HOUSE BILL NO. 745

INTRODUCED BY SWYSGOOD, BARDANOUVE, THOFT, ANDERSON

IN THE HOUSE

FEBRUARY 11, 1991

FIRST READING.

ON NATURAL RESOURCES.

COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.

SECOND READING, DO PASS.

FEBRUARY 21, 1991

FEBRUARY 22, 1991

FEBRUARY 25, 1991

FEBRUARY 26, 1991

THIRD READING, PASSED. AYES, 99; NOES, 0.

ENGROSSING REPORT.

PRINTING REPORT.

TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 26, 1991

MARCH 21, 1991

MARCH 23, 1991

MARCH 25, 1991

INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.

INTRODUCED AND REFERRED TO COMMITTEE

FIRST READING.

COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN. AYES, 48; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 25, 1991

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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LC 1683/01

INTRODUCED BY Surgeyord Barbancon the Commence 1 2 3 appropriated. A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A PARTIAL 4 BASIN CLOSURE IN THE BEAVERHEAD RIVER BASIN AND THE RED ROCK 5 RIVER BASIN; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE, AN 6 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 10 the

NEW SECTION. Section 1. Definitions. Unless 10 context requires otherwise, in [sections 1 and 2], the 11 following definitions apply: 12

APPLICABILITY DATE, AND A TERMINATION DATE."

(1) "Application" means an application for a beneficial 13 water use permit, using form number 600. 14

(2) "Beaverhead River basin" means the Beaverhead River 15 drainage area located in hydrologic basin 41B in Beaverhead 16 and Madison Counties, Montana. The Beaverhead River basin 17 designated as the closure area is all that drainage and head 18 waters originating at the Clark Canyon dam, approximately 12 19 miles south-southwest of Dillon, Montana, and terminating at 20 the confluence of the Big Hole River and the Beaverhead 21 River, which then forms the Jefferson River near Twin 22 23 Bridges, Montana.

(3) "Infiltration gallery" means a collection system 24 that consists of one or more perforated pipes, culverts, or 25



screens, placed horizontally beneath the streambed or vertically adjacent to the streambed, by which water is

(4) "Red Rock River basin" means the Red Rock River drainage area located in hydrologic basin 41A in Beaverhead and Madison Counties, Montana. The Red Rock River basin designated as the closure area is all that drainage and head waters originating at the border of Montana and Idaho approximately 10 miles east of the Red Rock Lakes wildlife refuge and terminating at the Clark Canyon dam, 11 approximately 12 miles south-southwest of Dillon, Montana.

12 NEW SECTION. Section 2. Basin closure -- exception. 13 (1) As provided in 85-2-319 and subject to the provisions of 14 subsection (2) of this section, the department shall reject 15 applications for permits to appropriate ground water by any means, including infiltration galleries, 16 within the 17 Beaverhead River and Red Rock River basins during the period 18 from [the effective date of this act] through June 30, 1996. 19 (2) The provisions of subsection (1) do not apply to 20 the appropriation of ground water by means of a well or developed spring with a maximum appropriation of ground 21 22 water of less than 100 gallons per minute or to the 23 appropriation of ground water for domestic use, stock use, 24 municipal use, industrial use, or for temporary emergency 25 appropriations.

> INTRODUCED BILL -2-

NEW SECTION.Section 3. codificationinstruction.(Sections 1 and 2) are intended to be codified as anintegral part of Title 85, chapter 2, part 3, and theprovisions of Title 85, chapter 2, part 3, apply to(sections 1 and 2).NEW SECTION.Section 4.Effective date. [This act] is

7 effective on passage and approval.

8 <u>NEW SECTION.</u> Section 5. Applicability date. [This act] 9 applies to all applications received by the department after 10 (the effective date of this act].

11 <u>NEW SECTION.</u> Section 6. Termination date. [This act]
12 terminates June 30, 1996.

-End-

APPROVED BY COMM. ON NATURAL RESOURCES

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-2- SECOND READING

1 NEW SECTION. Section 3. Codification instruction. 2 [Sections 1 and 2] are intended to be codified as an 3 integral part of Title 85, chapter 2, part 3, and the 4 provisions of Title 85, chapter 2, part 3, apply to 5 [sections 1 and 2]. NEW SECTION. Section 4. Effective date. [This act] is 6 7 effective on passage and approval. NEW SECTION. Section 5. Applicability date. [This act] 8 applies to all applications received by the department after 9 10 [the effective date of this act]. 11 NEW SECTION. Section 6. Termination date. [This act]

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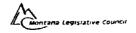
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12 NEW SECTION. Section 2. Basin closure -- exception. 13 (1) As provided in 85-2-319 and subject to the provisions of 14 subsection (2) of this section. the department shall reject 15 applications for permits to appropriate ground water by any 16 means, including infiltration galleries, within the Beaverhead River and Red Rock River basins during the period 17 18 from [the effective date of this act] through June 30, 1996. 19 (2) The provisions of subsection (1) do not apply to 20 the appropriation of ground water by means of a well or 21 developed spring with a maximum appropriation of ground 22 water of less than 100 gallons per minute or to the appropriation of ground water for domestic use, stock use, 23 24 municipal use, industrial use, or for temporary emergency 25 appropriations.

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THIRD READING

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-End-

52nd Legislature

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HB 0745/02

Montana Legislative Counci

HB 0745/02

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NEW SECTION. Section 2. Basin closure -- exception. 12 (1) As provided in 85-2-319 and subject to the provisions of 13 subsection (2) of this section, the department shall reject 14 applications for permits to appropriate ground water by any 15 means, including infiltration galleries, within the 16 Beaverhead River and Red Rock River basins during the period 17 from [the effective date of this act] through June 30, 1996. 18 19 (2) The provisions of subsection (1) do not apply to the appropriation of ground water by means of a well or 20 developed spring with a maximum appropriation of ground 21 water of less than 100 gallons per minute or to the 22 appropriation of ground water for domestic use, stock use, 23 municipal use, industrial use, or for temporary emergency 24 25 appropriations.

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REFERENCE BILL

HB 0745/02

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