

# REALTY TRANSFER CERTIFICATE

Form RTC  
V3 2/2024

## Confidential Tax Document

**WHO MUST FILE** – Any party transferring real property, regardless of whether the transfer is evidenced by deed or instrument, or any party presenting an instrument or deed evidencing a transfer of real estate for recording. Real estate includes land, growing timber, buildings, structures, fixtures, fences, and improvements affixed to land.

**YOU MAY OWE INCOME TAXES** – Any gain on this transfer is Montana source income and should be reported to the Department of Revenue on the appropriate income tax return.

**WHEN AND WHERE TO FILE** – The completed Realty Transfer Certificate must be filed with the County Clerk and Recorder when the instrument or deed evidencing a transfer of real estate is presented for recording.

If the transfer is by operation of law, a Realty Transfer Certificate with the required supporting documentation should also be filed with the local Department of Revenue office. See Part 4 for further information.

**The Department of Revenue will change the ownership record when this form is fully completed and signed by the preparer.**

### PART 1 – DATE OF TRANSFER (SALE)

This will be the date on which the instrument or deed was executed (the date the instrument or deed was signed by the Seller (Grantor) and Buyer (Grantee) unless otherwise specified in the deed or date of decedent's death). Contracts for Deed and Notices of Purchaser's Interest will use the date the contract or notice was initially effective.

### PART 2 – PARTIES

**Seller (Grantor)/ Buyer (Grantee):** Enter the names of the Seller (Grantor) and Buyer (Grantee) exactly as they appear on the transferring document. Business organizations, corporations, trusts, etc., should enter their name(s) exactly as it appears on the transferring document.

**Addresses:** For the Seller (Grantor), enter the current mailing address. The Seller (Grantor) and the Buyer (Grantee) are requested to mark Yes or No to indicate if the property subject to this transfer has been or will be the location of their principal residence. A principal residence is a residential dwelling that was occupied, in the case of the Seller (Grantor), or will be occupied, in the case of the Buyer (Grantee), for at least 7 months. The Buyer (Grantee) must enter the permanent mailing address. If the tax notice is to be sent to a different mailing address, please complete the additional mailing information.

**SSN or FEIN:** For individuals, provide the last four digits of the Social Security Number of all legal owners named in the transferring document. For business organizations, corporations, trusts, etc., provide the last four digits of the federal ID number(s) of the legal entity(ies) named in the transferring document. See [15-1-201, MCA](#) and 42 USC 405(c)(2)(C)(i)(iv). The Department of Revenue uses personal identification numbers to cross match Realty Transfer Certificates with income tax returns to verify taxpayer compliance on gains from real estate sales or transfers and to identify delinquent taxpayers. Additional SSN or FEIN numbers (last four digits) may be provided on an attachment.

**Daytime Phone and Email Address:** Enter phone numbers and email addresses for both the Seller (Grantor) and Buyer (Grantee).

### PART 3 – PROPERTY DESCRIPTION

This section identifies the parcel that is being transferred by location and is the legal description found on the instrument or deed conveying the real estate or the abstract to the real estate.

The property description may be provided on an attachment and can be identified by checking the applicable box.

### PART 4 – DESCRIPTION OF TRANSFER (Please refer to *When and Where to File* above.)

Check the box(es) that describes the transfer for which an instrument is to be recorded with the County Clerk and Recorder.

**Transfer by Operation of Law:** Check the box(es) that apply to the type of transfer. A copy of the following applicable documentation must be attached to the Realty Transfer Certificate:

- Termination of joint tenancy or life estate by death – copy of certified death certificate.
- Transfer on Death deed – copy of recorded transfer on death deed and copy of certified death certificate.
- Court Decree – certified copy of the order or decree requiring the transfer.
- Merger, consolidation, or other business reorganization – plan of reorganization filed with the Secretary of State.
- Name change only – documents filed with the Secretary of State to record the name change.

### PART 5 – EXCEPTION FROM PROVIDING SALES PRICE INFORMATION

If any of the exceptions listed apply to this transfer, check the appropriate box and do not complete Section 6. If you are unsure whether this transaction should be defined as an exception, or if you have any other questions concerning exception status, request a determination from your local Department of Revenue field office. [15-7-307, MCA](#)

### PART 6 – SALE INFORMATION (If there is no exception checked in Part 5, you must complete this section.)

**Confidentiality: Sale information is confidential and for official use by the Department of Revenue only.**

Enter the total purchase price paid for the sale parcel. This should include cash, mortgages, property traded, liabilities assumed, leases, easements, and personal property.

**Financing:** If you paid cash for the entire sale parcel, check the box for Cash. If you financed the property by receiving a loan, check the appropriate box: Federal Housing Administration (FHA) Loan; Veterans Administration (VA) Loan; or Conventional. If this was a contract for deed or trust indenture, check the box for Contract. If there was some other type of financing used, such as a Montana Board of Housing Loan, trade of property, etc., check the box for Other. Also, indicate whether this was a new loan or an assumption of an existing loan.

**Personal Property:** Enter the dollar amount of any personal property included with the sale of this parcel. Personal property includes furniture and fixtures, business and farm equipment, livestock, recreational vehicles, leases and easements, and mobile homes. Anything that is permanently attached to the real estate should not be included. Negligible personal property included in a residential sale need not be reported.

**SID (Special Improvement District – liens levied against the property for amenities like street paving, sewers, water systems, etc.):** Answer the questions by checking the appropriate boxes, and include the amount of the SID paid or assumed.

**Value of Inventory:** Provide the value of any business inventory that was included in the sales price.

**Value of Licenses:** Provide the value of any licenses included in the sales price, i.e., liquor licenses, gambling licenses, etc.

**Value of Good Will:** Provide the value of Good Will included in the sale price. (Good Will is defined as "the economic advantage over competitors that a business has acquired by virtue of habitual patronage of customers.")

**PART 7 – WATER RIGHT DISCLOSURE** – This disclosure must be completed and signed by the Seller (Grantor) or the Seller's legally appointed agent if box B, C, or D is checked. If Box D has been checked, DNRC Form 640, *Certification of Water Right Ownership Update* (page 5), must also be signed by the Seller (Grantor), the Buyer (Grantee), and the escrow agent (if applicable) for the deed or instrument to be recorded by the County Clerk and Recorder. Refer to page 2 for further information about the disclosure.

**PART 8 – PREPARER INFORMATION** – All Realty Transfer Certificates must be signed and dated by the preparer. By his/her signature, the preparer indicates the information provided is true and correct to the best of his/her knowledge, that the Seller (Grantor) and the Buyer (Grantee) have examined the completed Realty Transfer Certificate and agree the information contained within is correct and accurate.

## Water Right Disclosure Information for Part 7 of Realty Transfer Certificate

The Water Right Disclosure is required by Montana law. The Montana Legislature requires both the buyer and seller of property to know what the water rights situation is—whether any water rights exist and whether they are being transferred with or withheld from the property.

A water right is a legally protected right to beneficially use water in priority that was obtained in accordance with Montana law. Buyers should investigate whether water being used on a property is allowed as a valid water right or is merely an unauthorized and unprotectable use of water. In Montana, all irrigation water rights must have a valid Department of Natural Resources and Conservation (DNRC) water right number to be of record. However, existing water rights for livestock and individual domestic use, as opposed to municipal use, based on an instream flow or groundwater source before July 1, 1973, do not need a DNRC water right number. If a water right does not have a DNRC number, and does not fall within the above narrow exception, there is no water right.

Once the water rights appurtenant to a property have been identified, the investigation of water rights should not stop there. Although a water right may have a valid DNRC water right number, it may still be subject to final adjudication in Montana's general adjudication. The Montana Water Court is currently adjudicating all Statements of Claim for pre-July 1, 1973, water rights. A water right's validity is dependent on the results of its adjudication, and how its priority compares to other water rights on a source of supply. The buyer and seller of a property may need to consult an attorney or water rights consultant for an opinion of the status of the property's water right. The Montana Water Court can answer questions about the current status of Statements of Claim being adjudicated by calling 1 (800) 624-3270 (in state) or (406) 586-4364.

**Important:** If there are water rights that have been historically used on the property that is being transferred, but any of these water rights will not be transferred in the sale of land, a recorded document must specifically exempt/reserve (i.e. sever) those water rights from the land sale. If a recorded document is silent, the water rights automatically pass with the land by operation of law.

To correctly complete Part 7 – Water Right Disclosure (page 3), the seller needs to know if there are water rights on record with DNRC that are appurtenant to the subject property. The following descriptions may be helpful to determine the appropriate box to select in Part 7 – Water Right Disclosure. **Note:** only one box may be selected in Part 7. If further assistance is needed, the buyer and seller of a property may want to seek legal advice.

- A. Property is served by a public water supply, i.e., city or water district provides water.** Check this box if the water you use on the land described in this document is provided by a city, town, water users association, or other entity. Seller's signature is not required in Part 7 if box A is checked. The seller does not need to file a DNRC Form 608, *Water Right Ownership Update*.
- B. Seller has no water rights on record with DNRC to transfer.** Check this box if there are no water rights appurtenant to the subject property on record with the DNRC. The seller does not need to file a DNRC Form 608, *Water Right Ownership Update*.  
If only filing a Transfer on Death Deed, check box B, as water rights do not transfer at this time.
- C. Seller is transferring ALL water rights on record with DNRC to the Buyer.** Check this box if all of the water rights on record with DNRC that are appurtenant to the subject property will be transferred to the buyer. To update the ownership of water rights, submit DNRC Form 608, *Water Right Ownership Update* (page 6-8) and the proper fee to your local Water Resources Regional Office.
- D. Seller is dividing or severing water rights.** Check this box and complete DNRC Form 640, *Certification of Water Right Ownership Update* (page 5) if the seller has divided the property and water rights, or has severed the water rights (i.e. the water rights were not transferred with the land sale). If a water right has been divided, the buyer and seller must file a DNRC Form 641, *Ownership Update, Divided Interest*, explaining how and with whom the water right has been divided. If a water right has been severed (i.e. water right was not transferred with the land sale), the water right owner must file either a DNRC Form 642, *Ownership Update, Split and Sever of a Water Right*, or DNRC Form 643, *Ownership Update, Severed Water Right*, as applicable.

**Contact the DNRC for information if water is used on the property other than described above.**

# REALTY TRANSFER CERTIFICATE

**Confidential Tax Document:** The information contained in this certificate is confidential by Montana law. Unauthorized disclosure of this information is a criminal offense, [15-7-308, MCA](#).

GEOCODE(S) \_\_\_\_\_  
ASSESSMENT CODE: \_\_\_\_\_

The Department of Revenue will change the name on ownership records used for the assessment and taxation of real property when this form is fully completed and signed by the preparer. (Please read the attached instructions on page 1 for assistance in completing and filing this form.)

**Montana law requires this form be completed and may impose up to a \$500 penalty for failure to file a Realty Transfer Certificate ([15-7-304](#), [15-7-305](#) and [15-7-310, MCA](#))**

## PART 1 – DATE OF TRANSFER (SALE)

(MM/DD/YYYY)

## PART 2 – PARTIES Please complete this section in full; if additional space is required, please attach a separate page

### Seller (Grantor)

Name \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
(Permanent) \_\_\_\_\_  
City \_\_\_\_\_ ST \_\_\_\_\_ ZIP \_\_\_\_\_  
Seller Principal Residence  Yes  No

Enter the last 4 digits of the SSN or FEIN

SSN \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
SSN \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
FEIN \_\_\_\_\_ - \_\_\_\_\_  
Daytime Phone \_\_\_\_\_  
Email Address \_\_\_\_\_

Main Geocode \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
Assessor Code or Parcel # \_\_\_\_\_

### Buyer (Grantee)

Name \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
(Permanent) \_\_\_\_\_  
City \_\_\_\_\_ ST \_\_\_\_\_ ZIP \_\_\_\_\_  
Buyer Principal Residence  Yes  No  
Mailing Address \_\_\_\_\_  
For Tax Notice \_\_\_\_\_  
(If different) City \_\_\_\_\_ ST \_\_\_\_\_ ZIP \_\_\_\_\_

SSN \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
SSN \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
FEIN \_\_\_\_\_ - \_\_\_\_\_  
Daytime Phone \_\_\_\_\_  
Email Address \_\_\_\_\_

Transfer to Trustee, Custodian, or other Representative:  
Trust FEIN \_\_\_\_\_ - \_\_\_\_\_  
Minor SSN \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

## PART 3 – PROPERTY DESCRIPTION Please complete fully; if additional space is required, please attach a separate page.

Legal Description \_\_\_\_\_ Attachment   
Add/Sub \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_  
County \_\_\_\_\_ City/Town \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

## PART 4 – DESCRIPTION OF TRANSFER Please complete fully; more than one option may apply.

Sale  Gift  Barter  Nominal or no consideration  Part of 1031 or 1033 exchange  Transfer is subject to a reserved life estate  
Distressed sales:  Sheriff's deed  Trustee's deed  Deed in lieu of foreclosure  Short sale  Other

### Transfer by Operation of Law

Termination of life estate by death  Termination of joint tenancy by death  Transfer on Death deed  
 Court order or decree (except sheriff's sale)  Merger, consolidation, or other business entity reorganization  Name change only

## PART 5 – EXCEPTIONS FROM PROVIDING SALES PRICE INFORMATION Please complete fully, more than one may apply.

Transfer between husband/wife or parent/child for nominal consideration  Transfer made in contemplation of death without consideration  
 Termination of joint tenancy by death  Transfer of property of a decedent's estate  
 Transfer to a revocable living trust  Transfer pursuant to court decree (except sheriff's sale)  
 Gift  Termination of life estate by death  
 Correction, modification, or supplement of previously recorded instrument, no additional consideration  Transfer by government agency  
 Merger, consolidation, or reorganization of business entity  Tax deed  
 Land currently classified as agricultural land and for continued use for agricultural purposes ([15-7-307, MCA](#))  Land currently classified as forestland and for continued use for producing timber ([15-7-307, MCA](#))

## PART 6 – SALE PRICE INFORMATION Please complete fully, more than one may apply.

Actual Sale Price \$ \_\_\_\_\_ Value of good will included in sale \$ \_\_\_\_\_  
Financing:  Cash  FHA  VA  Contract  Other Was an SID payoff included in the sale price?  Yes  No  
Terms:  New loan **OR**  Assumption of existing loan Did the buyer assume an SID?  Yes  No  
Value of personal property included in sale \$ \_\_\_\_\_ Amount of SID paid or assumed: \$ \_\_\_\_\_  
Value of inventory included in sale \$ \_\_\_\_\_ Was a mobile home included in the sale?  Yes  No  
Value of licenses included in sale \$ \_\_\_\_\_

## PART 7 – WATER RIGHT DISCLOSURE Disclosure is only applicable to the property identified in PART 3 above.

A. Property is served by a public water supply, i.e., city, irrigation district, or water district provides water.  B. Seller has no water rights on record with DNRC to transfer.  C. Seller is transferring ALL water rights on record with DNRC to the Buyer.  D. Seller is dividing or severing water rights.

**X** Seller (Grantor) Signature \_\_\_\_\_ Date \_\_\_\_\_

## PART 8 – PREPARER INFORMATION Preparer's signature is required.

**X** Signature \_\_\_\_\_ Mailing Address \_\_\_\_\_  
Name/Title \_\_\_\_\_ (please print) City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
Daytime Phone \_\_\_\_\_

## Clerk and Recorder Use Only

Recording Information: Document No. \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_ Date \_\_\_\_\_

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## PART 1 – DATE OF TRANSFER (SALE)

(MM/DD/YYYY)

## PART 2 – PARTIES Please complete this section in full; if additional space is required, please attach a separate page

**Seller (Grantor)**  
Name \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
(Permanent) \_\_\_\_\_  
City \_\_\_\_\_ ST \_\_\_\_\_ ZIP \_\_\_\_\_  
Seller Principal Residence  Yes  No

**Buyer (Grantee)**  
Name \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
(Permanent) \_\_\_\_\_  
City \_\_\_\_\_ ST \_\_\_\_\_ ZIP \_\_\_\_\_  
Buyer Principal Residence  Yes  No  
Mailing Address \_\_\_\_\_  
For Tax Notice \_\_\_\_\_  
(If different) City \_\_\_\_\_ ST \_\_\_\_\_ ZIP \_\_\_\_\_

## PART 3 – PROPERTY DESCRIPTION Please complete fully; if additional space is required, please attach a separate page.

Legal Description \_\_\_\_\_ Attachment   
Add/Sub \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_  
County \_\_\_\_\_ City/Town \_\_\_\_\_ Section \_\_\_\_\_ Township \_\_\_\_\_ Range \_\_\_\_\_

## PART 4 – DESCRIPTION OF TRANSFER Please complete fully; more than one option may apply.

Sale  Gift  Barter  Nominal or no consideration  Part of 1031 or 1033 exchange  Transfer is subject to a reserved life estate  
Distressed sales:  Sheriff's deed  Trustee's deed  Deed in lieu of foreclosure  Short sale  Other

**Transfer by Operation of Law**  
 Termination of life estate by death  Termination of joint tenancy by death  Transfer on Death deed  
 Court order or decree (except sheriff's sale)  Merger, consolidation, or other business entity reorganization  Name change only

## PART 5 – EXCEPTIONS FROM PROVIDING SALES PRICE INFORMATION Please complete fully, more than one may apply.

Transfer between husband/wife or parent/child for nominal consideration  Transfer made in contemplation of death without consideration  
 Termination of joint tenancy by death  Transfer of property of a decedent's estate  
 Transfer to a revocable living trust  Transfer pursuant to court decree (except sheriff's sale)  
 Gift  Termination of life estate by death  
 Correction, modification, or supplement of previously recorded instrument, no additional consideration  Transfer by government agency  
 Merger, consolidation, or reorganization of business entity  Tax deed  
 Land currently classified as agricultural land and for continued use for agricultural purposes ([15-7-307, MCA](#))  Land currently classified as forestland and for continued use for producing timber ([15-7-307, MCA](#))

## PART 6 – SALE PRICE INFORMATION Please complete fully, more than one may apply.

Actual Sale Price \$ \_\_\_\_\_ Value of good will included in sale \$ \_\_\_\_\_  
Financing:  Cash  FHA  VA  Contract  Other Was an SID payoff included in the sale price?  Yes  No  
Terms:  New loan **OR**  Assumption of existing loan Did the buyer assume an SID?  Yes  No  
Value of personal property included in sale \$ \_\_\_\_\_ Amount of SID paid or assumed: \$ \_\_\_\_\_  
Value of inventory included in sale \$ \_\_\_\_\_ Was a mobile home included in the sale?  Yes  No  
Value of licenses included in sale \$ \_\_\_\_\_

## PART 7 – WATER RIGHT DISCLOSURE Disclosure is only applicable to the property identified in PART 3 above.

A. Property is served by a public water supply, i.e., city, irrigation district, or water district provides water.  B. Seller has no water rights on record with DNRC to transfer.  C. Seller is transferring ALL water rights on record with DNRC to the Buyer.  D. Seller is dividing or severing water rights.

**X** Seller (Grantor) Signature \_\_\_\_\_ Date \_\_\_\_\_

## PART 8 – PREPARER INFORMATION Preparer's signature is required.

**X** Signature \_\_\_\_\_ Mailing Address \_\_\_\_\_  
Name/Title \_\_\_\_\_ (please print) City \_\_\_\_\_ State \_\_\_\_\_ ZIP \_\_\_\_\_  
Daytime Phone \_\_\_\_\_

## Clerk and Recorder Use Only

Recording Information: Document No. \_\_\_\_\_ Book \_\_\_\_\_ Page \_\_\_\_\_ Date \_\_\_\_\_

Buyer/Seller Copy



# CERTIFICATION OF WATER RIGHT OWNERSHIP UPDATE

§ 85-2-424, MCA  
Form No. 640 (Revised 01/2024)

The Realty Transfer Certificate submitted with the deed or other instrument indicates a water right is being divided or severed (exempted) from the property. The Clerk and Recorder may not record the deed or instrument unless this certification is completed and signed by the buyer, seller, and escrow agent (if applicable). See MCA 85-2-424(6).

- The required form (Form 641 *DNRC Ownership Update, Divided Interest*, Form 642 *DNRC Ownership Update, Split and Sever of a Water Right*, or Form 643 *DNRC Ownership Update, Severed Water Right*) and the required fee are held in escrow.

I certify under penalty of false swearing that the statement appearing here is to the best of my knowledge true and correct.

Seller Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Buyer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Escrow Agent Signature: \_\_\_\_\_ Date: \_\_\_\_\_

- There is no escrow. The required form (Form 641 *DNRC Ownership Update, Divided Interest*, Form 642 *DNRC Ownership Update, Split and Sever of a Water Right*, or Form 643 *DNRC Ownership Update, Severed Water Right*) has been prepared and will be sent with the required fee to the Department of Natural Resources and Conservation within five business days of recording. The transferee (buyer) acknowledges that failure to file the appropriate form and fee may result in the Department imposing up to a \$75 penalty against the buyer. See MCA 85-2-431 and 85-2-424(6)(b).

I certify under penalty of false swearing that the statement appearing here is to the best of my knowledge true and correct.

Seller Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Buyer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**If you have questions, please contact your local Water Resources Regional Office.**

### BILLINGS

Airport Industrial Park, 1371 Rimtop Dr  
Billings, MT 59105-9702  
PHONE 406-247-4415 FAX 406-247-4416  
EMAIL [DNRCBillingsWater@mt.gov](mailto:DNRCBillingsWater@mt.gov)  
*Big Horn, Carbon, Carter, Custer, Fallon, Powder River, Prairie, Rosebud, Stillwater, Sweet Grass, Treasure, and Yellowstone Counties*

### HELENA

1424 9th Ave., PO Box 201601,  
Helena, MT 59620-1601  
PHONE 406-444-6999 FAX 406-444-9317  
EMAIL [DNRCHelenaWater@mt.gov](mailto:DNRCHelenaWater@mt.gov)  
*Beaverhead, Broadwater, Deer Lodge, Jefferson, Lewis and Clark, Powell, and Silver Bow Counties*

### BOZEMAN

2273 Boot Hill Court, Suite 110  
Bozeman, MT 59715-7249  
PHONE 406-586-3136 FAX 406-587-9726  
EMAIL [DNRCBozemanWater@mt.gov](mailto:DNRCBozemanWater@mt.gov)  
*Gallatin, Madison, and Park Counties*

### KALISPELL

655 Timberwolf Parkway, Suite 4  
Kalispell, MT 59901-1215  
PHONE 406-752-2288  
EMAIL [DNRCKalispellWater@mt.gov](mailto:DNRCKalispellWater@mt.gov)  
*Flathead, Lake, Lincoln, and Sanders Counties*

### GLASGOW

222 6th Street South, PO Box 1269  
Glasgow, MT 59230-1269  
PHONE 406-228-2561  
EMAIL [DNRCGlasgowWater@mt.gov](mailto:DNRCGlasgowWater@mt.gov)  
*Daniels, Dawson, Garfield, McCone, Phillips, Richland, Roosevelt, Sheridan, Valley, and Wibaux Counties*

### LEWISTOWN

613 Northeast Main St., Suite E  
Lewistown, MT 59457-2020  
PHONE 406-538-7459  
EMAIL [DNRCLewistownWater@mt.gov](mailto:DNRCLewistownWater@mt.gov)  
*Cascade, Fergus, Golden Valley, Judith Basin, Meagher, Musselshell, Petroleum, and Wheatland Counties*

### HAVRE

210 6th Ave., PO Box 1828  
Havre, MT 59501-1828  
PHONE 406-265-5516  
EMAIL [DNRCHavreWater@mt.gov](mailto:DNRCHavreWater@mt.gov)  
*Blaine, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, and Toole Counties*

### MISSOULA

2705 Spurgin Rd. Bldg. C, PO Box 5004  
Missoula, MT 59806-5004  
PHONE 406-721-4284 FAX 406-542-5899  
EMAIL [DNRCMissoulaWater@mt.gov](mailto:DNRCMissoulaWater@mt.gov)  
*Granite, Mineral, Missoula, and Ravalli Counties*





# WATER RIGHT OWNERSHIP UPDATE

§ 85-2-424, MCA  
Form No. 608 (Revised 01/2024)

File in WR# \_\_\_\_\_

### For Department Use Only

Rec'd By \_\_\_\_\_  
 Fee Rec'd \$ \_\_\_\_\_ Check # \_\_\_\_\_  
 Deposit Receipt # \_\_\_\_\_  
 Payor \_\_\_\_\_  
 Refund \$ \_\_\_\_\_ Date \_\_\_\_\_  
 Coder \_\_\_\_\_ RO# \_\_\_\_\_ OUID# \_\_\_\_\_  
 For complete information, see file: \_\_\_\_\_

### When to use this form:

- This form, along with the recorded deed, tells the department that ownership of a water right has transferred from one party to another.
- Do *not* file this form if your only use of water is from an irrigation district, municipal system, water users' association, or other public water supply.
- Do *not* file this form if only *a portion* of the seller's interest of the water right is being transferred. Complete and file Form 641 *DNRC Ownership Update, Divided Interest* instead.
- Do *not* file this form if you are *severing a portion* of a water right. Complete and file Form 642, *DNRC Ownership Update, Split and Sever of a Water Right*, instead.
- Do *not* file this form if you are *severing the entire water right* from the place of use. Complete and file Form 643 *DNRC Ownership Update, Severed Water Right*, instead.

### Filing fee:

- The filing fee for Form 608 is \$100.00 for one water right and \$20.00 for each additional right, up to a maximum of \$600.00.
- Please make checks payable to DNRC.

### Instructions:

- Complete this form and return **all pages** of the completed form with the filing fee to the applicable Regional Office (Water Resources Regional Office contacts listed on last page).
- Include a copy of the recorded deed(s) or other document(s) of conveyance.
- Use a new form for each deed transaction.
- **If full chain of conveyance from the DNRC water right owner of record to the current/new owner is not attached, this form cannot be processed.**
- To look up information about water rights in Montana, including current DNRC water right owner of record, utilize the Water Rights Query System at <https://gis.dnrc.mt.gov/apps/WRQS/>.

### Important information:

- This form is for DNRC record keeping purposes only as required by § 85-2-101(2), MCA. The deed is the legal document transferring the water right.
- If you do not attach copies of the full recorded chain of conveyance from the DNRC record owner to the new/current property/water right owner, DNRC cannot process the form. Example: Owner A files a water right and sells the property to owner B but does not update the ownership of the water right. Owner B sells property to owner C who finds and attempts to update ownership of the water right. DNRC needs recorded conveyance documents from A to B and B to C because A is still listed in DNRC records.
- If the sale is on a Contract for Deed, the seller will remain listed as a co-owner of the water right until the contract is satisfied.
- If you have any questions, please contact your Regional Office (Regional Office contacts listed on last page).



**1. Seller (Grantor)**

\_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

**2. Buyer (Grantee)**

\_\_\_\_\_

Mailing Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

**3. Closing / Contact Information**

Date of Closing \_\_\_\_\_ If applicable, provide your file number \_\_\_\_\_

Closing Agent \_\_\_\_\_ Phone \_\_\_\_\_

Address \_\_\_\_\_

**4. Attach a copy of recorded deed(s) or other document(s) of conveyance showing transfer of the property/water rights from the DNRC record owner to the current owner.** If full chain of conveyance from DNRC record owner to the current/new owner is not attached, the form cannot be processed.

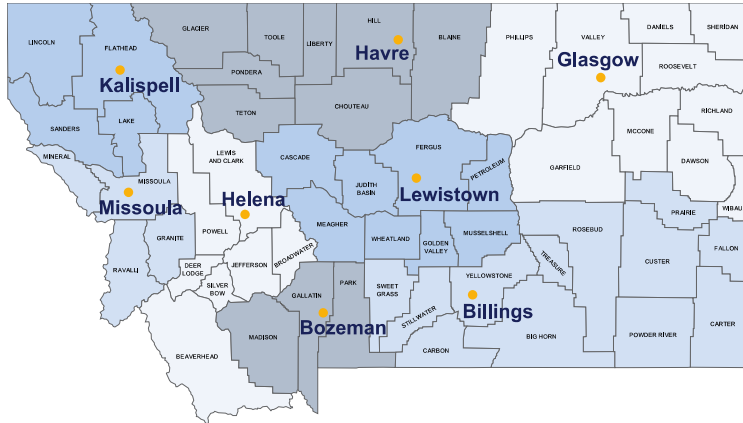
*\*If the buyer did not receive 100% of the seller's interest in the water rights, do not use this form; file Form 641 DNRC Ownership Update, Divided Interest, instead.*

**5. List all water rights that require updated ownership. Attach a list if additional space is needed.**

County	Geocode of Property Being Transferred	Water Right Number



# WATER RESOURCES REGIONAL OFFICES



## BILLINGS

Airport Industrial Park, 1371 Rimtop Dr  
Billings, MT 59105-9702

PHONE 406-247-4415 FAX 406-247-4416  
EMAIL [DNRCBillingsWater@mt.gov](mailto:DNRCBillingsWater@mt.gov)

*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 59715-7249

PHONE 406-586-3136 FAX 406-587-9726  
EMAIL [DNRCBozemanWater@mt.gov](mailto:DNRCBozemanWater@mt.gov)

*Gallatin, Madison, and Park Counties*



## GLASGOW

222 6th Street South, PO Box 1269  
Glasgow, MT 59230-1269

PHONE 406-228-2561  
EMAIL [DNRCGlasgowWater@mt.gov](mailto:DNRCGlasgowWater@mt.gov)

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



## HAVRE

210 6th Ave., PO Box 1828  
Havre, MT 59501-1828

PHONE 406-265-5516  
EMAIL [DNRCHavreWater@mt.gov](mailto:DNRCHavreWater@mt.gov)

*Blaine, Chouteau, Glacier, Hill, Liberty, Pondera, Teton, and Toole Counties*



## HELENA

1424 9th Ave., PO Box 201601,  
Helena, MT 59620-1601

PHONE 406-444-6999 FAX 406-444-9317  
EMAIL [DNRCHelenaWater@mt.gov](mailto:DNRCHelenaWater@mt.gov)

*Beaverhead, Broadwater, Deer Lodge, Jefferson, Lewis and Clark, Powell, and Silver Bow Counties*



## KALISPELL

655 Timberwolf Parkway, Suite 4  
Kalispell, MT 59901-1215

PHONE 406-752-2288  
EMAIL [DNRCKalispellWater@mt.gov](mailto:DNRCKalispellWater@mt.gov)

*Flathead, Lake, Lincoln, and Sanders Counties*



## LEWISTOWN

613 Northeast Main St., Suite E  
Lewistown, MT 59457-2020

PHONE 406-538-7459  
EMAIL [DNRCLeWistownWater@mt.gov](mailto:DNRCLeWistownWater@mt.gov)

*Cascade, Fergus, Golden Valley, Judith Basin, Meagher, Musselshell, Petroleum, and Wheatland Counties*



## MISSOULA

2705 Spurgin Rd. Bldg. C, PO Box 5004  
Missoula, MT 59806-5004

PHONE 406-721-4284 FAX 406-542-5899  
EMAIL [DNRCMissoulaWater@mt.gov](mailto:DNRCMissoulaWater@mt.gov)

*Granite, Mineral, Missoula, and Ravalli Counties*

MONTANA DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION  
Water Resources Division – Water Rights Bureau  
<https://dnrc.mt.gov/Water-Resources/Water-Rights/>

