



1 available means the request for declarations of claimed  
2 rights and applications for reservations and also conducting  
3 an educational campaign to alert water users of the  
4 requested filings and the need for obtaining and maintaining  
5 a central inventory of water rights within the State of  
6 Montana.

7 BE IT FURTHER RESOLVED, that the Department of Natural  
8 Resources and Conservation is directed to do everything  
9 possible administratively to expedite the adjudication of  
10 water rights, particularly agricultural rights, including  
11 the acceptance of claims of groundwater rights and water  
12 rights in small livestock reservoirs without extensive field  
13 investigation of such claims, and such other measures as the  
14 department considers feasible in expediting the adjudication  
15 proceeding in the courts.

16 BE IT FURTHER RESOLVED, that copies of this resolution  
17 be sent by the Secretary of the Senate to the Governor, the  
18 Director of the Department of Natural Resources and  
19 Conservation, and each District Judge in the State of  
20 Montana.

-End-

Approved by Committee  
on Agriculture Livestock  
& Irrigation

*Senate* JOINT RESOLUTION NO. *48*  
INTRODUCED BY *The Committee on Agriculture Livestock  
and Grazing and Irrigation*  
*Shakam*

1  
2  
3  
4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
5 REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE  
6 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO DO  
7 EVERYTHING POSSIBLE ADMINISTRATIVELY TO SPEED UP THE INITIAL  
8 COMPILATION OF EXISTING WATER RIGHTS AND TO EXPEDITE THE  
9 ADJUDICATION OF WATER RIGHTS, PARTICULARLY AGRICULTURAL  
10 RIGHTS.

11  
12 WHEREAS, there are currently great demands being placed  
13 on the use and flow of water occurring in the State of  
14 Montana, and these demands will intensify in future years;  
15 and

16 WHEREAS, it is imperative for the purpose of  
17 effectively planning and providing for the use of surface-  
18 and groundwater occurring in the State of Montana to make an  
19 up-to-date inventory of existing rights of use and to make  
20 reservations of such water; and

21 WHEREAS, the present process of adjudicating water  
22 rights in the State of Montana under the 1973 Water Use Act  
23 is proceeding at an extremely slow pace, and it has been  
24 projected that completion of the adjudication at the present  
25 rate will take more than 100 years; and

1 WHEREAS, the Legislature feels that additional  
2 direction from the Legislature to the Department of Natural  
3 Resources and Conservation would expedite the preliminary  
4 compilation of existing water rights in the state, while  
5 also recognizing and accepting the fact that such a  
6 preliminary compilation will necessarily contain a degree of  
7 inaccuracy.

8  
9 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
10 OF REPRESENTATIVES OF THE STATE OF MONTANA:

11 That the Department of Natural Resources and  
12 Conservation is directed to use every administrative means  
13 possible to speed up the initial compilation of existing  
14 water rights in the State of Montana, particularly  
15 agricultural water rights, and to ensure that water is  
16 reserved for future use in Montana. Such action shall  
17 include but not be limited to:

18 (1) requesting that voluntary declarations of all  
19 existing rights and applications for reservations be filed  
20 with the department by each claimant of a right or potential  
21 applicant for a reservation. The declarations shall contain  
22 as much detail as possible concerning the claimed right, but  
23 in no case shall the department require official  
24 verification of such declared right before filing it.

25 (2) advertising through the news media and other

1 available means the request for declarations of claimed  
2 rights and applications for reservations and also conducting  
3 an educational campaign to alert water users of the  
4 requested filings and the need for obtaining and maintaining  
5 a central inventory of water rights within the State of  
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12 rights in small livestock reservoirs without extensive field  
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15 proceeding in the courts.

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17 be sent by the Secretary of the Senate to the Governor, the  
18 Director of the Department of Natural Resources and  
19 Conservation, and each District Judge in the State of  
20 Montana.

-End-

1                   *Senate* JOINT RESOLUTION NO. *48*  
 2 INTRODUCED BY *The Committee on Agriculture, Livestock*  
 3                   *and Grazing and Irrigation*  
 4                   *Subcommittee*  
 5 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
 6 REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE  
 7 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO DO  
 8 EVERYTHING POSSIBLE ADMINISTRATIVELY TO SPEED UP THE INITIAL  
 9 COMPILATION OF EXISTING WATER RIGHTS AND TO EXPEDITE THE  
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 13 on the use and flow of water occurring in the State of  
 14 Montana, and these demands will intensify in future years;  
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16           WHEREAS, it is imperative for the purpose of  
 17 effectively planning and providing for the use of surface-  
 18 and groundwater occurring in the State of Montana to make an  
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 22 rights in the State of Montana under the 1973 Water Use Act  
 23 is proceeding at an extremely slow pace, and it has been  
 24 projected that completion of the adjudication at the present  
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18 Director of the Department of Natural Resources and  
19 Conservation, and each District Judge in the State of  
20 Montana.

-End-

HOUSE OF REPRESENTATIVES

APRIL 15, 1977

Committee of the Whole Amendment to SENATE JOINT RESOLUTION NO.48, third reading copy, as follows:

1. Amend pages 2 and 3, lines 25 through 2 on page 3.

Following: "(2)"

Strike: "advertising through the news media and other available means the request for declarations of claimed rights and applications for reservations and also"

AS AMENDED BE  
CONCURRED IN

HOUSE OF REPRESENTATIVES

April 15, 1977

COMMITTEE OF THE WHOLE AMENDMENT TO SENATE JOINT RESOLUTION NO. 48,  
AS FOLLOWS:

1. Amend page 2, lines 21 through 24.  
Following: "shall"  
Strike: lines 21 through 24 in their entirety  
Insert: "conform to the requirements of 89-872(2)."

AS AMENDED BE CONCURRED IN

AMENDMENTS PASSED SECOND READING; BILL FAILED

1                   SENATE JOINT RESOLUTION NO. 48  
2           INTRODUCED BY COMMITTEE ON AGRICULTURE,  
3           LIVESTOCK, AND IRRIGATION -- GRAHAM  
4

5   A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
6   REPRESENTATIVES OF THE STATE OF MONTANA DIRECTING THE  
7   DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO DO  
8   EVERYTHING POSSIBLE ADMINISTRATIVELY TO SPEED UP THE INITIAL  
9   COMPILATION OF EXISTING WATER RIGHTS AND TO EXPEDITE THE  
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14   on the use and flow of water occurring in the State of  
15   Montana, and these demands will intensify in future years;  
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18   effectively planning and providing for the use of surface-  
19   and groundwater occurring in the State of Montana to make an  
20   up-to-date inventory of existing rights of use and to make  
21   reservations of such water; and

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23   rights in the State of Montana under the 1973 Water Use Act  
24   is proceeding at an extremely slow pace, and it has been  
25   projected that completion of the adjudication at the present

1   rate will take more than 100 years; and

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17   reserved for future use in Montana. Such action shall  
18   include but not be limited to:

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21   with the department by each claimant of a right or potential  
22   applicant for a reservation. The declarations shall contain  
23   ~~as much detail as possible concerning the claimed right, but~~  
24   ~~in no case shall the department require official~~  
25   ~~verification of such declared right before filing it.~~

1 CONFORM TO THE REQUIREMENTS OF 89-872(2).

2 ~~(2) advertising through the news media and other~~  
3 ~~available means the request for declarations of claimed~~  
4 ~~rights and applications for reservations and also~~ conducting  
5 an educational campaign to alert water users of the  
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-End-