

**STATEMENT OF CLAIM FOR EXISTING  
WATER RIGHT  
EXEMPT DOMESTIC USE**

Use this form to claim an existing water right exempt  
from the claim filing process.

§ 85-2-222, MCA

**Filing / Examination Fee**

1 Claim = \$130

The total filing fees for all claims under 85-2-222 filed by  
one person in any one water court division may not  
exceed \$1,560.

A filing fee is not required to accompany a claim of an  
existing right that is included in a decree of a court in the  
state of Montana and that is accompanied by a copy of that  
decree or pertinent portion of the decree.

**FOR DEPARTMENT USE ONLY**

Claim No. \_\_\_\_\_ Basin \_\_\_\_\_  
Date Rec'd \_\_\_\_\_ Time \_\_\_\_\_ AM - PM  
Rec'd By \_\_\_\_\_  
Fee Rec'd \$ \_\_\_\_\_ Check No. \_\_\_\_\_  
Deposit Receipt # \_\_\_\_\_  
Payor (if different from name(s) listed in item 1 below)  
\_\_\_\_\_  
Refund \$ \_\_\_\_\_ Date \_\_\_\_\_

**Important Note**

Existing water rights for stock and individual domestic uses from instream or groundwater sources were exempted from the filing requirements of § 85-2-221, MCA. An existing water right first put to beneficial use prior to July 1, 1973.

In 2017, the Montana Legislature passed House Bill 110, allowing the filing for existing water rights that were exempt from filing in the statewide water right adjudication, and set a filing deadline to be received or postmarked on or before June 30, 2019.

House Bill 110 requires that you complete this claim form, include supporting documentation for your claim (e.g., maps, affidavits, decrees, notices of appropriation or completion, etc.), and pay the filing fee set out above.

**1. WATER RIGHT OWNER INFORMATION:**

NAME(S) \_\_\_\_\_  
MAILING ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
WORK PHONE \_\_\_\_\_ HOME PHONE \_\_\_\_\_ CELL PHONE \_\_\_\_\_

**2. PERSON COMPLETING FORM: Same as above? Yes No If yes, proceed to #3.**

NAME \_\_\_\_\_  
MAILING ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
WORK PHONE \_\_\_\_\_ HOME PHONE \_\_\_\_\_ CELL PHONE \_\_\_\_\_

**3. SOURCE OF WATER: Check only one: Developed Spring Undeveloped Spring Well Stream Lake**

Name of Source (if applicable) \_\_\_\_\_ Tributary of \_\_\_\_\_

**4. SOURCE TYPE: Groundwater Surface Water,**

5. **POINT OF DIVERSION:**  
\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Section \_\_\_\_ Twp \_\_\_\_ N / S Rge \_\_\_\_ E /W County \_\_\_\_  
Lot \_\_\_\_ Block \_\_\_\_ Tract No. \_\_\_\_ Subdivision Name \_\_\_\_  
Government Lot No. \_\_\_\_ COS No. \_\_\_\_ Geocode \_\_\_\_  
Street or Road Address, including City, State & Zip Code of the Development \_\_\_\_\_

6. **MEANS OF DIVERSION:** Pump Pipeline Instream Spring box  
Other, please explain: \_\_\_\_\_

7. **PLACE OF USE:** Same as Point of Diversion? Yes No If yes, proceed to #8.  
\_\_\_\_ 1/4 \_\_\_\_ 1/4 \_\_\_\_ 1/4 Section \_\_\_\_ Twp \_\_\_\_ N / S Rge \_\_\_\_ E /W County \_\_\_\_  
Lot \_\_\_\_ Block \_\_\_\_ Tract No. \_\_\_\_ Subdivision Name \_\_\_\_  
Government Lot No. \_\_\_\_ COS No. \_\_\_\_ Geocode \_\_\_\_  
Street or Road Address, including City, State & Zip Code of the Development \_\_\_\_\_

8. **NUMBER OF PERSONS SERVED:** (use one form per household) \_\_\_\_\_  
**NUMBER OF ACRES OF LAWN AND GARDEN IRRIGATION:** (cannot exceed 5 acres) \_\_\_\_\_ acres

9. **FLOW RATE USED:** \_\_\_\_\_ gallons per minute miner's inches cubic feet per second

10. **VOLUME:** \_\_\_\_\_ acre-feet per year

11. **PERIOD OF USE:** Year round use? Yes No If no, from \_\_\_\_\_ to \_\_\_\_\_, inclusive each year.

12. **PERIOD OF DIVERSION:** Same as Period of Use. If no, from \_\_\_\_\_ to \_\_\_\_\_, inclusive each year.

13. **TYPE OF HISTORIC RIGHT:** Decreed Filed Appropriation Use **Date of first use:** \_\_\_\_\_  
Attach copies of the decree, record of filing, or proof of use right.

14. **ATTACH:** Copies of aerial photos, USGS topographic maps, or other documents necessary to show point of diversion and place of use.

- **If needed, addendum forms for additional points of diversion and places of use are available.**

15. **OWNER SIGNATURE:**

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

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_

Owner Signature \_\_\_\_\_ Date \_\_\_\_\_