

PROPOSED APPLICATION PROCESS

<p>1. APPLICATION & CRITERIA REVIEW: DNRC Regional Office reviews application and criteria supplement for completeness. May include field investigation.</p>	<p>2. INCOMPLETE: If deficiencies identified, Deficiency Letter sent with 30 day deadline. Applicant can request extension of additional 30 days. If no response application is Terminated.</p>
<p>2. COMPLETE: If application determined complete, or when the deficiency in the application is met, the DNRC will proceed to make a decision.</p>	
<p>3. DNRC CRITERIA EVALUATION: DNRC documents facts in the application relative to the criteria for the permit or change—may meet with Applicant for further information and discussion of criteria. DNRC notifies applicant it is ready to make decision by a date certain. If Applicant needs more time, he must sign a waiver of the time for making a decision.</p>	
<p>4. DNRC DECISION: Applies application information to the criteria to determine whether to propose to Grant or Deny the Application.</p>	
<p>5A. PROPOSE TO GRANT: Based on a full review of all applicable criteria prepare Criteria Assessment to grant.</p>	<p>5B. PROPOSE TO DENY: Based on a full review of all applicable criteria complete a STATEMENT OF OPINION proposing to deny. Applicant may request show-cause hearing in writing within 30 days.</p>
	<p>5C. SHOW CAUSE HEARING: DNRC conduct hearing for only the applicant to show why permit/change should not be denied. DNRC denies or may grant after review of further information. If the proposal to DENY is REVISED TO GRANT, the process flows back to 6.</p>
<p>6. PUBLISH NOTICE: Notice of the application is published. Application notice and proposal to grant sent to potentially affected existing water rights.</p>	<p>5D. FINAL DECISION TO DENY: Decision is appealable under §2-4-702, MCA in a Petition for Judicial Review</p>
<p>6A. NO OBJECTIONS: Application is granted.</p>	
<p>6B. OBJECTIONS RECEIVED: Set an optional Settlement Meeting date for Applicant and Objectors to see if meaningful resolution can be reached under the terms of the proposal to Grant the Application.</p>	
<p>7. SHOW CAUSE HEARING: If objections not settled, hearing conducted for applicants and objectors to show why the application should not be granted. Decision is a Final Agency Decision appealable under §2-4-702, MCA in a Petition for Judicial Review</p>	