

APPLICATION TO CONSTRUCT A DEVELOPMENT DOMESTIC ALLOWANCE

Mail form and payment to:

Flathead Reservation Office of the Water Engineer

PO Box 37

Ronan, MT 59864

For questions contact: contact@frwmb.gov or (406) 201-2532

Use this form to apply for authorization to construct a Development Domestic Allowance as described in **Section 2-2-117** of the CSKT-MT Compact Unitary Administration and Management Ordinance (MCA 85-20-1902 and CSKT Ordinance 111-A).

Type: Development Domestic Allowances
(For Individual and Shared Domestic Allowances use a different form)

Maximum Flow: NOT TO EXCEED 35 gallons/minute per well

Maximum Volume: NOT TO EXCEED 10 acre-feet/year
*Annual Volumes must be measured.

Source: Groundwater

Filing Fee: \$250.00 *Make checks payable to **FRWMB**.
*Other Fees May apply

Read attached instructions **before** completing this form.
Incomplete or incorrectly filed forms may result in processing delays.

OFFICE USE ONLY

Water Right # _____ Basin _____

Date Rec'd _____

Time _____ AM / PM

Rec'd By _____

Payor _____

Amount Rec'd _____

Check # _____

Receipt # _____

IMPORTANT

- Approval must be received before drilling well(s) or developing spring(s).
 - Additional wells or developed springs resulting in more than 1 for this Development Domestic Allowance must be filed separately on form 6DWF (**\$125.00 per additional well**)
- Within 30 days of receiving your completed application, you will be mailed either an authorization to construct your Development Domestic Allowance or a letter of defect requesting additional information about your application.
- Authorization to a drill well or develop a spring is valid for 365 days from the authorization letter date.
- Once an authorization letter has been received to construct a Development Domestic Allowance, you will have two years to put the water to Beneficial Use **as per WP&P S 22-117(9)**.
- Form 6DDF-Part B must be submitted within 120-days of putting water to Beneficial Use.
- Development Domestic Allowances require a water volume measurement device to be approved by the Office of the Engineer. The owner(s) or operator(s) of a Development Domestic Allowance must annually submit a Water Measurement Report (Form WMR-01)
- This application must include a copy of a proposed Shared Well Agreement(s) signed by all parties, if applicable.

1. WATER RIGHT OWNER INFORMATION

Name(s) _____

Mailing Address _____

City _____ State _____ Zip _____

Cell/Home Phone _____ Email Address _____

2. PROPOSED DEVELOPMENT

Development Domestic Allowance § 2-2-117 (6-7):

- Must be connected to more than one, but not more than five Homes and/or Businesses.
- Any deviation from these standards requires the applicant to provide a Water Use Plan pursuant to section WP&P 22-117(26), explained in the instructions.
- Multiple Wells and/or Developed Springs allowed, not to exceed one Well or Developed Spring per Home or Business within the Development. *File form 6DWF for each additional well beyond one used in this development.
- Flow rate up to 35 gallons per minute per Well and a cumulative annual volume of up to 10 acre-feet for the entire Development Domestic Allowance.
- the amount of land to be irrigated is limited to 0.25 acres or less for each Home or Business within the Development.

3. WELL OR DEVELOPED SPRING CONSTRUCTION

a. Has the proposed development already been constructed? Yes No

b. If yes, provide the following information:

- Date diversion was constructed: _____
- Date water was first put to Beneficial Use, if applicable: _____
- Include your Well Log(s), if applicable, which can be found online: <https://mbmaggwic.mtech.edu/>

4. PROPOSED SOURCE OF WATER SUPPLY

**Pits, pit-dams, constructed ponds, and reservoirs are not permitted under Ordinance Section 2-2-117. Wells and developed springs must be fully enclosed.*

**** If you have multiple sources of water planned you must submit a Form 6DWF for each additional source.**

Well(s) Number _____

Will you be using a licensed well driller? Yes No

If no, describe your proposed appropriation works (including description of anticipated casing).

Developed Spring(s) Number _____

Please describe your proposed appropriation works (including description of anticipated well shaft casing).

5. **PURPOSE AND PERIOD OF USE:** Complete all questions for each type of use that is proposed.

Domestic or Commercial:

Number of homes supplied: _____ Number of businesses supplied: _____

Year-round use? Yes No If no, from _____ to _____, inclusive of each year.

Lawn & Garden: **If you have additional lawn and garden locations include an attached sheet.*

Provide the amount of land to be irrigated for each Home or Business within the development. Include only irrigated area. Do not include house footprint, driveway, graveled areas, etc.

Home or Business 1: size of lawn & garden _____ (length x width) OR _____ (acres)

April 1 – October 31 Yes No If no, from _____ to _____ inclusive of each year.

Home or Business 2: size of lawn & garden _____ (length x width) OR _____ (acres)

April 1 – October 31 Yes No If no, from _____ to _____ inclusive of each year.

Home or Business 3: size of lawn & garden _____ (length x width) OR _____ (acres)

April 1 – October 31 Yes No If no, from _____ to _____ inclusive of each year.

Home or Business 4: size of lawn & garden _____ (length x width) OR _____ (acres)

April 1 – October 31 Yes No If no, from _____ to _____ inclusive of each year.

Home or Business 5: size of lawn & garden _____ (length x width) OR _____ (acres)

April 1 – October 31 Yes No If no, from _____ to _____ inclusive of each year.

Stock:

Number & type (Ex: 10 Cows & 1 Horse): _____

Amount of water (volume) used per year: _____

Year-round use? Yes No If no, from _____ to _____, inclusive of each year.

Will the water be dispensed with a stock tank? Yes No

Other: *(Do not include purposes described above)*

Describe the purpose of the use: _____

Amount of water used: _____ gallons per day Number of days used per year: _____

Year-round use? Yes No If no, from _____ to _____, inclusive of each year.

6. **PROPOSED POINT OF DIVERSION** **leave fields blank if not applicable*

**If you have more than one point of diversion you must file Form 6DWF.*

Latitude: _____ Longitude: _____

____ ¼ ____ ¼ ____ ¼ Section _____ Township _____ N S Range _____ E W

County _____ Lot* _____ Block* _____ Subdivision Name* _____

Tract No.* _____ COS/TSR No.* _____ Government Lot* _____

Street Address, including City/State/Zip Code*: _____

7. PROPOSED PLACE(S) OF USE***If there are more than four places of use, attach a separate sheet with additional descriptions.***Proposed Place of Use 1: *leave fields blank if not applicable****Geocode:** _____

Latitude: _____ Longitude: _____

____ ¼ ____ ¼ ____ ¼ Section _____ Township _____ N S Range _____ E W

County _____ Lot* _____ Block* _____ Subdivision Name* _____

Tract No.* _____ COS/TSR No.* _____ Government Lot* _____

Street Address, including City/State/Zip Code*: _____

Proposed Place of Use 2: *leave fields blank if not applicable**Geocode:** _____

Latitude: _____ Longitude: _____

____ ¼ ____ ¼ ____ ¼ Section _____ Township _____ N S Range _____ E W

County _____ Lot* _____ Block* _____ Subdivision Name* _____

Tract No.* _____ COS/TSR No.* _____ Government Lot* _____

Street Address, including City/State/Zip Code*: _____

Proposed Place of Use 3: *leave fields blank if not applicable**Geocode:** _____

Latitude: _____ Longitude: _____

____ ¼ ____ ¼ ____ ¼ Section _____ Township _____ N S Range _____ E W

County _____ Lot* _____ Block* _____ Subdivision Name* _____

Tract No.* _____ COS/TSR No.* _____ Government Lot* _____

Street Address, including City/State/Zip Code*: _____

Proposed Place of Use 4: *leave fields blank if not applicable**Geocode:** _____

Latitude: _____ Longitude: _____

____ ¼ ____ ¼ ____ ¼ Section _____ Township _____ N S Range _____ E W

County _____ Lot* _____ Block* _____ Subdivision Name* _____

Tract No.* _____ COS/TSR No.* _____ Government Lot* _____

Street Address, including City/State/Zip Code*: _____

8. MAP

A map must be submitted with the application and include the following marked and labeled:

- Property boundaries and ownership information
- Township, Range, and Section of the point of diversion and place of use
- The location of proposed Well(s), Developed Spring(s), and stock tank(s) and purpose of each
- All buildings on all properties with associated well connections including conveyance and water

right points of diversions

- Boundaries of the proposed watered lawn and garden areas
- Sewage facilities including septic tanks and drain fields within the property boundaries
- All wells within a 500-foot radius of the proposed wells or developed springs
- Any surface water features
- Any water storage infrastructure to be used.
- In addition to the map, also include a copy of the development plan, plat, or equivalent as required by your associated county government.

9. HAVE YOU FILLED OUT FORM 623F– WATER MEASUREMENT DEVICE REVIEW REQUEST? Yes No *Attach Form 623F with the submission of this form

10. DECLARATION OF OWNERSHIP

**Additional applicants please attach owner signatures on a separate sheet*

I declare under penalty of perjury that the statements appearing here are, to the best of my knowledge, true and correct and affirm that I have possessory interest, or the written consent of the person with the possessory interest, in the point of diversion, place of use, and conveyance.

Applicant 1 Printed Name _____

Authorized Signature _____ **Date** _____

Applicant 1 Printed Name _____

Authorized Signature _____ **Date** _____

Applicant 1 Printed Name _____

Authorized Signature _____ **Date** _____

Applicant 1 Printed Name _____

Authorized Signature _____ **Date** _____

*****Please note, you must submit ORIGINAL owner signatures.**

Copies will not be accepted.***

INSTRUCTIONS FOR APPLICATION FOR APPROVAL TO CONSTRUCT A DEVELOPMENT DOMESTIC ALLOWANCE

Qualifying questions:

1. Did you put your water to use before September 17, 2021?
 - If yes, and you filed with DNRC before March 16, 2022, your information is recorded with DNRC, and your application will be processed when the Office of the Engineer becomes fully operational.
 - If yes, and you are a tribal member or allottee that wants to register your existing use as part of the Confederated Salish and Kootenai Tribes water right, you need to work with the Tribal Water Right Registration Office at (406) 675-2700 ext. 1161 before applying through for your registration with the Office of the Engineer.
 - If yes, and you did NOT file with DNRC before June 1, 2022, you can use this form so long as your total water use that constitutes a “Permit Exception” is 10 acre-feet or less and meet all the other criteria for a Development Domestic Allowances set forth in the Ordinance (2-2-117).
 - If not, proceed to the next questions.
2. Are you planning to divert surface water (any water on the surface of the earth)?
 - If yes, this is not the correct form. Please contact the Office of the Engineer for information about your surface water source.
 - If not, and you are planning to divert groundwater, a well or developed spring is required for this form, proceed to the next questions.
3. Do you expect your use to exceed a flow rate of 35 gallons per minute per Well or 10 acre-feet in volume per year?
 - If yes, this is not the correct form. Please contact the Office of the Engineer for information about your proposed uses.
 - If not, ensure you answered no to all preceding questions before proceeding with this form.

Complete this form ONLY if you have determined this is the correct form to file.

1. Water Right Owner Information

- a. Enter the complete name of the person(s) to be listed as the water right owner(s), their mailing address, and a phone and email address. Applicants should match the title on the property. If the property is held in trust or incorporated, please provide proof (trust documents or articles of incorporation) that the applicant(s) signing the application is authorized by the trust or corporation.

2. Proposed Development

- a. This form, **60DF(D) – Part A** is an application for permission to construct a Development Domestic Allowance. Your proposed development MUST:
 - i. Be connected to more than one, but not more than five Homes and/or Businesses.
 - ii. Not exceed 10 acre-feet in volume per year or 35 GMP per Well or Developed Spring
 - iii. Be fitted with a measurement device(s) approved by the Office of the Engineer on Form 623F and capable of recording cumulative volumes

- iv. Annually submit a Water Measurement Report (FWMR-01) by March 31st of the following year covered by the report to the Office of the Engineer.

3. Well or Developed Spring Construction

- a. Has the well or developed spring been constructed? If yes, provide the date of development and when the water was put to Beneficial Use if applicable.
 - i. Well logs are required if the wells has already been drilled.
 - ii. All wells must be constructed to the Montana Groundwater Diversion Standards adopted in the Unitary Administration and Management Ordinance (MCA 85-20-1902).

4. Proposed Source of Water Supply

- a. Provide a description of proposed groundwater developments including the proposed casing details (diameter, casing material, etc.).

5. Purpose and Period of Use

- a. Identify the number of Homes and/or Businesses, Lawn and Garden Acreage, stock volumes and other purposes associated with the Development Domestic Allowance.
- b. If the water is used during the months specified, check 'Yes'. If not, check 'No' and enter the months and days water is used each year.

6. Proposed Point of Diversion

- a. If the well has been drilled, latitude and longitude must be entered. Enter the land description for the location of the (proposed) groundwater development. Describe the location to the nearest 10 acres if possible.
- b. Legal land descriptions, subdivisions, geocodes, and certificate of survey information may be obtained from the county records, tax statements, or from the Montana Cadastral system at: <http://svc.mt.gov/msl/mtcadastral/>
- c. Subdivisions – In addition to the above description, enter the lot and block or tract number, subdivision name.
- d. Certificate of Survey - In addition to the land description, enter the survey number.
- e. Government Lots – In addition to the land description, enter the government lot number.
- f. Street or Road Address – Enter the physical address of the development including city, state, and zip code.

7. Proposed Places of Use

- a. Enter the geocode(s) of the places of use. Geocodes can be found in county records, tax statements, or at Montana Cadastral: <http://svc.mt.gov/msl/mtcadastral/>
- b. Using instructions for item 6, describe each place of use. Attach a separate sheet if you have more than five places of use.

8. Map

- a. A map is required. Include all information required on the form. A good option for producing a map is to print out an ariel image of your parcel from the Montana Cadastral (<http://svc.mt.gov/msl/mtcadastral/>) and draw features directly on the printed map that includes your property boundaries.

9. File Form 623F Water Measurement Device Review

- a. Your water measurement device must be approved by the Office of the Engineer. Include Form 623F with your submission of this form, 6DDF.

10. Declaration of ownership

- a. All owners of record at the place of use, point of diversion, and conveyance must sign the application and attest that the statements on the form are true and correct.

***Water Use Plans as described by WP&P 22-117(26)** Any proposed exceptions to standards must include an engineer's, hydrologist's, or design specialist's assessment of need and function. For commercial, business, and other unique water uses, the OE may require the applicant to provide a Water Use Plan that specifies volumes, flow rate, and design parameters for each proposed purpose of uses or defines how water storage will be designed and used. If the OE chooses to assess proposed exceptions to standards, an extended timeline may be imposed on application review phases.

**Montana Groundwater Diversion Standards adopted in the
Unitary Administration and Management Ordinance (MCA 85-20-1902)**

Wells:

- Persons that drill, make, or construct wells, including monitoring wells, on the Reservation shall comply with Title 37 Chapter 43, MCA, and ARM 36 Chapter 21 licensing, conduct, and regulatory requirements, or any successor provisions promulgated in State law.
- All well construction on the Flathead Reservation shall meet the standards set forth in ARM 36 Chapter 21, or any successor provisions promulgated in State law.
- Construction and operations of all wells must comply with all applicable federal, State, Tribal, and local environmental regulations.

Developed Springs:

- All Developed Spring collection components, including but not limited to infiltration galleries, infiltration basins, and French drains, shall be installed and buried under the surface of the ground.
- All means of storage and conveyance, including but not limited to supply pipes, cisterns, and pump housings, shall be sealed and made impervious to water and designed in a manner that protects the source from backflow and surface contamination.
- Open pits, ponds, or excavations shall not be used as a means of diversion for Developed Springs.
- Construction and operation of all Developed Springs must comply with all applicable federal, State, Tribal, and local environmental regulations.

*Aquifer injection is not allowed except when used exclusively for Heating/Cooling Exchange Wells.