## HOUSE BILL NO. 290

## INTRODUCED BY SPAETH, MCLANE

## IN THE HOUSE

	11 1111 110001
JANUARY 19, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.
JANUARY 26, 1987	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 27, 1987	PRINTING REPORT.
JANUARY 28, 1987	SECOND READING, DO PASS.
JANUARY 29, 1987	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 95; NOES, 1.
	TRANSMITTED TO SENATE.
	IN THE SENATE
JANUARY 30, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES.
MARCH 5, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 9, 1987	SECOND READING, CONCURRED IN.
MARCH 11, 1987	THIRD READING, CONCURRED IN. AYES, 50; NOES, 0.
	RETURNED TO HOUSE.
	IN THE HOUSE

RECEIVED FROM SENATE.

SENT TO ENROLLING.

MARCH 12, 1987

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_	Hause BILL NO. 240
2	INTRODUCED BY Spatth Musam
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4	A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE
5	DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO ISSUE
6	TWO PERMITS FOR THE APPROPRIATION OF GROUND WATER IN CARBON
7	COUNTY PURSUANT TO SECTION 85-2-317, MCA; AND PROVIDING AN
8	IMMEDIATE EFFECTIVE DATE."
9	
10	WHEREAS, hydropower is a beneficial use of water that
11	provides benefits to many Montana citizens; and
1.2	WHEREAS, applicants propose to use ground water from an
13	existing well and from a new well located in Carbon County
14	for generating hydropower; and
15	WHEREAS, the source of water for the wells is the
16	Tensleep formation, a major aquifer with commonly reported
17	flows in excess of 8 cubic feet per second; and
18	WHEREAS, the applicants and the Department of Fish,
19	Wildlife, and Parks have agreed to a provisional permit
20	under conditions that ensure adequate flows for the nearby
21	Bluewater Fish Hatchery; and
22	WHEREAS, the Department of Natural Resources and
23	Conservation has reviewed the applications and recommends
24	approval of the applications; and
25	WHEREAS, the ground water applied for exceeds 3,000

acre-feet per year for each well and therefore requires 1 2 legislative approvals pursuant to section 85-2-317, MCA. 3 THEREFORE, the Legislature of the State of Montana finds it appropriate to authorize the Department of Natural 5 Resources and Conservation to issue two permits to the 6 applicants for ground water appropriations in excess of 7 3,000 acre-feet per year. 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 10 Section 1. Authorization to issue permits to 11 appropriate ground water. Pursuant to 85-2-317(1), the 12 department of natural resources and conservation may issue two permits to appropriate ground water exceeding 3,000 13 14 acre-feet per year according to application numbers 15 54092-g43D and 54124-g43D. The applications are subject to the remaining provisions of Title 85, chapter 2, part 3. 16

-End-

including the section repealing 85-2-317, is passed and

approved, this act is void.

passage and approval.

Section 2. Coordination instruction. If [LC 856],

Section 3. Effective date. This act is effective on

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passage and approval.

## APPROVED BY COMM. ON NATURAL RESOURCES

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acre-feet per year for each well and therefore requires
legislative approvals pursuant to section 85-2-317, MCA.
THEREFORE, the Legislature of the State of Montana
finds it appropriate to authorize the Department of Natural
Resources and Conservation to issue two permits to the
applicants for ground water appropriations in excess of
3,000 acre-feet per year.
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
Section 1. Authorization to issue permits to
appropriate ground water. Pursuant to 85-2-317(1), the
department of natural resources and conservation may issue
two permits to appropriate ground water exceeding 3,000
acre-feet per year according to application numbers
54092-g43D and 54124-g43D. The applications are subject to
the remaining provisions of Title 85, chapter 2, part 3.
Section 2. Coordination instruction. If [LC 856],
including the section repealing 85-2-317, is passed and
approved, this act is void.
Section 3. Effective date. This act is effective on

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