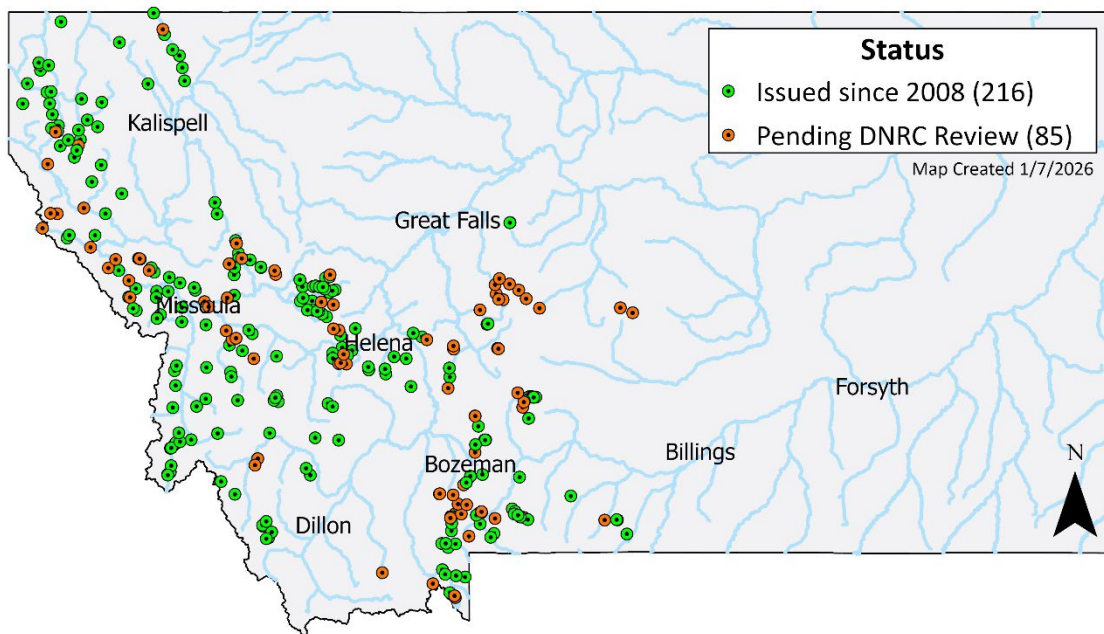




**Date:** March 19, 2026  
**To:** Water Policy Interim Committee  
**From:** Maya Rao, Hydrologist, Compact Implementation Program, DNRC  
**RE:** 2024-2025 Report on U.S. Forest Service Compact Implementation



**Figure 1: U.S. Forest Service Compact Article VI Water Reservations.**

**Background**

The U.S. Department of Agriculture Forest Service-Montana Compact, 85-20-1401, MCA (U.S. Forest Service Compact) went into effect on April 17, 2007. Article VI.F of the U.S. Forest Service Compact requires that The Montana Department of Natural Resources and Conservation (DNRC) provide a biennial report to the appropriate legislative committee on the receipt, processing and issuance of applications for water reservations pursuant to the U.S. Forest Service Compact. Since 2014, DNRC has provided this report to the Water Policy Interim Committee.



The U.S. Forest Service Compact quantifies federal reserved water rights for Forest Service System Lands in the state of Montana. The U.S. Forest Service Compact includes the following water right provisions:

- Quantifies discrete administrative uses on National Forest Systems Lands; examples include water for ranger stations, guard stations, nurseries, and pack stock (Article II).
- Quantifies dispersed administrative uses on National Forest Systems Lands; examples include water for dust abatement, road construction, fire management, and establishing vegetation (Article II).
- Establishes an instream flow for the South Fork Flathead Wild and Scenic River (Article II).
- Establishes 77 reserved water rights for instream flow (Article V).
- Provides a means for the U.S. Forest Service to apply for instream state-based water reservations to maintain minimum flows for fisheries and other resource management obligations (Article VI).

### **Water Reservation Process**

Article VI of the U.S. Forest Service Compact sets forth a process for additional water reservations to be established. The priority date for a new water reservation is the date the application is filed with DNRC. An instream flow rate is determined using Wetted Perimeter Methodology, which generates upper and lower flow rate values (inflection points) that designate habitat quality thresholds. The fish species present within the proposed reach determine which flow rate may be requested. The upper flow rate may be applied when there is evidence of a fish population for bull trout, westslope cutthroat trout, Arctic grayling, Yellowstone cutthroat trout, or Columbia River redband trout. If none of those fish species are present, then the lower flow rate may be requested.

### **Results for Reporting Period**

Table 1 summarizes the status of U.S. Forest Service instream flow water reservations by year, and Figure 1 shows the spatial distribution of these applications. During the 2024-2025 reporting period, DNRC completed site visits for 26 applications and issued 13 water reservations.



Table 1: USFS-Montana Compact Activity by Year																			
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	Total
Applications Received	4	9	4	5	27	50	19	35	12	12	28	34	25	22	23	0	0	0	309
Water Rights Issued	0	6	7	4	1	25	37	4	11	9	5	35	17	11	7	24	5	8	216
Applications Terminated	0	0	0	0	1	4	0	0	0	0	0	2	1	0	0	0	0	0	8
Applications Pending <sup>1</sup>	0	0	0	0	0	2	2	6	1	4	4	8	16	19	23	0	0	0	85
Valid Objections	0	0	0	0	0	2	4	0	1	0	0	0	0	0	0	0	0	0	7
Invalid Objections	0	2	0	0	0	18	10	0	7	0	0	1	0	0	0	0	0	0	38
Fees Collected	\$3,200	\$7,200	\$3,200	\$3,200	\$20,800	\$40,000	\$15,200	\$28,000	\$9,600	\$9,600	\$22,400	\$27,200	\$20,000	\$17,600	\$18,400	\$0	\$0	\$0	\$245,600
Cumulative Flow Issued (CFS)	0	72	55	80	7	362	428	96	215	65	16	326	914	107	75	111	36	68	3,032
<sup>1</sup> Reflects the year that applications pending as of 12/31/25 were received.																			

Additional information regarding the U.S. Forest Service Compact and a web map with the locations of instream flow water reservations can be found at <https://dnrc.mt.gov/Water-Resources/Compacts/Forest-Service>.

