

PETITION FOR GROUNDWATER MANAGEMENT AREA

Mail form 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 to petition for a Groundwater Management Area as described in **Section 1-1-109** of the CSKT-MT Compact Unitary Administration and Management Ordinance (MCA 85-20-1902 and CSKT Ordinance 111-A).

Type: Permanent and Temporary Petitions for Groundwater Management Area

This form can be filed by the Tribes, the State, the United States, local public health agency for identified public health risks; a municipality, county, conservation district or by at least one third of the water right holders in an area proposed for designation of a groundwater management area.

An incomplete or non-qualifying petition will be returned.

Filing Fee: \$3000.00

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

OFFICE OF THE ENGINEER USE ONLY

Application # _____ Basin _____

Date Rec'd _____

Time _____ AM / PM

Rec'd By _____

Payor _____

Amount Rec'd _____

Check # _____

Receipt # _____

Contact Person: Contact is: ☐ Petitioner ☐ Consultant ☐ Attorney ☐ Other

Contact Name: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone Numbers: Home _____ Work _____ Cell _____

Email Address: _____

General Location of Proposed Groundwater Management Area:

Type of Designation Requested:

- ☐ **Permanent:** If permanent, proceed to Section 1.
- ☐ **Temporary:** If temporary, proceed to Section 2.

Section 1. PERMANENT DESIGNATION PROPOSED *Please provide the following:*

- A. Ordinance § 1-1-109 requires that this petition must contain facts and analysis prepared by a hydrologist, hydrogeologist, qualified scientist, or a qualified licensed professional engineer demonstrating the existence of one or more of the following criteria are met:
- ☐ Current or projected reductions of recharge to the aquifer or aquifers within the boundaries of the proposed permanent Groundwater Management Area will cause Groundwater levels to decline to the extent that water rights holders cannot reasonably exercise their water rights;
 - ☐ Current or projected Groundwater withdrawals from the aquifer or aquifers in the boundaries of the proposed Groundwater Management Area have reduced or will reduce Groundwater levels or surface water availability necessary for water rights holders to reasonably exercise their water rights;
 - ☐ Current or projected Groundwater withdrawals from the aquifer or aquifers in the proposed permanent Groundwater Management Area have impaired or will impair Groundwater quality necessary for water right holders to reasonably exercise their water rights based on relevant water quality standards;
 - ☐ Groundwater within the proposed permanent Groundwater Management Area is not suitable for any beneficial use; or
 - ☐ Public health, safety, or welfare is or will become at risk.
- B. Please attach all supporting information, including name, address and qualifications of the person who prepared the analysis.
- C. Describe the kind of corrective controls or provisions you are requesting. A Groundwater Management Area may include but is not limited to the following provisions:
- ☐ A provision closing the permanent Groundwater Management Area to further appropriation of surface water and/or Groundwater;
 - ☐ A provision restricting the development of future surface water and/or Groundwater appropriations within the permanent Groundwater Management Area;
 - ☐ A provision prohibiting or restricting the issuance of Stock Water Allowances pursuant to Section 2-2-116 of the Ordinance;
 - ☐ A provision prohibiting or restricting the issuance of Domestic Allowances pursuant to Section 2-2-117 of the Ordinance;
 - ☐ A provision requiring measurement and reporting of future surface water or Groundwater appropriations within the permanent Groundwater Management Area;
 - ☐ A provision requiring water conservation measures within the permanent Groundwater Management Area;
 - ☐ A provision requiring mitigation of Groundwater withdrawals within the permanent Groundwater Management Area;
 - ☐ A provision reporting data to the Board within the permanent Groundwater Management Area; and
 - ☐ Other provisions that the Board determines are appropriate and adopts.

*****Proceed to Section 3*****

Section 2. TEMPORARY DESIGNATION PROPOSED *Please provide the following:*

- A. A study plan that may include measurement, water quality testing, and reporting requirements for new and/or replacement wells during the period of the temporary closure.
- B. Include information on funding for any proposed investigations including any plans for pursuing funding under the renewable resource grant and loan program, and any planned investigation under the ground water investigation program. *
- C. Describe how any necessary investigations can be completed in a timely fashion not to exceed 6 years.

**Per Ordinance § 1-1-109(9)(c), the Board shall determine the responsibility for funding the costs associated with subsection (9)(a). Any person on whom a funding responsibility is placed by the Board pursuant to this subsection may appeal that determination to a Court of Competent Jurisdiction, which shall review the determination for an abuse of discretion.*

*****Proceed to Section 3*****

Section 3. PERMANENT OR TEMPORARY DESIGNATION PROPOSED *Please provide the following:*

- A. Map:** A U.S. Geological Survey quadrangle map, or one of similar size, scale and detail level must accompany the petition. In addition to the information provided on the USGS map, the map must also show the following:
- a. north direction;
 - b. township and range numbers;
 - c. section corners and numbers;
 - d. accurate outline of the proposed controlled area;
 - i. location of any known groundwater recording equipment;
 - ii. points of diversion of all groundwater users, including wells and developed springs.
- B. Land Ownership:** Attach a list to this petition of all the landowners within the proposed boundaries of the controlled groundwater area. Land ownership may be found at the county assessors office or at <http://svc.mt.gov/msl/mtcadastral/>. The list must include the name and complete mailing address of the property owner.

SIGNATURES

This form must be filed by a state or local public health agency for identified public health risks; a municipality, county, conservation district, or by at least one third of the water right holders in an area proposed for designation of a controlled groundwater area. **Print or type** the full name of the water user(s) and mailing address(es) and sign on the appropriate line. Attach additional sheets if necessary.

➤ **Sign below if form being filed by a state or local public health agency**

Printed Name

Signature

Title

➤ **Sign below if form is being filed by individual water right holders**

WE THE UNDERSIGNED GROUNDWATER USERS IN THE PROPOSED MANAGEMENT AREA
PETITION THE FLATHEAD WATER MANAGEMENT BOARD FOR A GROUNDWATER MANAGEMENT
AREA IN ACCORDANCE WITH THE ORDINANCE § 1-1-109, MCA AND THIS PETITION.

Printed Name _____ Signature _____

1. _____ / _____

Mail Address _____ Phone _____

2. _____ / _____
Mail Address Phone

3. _____ / _____
Mail Address / Phone

4. _____ / _____
Mail Address Phone

5. _____ / _____
Mail Address Phone

6. _____ / _____

Board

Mail Address _____ Phone _____

7. _____ / _____

Mail Address _____ Phone _____

8. _____ / _____

Mail Address _____ Phone _____

9. _____ / _____

Mail Address _____ Phone _____

10. _____ / _____

Mail Address _____ Phone _____

**For any additional information or help with your application, please contact the Office of the
Water Engineer and make an appointment.**

contact@frwmb.gov

(406) 201-2532