

STATE OF MONTANA  
OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER NO. 5-85

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EXECUTIVE ORDER CREATING THE  
POWDER RIVER MANAGEMENT PLAN ADVISORY COUNCIL  
OTHERWISE KNOWN AS THE POWDER RIVER  
MANAGEMENT PLAN NEGOTIATION TEAM

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WHEREAS, Senate Joint Resolution No. 16, (Montana Session Laws, 1985) was enacted by the 49th Legislature; and

WHEREAS, Senate Joint Resolution No. 16 (SJR 16) urges the governments of Montana and Wyoming to resolve their differences on the Powder River through negotiation of a basin management plan; and

WHEREAS, SJR 16 urges that the Powder River Management Plan be negotiated by a team of individuals from Montana and Wyoming appointed by the respective Governors; and

WHEREAS, SJR 16 encourages the respective governors to consider implementing similar management negotiation processes on other Yellowstone River Basin Tributaries as need arises; and

WHEREAS, the Governor of Wyoming has been directed by Enrolled Joint Resolution No. 4, Senate (48th Legislature of the State of Wyoming 1985 General Session) to appoint a committee to meet with representatives of Montana to initiate a cooperative effort to resolve problems associated with water resources development in the Yellowstone River Basin.

NOW, THEREFORE, I, TED SCHWINDEN, Governor of the State of Montana, by virtue of the authority vested in me pursuant to the constitution and laws of the State of Montana, specifically Section 2-15-122, MCA, and SJR 16 do hereby create the Powder River Management Plan Advisory Council otherwise known as the Management Plan Negotiation Team.

I. PURPOSE

The Council shall advise the Governor, through the chairman, on the following matters:

1. the development and implementation of a Powder River Management Plan as described in SJR 16;
2. the potential for interstate water projects in the Yellowstone Basin; and
3. methods to avoid litigation involving Powder River water quality and quantity.

II. COMPOSITION AND TERMS OF APPOINTMENT

The Council shall consist of ten members. The names and addresses of the members, who shall serve at the pleasure of the Governor are:

Larry G. Peterman  
Fisheries Division  
Fish, Wildlife and Parks  
Helena, MT 59620

Abe Horpestad  
Water Quality Bureau  
Department of Health  
Helena, MT 59620

Clay Smith  
Office of the Attorney General  
Department of Justice  
Helena, MT 59620

Gary Fritz  
Water Resources Division  
Department of Natural Resources  
Helena, MT 59620

Howard D. Best  
P.O. Box 344  
Broadus, MT 59317

William H. Gay  
General Delivery  
Broadus, MT 59317

Senator William Yellowtail  
P.O. Box 308  
Wyola, MT 59089

Senator Jack Galt  
General Delivery  
Martinsdale, MT 59053

Representative Hubert Abrams  
South Route  
Wibaux, MT 59353

Representative Marian Hanson  
Box 237  
Ashland, MT 59003

The Chairman of the Advisory Council shall be Gary Fritz.

III. COMPENSATION.

Council members, except employees of the State of Montana, shall be compensated by the Governor's Office pursuant to Section 2-15-122(5), MCA.

IV. DURATION.

This Council shall exist for a period of two years from the effective date of this Order unless extended by Executive Order. This Order is effective immediately.

GIVEN under my hand and the GREAT SEAL of the State of Montana, this 15<sup>th</sup> day of June, in the year of our Lord, One Thousand Nine Hundred and Eighty-Five.

  
TED SCHWINDEN, Governor

ATTEST:

  
JIM WALTERMIRE, SECRETARY OF STATE