

HOUSE SELECT COMMITTEE ON WATER

April 19, 1979

The meeting was called to order by Chairman Day at 9:00 a.m. with all members present except Representatives Curtiss, Dassinger, Ramirez, Scully, and Hershel Robbins.

SENATE BILL NO. 524

SENATOR CHET BLAYLOCK, Chief Sponsor, introduced the bill. He stated that since this bill had been put in so late it was not fair to everyone concerned. This bill will restrict and regulate the appropriation and sale of ground water in Montana. At first we had set limitation on appropriation of ground water not to exceed 5 thousand acre feet per year. After consulting the various farm organizations the limitation was amended to 3 thousand acre feet. This should be restrictive because of the short irrigating season. They are protected after 5 CFS by the Department of Natural Resources because they have to approve any amount over 5. This bill will prevent people from coming in and taking up all of our water. This is reasonable for any operation in Montana. If more is necessary they can make a request to the legislature.

PROPOSERS:

TERRY MURPHY, NFO, rose in full support of the bill. He explained the amendments made on page 3, line 10; the striking of, "the", and insertion of, "ground", clarified the type of water. He stated that there was a question raised about the legality on page 4, lines 4 through 7, but they felt it was okay.

ZACK STEVENS, Montana Farm Bureau, WIFE, and STEVE DOHERTY, Northern Plains Resource Council, rose in support of the bill concurring with the comments made by Terry Murphy.

GORDON MCGOWAN, representing himself and the Montana Railroad Assoc., explained some of the past occurrences with Montana water. He stated that in 1968 federal government passed a law directing the states to get things together and make future plans on the water they will need. Montana has not moved. He explained that the Montana Conservancy District Act was passed in 1959 or 1961. South Dakota developed six conservancy districts, Oklahoma passed in 1923, and Colorado in 1939. During the interim we sent people to observe Colorado. That is the only legislation that is on the books now. He stated that he did not know what the future holds in store for Montana.

He concluded stating that he had introduced legislation eight times before the 1973 water use act was passed.

SENATOR BLAYLOCK closed by stating that this bill had a severability clause, therefore, seeing no need for any amendments. He asked the committee to, please not amend the bill because time is short and a slight chance of passage if amended.

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Questions were asked by the committee and the hearing on SB 524 was closed.

EXECUTIVE SESSION:

SENATE BILL NO. 524

Representative Kemmis moved, BE CONCURRED IN. The motion was passed unanimously. Representatives Dassinger and Hershel Robbins left, yes, proxy votes.

The meeting was adjourned at 9:55 a.m.



William M. Day, Chairman

Judy J. Mook, Secretary