)" sheet for each additional water right. You may answer **one time for all** water rights proposed for change that have the same purposes, place of use, supplemental water rights, points of diversion, period of use, conveyance, diverted volume parameters, and consumptive volume parameters.

36. What is the water right number for which questions 37 to 56 will be answered? <hr/>	<input type="checkbox"/>	F
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Historical Use: Place of Use

37. The historical use map submitted for question 8 must clearly identify the entire place of use for each overlapping water right that intersects the historical place of use. Does your historical use map meet this requirement?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
38. Are you proposing to change all water rights associated with the historical place of use?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, identify the water rights associated with the historical place of use that are not included in this application. Provide the priority date for each water right and explain why all overlapping water rights are not included in the application. Include water received via contract from a company, district, or water users' association.	<input type="checkbox"/> A	<input type="checkbox"/> F	
Water Right No.	Priority Date	Reason Not Included in Change	



39. Answer the section of this question relevant to the historical purpose. If there is more than one purpose, then answer all relevant parts of this question.			
a. All purposes			
i. Does the legal land description from the abstract encompass the actual location of the historical place of use?		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If no, explain the discrepancy and submit historical aerial photographs and/or other data sources to corroborate the location of these historical places of use, and, if a Statement of Claim, submit documentation of a written request submitted to the Water Court for amendment of the Claim.		<input type="checkbox"/> S	<input type="checkbox"/> F
b. Irrigation			
i. Is the water right being changed a Statement of Claim?		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, does the Water Resources Survey corroborate the acres irrigated listed on the abstract?		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, submit evidence that can corroborate the historical place of use, including the number of irrigated acres. This includes, but is not limited to, aerial photographs, irrigation journals, or logs.		<input type="checkbox"/> S	<input type="checkbox"/> F
2. If no, submit one or more aerial photographs that can corroborate the historical place of use, including the number of irrigated acres.		<input type="checkbox"/> S	<input type="checkbox"/> F
c. Lawn and garden			
i. Submit aerial photographs that can corroborate the historical place of use, including the number of irrigated acres.		<input type="checkbox"/> S	<input type="checkbox"/> F
d. Stock			
i. Submit aerial photographs, grazing records, or other records to corroborate the historical place of use.		<input type="checkbox"/> S	<input type="checkbox"/> F
ii. Did the stock drink direct from source or direct from ditch?		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If no, submit data sources that make clear the location of the stock watering infrastructure.		<input type="checkbox"/> S	<input type="checkbox"/> F
e. Multiple domestic, domestic, municipal, mining, commercial, and other purposes			
i. Submit aerial photographs, deeds, other recorded documents or records, affidavits, or other published documents, such as magazine articles, to corroborate the historical place of use.		<input type="checkbox"/> S	<input type="checkbox"/> F



Historical Use: Point of Diversion

Continue to answer questions for water right(s) identified in question 36. Applications corroborating historical flow rate with the Historical Use Addendum (Form 606-HUA) may be eligible to skip question 42; see the Form 606-HUA for more information.

40. For all historical points of diversion, identify the means, location ($\frac{1}{4} \frac{1}{4} \frac{1}{4}$ section), and if they are proposed for change. Label using the same POD ID letter as for the Historical Use Map (question 8).	<input type="checkbox"/> A	<input type="checkbox"/> F
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POD ID	Means	Location ($\frac{1}{4} \frac{1}{4} \frac{1}{4}$ Section)	Proposed for Change?
			<input type="checkbox"/> Y <input type="checkbox"/> N
			<input type="checkbox"/> Y <input type="checkbox"/> N
			<input type="checkbox"/> Y <input type="checkbox"/> N
			<input type="checkbox"/> Y <input type="checkbox"/> N

41. Do the legal land descriptions from the abstract encompass the actual locations of all historical points of diversion?	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, explain the discrepancy and submit historical aerial photographs and/or other data sources to corroborate the location of these historical points of diversion, and, if a Statement of Claim, submit documentation of a written request submitted to the Water Court for amendment of the Claim.	<input type="checkbox"/> S	<input type="checkbox"/> F	

42. Answer questions below related to the diversion means for each of the historical points of diversion.			
a. Headgate			
i. For each headgate, provide dimensions in feet (FT), slope of the channel at the headgate (%), material of the headgate, estimated historical capacity in gallons per minute (GPM) or cubic feet per second (CFS) and the method used to estimate historical capacity. Label using the same POD ID letter as for the Historical Use Map (question 8).	<input type="checkbox"/> A	<input type="checkbox"/> F	

POD ID	Dimensions FT	Slope %	Material	Estimated Capacity			Method
				Cap.	GPM	CFS	
				<input type="checkbox"/>	<input type="checkbox"/>		
				<input type="checkbox"/>	<input type="checkbox"/>		
				<input type="checkbox"/>	<input type="checkbox"/>		
				<input type="checkbox"/>	<input type="checkbox"/>		
				<input type="checkbox"/>	<input type="checkbox"/>		



b. Pump, dike, dam, or other surface water point of diversion		
i. For each pump, dike, dam, or other surface water point of diversion, provide an estimate of the historical capacity (GPM or CFS) and the method used to estimate the historical capacity. Label using the same POD ID letter as for the Historical Use Map (question 8).	<input type="checkbox"/> A	<input type="checkbox"/> F

POD ID	Estimated Capacity			Method
	Cap.	GPM	CFS	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	

c. Well, pit, or other groundwater point of diversion		
i. For each well, pit, or other groundwater point of diversion, provide an estimate of the historical capacity (GPM or CFS) and the method used to estimate the historical capacity. Label using the same POD ID letter as for the Historical Use Map (question 8).	<input type="checkbox"/> A	<input type="checkbox"/> F

POD ID	Estimated Capacity			Method
	Cap.	GPM	CFS	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	

43. Do other water rights share any of the points of diversion?					<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, list the water rights, their flow rates (GPM or CFS), and the nature of the relationship. Label using the same POD ID letter as for the Historical Use Map (question 8).					<input type="checkbox"/> A	<input type="checkbox"/> F	
POD ID	Water Right No.	Flow Rate			Relationship		
		Flow	GPM	CFS			
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				
		<input type="checkbox"/>	<input type="checkbox"/>				

Historical Use: Period of Diversion

(Continue to answer questions for water right(s) identified in question 36.)

44. Are the period of diversion and the period of use the same?		<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
a. If no,	i. Why are they different?			
		<input type="checkbox"/> A	<input type="checkbox"/> F	
ii. Is there a place of storage?		<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
45. When was water diverted for the purposes of the water rights being changed?		<input type="checkbox"/> A	<input type="checkbox"/> F	
Start Date (Month (MM)/Day (DD))		End Date (MM/DD)		



46. Does the Department have a standard, found in ARM 36.12.112, for the period of diversion for all purposes for which water is used?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, does the period of diversion for all purposes fall within Department standards?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
b. If no, or if any period of diversion falls outside Department standards, explain how the period of diversion is reasonable for the purpose.	<input type="checkbox"/> A	<input type="checkbox"/> F

Historical Use: Historical Diverted Volume

Continue to answer questions for water right(s) identified in question 36. Applications corroborating historical diverted volume with the Historical Use Addendum (Form 606-HUA) may be eligible to skip question parts of question 47; see the Form 606-HUA for more information.

47. Answer all relevant sections of this question based on whether the historical purpose was irrigation, non-irrigation, or both.		
a. Irrigation		
i. Do you want ARM 36.12.1902(10) to be used to calculate historical diverted volume?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If no, submit a Historical Water Use Addendum (Form 606-HUA). Form 606-HUA must be submitted to the Department before the Preapplication Meeting Form is completed.	<input type="checkbox"/> S	<input type="checkbox"/> F
ii. What were the crop(s) grown?		<input type="checkbox"/> F
1. For hay, how many cuttings were there per season and how many days did cuttings last? Did irrigation cease throughout the place of use for cuttings? For other crops, explain whether irrigation regularly ceased within the irrigation season. For all crops, explain whether diversions ceased during times irrigation did not occur.	<input type="checkbox"/> A	<input type="checkbox"/> F



b. Non-irrigation		
i. Explain your historical diversion schedule, with sufficient detail to estimate the volume of water historically diverted. This may include, but is not limited to, days per year water was historically diverted or the number of diversions per year and the duration of each diversion.	<input type="checkbox"/> A	<input type="checkbox"/> F

ii. Explain water diverted but not consumed by the non-irrigation purpose(s). This includes, but is not limited to, wastewater discharge and conveyance loss. Ditch-Specific Questions (questions 110 to 111) will gather information necessary for estimating losses from conveyance ditches.	<input type="checkbox"/> A	<input type="checkbox"/> F

iii. Did historical diversions serve more than one non-irrigation purpose?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, how much of the diversions served each non-irrigation purpose and how did you determine this?	<input type="checkbox"/> A	<input type="checkbox"/> F

48. Did diversions ever regularly cease within the period of use due to insufficient water in source or calls based on priority date?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, please explain.	<input type="checkbox"/> A	<input type="checkbox"/> F



Historical Use: Historical Consumed Volume

Continue to answer questions for water right(s) identified in question 36. Applications corroborating historical consumptive volume with the Historical Use Addendum (Form 606-HUA) may be eligible to skip parts of question 50; see the Form 606-HUA for more information.

49. What are the historical purposes? Mark each purpose and answer the applicable questions below.		
<input type="checkbox"/> Irrigation. Answer question 50. <input type="checkbox"/> Lawn and garden. Answer question 51. <input type="checkbox"/> Stock. Answer question 52. <input type="checkbox"/> Domestic and multiple domestic. Answer question 53. <input type="checkbox"/> Municipal. Answer question 54. <input type="checkbox"/> Other. Answer question 55.		

50. Irrigation		
a. Will you use Department standards for historical consumptive use as defined in ARM 36.12.1902?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If no,		
1. What method will you use to determine historical consumptive use? __________	<input type="checkbox"/> A	<input type="checkbox"/> F
2. Submit a Historical Water Use Addendum (Form 606-HUA) to the Department. Form 606-HUA must be submitted to the Department before the Preapplication Meeting Form is completed.	<input type="checkbox"/> S	<input type="checkbox"/> F
ii. If yes,		
1. What is the historical irrigation method type and subtype? Irrigation method types include flood and sprinkler. Flood irrigation subtypes include level border, graded border, furrow, contour ditch, or wild flood. Sprinkler subtypes include wheel line and center pivot. __________	<input type="checkbox"/> A	<input type="checkbox"/> F
2. What was the slope (%) of the historical place of use? __________		<input type="checkbox"/> F



3. Are there any factors beyond irrigation method type/subtype and place of use slope that may influence percent efficiency of irrigation?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, submit evidence to support the modified percent efficiency of irrigation in the Historical Water Use Addendum (Form 606-HUA). These factors may include infrastructure age, soil characteristics, or field improvements. Form 606-HUA must be submitted to the Department before the Preapplication Meeting Form is completed.	<input type="checkbox"/> S	<input type="checkbox"/> F
4. Based on answers to the above questions, what is the percent efficiency of irrigation? _____		<input type="checkbox"/> F
5. What is the County Management Factor? _____		<input type="checkbox"/> F
6. What is evapotranspiration (ET) based on the irrigation method and county? _____		<input type="checkbox"/> F
7. What percent of applied water are irrecoverable losses per ARM 36.12.1902(17)? _____		<input type="checkbox"/> F



51. Lawn and garden			
<p>a. Will you use a Department standard for historical consumptive use volume for lawn and garden? Department standards include 2.5 acre-feet per acre, or a calculated volume based on Irrigation Water Requirements for turf grass.</p>		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>i. If yes, which standard?</p> <hr/> <hr/>			<input type="checkbox"/> F
<p>ii. If no, please provide an estimate of historical water use based on expert analysis and methods used to determine this estimate.</p> <hr/> <hr/>		<input type="checkbox"/> A	<input type="checkbox"/> F
52. Stock			
<p>a. Which volume standard for animal units applies to historical use and why? The standards are either 15 gallons per animal unit per day for new appropriations or 30 gallons per animal unit per day for claims.</p> <hr/>		<input type="checkbox"/> A	<input type="checkbox"/> F
<p>b. How many animal units were historically served?</p> <hr/>			<input type="checkbox"/> F
<p>c. Did these animal units rely entirely on the water right(s) proposed for change for their full water demand?</p>		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>i. If no, explain.</p> <hr/> <hr/>		<input type="checkbox"/> A	<input type="checkbox"/> F



53. Domestic and multiple domestic		
a. How many households were served? _____		<input type="checkbox"/> F
b. Will the Department standard of 1 acre-foot per household be used? The same standard shall be applied to historical and proposed uses. _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If no, what standard will be used? _____		<input type="checkbox"/> F
c. Did the historical use include wastewater disposal and treatment? i. If yes, which of the following best describes the wastewater disposal and treatment system? Individual drain fields, central treatment facility with minimal consumption, or evaporation basin or land application? _____	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> A	<input type="checkbox"/> F

54. Municipal		
a. What is the volume of water (AF) historically consumed for municipal purposes? _____		<input type="checkbox"/> F
b. Submit evidence to support historical municipal use. The data sources may include records that tie water use to the U.S Census, estimates of historical system capacity and estimates of leakage.	<input type="checkbox"/> S	<input type="checkbox"/> F

55. Other		
a. Specify the other purposes. _____		<input type="checkbox"/> F
b. What is the volume of water (AF) historically consumed for other purposes? _____		<input type="checkbox"/> F
c. Submit evidence to support the volume of water historically consumed.	<input type="checkbox"/> S	<input type="checkbox"/> F



Historical Use: Historical Places of Storage

(Continue to answer questions for water right(s) identified in question 36.)

56. Did the historical use include one or more places of storage? This does not include reservoirs, pits, pit-dams, or ponds with a capacity less than 0.1 AF; water tanks; or cisterns (ARM 36.12.113(6)).				<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, for each historical place of storage please provide the surface area in acres (AC), capacity (AF), annual net evaporation (FT/YR), and number of times per year the place of storage was filled.				<input type="checkbox"/> A	<input type="checkbox"/> F
ID	Surface Area (AC)	Capacity (AF)	Annual Net Evaporation (FT/YR)	# of Annual Fillings	

Surface Water

Applicable, move on to question 57. **Not Applicable**, skip to question 66.

The following questions are mandatory for changes to surface water rights and must be filled out before the Preapplication Meeting Form is determined to be complete.

Return Flow Analysis

<u>Questions, Narrative Responses, and Tables</u>		<u>Check-boxes</u>	<u>Follow-Up</u>
57. Do the purposes of the water rights proposed for change include irrigation?		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, does the proposed change include a change in place of use <i>and/or</i> a change in purpose? If you propose to retire acres in the historical place of use and/or add new acres outside the historical place of use, this constitutes a change in place of use.		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, a return flow analysis is required. Move on to answer question 58.			
ii. If no, this section is complete, and you may skip to question 94.			
58. Does the proposed change include a change in purpose?		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, consumptive use information is collected in the Change in Purpose section (questions 101 to 108), skip to question 59.			
b. If no, go to question 59.			
59. Does the proposed change include a change in place of use? If yes, move on to question 60. If no, skip to question 63.		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F



60. Submit a map showing the new, unchanged historical, and retired historical places of use. Create map on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, and north arrow. If you have shapefiles associated with this map, in addition to submitting an image of the map, please submit electronic copies of the shapefiles to the Department.	<input type="checkbox"/> S	<input type="checkbox"/> F
61. How many acres, if any, will be retired from the historical place of use? _____		<input type="checkbox"/> F
62. Are irrigated acres proposed that are outside the historical place of use? a. If yes, i. How many acres? _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
ii. What is the proposed irrigation method type (e.g., flood or sprinkler) and subtype (e.g., level border, graded border, furrow, contour ditch, wild flood, center pivot, or wheel line) for the new acres? _____		<input type="checkbox"/> F
iii. What is the slope (%) of the new place of use? _____		<input type="checkbox"/> F
iv. Based on 62.a.ii to 62.a.iii, what is the percent efficiency of irrigation for the new acres? _____		<input type="checkbox"/> F
v. What is the County Management Factor for the new acres? _____		<input type="checkbox"/> F
vi. What is the ET based on the irrigation method and county for the new acres? _____		<input type="checkbox"/> F
vii. What percent of applied water are irrecoverable losses for new acres? _____		<input type="checkbox"/> F
63. Do you have information for the Department to consider about the source and location where return flows historically accrued? a. If yes, submit this information to the Department.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
	<input type="checkbox"/> S	<input type="checkbox"/> F



Extended Return Flow Analysis

<p>64. Based on the preliminary data provided by the Department at this preapplication meeting, to what surface water sources do return flows accrue before and after the proposed change? <i>*Return flow data provided by the Department at the preapplication meeting is preliminary and is subject to change during technical analyses. If the source or location of return flow data changes during technical analyses, then the analysis of impacts to identified surface water rights will reflect the technical analyses; this will not constitute a change of any element to the proposed application pursuant to ARM 36.12.1302(6)(a).</i></p> <hr/> <hr/>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>65. If an extended return flow analysis is necessary to analyze impacts to identified surface water rights for the purpose of evaluating adverse effect, do you elect to answer non-mandatory questions 149 to 154 to provide information required for this extended analysis?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>a. If yes, go to question 149. This information will be used if an extended return flow analysis is necessary to analyze impacts to identified surface water rights for the purpose of evaluating adverse effect.</p>		
<p>b. If no, did you elect in question 1 for the Department to conduct technical analyses?</p> <ol style="list-style-type: none"> <li data-bbox="354 752 1685 931">If yes, do you elect for the Department to use publicly available water quantity data for the extended return flow analysis? If the extended return flow analysis is needed and sufficient publicly available water quantity data are not available, then the Department will not be able to conduct the extended analysis. You will still have to prove a lack of adverse effect from the proposed change. 	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<ol style="list-style-type: none"> <li data-bbox="354 931 1685 1044">If no, you may still include the extended return flow analysis with your technical analyses. The Department will include the extended analysis in its scientific credibility review of your technical analyses. You will still need to prove a lack of adverse effect from the proposed change. 		



GROUNDWATER

Applicable, move on to question 66. **Not Applicable**, skip to question 94.

The following questions are mandatory for changes to groundwater rights and must be filled out before the Preapplication Meeting Form is determined to be complete.

Groundwater Analysis for Changes

<u>Questions, Narrative Responses, and Tables</u>		<u>Check-boxes</u>	<u>Follow-Up</u>
66. Does the proposed change include a change in point of diversion?		<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, this section is complete; skip to question 77.			
b. If yes, a groundwater analysis for changes is required; answer questions specific to the groundwater diversion type.			
i. What is the groundwater diversion type? _____			<input type="checkbox"/> F
Well/Pumping Pit	Answer questions 67 to 72	Developed Spring	Answer question 73
			Pond
			Answer questions 74 to 76

Groundwater Analysis: Well/Pumping Pit

Applicable Not Applicable

67. Per ARM 36.12.121 a 24- or 72-hour aquifer test is required; do you propose not to conduct the test? An 8-hour test will be required, if no aquifer test is completed.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, explain. The Department will let you know if the request is reasonable and identify additional data needs. _____ _____ _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F



<p>68. Submit Aquifer Test Data Form (Form 633) for each <i>new</i> well/pumping pit that will be constructed prior to technical analyses or <i>existing</i> well/pumping pit that is added by the change. If an aquifer test was already conducted for an <i>existing</i> well/pumping pit, and you would like to use that instead of conducting a new aquifer test, describe this in question 67.a.</p> <p>If a variance is requested, Form 633 must be submitted on or before the Variance Request Deadline. If no variance is requested, Form 633 is due by the time the preapplication meeting form is complete but may be submitted earlier. However, if the Department determines a variance is needed and the Variance Request Deadline has passed, to submit the Form 653 you must reschedule the preapplication meeting or submit the application without expedited fees and timelines (ARM 36.12.1302(6)).</p>	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>69. Submit the Aquifer Testing Addendum (Form 600/606-ATA) and associated materials (e.g., well logs). If you request a variance, Form 600/606-ATA must be submitted on or before the Variance Request Deadline. If no variance is requested, Form 600/606-ATA is due by the time the preapplication meeting form is complete but may be submitted earlier. However, if the Department determines a variance is needed and the Variance Request Deadline has passed, to submit the Form 653 you must reschedule the preapplication meeting or submit the application without expedited fees and timelines (ARM 36.12.1302(6)).</p>	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>70. Are you requesting a variance from ARM 36.12.121? If you are unsure if a variance request will be needed, mark follow-up and answer this question once Form 600/606-ATA and Form 633 are complete. A variance must be requested by the Variance Request Deadline.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>a. If yes, submit Form 653, Form 600/606-ATA, and Form 633 together on or before the Variance Request Deadline.</p>	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>b. If no, you may choose to submit Form 600/606-ATA and Form 633 before the Variance Request Deadline, and the Department will review these two forms. If the Department determines a variance is needed after the Variance Request Deadline, to submit the Form 653 you must reschedule the preapplication meeting or submit the application without expedited fees and timelines (ARM 36.12.1302(6)).</p>		
<p>71. Have all the wells/pumping pits been constructed?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>a. If no,</p>		
<p>i. Submit a list of the POD IDs for all wells/pumping pits and mark whether they have or have not been constructed.</p>	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>ii. When will the proposed wells/pumping pits be constructed?</p> <hr/>		<input type="checkbox"/> F



iii. Is the requested volume for each proposed well/pumping pit known?							<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
1. If yes, list the flow rate and volume requested for each proposed well/pumping pit. Label with POD ID. _____ _____							<input type="checkbox"/> A	<input type="checkbox"/> F
2. If no, what is the total requested volume (AF) and the number of proposed PODs? _____							<input type="checkbox"/> F	
72. What is the flow rate (GPM or CFS), volume (AF), and period of diversion (MM/DD-MM/DD) required at each new well/pumping pit ("new") or existing well/pumping pit that is added by the change ("existing")? If the well/pumping pit is not yet constructed, use the estimated volume based on question 71.a.iii.2. What is the well/pumping pit depth (FT), if available, or estimated well/pumping pit depth (FT)? Label using the same POD ID number as the Proposed Use Map (question 9) and, if available, GWIC ID. List whether the POD is <i>new</i> or an <i>existing</i> well added by the change.							<input type="checkbox"/> A	<input type="checkbox"/> F
POD ID	GWIC ID (if available)	Flow Rate		Volume AF	Period of Diversion MM/DD-MM/DD	Depth FT	Measured or Estimated	New or Existing
		Flow	GPM					
		<input type="checkbox"/>	<input type="checkbox"/>					
		<input type="checkbox"/>	<input type="checkbox"/>					
		<input type="checkbox"/>	<input type="checkbox"/>					
		<input type="checkbox"/>	<input type="checkbox"/>					
		<input type="checkbox"/>	<input type="checkbox"/>					

Groundwater Analysis: Developed Spring

Applicable Not Applicable

73. Have you measured each <i>new</i> developed spring or <i>existing</i> developed spring that will be added by the change?							<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, submit the measurements to the Department and answer the following questions:							<input type="checkbox"/> S	<input type="checkbox"/> F
i. Do you have flow rate (GPM or CFS) and volume measurements?							<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
ii. With what method were measurements collected? _____							<input type="checkbox"/> A	<input type="checkbox"/> F



iii. What is the interval of measurements? _____		<input type="checkbox"/> F
iv. Is the interval of measurements sufficient to comply with the Department standard of monthly flow measurements taken at regular intervals or at department-approved intervals during the proposed period of diversion? _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
b. If no, or if measurements do not comply with the Department standard, answer the following questions. The Department cannot deem the preapplication meeting form adequately completed until the Department receives measurements that meet the Department standard.		
i. When do you plan to measure? _____	<input type="checkbox"/> A	<input type="checkbox"/> F
ii. With what method and at what interval will measurements be collected? _____	<input type="checkbox"/> A	<input type="checkbox"/> F

Groundwater Analysis: Pond

Applicable Not Applicable

74. Submit Form 653 to apply for a variance from ARM 36.12.121 for the Aquifer Test on or before the Variance Request Deadline.	<input type="checkbox"/> S	<input type="checkbox"/> F
75. Submit bathymetry data, survey, or engineering plans for each <i>new</i> pond added or <i>existing</i> pond added or modified by the proposed change. Label using the same POD ID number as the Proposed Use Map (question 9). List whether the pond is <i>new</i> or an <i>existing</i> pond.	<input type="checkbox"/> S	<input type="checkbox"/> F
76. Are any of the <i>new</i> ponds, or <i>existing</i> ponds added or modified by the proposed change the pond, fed or drained by surface water in addition to groundwater?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. Explain. _____	<input type="checkbox"/> A	<input type="checkbox"/> F
ii. Submit measurements of the connected surface water source. These may include inflow and outflow measurements.	<input type="checkbox"/> S	<input type="checkbox"/> F



Surface Water Depletion Analysis for Changes

<p>77. Does the proposed change include any of the following scenarios that necessitate a surface water depletion analysis pursuant to ARM 36.12.1303(5)(c)?</p> <ul style="list-style-type: none"> • Change in point of diversion • Change in place of use, purpose of use, or place of storage that result in a change in consumptive use or pumping schedule. <p>a. If no, this section is complete; skip to question 85.</p> <p>b. If yes, a surface water depletion analysis is required; answer questions specific to the groundwater diversion type.</p> <p>i. What is the groundwater diversion type? _____</p>				<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
Well/Pumping Pit	Answer questions 78 to 79	Developed Spring	Answer question 80	Pond	Answer questions 81 to 82

Surface Water Depletion Analysis: Well/Pumping Pit

Applicable Not Applicable

<p>78. Provide the following information for each well/pumping pit on the current version of the water rights proposed for change that will either remain on the water rights after the change ("unchanged") or will be retired ("retired"): flow rate (GPM or CFS), volume (AF), period of diversion required (MM/DD-MM/DD), well/pumping pit depth (FT) (if available, otherwise or estimated well/pumping pit depth (FT)), and whether it is <i>unchanged</i> or <i>retired</i>. Please use the same POD ID as the Historical Use Map (question 8) and, if available, provide the GWIC ID number.</p>							<input type="checkbox"/> A	<input type="checkbox"/> F
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POD ID	GWIC ID (if available)	Flow Rate			Volume AF	Period of Diversion MM/DD-MM/DD	Depth FT	Measured or Estimated	Unchanged or Retired
		<i>Flow Rate</i>	<i>GPM</i>	<i>CFS</i>					



79. Provide the pumping schedule for each well/pumping pit (<i>new, existing, unchanged, or retired</i>) for both <i>before</i> and <i>after</i> the proposed change. Use the same POD ID as the project maps. For <i>new</i> and <i>existing</i> wells/pumping pits, use the Proposed Use Map (question 9). For <i>unchanged</i> and <i>retired</i> wells/pumping pits use the Historical Use Map (question 8). Attach any additional pumping schedules using “ <i>Additional Pumping Schedule (606P)</i> ” sheet. For <i>retired</i> wells/pumping pits, mark “N/A” checkbox for after the change and for <i>new</i> wells/pumping pits, mark “N/A” checkbox for before the change. Mark the checkbox “Diverted volume/# of Days” if it is a year-round use and the pump schedule is an allocation of diverted volume by the number of days in the month. Mark the checkbox “80% dry year IWR” if it is an irrigation/lawn and garden use and the pump schedule is the 80% dry year net irrigation requirement (IWR, NRCS 2003).	<input type="checkbox"/> A	<input type="checkbox"/> F
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(Before) POD ID		(After) POD ID					
<input type="checkbox"/> Diverted volume/# of Days <input type="checkbox"/> 80% dry year IWR <input type="checkbox"/> N/A		<input type="checkbox"/> Diverted volume/# of Days <input type="checkbox"/> 80% dry year IWR <input type="checkbox"/> N/A					
Month	Volume (AF)	Month	Volume (AF)	Month	Volume (AF)	Month	Volume (AF)
January		July		January		July	
February		August		February		August	
March		September		March		September	
April		October		April		October	
May		November		May		November	
June		December		June		December	

Surface Water Depletion Analysis: Developed Spring

Applicable Not Applicable

80. Is the type of groundwater diversion for your proposed project a developed spring? If yes, skip to question 85 because no surface water depletion analysis will be necessary.	<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
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Surface Water Depletion Analysis: Pond

Applicable Not Applicable

81. Are there any ponds on the current version of the water rights proposed for change that will remain on the water rights unchanged ("unchanged") or will be retired ("retired")? If yes,	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. Did you skip questions 74 to 76 because there is no change in POD? If yes,	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. Submit Form 653 to apply for a variance from ARM 36.12.121 for the Aquifer Test on or before the Variance Request Deadline.	<input type="checkbox"/> S	<input type="checkbox"/> F
b. Submit bathymetry data, survey, or engineering plans for each <i>unchanged</i> pond or <i>retired</i> pond. Label the submittal with the POD ID and whether the pond is <i>unchanged</i> or <i>retired</i> .	<input type="checkbox"/> S	<input type="checkbox"/> F
c. Are any of the <i>unchanged</i> or <i>retired</i> ponds fed or drained by surface water, in addition to groundwater?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes,		
1. Explain. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
2. Submit measurements of the connected surface water source. These may include inflow and outflow measurements.	<input type="checkbox"/> S	<input type="checkbox"/> F



82. Provide the schedule of diversions for out-of-pond use for each pond (<i>new, existing, unchanged, or retired</i>) for both <i>before</i> and <i>after</i> the proposed change. Use the same POD ID as the project maps. For <i>new</i> and <i>existing</i> ponds, use the Proposed Use Map (question 9). For <i>unchanged</i> and <i>retired</i> ponds use the Historical Use Map (question 8). Attach any additional diversion schedules using the same format as the table below. For <i>retired</i> ponds, mark "N/A" checkbox for after the change and for <i>new</i> ponds, mark "N/A" checkbox for before the change. Mark the checkbox "Diverted volume/# of Days" if it is a year-round use and the diversion schedule is an allocation of diverted volume by the number of days in the month. Mark the checkbox "80% dry year IWR" if it is an irrigation or lawn and garden use and the diversion schedule is the 80% dry year net irrigation requirement (IWR, NRCS 2003).	<input type="checkbox"/> A	<input type="checkbox"/> F
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(Before) POD ID		(After) POD ID					
<input type="checkbox"/> Diverted volume/# of Days <input type="checkbox"/> 80% dry year IWR <input type="checkbox"/> N/A		<input type="checkbox"/> Diverted volume/# of Days <input type="checkbox"/> 80% dry year IWR <input type="checkbox"/> N/A					
Month	Divisions for Out-of-Pond Use Volume (AF)	Month	Divisions for Out-of-Pond Use Volume (AF)	Month	Divisions for Out-of-Pond Use Volume (AF)	Month	Divisions for Out-of-Pond Use Volume (AF)
January		July		January		July	
February		August		February		August	
March		September		March		September	
April		October		April		October	
May		November		May		November	
June		December		June		December	

Extended Surface Water Depletion Analysis

83. Based on the preliminary net depletion data provided by the Department at this preapplication meeting, what are the hydraulically connected surface water sources before and after the proposed change? *Net depletion data provided by the Department at the preapplication meeting are preliminary and are subject to change during the technical analyses. If the source or location of net depletion data changes during the technical analyses, then the extended surface water depletion analysis will reflect the technical analyses; this will not constitute a change of any element to the proposed application pursuant to ARM 36.12.1302(6)(a).	<input type="checkbox"/> A	<input type="checkbox"/> F
<hr/> <hr/> <hr/>		



84. If an extended surface water depletion analysis is necessary to analyze impacts to identified surface water rights for the purpose of evaluating adverse effect, do you elect to answer non-mandatory questions 157 to 161 to provide information required for this extended surface water depletion analysis?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, go to question 156. This information will be used if an extended surface water depletion analysis is necessary to analyze impacts to identified surface water rights for the purpose of evaluating adverse effect.		
b. If no, did you elect in question 1 for the Department to conduct technical analyses?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, do you elect for the Department to use publicly available water quantity data for the extended surface water depletion analysis? If this extended surface water depletion analysis is needed and sufficient publicly available water quantity data are not available, then the Department will not be able to conduct the extended surface water depletion analysis. You will still need to prove a lack of adverse effect from the proposed change.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
ii. If no, you may still include the extended surface water depletion analysis with your technical analyses. The Department will include the extended analysis in its scientific credibility review of your technical analyses. You will still need to prove a lack of adverse effect from the proposed change.		

Return Flow Analysis

85. Do the purposes of the water rights proposed for change include irrigation?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, does the proposed change include a change in place of use <i>and/or</i> a change in purpose? If you propose to retire acres in the historical place of use and/or add new acres outside the historical place of use, this constitutes a change in place of use.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, a return flow analysis is required. Move on to answer question 86.		
ii. If no, this section is complete, and you may skip to question 94.		
86. Does the proposed change include a change in purpose?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, consumptive use information is collected in the Change in Purpose section (questions 101 to 108), skip to question 87.		
b. If no, skip to question 87.		
87. Does the proposed change include a change in place of use? If yes, move on to question 88. If no, skip to question 91.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F

88. Submit a map showing the new, unchanged historical, and retired historical places of use. Create map on an aerial photograph or topographic map that shows the following: section corners, township and range, scale bar, and north arrow. If you have shapefiles associated with this map, in addition to submitting an image of the map, please submit electronic copies of the shapefiles to the Department.	<input type="checkbox"/> S	<input type="checkbox"/> F
89. How many acres, if any, will be retired from the historical place of use? _____		<input type="checkbox"/> F
90. Are irrigated acres proposed that are outside the historical place of use? _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes,		
i. How many acres? _____		<input type="checkbox"/> F
ii. What is the proposed irrigation method type (e.g., flood or sprinkler) and subtype (e.g., level border, graded border, furrow, contour ditch, wild flood, center pivot, or wheel line) for the new acres? _____	<input type="checkbox"/> A	<input type="checkbox"/> F
iii. What is the slope (%) of the new place of use? _____		<input type="checkbox"/> F
iv. Based on question 90.a.ii to 90.a.iii, what is the percent efficiency of irrigation for the new acres? _____		<input type="checkbox"/> F
v. What is the County Management Factor for the new acres? _____		<input type="checkbox"/> F
vi. What is the ET based on the irrigation method and county for the new acres? _____		<input type="checkbox"/> F
vii. What percent of applied water are irrecoverable losses for new acres? _____		<input type="checkbox"/> F
91. Do you have information for the Department to consider about the source and location where return flows historically accrued? _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If yes, submit this information to the Department.	<input type="checkbox"/> S	<input type="checkbox"/> F



Extended Return Flow Analysis

<p>92. Based on the preliminary data provided by the Department at this preapplication meeting, to what surface water sources do return flows accrue before and after the proposed change? <i>*Return flow data provided by the Department at the preapplication meeting are preliminary and are subject to change during technical analyses. If the source or location of return flow data changes during technical analyses, then the analysis of impacts to identified surface water rights will reflect the technical analyses; this will not constitute a change of any element to the proposed application pursuant to ARM 36.12.1302(6)(a).</i></p> <hr/> <hr/>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>93. If an extended return flow analysis is necessary to analyze impacts to identified surface water rights for the purpose of evaluating adverse effect, do you elect to answer non-mandatory questions 149 to 155 to provide information required for this extended analysis?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>a. If yes, go to question 149. This information will be used if an extended return flow analysis is necessary to analyze impacts to identified surface water rights for the purpose of evaluating adverse effect.</p>		
<p>b. If no, did you elect in question 1 for the Department to conduct technical analyses?</p> <p>i. If yes, do you elect for the Department to use publicly available water quantity data for the extended return flow analysis? If the extended return flow analysis is needed and sufficient publicly available water quantity data are not available, then the Department will not be able to conduct the extended analysis. You will still have to prove a lack of adverse effect from the proposed change.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>ii. If no, you may still include the extended return flow analysis with your technical analyses. The Department will include the extended analysis in its scientific credibility review of your technical analyses. You will still need to prove a lack of adverse effect from the proposed change.</p>		



Mandatory Project-Specific Questions

The following questions are mandatory when applicable and must be filled out before the Preapplication Meeting Form is determined to be complete.

Temporary Change

<u>Questions, Narrative Responses, and Tables</u>	<u>Check-boxes</u>	<u>Follow-Up</u>
94. Does the proposal include a temporary change? <i>This includes proposing to add a place of use on State of Montana Trust Land, with all points of diversion on private land, because the change authorization will be temporary for the duration of the lease term.</i> If yes, answer the questions in this section (questions 95 to 100). If no, this section is complete; skip to question 100.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
95. What elements of the water rights are being temporarily changed? _____		<input type="checkbox"/> F
96. For what purpose will the water rights be temporarily used? _____		<input type="checkbox"/> F
97. For how many years will the water rights be temporarily changed? _____		<input type="checkbox"/> F
98. Will the temporary change be intermittent over the years? a. If yes, explain. _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
99. Is the quantity of water subject to the temporary change being made available from the development of a new water conservation or storage project? a. If yes, explain the water conservation or storage project. _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
100. If you are answering Project-Specific Questions as they are referenced in Application Details, return to question 17 if you are proposing to add a place of use on State of Montana Trust Land and question 20.a.ii if you are proposing a temporary change that does not involve State of Montana Trust Land. If you are answering in consecutive order, go to question 101.		



Change in Purpose

101. Does the project involve a change in purpose? If yes, answer the questions in this section (questions 102 to 108). If no, this section is complete; skip to question 108.							<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
102. Identify the new and unchanged purposes, flow rate (GPM or CFS), volume (AF), period of diversion, and period of use (MM/DD-MM/DD) for each purpose.							<input type="checkbox"/> A	<input type="checkbox"/> F	
Purpose	New or Unchanged?	Period of Diversion	Period of Use	Flow Rate			Volume		
		(MM/DD-MM/DD)	(MM/DD-MM/DD)	Flow Rate	GPM	CFS	(AF)		
				<input type="checkbox"/>	<input type="checkbox"/>				
				<input type="checkbox"/>	<input type="checkbox"/>				
				<input type="checkbox"/>	<input type="checkbox"/>				
				<input type="checkbox"/>	<input type="checkbox"/>				
				<input type="checkbox"/>	<input type="checkbox"/>				
Total				<input type="checkbox"/>	<input type="checkbox"/>				

103. Answer the questions specific to each new and unchanged purpose identified in question 102.							
Lawn and garden	Question 104	Stock	Question 105	Domestic and multiple domestic	Question 106	Other purpose	Question 107

104. Lawn and garden						
a. Will consumptive use be based on the standard of 2.5 acre-feet per acre or a calculated volume based on Irrigation Water Requirements for turf grass?						
i. If yes, which standard? _____						
ii. If no, describe how consumptive use will be estimated. This must be based on expert analysis. _____ _____						
105. Stock						
a. How many animal units will be served? _____						



106. Domestic and multiple domestic		
a. How many households will be served? _____		<input type="checkbox"/> F
b. Will the Department standard of 1 acre-foot per household be used to determine consumptive use?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If no, what standard will be used? _____	<input type="checkbox"/> A	<input type="checkbox"/> F
c. Will the proposed use include wastewater disposal and treatment?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, which of the following best describes the wastewater disposal and treatment system? Individual drain fields, central treatment facility with minimal consumption, or evaporation basin or land application? _____		<input type="checkbox"/> F
107. Other purpose		
a. What is the other purpose (e.g., municipal, commercial)? _____		<input type="checkbox"/> F
b. What is the percentage of consumption for the proposed use? Please explain. _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
108. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 14 and if you are answering in consecutive order, go to question 109.		

Ditch-Specific Questions

Applications corroborating historical diverted volume with the Historical Use Addendum (Form 606-HUA) may be eligible to skip one or more questions in this section; see the Form 606-HUA for more information.

109. Does the historical use of water include at least one conveyance ditch? If yes, answer questions 110 to 111. If no, skip to question 112.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
110. Submit a Historical Use Ditch Map that shows every ditch conveying water for the historical use of all water rights proposed for change. Label the ditch names, PODs, the POUs, and the ditch measurement locations (requested in question 111.d). The map should be created on a historical image or topographic map with the following: section corners, township and range, scale bar, and north arrow.	<input type="checkbox"/> S	<input type="checkbox"/> F



111. Answer question 111.a to 111.h one time for each historical conveyance ditch. If there is more than one historical conveyance ditch, use an "Additional Historical Ditch (606P)" sheet for each additional ditch.			
a. What is the ditch name?			<input type="checkbox"/> F
b. List the water rights proposed for change that were conveyed by the ditch.			<input type="checkbox"/> F
c. What is the distance water was historically carried by the conveyance ditch? Only include segments between the POD and start of the POU; do not include segments within the POU.		<input type="checkbox"/> A	<input type="checkbox"/> F
d. Provide at least one set of ditch measurements, which include width (FT), depth (FT), and slope (%). Discuss ditch characteristics with DNRC to determine the minimum number of ditch measurements. Include the location of each measurement, labeled with the 2-digit measurement ID number, used on the map submitted for question 110.		<input type="checkbox"/> S	<input type="checkbox"/> F

ID #	Width (FT)	Depth (FT)	Slope (%)	Date of Measurement

e. What is a reasonable Manning's n value? List the factors used for estimation. If you do not know this value, please work through estimation with the Department.		<input type="checkbox"/> A	<input type="checkbox"/> F
f. What type of soils compose the historical conveyance ditch? For lined ditches, write "lined" instead.		<input type="checkbox"/> A	<input type="checkbox"/> F



g. Are other water rights conveyed by the historical conveyance ditch?		<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F	
i. If yes,					
1. List the water right numbers and their flow rates.				<input type="checkbox"/> A	<input type="checkbox"/> F
2. What is the sum of the flow rates, including the water rights proposed for change?				<input type="checkbox"/> A	<input type="checkbox"/> F
3. Submit a map with your best estimate of the historical POUs for the other water rights conveyed by the historical conveyance ditch. Include only POUs between the historical POD and your historical POU. If you do not know this information, the Department can help you create the map. The map should be created on an aerial photograph or topographic map and show the following: section corners, township and range, scale bar, and north arrow.				<input type="checkbox"/> S	<input type="checkbox"/> F
h. Were any water rights proposed for change part of one historical water right that was split?				<input type="checkbox"/> Y	<input type="checkbox"/> N
i. If yes, were all split water rights split in such a way to ensure each post-split water right could stand alone and not be reliant on the others for carriage water?				<input type="checkbox"/> Y	<input type="checkbox"/> N
1. If no, do any of the water rights proposed for change have a carriage water requirement?				<input type="checkbox"/> Y	<input type="checkbox"/> N
a. If yes,					
i. List the water rights with a carriage water requirement					
ii. Update your Historical Use Ditch Map (question 110) to label the ditch segments where a carriage water requirement exists for a water right proposed for change. Also, use your best estimate to label the POUs for all water rights included in the carriage water requirement. If you do not know this information, the Department can help you update the map.				<input type="checkbox"/> S	<input type="checkbox"/> F
112. Does the proposed use include at least one existing or new conveyance ditch? If yes, answer questions 113 to 114. If no, or if you answered these questions earlier in the preapplication meeting, this section is complete; skip to question 115.				<input type="checkbox"/> Y	<input type="checkbox"/> N



113. Submit a Proposed Use Ditch Map that shows every ditch conveying the water rights proposed for change, including any unchanged portions. Label all unchanged and proposed PODs, all unchanged and proposed POUs, and additional ditch measurement locations (requested in question 114.e). The map should be created on an aerial photograph or topographic map with the following: section corners, township and range, scale bar, and north arrow.	<input type="checkbox"/> S	<input type="checkbox"/> F		
114. Answer the questions 114.a to 114.i one time for each proposed use conveyance ditch. Use an "Additional Proposed Use Ditch (606P)" sheet for each additional ditch.				
a. What is the ditch name? <hr/>		<input type="checkbox"/> F		
b. Is this ditch a historical conveyance ditch detailed in questions 110 to 111? i. If yes, have any of the following details changed, to the best of your knowledge, from historical conditions: ditch length, distance water conveyed, ditch lining, or water rights conveyed by the ditch? 1. If yes, answer questions 114.c to 114.i using current data. 2. If no, do not answer questions 114.c to 114.i for this ditch because the information remains unchanged. Move on to the next proposed use conveyance ditch, or if none remain, skip to question 115.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F		
c. List the water rights proposed for change that are going to be conveyed by the ditch. <hr/>		<input type="checkbox"/> F		
d. What is the distance water will be carried by the conveyance ditch? Only include segments between the POD and start of the POU; do not include segments within the POU. <hr/> <hr/>	<input type="checkbox"/> A	<input type="checkbox"/> F		
e. Provide at least one set of ditch measurements, which include width (FT), depth (FT), and slope (%). Discuss ditch characteristics with DNRC to determine the minimum number of ditch measurements. Include the location of each measurement, labeled with the 2-digit measurement ID number, used on the map submitted for question 113.	<input type="checkbox"/> S	<input type="checkbox"/> F		
ID #	Width (FT)	Depth (FT)	Slope (%)	Date of Measurement



<p>f. What is a reasonable Manning's n value? List the factors used for estimation. If you do not know this value, please work through estimation with the Department.</p> <hr/> <hr/>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>g. What type of soils compose the proposed conveyance ditch? For lined ditches, write "lined" instead.</p> <hr/> <hr/>	<input type="checkbox"/> A	<input type="checkbox"/> F
<p>h. Are other water rights conveyed by the proposed conveyance ditch?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>i. If yes,</p> <ol style="list-style-type: none"> <li data-bbox="439 523 1132 556">1. List the water right numbers and their flow rates. <hr/> <hr/> <hr/>	<input type="checkbox"/> A	<input type="checkbox"/> F
<ol style="list-style-type: none"> <li data-bbox="439 687 1554 719">2. What is the sum of the flow rates, including the water rights proposed for change? <hr/>	<input type="checkbox"/> A	<input type="checkbox"/> F
<ol style="list-style-type: none"> <li data-bbox="439 768 1670 964">3. Submit a map with your best estimate of the location of current POUs for the other water rights conveyed by the proposed conveyance ditch. Include only POUs between the POD and your proposed POU. If you do not know this information, the Department can help you create the map. The map should be created on an aerial photograph or topographic map and show the following: section corners, township and range, scale bar, and north arrow. 	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>i. Were any water right(s) proposed for change identified as having a carriage water requirement in question 111.h.i.1.a.i?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
<p>i. If yes, update your Proposed Use Ditch Map (question 113) to label the ditch segments where a carriage water requirement exists for a water right proposed for change. Also, use your best estimate to label the POUs for all water rights included in the carriage water requirement. If you do not know this information, the Department can help you update the map.</p>	<input type="checkbox"/> S	<input type="checkbox"/> F
<p>115. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 15 and if you are answering in consecutive order, go to question 116.</p>		



Change in Place of Storage

116. Does the project involve a change in place of storage? If yes, answer the questions in this section (questions 117 to 122) for each individual place of storage. Use an "Additional Place of Storage (606P)" sheet for additional places of storage. If no, this section is complete; skip to question 123.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
117. Is this application to add a new place of storage or change an existing place of storage? _____		<input type="checkbox"/> F
a. If application is to change an existing place of storage, list the water rights that include the place of storage and a short description of the proposed change. _____	<input type="checkbox"/> A	<input type="checkbox"/> F
118. Is the place of storage located on-stream? a. If no, describe any losses related to conveyance that are not detailed in "Ditch-Specific Questions." _____	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
119. What is the proposed capacity of the place of storage? Use bathymetry data, survey, or engineering plans for capacity. Submit the data source used with this form. In lieu of these data sources, use the following equation: <i>Surface Acres x Maximum Depth (ft) x 0.5 = Capacity (AF)</i> _____	<input type="checkbox"/> S	<input type="checkbox"/> F
120. What is the proposed surface area of the place of storage? _____	<input type="checkbox"/> A	<input type="checkbox"/> F
121. What is the annual net evaporation of water from the place of storage based on the Department's gridded net evaporation layer? If you propose a different method, attach an explanation and justification of the method. _____	A	<input type="checkbox"/> F
122. Will the place of storage be lined?	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
123. If you are answering Project-Specific Questions as they are referenced in Application Details, return to question 16 and if you are answering in consecutive order, go to question 109.		



Mitigation, Aquifer Recharge, and Marketing for Mitigation/Aquifer Recharge

124. Does your application include one of the following purposes? If no, this section is complete; skip to question 129.							<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
a. Mitigation water. If yes, answer question 125 and 126.							<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
b. Aquifer recharge water. If yes, answer question 125 and 127.							<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
c. Marketing for mitigation/aquifer recharge. If yes, answer question 128.							<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
125. Mitigation Water and Aquifer Recharge Water									
a. Identify the water right(s) for which the mitigation/aquifer recharge water will be used. _____							<input type="checkbox"/> A	<input type="checkbox"/> F	
b. Identify the application or preapplication number where these water rights were identified as needing mitigation or aquifer recharge to meet the adverse effect criterion. _____							<input type="checkbox"/> A	<input type="checkbox"/> F	
c. What is the timing, flow rate, and volume of net depletions identified as needing mitigation or aquifer recharge to meet the adverse effect criterion?							<input type="checkbox"/> A	<input type="checkbox"/> F	

Month	Days	Flow Rate			Volume AF	Month	Days	Flow Rate			Volume AF
		Flow	GPM	CFS				Flow	GPM	CFS	
January		<input type="checkbox"/>	<input type="checkbox"/>			July		<input type="checkbox"/>	<input type="checkbox"/>		
February		<input type="checkbox"/>	<input type="checkbox"/>			August		<input type="checkbox"/>	<input type="checkbox"/>		
March		<input type="checkbox"/>	<input type="checkbox"/>			September		<input type="checkbox"/>	<input type="checkbox"/>		
April		<input type="checkbox"/>	<input type="checkbox"/>			October		<input type="checkbox"/>	<input type="checkbox"/>		
May		<input type="checkbox"/>	<input type="checkbox"/>			November		<input type="checkbox"/>	<input type="checkbox"/>		
June		<input type="checkbox"/>	<input type="checkbox"/>			December		<input type="checkbox"/>	<input type="checkbox"/>		



d. Will other water contribute to the need for mitigation or aquifer recharge water? This may include water rights with a mitigation or aquifer recharge purpose, marketing for mitigation contracts, or mitigation water secured via other types of contracts.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes, describe the origin of this water and in the table below, list how much it will contribute. _____	<input type="checkbox"/> A	<input type="checkbox"/> F

Month	Days	Flow Rate			Volume AF	Month	Days	Flow Rate			Volume AF
		Flow	GPM	CFS				Flow	GPM	CFS	
January		<input type="checkbox"/>	<input type="checkbox"/>			July		<input type="checkbox"/>	<input type="checkbox"/>		
February		<input type="checkbox"/>	<input type="checkbox"/>			August		<input type="checkbox"/>	<input type="checkbox"/>		
March		<input type="checkbox"/>	<input type="checkbox"/>			September		<input type="checkbox"/>	<input type="checkbox"/>		
April		<input type="checkbox"/>	<input type="checkbox"/>			October		<input type="checkbox"/>	<input type="checkbox"/>		
May		<input type="checkbox"/>	<input type="checkbox"/>			November		<input type="checkbox"/>	<input type="checkbox"/>		
June		<input type="checkbox"/>	<input type="checkbox"/>			December		<input type="checkbox"/>	<input type="checkbox"/>		

126. Mitigation Water		
a. What is legal land description (1/4 1/4 1/4 section of start and end) and length (ft) of the mitigation reach? _____	<input type="checkbox"/> A	<input type="checkbox"/> F
b. By what means will mitigation water be made available? You must submit a copy of all relevant discharge permits at application submittal (§85-2-364, MCA). _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
127. Aquifer Recharge Water		
a. What is the legal land description (1/4 1/4 1/4 section) of the start of net depletions for which the aquifer recharge water will be used? _____	<input type="checkbox"/> A	<input type="checkbox"/> F



b. What is the volume of net depletions that will be offset by the aquifer recharge water? <i>The volume of aquifer recharge water injected may not equal the volume of net depletions.</i>	<input type="checkbox"/> A	<input type="checkbox"/> F
<hr/> <hr/> <hr/> <hr/>		
c. Describe the method of aquifer recharge. Include, if available, a preliminary design. You must submit a copy of all relevant discharge permits at application submittal (§85-2-364, MCA).	<input type="checkbox"/> A	<input type="checkbox"/> F
<hr/> <hr/> <hr/> <hr/>		
d. Describe any constraints on the aquifer recharge schedule, such as priority date limitations.	<input type="checkbox"/> A	<input type="checkbox"/> F
<hr/> <hr/>		
e. What is the proposed area or location of aquifer recharge? <i>The location is subject to refinement during technical analyses; this will not constitute a change of any element to the proposed application pursuant to ARM 36.12.1302(6)(a).</i>	<input type="checkbox"/> A	<input type="checkbox"/> F
<hr/> <hr/> <hr/>		
128. Marketing for Mitigation/Aquifer Recharge		
a. What is the proposed location of the reach where water is to be marketed ($\frac{1}{4}$ $\frac{1}{4}$ $\frac{1}{4}$ section of the start and the end of the reach)?	<input type="checkbox"/> A	<input type="checkbox"/> F
<hr/>		
b. Is this marketing for mitigation	<input type="checkbox"/> Y	<input type="checkbox"/> N
i. If yes, by what means will water be made available?	<input type="checkbox"/> A	<input type="checkbox"/> F
<hr/> <hr/> <hr/>		



c. Is this marketing for aquifer recharge?		<input type="checkbox"/> Y	<input type="checkbox"/> N	<input type="checkbox"/> F
i. If yes,				
1. Describe the method of aquifer recharge. Include, if available, a preliminary design. You must submit a copy of all relevant discharge permits at application submittal (§85-2-364, MCA).		<input type="checkbox"/> A	<input type="checkbox"/> F	
<hr/> <hr/> <hr/> <hr/>				
2. What is the volume of water that will be used for aquifer recharge?		<input type="checkbox"/> A	<input type="checkbox"/> F	
<hr/> <hr/>				
3. Describe any constraints on the aquifer recharge schedule, such as priority date limitations.		<input type="checkbox"/> A	<input type="checkbox"/> F	
<hr/> <hr/>				
4. What is the proposed area or location of aquifer recharge? <i>The location is subject to refinement during technical analyses; this will not constitute a change of any element to the proposed application pursuant to ARM 36.12.1302(6)(a).</i>		<input type="checkbox"/> A	<input type="checkbox"/> F	
<hr/> <hr/> <hr/>				
d. Describe your ability to measure and operate all existing diversions to adjust flow rate as water is sold or leased.		<input type="checkbox"/> A	<input type="checkbox"/> F	
<hr/> <hr/> <hr/>				



e. How will you cease diversions for the existing beneficial use as water is sold or leased? <hr/> <hr/> <hr/>	<input type="checkbox"/> A	<input type="checkbox"/> F
129. If you are answering Project-Specific Questions as they are referenced in Application Details, return to question 25 and if you are answering in consecutive order, go to question 130.		

Instream Flow

130. Does the project involve an instream flow change? If yes, answer the questions in this section (questions 131 to 136). If no, this section is complete; skip to question 136.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
131. What is the source name where streamflow will be maintained or enhanced? <hr/>		<input type="checkbox"/> F
132. What is the location (1/4 1/4 1/4 section of start and end of reach) and length (FT) of the protected reach? <hr/>	<input type="checkbox"/> A	<input type="checkbox"/> F
133. Describe the way the streamflow is to be maintained or enhanced. <hr/> <hr/>	<input type="checkbox"/> A	<input type="checkbox"/> F
134. Do you propose to retire all water use associated with the historical purposes throughout the entire period of use? This includes conveyance loss associated with historical ditches.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
a. If no, describe the proposed change to existing purposes, including flow rate, volume, and, if applicable, acres. <hr/> <hr/> <hr/> <hr/>	<input type="checkbox"/> A	<input type="checkbox"/> F
135. Do historical and proposed return flows accrete to the source of supply? The Department provides an initial estimate of the source(s) that historical and proposed returns flows accrete to at the preapplication meeting.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F



136. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 27 and if you are answering in consecutive order, go to question 137.		
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Salvage Water

137. Does this project involve salvage water? Salvage water does not include destroying phreatophytes, removing vegetation, converting to a less consumptive crop, or converting to a partial irrigation schedule. If yes, answer the questions in this section (questions 138 to 141). If no, this section is complete; skip to question 141.	<input type="checkbox"/> Y <input type="checkbox"/> N	<input type="checkbox"/> F
138. What water saving method was implemented? This may include lining an unlined ditch or canal, converting unlined ditch or canal to pipeline, converting high profile or high-pressure sprinklers to low pressure, and others. _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
139. How much water was salvaged from implementation of the water saving method? Include flow rate (GPM or CFS) and volume (AF). _____		<input type="checkbox"/> F
140. How did you determine the amount of water salvaged? _____ _____ _____	<input type="checkbox"/> A	<input type="checkbox"/> F
141. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 28 and if you are answering in consecutive order, go to question 142.		



Non-Mandatory Questions for Criteria Analysis

The following questions are not mandatory. They should be discussed in the Preapplication Meeting, but do not need to be filled out before the Preapplication Meeting Form is determined to be complete.

Adverse Effect

<u>Questions, Narrative Responses, and Tables</u>	<u>Check-boxes</u>
142. Describe your plan to ensure that existing water rights will be satisfied during times of water shortage. <hr/> <hr/> <hr/>	<input type="checkbox"/> A
143. Explain how you can control your diversion in response to call being made. <hr/> <hr/> <hr/>	<input type="checkbox"/> A
144. Are you aware of any calls that have been made on any source of supply or depleted surface water source? a. If yes, explain. <hr/> <hr/>	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> A
145. Does a water commissioner distribute water or oversee water distribution on your proposed source or depleted surface water source? a. If yes, list the sources and explain. <hr/> <hr/>	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> A
146. Describe how the change will or will not affect your ability to make call. <hr/> <hr/>	<input type="checkbox"/> A



147. When was the last time each water right proposed for change was appropriated and used beneficially? If there has been a period of nonuse, answer questions 147.a to 147.d.	
a. Why was the water right not used?	<input type="checkbox"/> A
b. Why will a resumption of use not adversely affect other water users?	<input type="checkbox"/> A
c. Is the period of nonuse greater than 10 years for any of the water rights proposed for change? If yes, list which water rights.	<input type="checkbox"/> Y <input type="checkbox"/> N
d. Have water rights been authorized to use the source during the period of nonuse for any of the water rights proposed for change? If yes, explain.	<input type="checkbox"/> Y <input type="checkbox"/> N
148. Is this a point of diversion change?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes,	
i. Are the proposed points of diversion upstream or downstream of the historical points of diversion?	
ii. Are there intervening water users between the historical and proposed points of diversion?	<input type="checkbox"/> Y <input type="checkbox"/> N
1. If yes, list the water rights.	<input type="checkbox"/> A



iii. Will any new points of diversion or conveyance infrastructure be shared with one or more existing water rights?	<input type="checkbox"/> Y <input type="checkbox"/> N
1. If yes, describe how capacity of the new shared point of diversion and/or conveyance infrastructure is sufficient for all water rights.	<input type="checkbox"/> A

Adverse Effect: Evaluation of Impacts to Identified Surface Water Rights for Return Flow Analysis

149. Respond to questions in this section if you elected in questions 65 or 93 to answer optional questions 150 to 154. Answer one time for each surface water source receiving return flows. Use "Additional Return Flow Source (606P)" sheet if there is more than one source. If you did not elect to answer these questions or answered these questions earlier in the preapplication meeting, this section is complete; skip to question 155.	
150. What is the surface water source for which you are answering questions 151 to 154?	
151. Are stream gage data available?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, answer question 152.	
b. If no, answer question 153.	
152. Stream gage data are available	
a. Is one stream gage located above, and one stream gage located below the location where return flows accrue?	<input type="checkbox"/> Y <input type="checkbox"/> N
i. If no, is only one stream gage located near the location where return flows accrue?	<input type="checkbox"/> Y <input type="checkbox"/> N
1. If yes, is the stream gage upstream or downstream? _____	
b. List the gage name(s). Write "N/A" for Gage 2 if one gage available.	
Gage 1: _____	
Gage 2: _____	



<p>c. What is the distance between the gage(s) and the location where return flows accrue? Write "N/A" for Gage 2 if one gage available.</p> <p>Gage 1: _____</p> <p>Gage 2: _____</p>	
<p>d. Is there a limiting or controlling factor on the source between the stream gage(s) and the location where return flows accrue? This includes dams that control the flow and streams with large gaining and/or losing reaches.</p> <p>i. If yes, explain.</p> <p>_____</p> <p>_____</p>	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> A
<p>e. How long is the period of record? Write "N/A" for Gage 2 if one gage is available.</p> <p>Gage 1: _____</p> <p>Gage 2: _____</p>	
<p>f. Who operates and maintains the gage(s)? Write "N/A" for Gage 2 if one gage is available.</p> <p>Gage 1: _____</p> <p>Gage 2: _____</p>	
<p>g. Is each available stream gage operated and maintained by USGS or DNRC?</p> <p>i. If yes, skip to question 152.h.</p> <p>ii. If no, answer the following questions for each gage not operated and maintained by USGS or DNRC.</p> <p>1. How frequently are stage data recorded? Write "N/A" for Gage 2 if only one gage is not operated or maintained by USGS.</p> <p>Gage 1: _____</p> <p>Gage 2: _____</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>2. If data gaps were to occur, are they identified and left unfilled or estimated using interpolation, ice correction, or indirect discharge measurements methods?</p> <p>a. Gage 1.</p> <p>b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____</p>	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N



3. Was the rating curve established and maintained throughout the duration of the period of record using measurements taken near the reference gage and stage recorder according to USGS protocols?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. Gage 1.	<input type="checkbox"/> Y <input type="checkbox"/> N
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____	<input type="checkbox"/> Y <input type="checkbox"/> N
4. Were there requirements for maintaining a permanent gage datum and meeting specified accuracy limits?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. Gage 1.	<input type="checkbox"/> Y <input type="checkbox"/> N
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____	<input type="checkbox"/> Y <input type="checkbox"/> N
h. Do the data for one or more available stream gages meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months when return flows accrue?	<input type="checkbox"/> Y <input type="checkbox"/> N
i. If yes, record how many meet the standard, then skip to question 155 because this section is complete. _____	
ii. If no, answer question 153.	
153. If no gage data are available or if available gage data do not meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months when return flows accrue, is the source otherwise measured?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If no, measurements may be necessary. The Department cannot deem the preapplication meeting form adequately completed until the Department receives gage data and/or measurements that meet the Department's measurement standards or, in combination with an approved request to deviate from the Department's standards, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria. Skip to question 154.	
b. If yes,	
i. Submit measurements to the Department.	<input type="checkbox"/> S
ii. Who collected the measurements? _____	<input type="checkbox"/> A



iii. With what method were the data collected?	<input type="checkbox"/> A
<hr/> <hr/>	
iv. What is the period of record?	
<hr/>	
v. What is the frequency of measurement?	
<hr/>	
vi. Are there gaps in the data?	<input type="checkbox"/> Y <input type="checkbox"/> N
1. If yes, what is the nature of the gaps and how are gaps handled to ensure data quality?	<input type="checkbox"/> A
<hr/> <hr/>	
vii. Is there a process for maintaining the data and meeting specified accuracy limits?	<input type="checkbox"/> Y <input type="checkbox"/> N
1. If yes, explain.	
<hr/> <hr/>	
viii. Do available measurement data meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months when return flows accrue?	<input type="checkbox"/> Y <input type="checkbox"/> N
1. If yes, this section is complete. Skip to question 155.	
2. If no, answer question 154.	
154. Do the available measurement data, gage and/or otherwise measured, meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes,	
i. Describe how the measurements are representative of high, moderate, and low flows.	<input type="checkbox"/> A
<hr/> <hr/>	
<hr/> <hr/>	



<p>ii. Describe the estimation technique.</p> <hr/> <hr/> <hr/> <hr/>	<input type="checkbox"/> A
<p>b. If no, but a Department-accepted estimation technique will be appropriate for the source receiving return flows:</p> <p>i. Will measurements be collected prior to submission of a completed Form 606P-B that meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>1. If yes,</p>	<input type="checkbox"/> A
<p>a. With what method will the data be collected?</p> <hr/> <hr/>	<input type="checkbox"/> A
<p>b. What will be the interval of measurement?</p> <hr/>	
<p>c. Describe the proposed estimation technique.</p> <hr/> <hr/> <hr/>	A
<p>2. If no, do you plan on requesting to deviate from the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique? Neither the Department's technical analyses nor scientific credibility review of your technical analyses can commence until the Department receives measurements that meet Department measurement standards, or in combination with an approved request for variance from these standards, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N



c. If no, because no Department-accepted estimation technique will be appropriate for the source receiving return flows:	
i. Describe why no Department-accepted estimation technique is appropriate for the source characteristics. <hr/> <hr/> <hr/>	<input type="checkbox"/> A
ii. Do the available measurement data, gage and/or otherwise measured, meet the Department's standard for monthly measurements throughout the months when return flows accrue?	<input type="checkbox"/> Y <input type="checkbox"/> N
1. If no, will measurements be collected prior to submission of a completed Form 606P that meet the Department's standard of monthly measurements throughout the months when return flows accrue?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, with what method will the data be collected? <hr/> <hr/>	<input type="checkbox"/> A
b. If no, do you plan on requesting a variance to deviate from the Department's standard for monthly measurements throughout the months when return flows accrue? The Department's technical analyses or scientific credibility review of your technical analyses cannot commence until the Department receives measurements that meet Department measurement standards, or in combination with a request for a variance from these standards are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria.	<input type="checkbox"/> Y <input type="checkbox"/> N
155. If you went straight to this section when referenced, go back to question 65 for surface water changes and question 93 for groundwater changes. If you waited to answer in consecutive order and have completed all prior sections, move to question 156.	

Adverse Effect: Evaluation of Impacts to Identified Water Rights for Surface Water Depletion Analysis

156. Respond to questions in this section if you elected in question 84 to answer optional questions 157 to 161. Answer one time for each hydraulically connected source. Use "Additional Hydraulically Connected Source (606P)" sheet if there is more than one source. If you did not elect to answer these questions or answered these questions earlier in the preapplication meeting, this section is complete; skip to question 162.	
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157. What is the surface water source for which you are answering questions 158 to 161?	
158. Are stream gage data available?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, answer question 159.	
b. If no, answer question 160.	
159. Stream gage data are available	
a. Is one stream gage located above and one stream gage located below the point of net depletion accumulation?	<input type="checkbox"/> Y <input type="checkbox"/> N
i. If no, is only one stream gage located near the point of net depletion accumulation?	<input type="checkbox"/> Y <input type="checkbox"/> N
1. If yes, is the stream gage upstream or downstream? _____	
b. List the gage name(s). Write "N/A" for Gage 2 if one gage available.	
Gage 1: _____	
Gage 2: _____	
c. What is the distance between the gage(s) and the point of net depletion accumulation? Write "N/A" for Gage 2 if one gage available.	
Gage 1: _____	
Gage 2: _____	
d. Is there a limiting or controlling factor on the source between the stream gage(s) and the point where net depletions accrue? This includes dams that control the flow and streams with large gaining and/or losing reaches.	<input type="checkbox"/> Y <input type="checkbox"/> N
i. If yes, explain. _____ _____	<input type="checkbox"/> A
e. How long is the period of record? Write "N/A" for Gage 2 if one gage is available.	
Gage 1: _____	
Gage 2: _____	



<p>f. Who operates and maintains the gage(s)? Write "N/A" for Gage 2 if one gage is available.</p> <p>Gage 1: _____</p> <p>Gage 2: _____</p>	
<p>g. Is each available stream gage operated and maintained by USGS or DNRC?</p> <p>i. If yes, skip to question 159.h.</p> <p>ii. If no, answer the following questions for each gage not operated and maintained by USGS or DNRC.</p> <p>1. How frequently are stage data recorded? Write "N/A" for Gage 2 if only one gage is not operated or maintained by USGS.</p> <p>Gage 1: _____</p> <p>Gage 2: _____</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>2. If data gaps were to occur, are they identified and left unfilled or estimated using interpolation, ice correction, or indirect discharge measurements methods?</p> <p>a. Gage 1. _____</p> <p>b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>3. Was the rating curve established and maintained throughout the duration of the period of record using measurements taken near the reference gage and stage recorder according to USGS protocols?</p> <p>a. Gage 1. _____</p> <p>b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>4. Were there requirements for maintaining a permanent gage datum and meeting specified accuracy limits?</p> <p>a. Gage 1. _____</p> <p>b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____</p>	<input type="checkbox"/> Y <input type="checkbox"/> N



<p>h. Do the data for one or more available stream gages meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months with net depletions?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>i. If yes, record how many meet the standard, then skip to question 162 because this section is complete.</p> <hr/>	
<p>ii. If no, answer question 160.</p>	
<p>160. If no gage data are available or if available gage data do not meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months with net depletions, is the source otherwise measured?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If no, measurements may be necessary. The Department cannot deem the preapplication meeting form adequately completed until the Department receives gage data and/or measurements that meet the Department's measurement standards or, in combination with an approved request to deviate from the Department's standards, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria. Skip to question 161.</p>	
<p>b. If yes,</p>	
<p>i. Submit measurements to the Department.</p>	<input type="checkbox"/> S
<p>ii. Who collected the measurements?</p> <hr/>	<input type="checkbox"/> A
<p>iii. With what method were the data collected?</p> <hr/> <hr/>	<input type="checkbox"/> A
<p>iv. What is the period of record?</p> <hr/>	
<p>v. What is the frequency of measurement?</p> <hr/>	
<p>vi. Are there gaps in the data?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>1. If yes, what is the nature of the gaps and how are gaps handled to ensure data quality?</p> <hr/> <hr/>	<input type="checkbox"/> A



vii. Is there a process for maintaining the data and meeting specified accuracy limits?		<input type="checkbox"/> Y <input type="checkbox"/> N
1. If yes, explain.		
viii. Do available measurement data meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months with net depletions?		<input type="checkbox"/> Y <input type="checkbox"/> N
1. If yes, this section is complete. Skip to question 162.		
2. If no, answer question 161.		
161. Do the available measurement data, gage and/or otherwise measured, meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique?		<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes,		
i. Describe how the measurements are representative of high, moderate, and low flows.		<input type="checkbox"/> A
ii. Describe the estimation technique.		<input type="checkbox"/> A
b. If no, but a Department-accepted estimation technique will be appropriate for the hydraulically connected source:		
i. Will measurements be collected prior to submission of a completed Form 606P-B that meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique?		<input type="checkbox"/> Y <input type="checkbox"/> N
1. If yes,		
a. With what method will the data be collected?		<input type="checkbox"/> A



b. What will be the interval of measurement? _____ _____	
c. Describe the proposed estimation technique. _____ _____ _____ _____	<input type="checkbox"/> A
2. If no, do you plan on requesting to deviate from the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique? The Department's technical analyses or scientific credibility review of your technical analyses cannot commence until the Department receives measurements that meet Department measurement standards, or in combination with a request to deviate, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria.	<input type="checkbox"/> Y <input type="checkbox"/> N
c. If no, because no Department-accepted estimation technique will be appropriate for the hydraulically connected source: i. Describe why no Department-accepted estimation technique is appropriate for the source characteristics. _____ _____ _____	<input type="checkbox"/> A
ii. Do the available measurement data, gage and/or otherwise measured, meet the Department's standard for monthly measurements throughout the months with net depletions?	<input type="checkbox"/> Y <input type="checkbox"/> N
1. If no, will measurements be collected prior to submission of a completed Form 606P that meet the Department's standard of monthly measurements throughout the months with net depletions?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, with what method will the data be collected? _____ _____	<input type="checkbox"/> A



<p>b. If no, do you plan on requesting to deviate from the Department's standard for monthly measurements throughout the months with net depletions? The Department's technical analyses or scientific credibility review of your technical analyses cannot commence until the Department receives measurements that meet Department measurement standards, or in combination with a to deviate, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>162. If you went straight to this section when referenced, go back to question 84. If you waited to answer in consecutive order and have completed all prior sections, move to question 163.</p>	

Adequate Means of Diversion and Operation

<p>163. Submit a diagram of how you will operate your system from the point of diversion to the place of use.</p>	<input type="checkbox"/> S
<p>164. Describe specific information about the capacity of the diversionary structure(s). This may include, where applicable: pump curves and total dynamic head calculations, headgate design specifications, and dike or dam height and length.</p> <hr/> <hr/> <hr/>	<input type="checkbox"/> A
<p>165. Describe the size, materials, capacity, and configuration of infrastructure to convey water from point of diversion to place of use.</p> <hr/> <hr/> <hr/>	<input type="checkbox"/> A
<p>166. Does the proposed conveyance require easements?</p> <p>a. If yes, explain.</p> <hr/> <hr/>	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> A
<p>167. Do you propose to add a point of diversion?</p> <p>a. If yes, do you own the land where all proposed points of diversion are located?</p> <p>i. If no, documentation to show you have the right to use all points of diversion located on each property you do not own will be required upon application submittal. This may include, but is not limited to, a well agreement, an easement, or permission of the party that owns the property where the proposed point(s) of diversion are located.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> Y <input type="checkbox"/> N



<p>168. Describe your plan of operations, including specific information about how water is delivered within the place of use. This may include, where applicable, the range of flow rates needed for a pivot.</p> <hr/> <hr/> <hr/>	<input type="checkbox"/> A
<p>169. Do you have any plans to measure your diversion and use?</p> <p>a. If yes, describe the plan and the type of measurements you will take.</p> <hr/> <hr/>	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> A

Beneficial Use

<p>170. Does the Department have a standard for any of the purposes for which water is used? Department standards can be found in ARM 36.12.112 and ARM 36.12.115.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If yes, list the purposes for which the Department has a standard and note whether the water use falls within or outside the standard.</p> <hr/> <hr/>	
<p>171. If no standard exists for any proposed purpose or if any proposed purpose falls outside of Department standards, explain how the use is reasonable for that purpose.</p> <hr/> <hr/> <hr/>	<input type="checkbox"/> A
<p>172. Will your proposed project be subject to DEQ requirements for a public water supply (PWS) system or Certificate of Subdivision Approval (COSA)?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If yes, have you researched or consulted with DEQ regarding those requirements?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>173. Are you proposing to use surface water for in-house domestic use?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If yes, does a COSA exist for the proposed place of use?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>i. If yes, please submit the COSA.</p>	<input type="checkbox"/> S
<p>ii. If no, have you researched or consulted with DEQ regarding their requirements?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N



Possessory Interest

174. Do you meet one of the exceptions to possessory interest requirements, pursuant to ARM 36.12.1802? Exceptions include cases where the application is for sale, rental, distribution, or is a municipal use, or in any other context in which water is being supplied to another and it is clear that the ultimate user will not accept the supply without consenting to the use of water on the user's place of use.	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, explain. <hr/> <hr/> <hr/> <hr/>	<input type="checkbox"/> A
b. If no, do you own all proposed places of use? i. If no, explain. Documentation that shows you either have possessory interest or written permission of the parties with possessory interest of the place of use will be required at application submittal. <hr/> <hr/> <hr/>	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> A

Non-Mandatory Project-Specific Questions

Change in Place of Storage

175. Does the project include one or more places of storage? If yes, answer questions 176 to 178 for each individual place of storage (use "Additional Place of Storage (606P)" sheet for additional places of storage). A Change Storage Addendum (606-SA) will be required at application submittal. If no, this section is complete; skip to question 179.	
176. Are preliminary designs available? Preliminary designs will be required at application submittal.	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, submit preliminary designs.	<input type="checkbox"/> S
177. Will a drainage device be installed?	<input type="checkbox"/> Y <input type="checkbox"/> N
178. Is the place of storage capacity calculated to be greater than 50 acre-feet?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, have you made an application to the DNRC Water Operations Bureau for a determination of whether the dam or reservoir is a high-hazard dam?	<input type="checkbox"/> Y <input type="checkbox"/> N



179. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 16 and if you are answering in consecutive order, go to question 180.	
--	--

Instream Flow Change

180. You may respond to the questions in this section if the project involves an instream flow purpose and you choose to answer the non-mandatory questions. Otherwise, this section is complete, skip to question 184.	
181. Does the protected reach begin at the existing point of diversion? a. If no, does the protected reach begin upstream of or downstream from the existing point of diversion? _____	<input type="checkbox"/> Y <input type="checkbox"/> N
182. Provide initial details about a streamflow measuring plan, which include the points where measurements occur, the interval of measurement, and the methods and equipment used. A complete streamflow measuring plan will be required for the application. _____ _____ _____ _____ _____	<input type="checkbox"/> A
183. Provide initial details about an operation plan, which may include the proposed protected flow rate (GPM or CFS), proposed protected volume (AF), and the proposed protected period. If you propose a trigger flow, please explain. A complete operation plan, based on the technical analyses, will be required for the application. _____ _____ _____ _____	<input type="checkbox"/> A
184. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 27 and if you are answering in consecutive order, go to question 185.	



Mitigation, Aquifer Recharge, and Marketing for Mitigation

185. You may respond to the questions in this section if the project involves mitigation, aquifer recharge, or marketing for mitigation, and you choose to answer the non-mandatory questions. Otherwise, this section is complete, skip to question 190. For mitigation water, answer questions 186, 187, and 188. For aquifer recharge water, answer questions 187 and 188. For marketing for mitigation/aquifer recharge, answer question 189.	
186. Do the water rights proposed for change to mitigation water have a period of use that is greater than or equal to the period when mitigation is necessary?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If no, how will mitigation water be made available during the entire period when mitigation is necessary? <hr/> <hr/> <hr/>	<input type="checkbox"/> A
187. How do the priority dates of the water rights proposed for change compare to other water rights on the source? <hr/> <hr/>	<input type="checkbox"/> A
188. Do you have measurement records or Water Commissioner records that show the reliability of the water rights proposed for change to a mitigation water or aquifer recharge purpose? a. If yes, submit them to the Department.	<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> S
189. Describe the need for marketing for mitigation/aquifer recharge. <hr/> <hr/> <hr/>	<input type="checkbox"/> A
190. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 25 and if you are answering in consecutive order, go to question 191.	

Water Marketing

191. You may respond to the questions in this section if the project includes the water marketing purpose, and you choose to answer the non-mandatory questions. This does not include marketing for mitigation. Otherwise, this section is complete, skip to question 195.	<input type="checkbox"/> Y <input type="checkbox"/> N
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192. How will you control or limit access to the water?	<input type="checkbox"/> A
193. Do you have contracts for the entire volume and flow rate sought?	<input type="checkbox"/> Y <input type="checkbox"/> N
194. Submit a service area map. Create map on an aerial photograph or topographic map and show the following: general service area boundary, section corners, township and range, scale bar, and north arrow.	<input type="checkbox"/> S
195. If you are answering Project Specific Questions as they are referenced in Application Details, return to question 26 and if you are answering in consecutive order, go to Follow-Up section.	



FOLLOW-UP

The table below will identify all questions marked for follow-up. Applicant follow-up will be submitted with the completed Preapplication Meeting Form: Part B (Form 606P-B). Applicant will provide all responses to questions marked for follow-up on a separate document entitled "Follow-up Responses." At the preapplication meeting, the Department may offer to provide the Applicant with information pertinent to identified follow-up. In this case, record in the notes column what information the Department will provide and the date by which the Department will email this information to the Applicant. This information will supplement but not replace Applicant follow-up. It is the responsibility of the Applicant to provide all follow-up, including questions supplemented by Department information, in the "Follow-up Responses" document.

The "Follow-up Responses" document must conform to the following standards. Label all responses with the question number. Answer questions in the same format as the form. For responses in the form of checkboxes, write "Y", "N", "S". Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative. Label units in narrative responses and tables. Tables must have the exact headings found on the form. Questions that require items to be submitted to the Department may be marked "S" when the required item is attached to the Preapplication Meeting Form. Label all submitted items with the question number for which they were submitted.

The Applicant may not alter the Preapplication Meeting Form: Part A (Form 606P-A) signed at the Preapplication Meeting. Instead, the Applicant must use the Amended Responses procedure defined in Form 606P-B. Do not include additional information for questions that were not marked for follow-up on this table; instead include any additional information pursuant to the process for amending responses defined in Form 606P-B.

QUESTION #	NOTES
20.1.a	Need consent from DNRC Trust Lands Management Division at application submittal
61	Clarify how many acres will be retired from the historical POU. Water Science Bureau needs info for return flow analysis
153.a.*	Submit Sixmile flow measurements if available. * This question is from the Additional Flow Source Sheet (606P)





PREAPPLICATION MEETING AFFIDAVIT & CERTIFICATION

"We attest that the information on this form accurately describes the proposed project discussed during the preapplication meeting and that the items marked for follow-up will require the applicant to provide additional information before the form is deemed complete."

"Applicant acknowledges that any information provided by the Department during the preapplication meeting is preliminary and subject to change."

"Applicant acknowledges that if the follow-up information provided to the Department substantially changes the proposed project, for example in a way that alters which sections of the form are applicable or which technical analyses are required, or who is to complete the technical analyses, the applicant will need to schedule a new preapplication meeting so that the Department can identify any additional information necessary for completion of the technical analyses (ARM 36.12.1302(3)(c))."

Upon Department receipt of the completed form (within 180 days following the meeting), the Department reserves five business days to return the form to the applicant if:

- 1 – the completed form does not include all necessary follow-up information identified in the meeting, OR
- 2 – the completed form is not adequate for the Department to proceed with technical analyses, OR
- 3 – the applicant has elected to complete technical analyses and has not submitted each piece of technical analysis required, OR
- 4 – the applicant 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.

If the Department returns the form to the Applicant within these five days due to reasons 1-3 above, the Applicant can use the balance of their 180-day period in ARM 36.12.1302(4) or (5) to gather the remaining follow-up information needed. If there is no time remaining in the 180-day period, the Applicant can submit a written request for a new preapplication meeting, pursuant to ARM 36.12.1302(2). Even if there is still time remaining, the Applicant can choose to schedule a new preapplication meeting. The Department shall transfer the \$500 payment received to the new preapplication meeting, or refund the payment to the Applicant if the Applicant desires. If the Department returns the form to the Applicant within these five days due to reason (4) above, the Applicant must submit a written request for a new preapplication meeting, pursuant to ARM 36.12.1302(2). The Department shall transfer the \$500 payment received to the new preapplication meeting, or refund the payment to the Applicant if the Applicant desires.

Applicant Signature



Date

9-30-2025

Applicant Signature



Date

9-30-2025

Department Signature



FORM 606P-A

PREAPPLICATION MEETING AFFIDAVIT & CERTIFICATION



**APPLICATION TO CHANGE A WATER RIGHT
ADDITIONAL RETURN FLOW SOURCE SHEET (606P)**
§ 85-2-402, MCA

Answer every question and applicable follow-up questions. Use the checkboxes to denote yes ("Y") or no ("N"). Questions that require items to be submitted to the Department have a submitted ("S") checkbox, which is marked when the required item is attached to the 606P-Preapplication Meeting Form: Part A. Constrain narrative responses to the specific question as is asked on the form; do not respond to multiple questions in one narrative. Responses in the form of a table may be entered into the table provided on this form or in an attachment. If an attachment is used, the table must have the exact headings found on this form, and the see attachment ("A") checkbox on this form must be marked. Label all units in narrative responses and tables. Label all attachments and submitted items with the question number.

Use one sheet per return flow source.

What additional return flow source is the sheet for (enter return flow source/ identifier)? _____

Assign a three-character identifier for the return flow source (for example, "YEL" or "TMC"): _____

When referencing question numbers in attachments, submittals, follow-ups, and amended responses, use the following format:

- Question number - three-character identifier. For example, "152.d.i-YEL" or "152.d.i-TMC".**

150. What is the surface water source for which you are answering questions 151 to 154?	
151. Are stream gage data available?	<input type="checkbox"/> Y <input type="checkbox"/> N
a. If yes, answer question 152.	
b. If no, answer question 153.	



152. Stream gage data are available	
a. Is one stream gage located above, and one stream gage located below the location where return flows accrue?	<input type="checkbox"/> Y <input type="checkbox"/> N
i. If no, is only one stream gage located near the location where return flows accrue?	<input type="checkbox"/> Y <input type="checkbox"/> N
1. If yes, is the stream gage upstream or downstream? _____	
b. List the gage name(s). Write "N/A" for Gage 2 if one gage available. Gage 1: _____ Gage 2: _____	
c. What is the distance between the gage(s) and the location where return flows accrue? Write "N/A" for Gage 2 if one gage available. Gage 1: _____ Gage 2: _____	
d. Is there a limiting or controlling factor on the source between the stream gage(s) and the location where return flows accrue? This includes dams that control the flow and streams with large gaining and/or losing reaches.	<input type="checkbox"/> Y <input type="checkbox"/> N
i. If yes, explain. _____ _____	<input type="checkbox"/> A
e. How long is the period of record? Write "N/A" for Gage 2 if one gage is available. Gage 1: _____ Gage 2: _____	
f. Who operates and maintains the gage(s)? Write "N/A" for Gage 2 if one gage is available. Gage 1: _____ Gage 2: _____	
g. Is each available stream gage operated and maintained by USGS or DNRC?	<input type="checkbox"/> Y <input type="checkbox"/> N
i. If yes, skip to question 152.h.	
ii. If no, answer the following questions for each gage not operated and maintained by USGS or DNRC.	
1. How frequently are stage data recorded? Write "N/A" for Gage 2 if only one gage is not operated or maintained by USGS.	



Gage 1: _____ Gage 2: _____		
2. If data gaps were to occur, are they identified and left unfilled or estimated using interpolation, ice correction, or indirect discharge measurements methods?		<input type="checkbox"/> Y <input type="checkbox"/> N
a. Gage 1.		<input type="checkbox"/> Y <input type="checkbox"/> N
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____		<input type="checkbox"/> Y <input type="checkbox"/> N
3. Was the rating curve established and maintained throughout the duration of the period of record using measurements taken near the reference gage and stage recorder according to USGS protocols?		<input type="checkbox"/> Y <input type="checkbox"/> N
a. Gage 1.		<input type="checkbox"/> Y <input type="checkbox"/> N
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____		<input type="checkbox"/> Y <input type="checkbox"/> N
4. Were there requirements for maintaining a permanent gage datum and meeting specified accuracy limits?		<input type="checkbox"/> Y <input type="checkbox"/> N
a. Gage 1.		<input type="checkbox"/> Y <input type="checkbox"/> N
b. Gage 2. Write "N/A" on the line instead of answering yes or no, if only one gage is not operated or maintained by USGS or DNRC. _____		<input type="checkbox"/> Y <input type="checkbox"/> N
h. Do the data for one or more available stream gages meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months when return flows accrue?		<input type="checkbox"/> Y <input type="checkbox"/> N
i. If yes, record how many meet the standard, then this section is complete. _____		
ii. If no, answer question 153.		
153. If no gage data are available or if available gage data do not meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months when return flows accrue, is the source otherwise measured?		<input type="checkbox"/> Y <input type="checkbox"/> N
a. If no, measurements may be necessary. The Department cannot deem the preapplication meeting form adequately completed until the Department receives gage data and/or measurements that meet the Department's measurement standards or, in combination with an approved request to deviate from the		



Department's standards, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria. Skip to question 154.		
b. If yes,		
i. Submit measurements to the Department.		<input type="checkbox"/> S
ii. Who collected the measurements? _____ _____ _____		<input type="checkbox"/> A
iii. With what method were the data collected? _____ _____ _____		<input type="checkbox"/> A
iv. What is the period of record? _____		
v. What is the frequency of measurement? _____		
vi. Are there gaps in the data? 1. If yes, what is the nature of the gaps and how are gaps handled to ensure data quality? _____ _____		<input type="checkbox"/> Y <input type="checkbox"/> N <input type="checkbox"/> A
vii. Is there a process for maintaining the data and meeting specified accuracy limits? 1. If yes, explain. _____ _____		<input type="checkbox"/> Y <input type="checkbox"/> N
viii. Do available measurement data meet the Department's standard to be sufficient to calculate the median of the mean monthly flow rate and volume during the months when return flows accrue? 1. If yes, this section is complete. 2. If no, answer question 154.		<input type="checkbox"/> Y <input type="checkbox"/> N
154. Do the available measurement data, gage and/or otherwise measured, meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique?		<input type="checkbox"/> Y <input type="checkbox"/> N



a. If yes,	
i. Describe how the measurements are representative of high, moderate, and low flows.	<input type="checkbox"/> A
ii. Describe the estimation technique.	<input type="checkbox"/> A
b. If no, but a Department-accepted estimation technique will be appropriate for the source receiving return flows:	
i. Will measurements be collected prior to submission of a completed Form 606P-B that meet the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique?	<input type="checkbox"/> Y <input type="checkbox"/> N
1. If yes,	
a. With what method will the data be collected?	<input type="checkbox"/> A
b. What will be the interval of measurement?	
c. Describe the proposed estimation technique.	A



<p>2. If no, do you plan on requesting to deviate from the Department's standard of including a minimum of high, moderate, and low flows to be sufficient to use for calibration of a Department-accepted estimation technique? Neither the Department's technical analyses nor scientific credibility review of your technical analyses can commence until the Department receives measurements that meet Department measurement standards, or in combination with an approved request for variance from these standards, are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>c. If no, because no Department-accepted estimation technique will be appropriate for the source receiving return flows:</p>	
<p>i. Describe why no Department-accepted estimation technique is appropriate for the source characteristics.</p> <hr/> <hr/> <hr/>	<input type="checkbox"/> A
<p>ii. Do the available measurement data, gage and/or otherwise measured, meet the Department's standard for monthly measurements throughout the months when return flows accrue?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>1. If no, will measurements be collected prior to submission of a completed Form 606P that meet the Department's standard of monthly measurements throughout the months when return flows accrue?</p>	<input type="checkbox"/> Y <input type="checkbox"/> N
<p>a. If yes, with what method will the data be collected?</p> <hr/> <hr/>	<input type="checkbox"/> A
<p>b. If no, do you plan on requesting a variance to deviate from the Department's standard for monthly measurements throughout the months when return flows accrue? The Department's technical analyses or scientific credibility review of your technical analyses cannot commence until the Department receives measurements that meet Department measurement standards, or in combination with a request for a variance from these standards are sufficient to complete any necessary technical analyses or scientific credibility reviews and to evaluate the applicable criteria.</p>	<input type="checkbox"/> Y <input type="checkbox"/> N





REQUEST FOR PREAPPLICATION MEETING

ARM 36.12.1302(2)
(Revised 02/2025)

Instructions

Use this optional form to submit a written request for a preapplication meeting, as required in ARM 36.12.1302(2) for applicants electing to complete a preapplication meeting with the department prior to submitting an application for a beneficial water use permit or change in appropriation right pursuant to § 85-2-302, MCA. Use additional sheets as necessary.

Submit this form to the appropriate regional office; see contact information on the last page of this form.

For Department Use Only

Date Received _____
Received By _____
Scheduled Meeting Date _____

1. Applicant Name _____

Mailing Address _____

City _____ State _____ Zip _____

Home Phone _____ Other Phone _____

Email: _____

2. Representative Name (if other than Applicant) _____

Representative is Consultant Representative is Attorney Representative is Other

Mailing Address _____

City _____ State _____ Zip _____

Home Phone _____ Other Phone _____

Email: _____

3. Are you requesting a preapplication meeting for a permit or change application?

Permit Change

4. Describe your project:



5. Identify the following elements of the proposed permit or change in appropriation.

a) The flow rate and volume of water required:

Flow Rate _____ GPM CFS Volume _____ Acre-Feet

b) The point of diversion:

Point of Diversion #1 1/4 1/4 1/4 Section ____, Township ____ N S, Range ____ E W

County _____

Lot/Tract _____ Block _____ Subdivision Name _____

Point of Diversion #2 1/4 1/4 1/4 Section ____, Township ____ N S, Range ____ E W

County _____

Lot/Tract _____ Block _____ Subdivision Name _____

c) The place of use:

Acres	Lot	Block	1/4	1/4	1/4	Sec	_____, Twp	_____, <input type="checkbox"/> N <input type="checkbox"/> S, Rge	_____, <input type="checkbox"/> E <input type="checkbox"/> W
Acres	Lot	Block	1/4	1/4	1/4	Sec	_____, Twp	_____, <input type="checkbox"/> N <input type="checkbox"/> S, Rge	_____, <input type="checkbox"/> E <input type="checkbox"/> W
Acres	Lot	Block	1/4	1/4	1/4	Sec	_____, Twp	_____, <input type="checkbox"/> N <input type="checkbox"/> S, Rge	_____, <input type="checkbox"/> E <input type="checkbox"/> W
Acres	Lot	Block	1/4	1/4	1/4	Sec	_____, Twp	_____, <input type="checkbox"/> N <input type="checkbox"/> S, Rge	_____, <input type="checkbox"/> E <input type="checkbox"/> W
Acres	Lot	Block	1/4	1/4	1/4	Sec	_____, Twp	_____, <input type="checkbox"/> N <input type="checkbox"/> S, Rge	_____, <input type="checkbox"/> E <input type="checkbox"/> W

NW SE SW 12 15 N 22 W

d) The source of water: _____

e) The proposed purpose: _____

f) For a change in appropriation right, the water right(s) proposed for change:

Type of water right _____ Basin _____ Water Right # _____

Type of water right _____ Basin _____ Water Right # _____

Type of water right _____ Basin _____ Water Right # _____

Identify the water right elements proposed for change, with a checkmark for each water right proposed for change.

Water Right #					
Point of diversion	<input type="checkbox"/>				
Place of use	<input type="checkbox"/>				
Purpose of use	<input type="checkbox"/>				
Place of storage	<input type="checkbox"/>				

g) For a change in appropriation right, an explanation of historical use of the right(s) proposed for change:

h) Any proposed place of storage, if applicable (only if storage capacity is greater than 0.1 acre-feet):

#1 Capacity: Surface Acres _____ x Max Depth (feet) _____ x (.4 for dams/.5 for pits) = _____ Acre-Feet

Location: ____ 1/4 ____ 1/4 ____ 1/4 Section ___, Township ____ N S, Range ____ E W

#2 Capacity: Surface Acres _____ x Max Depth (feet) _____ x (.4 for dams/.5 for pits) = _____ Acre-Feet

Location: ____ 1/4 ____ 1/4 ____ 1/4 Section ___, Township ____ N S, Range ____ E W

#3 Capacity: Surface Acres _____ x Max Depth (feet) _____ x (.4 for dams/.5 for pits) = _____ Acre-Feet

Location: ____ 1/4 ____ 1/4 ____ 1/4 Section ___, Township ____ N S, Range ____ E W

i) For applications proposing a well or wells, the well depth(s) and location. If more than two wells, attach a separate sheet to this request:

Well #1 New Well Existing Well

For existing well, if available, Water Right # _____ GWIC ID _____

1/4 ____ 1/4 ____ 1/4 Section ___, Township ____ N S, Range _____ E W

County _____

Lot/Tract _____ Block _____ Subdivision Name _____

Estimated Well Depth _____ Feet

Well #2 New Well Existing Well

For existing well, if available, Water Right # _____ GWIC ID _____

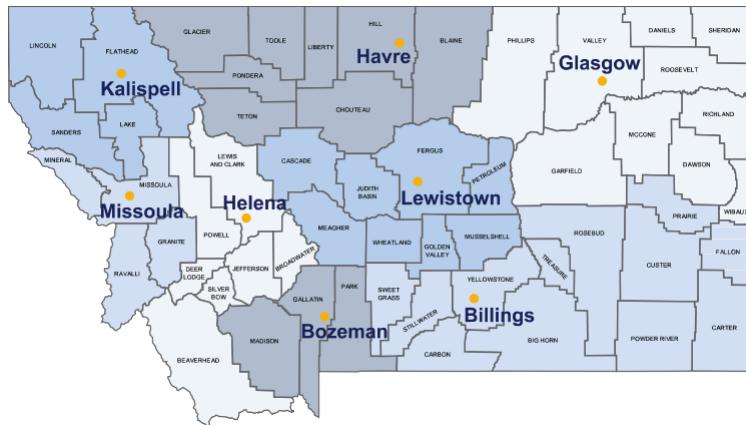
1/4 ____ 1/4 ____ 1/4 Section ___, Township ____ N S, Range _____ E W

County _____

Lot/Tract _____ Block _____ Subdivision Name _____

Estimated Well Depth _____ Feet

WATER RESOURCES REGIONAL OFFICES



BILLINGS

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

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

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

BOZEMAN

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

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

Gallatin, Madison, and Park Counties

GLASGOW

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

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

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

HAVRE

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

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

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

HELENA

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

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

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

KALISPELL

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

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

Flathead, Lake, Lincoln, and Sanders Counties

LEWISTOWN

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

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

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

MISSOULA

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

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

Granite, Mineral, Missoula, and Ravalli Counties



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