

## HB 22 FREQUENTLY ASKED QUESTIONS

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### I. QUESTIONS ABOUT HOUSE BILL 22

**Why was House Bill 22 passed?** This bill was passed to FUND (funding portion of this bill was REPEALED in 2007 in House Bill 473) the speed-up of the adjudication of water rights within the state so that:

1. We can figure out exactly how much water we actually use in our state;
2. We can have all of the water rights in our state decreed within the next 15 years instead of 40 to 50 years;
3. We can have a record of the quantify of water we use in our state;
4. We can defend our water use in challenges from other states wanting our water; and
5. We can enforce our water rights against other water users on our source of water in water disputes, which means our water rights can be distributed by local water commissioners. See HB 22 online at

[http://laws.leg.state.mt.us/pls/laws05/law0203\\$.startup](http://laws.leg.state.mt.us/pls/laws05/law0203$.startup)

See HB 22 as codified in Title 85, Chapter 2 of Montana Codes Annotated online at [http://data.opi.state.mt.us/bills/mca\\_toc/index.htm](http://data.opi.state.mt.us/bills/mca_toc/index.htm)

See HB 473 as codified in Title 85, Chapter 2 of Montana Codes Annotated online at \*\*\*\*\*[MARTHA – PLEASE ADD THE WEBSITE FOR THIS HOUSE BILL]\*\*\*\*\*

**What is a House Bill?** A house bill is a proposed new law by members of the House of Representatives branch of the legislature.

**What is the effect of a House Bill?** If it is passed by the legislature, it becomes a law of the state and is incorporated into the laws of the state in our codes, the Montana Codes Annotated.

**How many water right claims are left to be examined?** Approximately 57,000 claims were yet to be examined at the time that House Bill 22 was drafted. As of March 11, 2008, there remain 25, 153 claims to be examined.

**What is a basin?** A basin is that area of land where the water flows or drains into one source, such as a river. There are 4 major drainages or basins in Montana – The Clarks

Fork drainage in the western part of the state, the Upper Missouri River drainage in the middle of the state, the Lower Missouri River drainage in the northeastern part of the state, and the Yellowstone River drainage in the southeastern part of the state. Each of these 4 major drainages has been divided into basins for the major tributary rivers. There are 85 major tributary basins. The largest of these 85 basins have been further divided into sub-basins for easier management of the adjudication process. See the DNRC website listed at the end of this document for maps of these basins.

**How many Basins are there?** There are 85 basins in the state, and some have been divided into sub-basins due to size.

**Where can I look at a map that displays the basins?** Maps are located on this website, and on the DNRC website cited at the end of this document.

**How many Basins have been examined?** Approximately 53 basins and sub-basins had been examined at the time that House Bill 22 was drafted. Some of these may require reexamination.

**How many Basins are left to be examined?** The 57,000 claims remaining to be examined at the time HB 22 was drafted are contained in 33 basins. The number of basins that may be reexamined are unknown at this time.

**How long will it take for DNRC to examine the remaining water right claims?** Based upon the requirements and directions in HB 22, DNRC must complete the examination or reexamination of all claims within the state by the year 2015.

**How long would it have taken DRNC to examine the remaining water right claims before House Bill 22 was passed?** Based upon the limited resources prior to HB 22, it would have taken 30 to 40 years to complete the examination of all claims statewide.

**How many additional employees does DNRC need to complete the examination of the remaining water right claims by the year 2015?** DNRC has hired and maintained an additional 33 water right specialists and 6 support staff for a total of 39 additional employees.

## **II. QUESTIONS ABOUT HB 22 ADJUDICATION FEES**

**Why was there an adjudication fee?** To complete the examination of statements of claims for existing water rights in Montana by 2015, DNRC will need additional resources in the form of additional employees, materials and office space. In order to complete the issuance of decrees for all existing water rights within Montana by 2020, the Water Court must employ additional staff. The 2005 DNRC and Water Court budgets were insufficient to acquire the necessary resources.

**Who is expected to pay the adjudication fee?** Every water right owner in the state pays the fee, regardless of the type of appropriation. Federal and Indian reserved rights are exempt from the fee requirement. Though the fee was REPEALED in 2007, HB 374 requires that the 2005 bills sent to water right owners be collected.

**How many times will the Adjudication Fee be billed?** One time only in 2005, thanks to HB 473.

**Who will be sending the bills?** The Montana Department of Revenue sent out the 2005 bills and collected the 2006 payments.

**When will the bills be sent?** The bills were sent in December of 2005, and payment was due on these bills by January 31, 2006. DO NOT SEND MONEY UNLESS YOU RECEIVED A BILL.

**When will the bills be due?** The one and only bill was due in January of 2006. DO NOT SEND MONEY UNLESS YOU RECEIVED A BILL.

**Why do I have to pay the Department of Revenue for my water right fees?** HB 22, enacted by the 2005 legislature, made the Department of Revenue responsible for billing and collection of the adjudication fees. Once these fees are collected, they are disbursed to the DNRC Water Right Adjudication Fee account.

**Can I pay the adjudication fees at my local county treasurer's office when I pay my property taxes?** No, the payment for the adjudication fee was directed to be made to the Department of Revenue. No other entity is set up to accept these fees.

**What will happen if the bills are not paid?** The Department of Revenue may send the bills to collection, or may file a lien on the water rights, or may impose tax penalties similar to those listed under Section 15-1-216 of the Montana Codes Annotated.

**Do I have to pay the Adjudication Fee on my house well?** Yes.

**I live in a city and get my water from the city. Do I have to pay the fee?** No. If the city owns the water rights – the city will pay the fee for your municipal water. If you have your own water rights in addition to city water, you will be required to pay the fee for the rights you own.

**If I obtain a new water right, when will I be billed for that right?** You will never be billed an adjudication fee as the fee was REPEALED in 2007.

**If I obtain a water right through sale or transfer, when will I be billed for that right?** You will never be billed an adjudication fee as the fee was REPEALED in 2007.

**I don't currently own the property where a water right in my name is used. Do I still have to pay this fee? How do I get my name off of a water right?** The fee bill was sent to the last known owner on the water right record. If the owner is not correct, it is the responsibility of the individual who received the bill to be sure the ownership

record gets corrected. To correct the ownership information, contact the DNRC Regional Office for the county where the water right is located. See the list of Regional Offices on this website or at the end of this document.

**Will I get billed for a water right I don't use anymore?** Yes, unless the water right has already been terminated (formally and officially removed from the record.) If the water right is listed as "active" (formally and officially alive in the record), you got billed for it.

**How can I get a water right terminated?** In order to terminate a water right all of the owners on the water right must file a notarized withdrawal of the water right with either the DNRC or the Water Court depending on the status of the water right. You should contact the DNRC Regional Office for the county where the water right is located to find out the exact procedure for withdrawing a specific water right. See the list of Regional Offices on this website or at the end of this document.

**How will I be billed if I've never notified DNRC that I have acquired a water right?** You weren't billed in this situation. If the former owner fails to pay the bill for a right that now belongs to you, your water right could receive a lien until the bill is paid.

**I have a water right that was granted after June 30, 1973. Will I have to pay a fee?** Yes, all water rights of any type received a bill except federal and Indian reserved rights.

**I have a water right that was exempt from filing, but I voluntarily filed it during the claim filing. Will I have to pay a fee?** Yes

**If I think my bill is wrong what should I do?** Between December of 2005 and March 31 of 2006, you could file an appeal of your adjudication fee bill. The approximately 5,000 appeals filed on or before March 31, 2006 are being addressed and resolved. If you did not file an appeal, you should talk to your attorney.

### **III. QUESTIONS ABOUT DNRC**

#### **What does DNRC do?**

- 1.** The DNRC Water Right Specialists examine and review water right claims, called statements of claim, for completeness of claimed information.
- 2.** This review is under specific rules set out in the Supreme Court Claim Examination Rules, and according to the DNRC Claim Examination Manual which is an extension of the Supreme Court Rules.
- 3.** If information in the statement of claim and attachments is incomplete or appears incorrect, the specialist attempts to visit with the claimant and assist in the clarification of the claimed information. This is the claim examination process.
- 4.** After visiting with the claimant, or not, any remaining questions or issues on a water right are documented on the record of the water right in the form of issue remarks for

resolution by the Water Court during the adjudication of the water right claims in the basin.

5. When all claims in a basin have been examined, DNRC compiles them all with the examination results into a “summary report” that is sent to the Water Court.

6. Once the claims in a basin are examined and then decreed by the Water Court in a temporary preliminary or preliminary decree, the DNRC assists the Water Court by supplying records and expertise for the resolution of objections and issue remarks during the Court’s adjudication of the water rights in the decree.

7. DNRC may also assist the Water Court in settlement conferences, and may do on site visits called “field investigations.”

See DNRC online at website <http://www.dnrc.state.mt.us/wrd/home.htm>. Once the page has opened, click on “water rights.”

**What is a water right claim or statement of claim?** A Statement of Existing Water Right Claim is a notarized statement by the owner of the water right that describes and asserts ownership of that water right. These claims were filed between 1979 and April 30, 1982, for water rights with dates of first use (priority dates) prior to July 1, 1973. Each Statement of Claim identifies the elements of the water right including Owner, Purpose, Source of water, Priority Date, Flow Rate and/or Volume, Period of Use, Point of Diversion, Means of Diversion, Acres Irrigated, and Place of Use. Supporting documentation was required for priority date, source, point of diversion and place of use. Together the notarized statement and supporting documentation comprise the Statement of Claim.

**What are the Supreme Court Claim Examination Rules?** These are rules issued by the Montana Supreme Court which specify how the elements on a statement of claim are to be examined and direct the process of examination. These rules were arrived at with the assistance of the DNRC, the Water Court, and the public. The Supreme Court Water Right Claim Examination Rules can be found on the DNRC website under Water Rights.

**What is the Claim Examination Manual?** This is the how-to book for the implementation of the Supreme Court Rules. DNRC water right specialists are guided by the Rules and the Manual in their examination of water right claims. The Claim Examination Manual can be found at any DNRC Regional Office.

**What is an issue remark?** An issue remark is generated when ever information contained in the claim or attached documentation is unclear, inadequate, or incomplete and the examiner is unable to get assistance from the claimant to clarify or adequately support the claimed information. The issue remark identifies the unclear, inadequate, or incomplete information. Examples of issue remarks are located in the Claims Examination Manual and Supreme Court Rules.

**What happens when an examiner sees a problem or question on a water right?** The examiner will send a letter to the claimant requesting assistance in resolving the issue. If

the claimant reviews the issue with the examiner and provides additional information which resolves the issue, no issue remark will be added to the water right record.

**What happens to issue remarks?** If the claimant refuses to review the issue with the examiner, or cannot provide additional information to clarify the issue, then an issue remark will be added to the water right record to be resolved by the Water Court during the adjudication in the basin.

**What is a summary report?** When the examiners complete their examination of the claims in a basin, and have received all clarifying information claimants can or are willing to provide, then DNRC prepares a report of the statements of claim including all information on the elements of each claim and all remaining issue remarks. This report, called a summary report, is sent to the Water Court for use in the Court's preparation of the initial decree in the basin.

#### **IV. QUESTIONS ABOUT THE CLAIM EXAMINATION PROCESS**

**How is my water right examined?** The examiner (Water Right Specialist) looks at the statement of claim as filed with the required supporting documents such as the map, any documentation supporting the priority date, and any other materials included with the statement of claim by the claimant. The examiner reviews each claimed element of the water right with the documentation included as directed in the Supreme Court Rules and Claim Examination Manual with the use of specified outside resources.

**What resources does the examiner use when examining my water rights?** The examiner uses the directions in the Supreme Court Rules and the Claim Examination Manual. They also examine the claimant's map against the Water Resources Survey map and notes, and against another map such as an aerial photograph taken at or near 1973 and against land ownership records to confirm current ownership of the water right.

**What is a Water Resource Survey?** It is a survey undertaken by the predecessor to the DNRC (the State Engineers Office) back in the 1940's or 1950's. The staff of the State engineers office interviewed the water users in each county to determine what water rights they had, out of what sources of water, and where and how the water was being diverted and used. Maps were made, notes taken, and one or two volumes of the survey were published for each county. Not all counties got surveyed. The maps show what was occurring at the time of the survey. See the WRS online at the DNRC website listed at the end of this document.

**What is an aerial photograph?** It is a picture of the ground taken from an airplane. They tend to show irrigated ground, forested ground, some diversion systems, and any other objects and things of sufficient size to be observable at the distance of the photograph. Like the Water Resource Survey, they show what was occurring at the time of the photograph.

**What is a “decreed right”? What is a district court decree?** In many areas of the state water users started having distribution problems back in the late 1800’s, and went to court to solve their disputes. There are old district court water right decrees that predate the creation of the Montana Water Court. If a water user claimed a priority date based on an old decree, he/she was required to attach a copy of the old decree to their statement of claim to support their claimed priority date. We call this type of right a “decreed right”.

**What is a “filed right”? What is a Notice of Appropriation?** Prior to 1973, a water user could file a Notice of Appropriation in the county courthouse where the water right was located. If a water user claimed a priority date based upon an old Notice of Appropriation, he/she was required to attach a copy of the old notice to their statement of claim to support their claimed priority date. We call this type of right a “filed right”.

**What is a “use right”? What is an Affidavit?** Before 1973 there was a third type of right, called a use right. It didn’t require a prior decree or a prior filing. Documentation to support the priority date for this type of right consisted of an affidavit. An affidavit is a sworn statement by someone about facts within their personal knowledge, such as the date of first use of a water right. The statement of claim is considered to be an affidavit, and without more, is considered to be the supporting documentation for the claimed priority date on a “use right”.

**What will happen after my water right is examined?**

1. If all of the claimed information is confirmed by the attached documentation and the outside resources, then the water right as claimed is ready to be included in the summary report to the Water Court.
2. If all of the claimed information can’t be confirmed, the examiner identifies the issues and selects the appropriate issue remarks and creates a review abstract of the water right. The claimant is then sent a letter with a copy of the review abstract and any other appropriate material and asked to further clarify the questionable information.
  - A. If the claimant clarifies the issues, the examiner assists the claimant in making any corrections to the water right and the issue remarks are not retained on the water right record. The water right is then ready to be included in the summary report.
  - B. If the claimant fails to clarify the issues, the issue remarks are placed on the water right record and it is then included in the summary report with the issue remarks.

**V. QUESTIONS ABOUT THE WATER COURT**

**What does the Water Court do?**

1. The Water Court decides the priority of claims examination, or decides which basins will be examined first and so on, based upon a variety of factors such as need, reserved rights involvement, and other factors.

2. The Water Court decrees water rights for a basin in an initial water right decree, called a temporary or temporary preliminary decree.
3. The Water Court notifies every water right owner in a decree when a decree has been issued so that claimants can review their rights as decreed, and review their neighbor's rights, and can object to correct any misinformation.
4. After the objection period on a decree has closed, the Water Court notifies every water right owner in the decree of the objections filed and gives them an opportunity to be involved in the resolution of objections on water rights they do not own, or have not filed an objection to by filing a notice of intent to appear.
5. After the notice of intent to appear period on a decree has closed, the Water Master assigned to the decree consolidates the claims into cases and sets the schedule to resolve the objections and any issue remarks, including a formal hearing and decision where necessary.
6. Once any objections and issue remarks are resolved on a water right, the Water Master issues a Master's Report of what happened in resolving the objections or issues and recommends any changes to be made, or not made to the water right.
7. If there are no objections to the Master's Report it is adopted by the Chief Water Judge or other Water Judge and the records for that right are changed accordingly.
8. If there are no objections to, or issue remarks on a water right, then it will remain unchanged through the adjudication.

**What is a decree?** In the context of water rights, an initial decree includes a list of each statement of claim for water right filed in a basin, including all elements of each right and the examination results.

**What is a preliminary or temporary preliminary decree?** A preliminary or temporary preliminary decree is the first decree in a basin and is preliminary because the rights have not yet gone through the adjudication process, and the federal and Indian reserved rights may not be included. The actual adjudication commences with the issuance of the preliminary or temporary preliminary decree.

**What is a final decree?** A final decree is a list of all water rights in a basin, as finally adjudicated or granted, and includes all federal and Indian reserved rights in the basin.

**What is a Water Master?** A Water Master is usually an attorney who is responsible for the organization of and management of objections and issues in a decree. The Water Master is responsible for sorting out the water rights and objections and setting up the cases in a basin decree. They set the deadlines for the resolution of objections and issues, and they issue a Master's Report on the resolution of each case. They manage all the details of the adjudication in a basin, including conducting hearings and writing decisions, all under the direction of the Water Judges.

**What is a Water Judge?** There are 5 Montana water judges. The first is the Chief Water Judge, who is an attorney appointed by the Supreme Court. The Chief Water Judge presides over the Montana Water Court located in Bozeman. The other 4 water judges are district court judges in each of the 4 major drainages in Montana. Each water

judge is chosen by the district court judges within his/her drainage. These 4 judges are located at the district courts where they preside, and assist the Water Court on cases in their drainages.

## **VI. QUESTIONS ABOUT THE ADJUDICATION PROCESS**

### **What is Adjudication?**

1. The adjudication is Montana's statewide general stream adjudication of water rights. It is a court process that includes: the examination of the statement of claims in a basin (the rights to the use of water acquired prior to July 1, 1973); a decree of the examined claims with the examination results (remarks clarifying use and any issue remarks); and the resolution of any objections and issue remarks on the statement of claims in the basin. The Water Court has further information on details of this process. See the Water Court website at the end of this document.

2. Our water right adjudication will be complete when we have final water right decrees in all basins in the state. The final decrees will set forth who has the right to use Montana's water and the priority date of each right. The priority date is important because, whoever used the water first has the first right to the water in the source of supply.

3. The adjudication process proceeds as follows:

A. Anyone who used water in Montana prior to July 1, 1973 was required to file a water right statement of claim.

B. Under the guidance of the Montana Water Court and the Supreme Court rules, DNRC reviews those claims. This review is called "examination". If a water right claim is unclear or is outside of the guidelines defined in the rules, "issue remarks" are added to the claim.

C. When the examination of a basin is complete, the Water Court will issue an initial or preliminary decree. Everyone will then have the opportunity to look at their own water rights to see that they were decreed correctly. Anyone can also look at any other claims to see that they were decreed correctly.

D. A claimant who is dissatisfied with how their water right was decreed can file objections to that right to correct it. Also, claimants can file objections to water rights belonging to other users if they believe another water right was improperly decreed.

E. Water Masters will work with claimants and objectors to resolve any objections or issue remarks.

F. Finally, when all objections and issue remarks have been resolved, a final decree will be issued identifying the water rights as changed during the adjudication process. If a water right claim received no objections nor any issue remarks it will not be changed in the adjudication process.

**What is a source of supply?** It is the river, stream, spring, reservoir, lake, underground aquifer or other body of water that supplies the water for a water right.

**What are objections?** After statements of claim are issued in a decree, the only way information other than ownership and address can be changed is through the Water Court

in an objection process. If information on your water rights is wrong, you must file a formal objection to get that information corrected. If information on your neighbor's water rights is wrong, you must file a formal objection to get that information corrected. The Water Court provides forms for objections.

**What are settlement conferences?** When the Water Court commences the adjudication of objections and issue remarks in a basin, the parties are given the opportunity to resolve the objections/issues before a formal hearing on the water right(s) is set. In a settlement conference the parties discuss the issues and explore options for resolving the issues with a Master facilitating the discussions. Sometimes cases are sent to a mediator to facilitate settlement.

**What are field investigations?** When the Water Court commences the adjudication it can order a DNRC water right specialist to go to the site of the water right and check out the visible elements of the right and system of use and report back to the Court and the parties. This practice is generally utilized when there is no other means of obtaining such information and is necessary to the resolution of an objection or issue. All parties are welcome to participate in such an investigation, and to comment on the resulting report.

**What is a Master's Report?** At the resolution or conclusion of objections and/or issues on a water right, the Water Master issues a report containing: 1.) Findings of Fact; and 2.) Conclusions of Law based upon the findings of fact and applicable law.

**How is a water right record changed?** Once the Master's Report is approved, or the Water Judge makes a decision on an objection to a Master's Report, elements of the water right in the water right record are changed, or not, to reflect the conclusions in the Master's Report or the Judge's decision.

**How long will the adjudication take?** Based upon the requirements of HB 22, initial water right decrees will be issued in all basins throughout Montana by 2020. It will take additional time after that for the Water Court to finish resolving objections and issues to the last of these water rights before it can issue the remaining final decrees.

**How can I find out if my water rights have been adjudicated, or have yet to be adjudicated?** You can find out the status of your water rights through the DNRC Regional Office for the county where your water rights are located. See the list of Regional Offices at the end of this document.

**What should I do to prepare for the adjudication in my basin?** You should locate and review all of your water right records. You should check to be sure the DNRC records for your rights accurately reflect your ownership and mailing address. If contacted by a water right specialist regarding unclear or incomplete information on the statements of claim and supporting documentation for any of your water rights you should respond as soon as possible, and resolve as many questions as possible.

**Why should I respond to requests for information from a DNRC water resource specialist?** You may be able to resolve issues on your water rights in the claim examination process, and thus avoid having to be involved in a hearing before the Water Court during the adjudication of water rights in your basin. If your water rights have no issue remarks they may be less likely to be objected to. If your water rights have issue remarks, they may be more likely to be objected to. If your water rights have issue remarks and are not objected to, you will still be required to resolve the issue remarks by the Water Court during the adjudication process.

## **VII. SPECIFIC QUESTIONS ABOUT WATER RIGHTS**

**What information does the DNRC record have on my water right(s)?** The DNRC record contains all of the elements of your water right – owner, address, purpose, priority date, flow rate and/or volume, source, period of use, point of diversion, means of diversion, acres irrigated, place of use, legal descriptions for point of diversion and place of use, clarifying remarks and issue remarks.

**How do I find out if the mailing address on my water rights is correct? What do I do if the mailing address is wrong?** You can check your record on the Montana State Library Natural Resource Information System Interactive Program (NRIS) website, or contact the DNRC Regional Office for the county where your water rights are located. If your address is wrong you can update it through your Regional Office, or online in this website. See the NRIS website and a list of Regional Offices at the end of this document.

**How do I find out if my name is on the water rights? What do I do if it isn't?** You find this information the same way as for address information. If you are not listed as the owner of your water rights then you must contact your Regional Office as there is a specific form you have to fill out called an Ownership Update and there is a filing fee for this form. The Ownership Update form is available online on the DNRC website at <http://www.dnrc.state.mt.us/wrd/home.htm>

**What do I do if I am no longer using one of my water rights and want to get rid of it?** Then you and all owners on the record for the water right must file a notarized withdrawal of the water right with either the DNRC or Water Court. Contact the DNRC Regional Office for the county where the water right is located to obtain the correct forms and procedures information. A list of Regional Offices appears at the end of this document.

**What do I do if I want to change the purpose on my water right?** You must go through an Authorization to Change process with the DNRC Regional Office that services the county where your water right is located. See the list of Regional Offices at the end of this document.

**What does it mean if my water right has been terminated, revoked, withdrawn, denied, dismissed, or is pending?** It means that your water right is not a valid water

right, or is not yet a valid water right under the law. It means you have no legal right to use or enforce that water right as against other water users. It also means you will not receive an adjudication fee bill for that water right.

**What if other information in the DNRC record besides ownership and address is wrong? How do I get that corrected?** This type of question is very specific to a given water right, and the answer depends on the adjudication status of the basin where the right is located. You should contact the DNRC Regional Office for the county where the water right is located for the status of the water right and your options. See the list of Regional Offices at the end of this document.

**If I see someone taking water illegally, what should I do?** You should contact the DNRC Regional Office for the county where the illegal use is occurring and DNRC will inform you of your options. See the list of Regional Offices at the end of this document.

**Do my water rights have to be filed? What can happen if my water rights aren't filed?** Exempt rights do not have to be filed to be valid. All other water rights must be filed with the DNRC to be valid under the law. However, if your rights are not filed but valid, you may still have problems enforcing them because there is no record of such rights until they are filed.

## **VIII. QUESTIONS ABOUT OTHER PLACES TO FIND ADDITIONAL INFORMATION**

### **Where can I find information on my water rights?**

- The DNRC Regional Office that services the county where your water rights are located can provide current information on your water rights. See the list of Regional Offices at the end of this document and a listing for Regional Offices can be found on the DNRC website at <http://www.dnrc.state.mt.us/wrd/home.htm>
- You can review the record on your water rights on the National Resources Information System (NRIS) on its website at <http://nr.is.mt.gov/dnrc/waterrights>
- You can review Water Court information online at website <http://www.lawlibrary.state.mt.us/dscgi/ds.py/View/Collection-1789>

### **Why can't I find information on my water right on the NRIS website?**

1. The way in which you enter information is important. For example, if you are entering a water right number, you need to enter the basin code number, then enter the individual identification number and finally enter or select the type of water right.
2. There are over 85 unique basin codes made up of 2 numbers and 1 or 2 letters.
3. Each water right has its own unique identification number. Some identification numbers are 6 digits long with a 2 digit extension and some are 8 digits and do not have an extension number.

4. The water right type depends on how and when the water right was acquired. Statements of Claim are for existing water rights (pre 7/1/1973). A Provisional Permit is a post 7/1/1973 water right. A Certificate of Water Right is issued by the DNRC for exempt rights (pre 7/1/1973 rights that were exempt from the filing requirements) that have been voluntarily filed. A Reserved right refers to a federal or Indian water right that is part of a federal or Indian reservation of land.
5. Here are some examples of how a water right claim might be identified. These are made up examples only, and are not actual water rights.

BASIN CODE – [41H], [76GJ], [40R], [76B], [40J]

ID NUMBER WITH EXTENSION – [9712 - 00], [111111 - 00], [50607 - 01]  
NOTE: The first claim filed is number 000001. If a claim number starts with zeros, the initial zeros do not have to be included.

ID NUMBER WITHOUT EXTENSION – [30000056], [30001234]

TYPE OF RIGHT – [Statement of Claim], [Provisional Permit],  
[Reserved Right], [Certificate of Water Right]

6. You can also access information on your water right on NRIS by owner name or land description. If your name isn't currently in the ownership record for your water rights, you will need to access your rights by the prior owner's name.

**NOTE:** If the owner name or address information is wrong on your water right(s) – contact the DNRC Regional Office for the county where your water right(s) are located to have that information updated.

## DNRC REGIONAL OFFICES

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**BILLINGS:** AIRPORT INDUSTRIAL PARK, 1371 RIMTOP DR., BILLINGS MT 59105-1978  
PHONE: 406-247-4415 FAX: 406-247-4416

SERVING: 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  
PHONE: 406-586-3136 FAX: 406-587-9726

SERVING: Gallatin, Madison, and Park Counties

**GLASGOW:** 222 6TH STREET SOUTH, PO BOX 1269, GLASGOW MT 59230-1269  
PHONE: 406-228-2561 FAX: 406-228-8706

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

**HAVRE:** 210 6TH AVENUE, PO BOX 1828, HAVRE MT 59501-1828  
PHONE: 406-265-5516 FAX: 406-265-2225

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

**HELENA:** 142 4 9<sup>th</sup> AVENUE, PO BOX 201601, HELENA MT 59620-1601  
PHONE: 406-444-6999 FAX: 406-444-9317

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KALISPELL: 655 TIMBERWOLF PARKWAY, SUITE 4, KALISPELL MT 59901-1215  
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SERVING: Flathead, Lake, Lincoln, and Sanders Counties

LEWISTOWN: 613 NORTHEAST MAIN ST., SUITE E, LEWISTOWN MT 59457-2020  
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MISSOULA: 2705 SPURGIN ROAD, BUILDING C  
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