



ADMINISTRATIVE RULES OF MONTANA



36.12.1010 DEFINITIONS

For the purposes of these rules, the following definitions shall apply:

- (1) "Application" means an application for beneficial water use permit, form no. 600, or application for provisional permit for completed stockwater pit or reservoir, form no. 605.
- (2) "Consumptive use" means a use of water which removes water from the source of supply, such that the quality or quantity is reduced or the timing of return delayed, making it unusable or unavailable for use by others.
- (3) "Department" means the department of natural RESOURCES AND CONSERVATION.
- (4) "Infiltration gallery" means a collection system consisting of one or more perforated pipes, culverts, or screens, placed horizontally beneath the streambed or vertically adjacent to the streambed, by which surface water is appropriated.
- (5) "Nonconsumptive use" means a beneficial use of water which does not cause a reduction in the source of supply, and where substantially all of the diverted water returns to the source of supply with little or no delay and without adverse effect to the quality of water.
- (6) "Supplemental irrigation" means additional water provided to lands which are already irrigated or to lands which will receive water through another water right.
- (7) "Surface water" means all water at the surface of the ground including any river, stream, creek, ravine, coulee, undeveloped spring, or lake, regardless of its character or manner of occurrence, including but not limited to, diffused surface water, sewage effluent, waste water, and return flows and any subsurface water which is a part of the surface flows.

Authorizing statute(s): Sec. 85-2-112, 319, MCA

Implementing statute(s): Sec. 85-2-319, MCA

History: NEW, 1990 MAR p. 228, Eff. 1/26/90; AMD, 1990 MAR p. 1896, Eff. 10/12/90; AMD, 1992 MAR p. 1396, Eff. 6/26/92.