

SENATE BILL NO. 151

INTRODUCED BY GALT, BLAYLOCK, HOLLIDAY, MCCALLUM, STIMATZ

IN THE SENATE

JANUARY 20, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON NATURAL RESOURCES.

FEBRUARY 5, 1987 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

FEBRUARY 6, 1987 PRINTING REPORT.

FEBRUARY 9, 1987 SECOND READING, DO PASS.

FEBRUARY 10, 1987 ENGROSSING REPORT.

FEBRUARY 11, 1987 THIRD READING, PASSED.
AYES, 48; NOES, 0.

TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 18, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON NATURAL RESOURCES.

MARCH 10, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN AS AMENDED. REPORT
ADOPTED.

MARCH 13, 1987 SECOND READING, CONCURRED IN.

MARCH 14, 1987 THIRD READING, CONCURRED IN.
AYES, 85; NOES, 12.

RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

MARCH 20, 1987 SECOND READING, AMENDMENTS NOT
CONCURRED IN.

ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE HOUSE

MARCH 21, 1987

ON MOTION, CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

MARCH 24, 1987

ON MOTION, CONFERENCE COMMITTEE
DISSOLVED.

ON MOTION, FREE CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

IN THE SENATE

MARCH 24, 1987

ON MOTION, CONFERENCE COMMITTEE
DISSOLVED.

ON MOTION, FREE CONFERENCE COMMITTEE
REQUESTED AND APPOINTED.

MARCH 26, 1987

FREE CONFERENCE COMMITTEE REPORTED.

IN THE HOUSE

MARCH 30, 1987

FREE CONFERENCE COMMITTEE
REPORT ADOPTED.

IN THE SENATE

MARCH 31, 1987

SECOND READING, FREE CONFERENCE
COMMITTEE REPORT ADOPTED.

APRIL 1, 1987

THIRD READING, FREE CONFERENCE
COMMITTEE REPORT ADOPTED.

SENT TO ENROLLING.

1 *Senate* BILL NO. *151*
 2 INTRODUCED BY *Tate Blaylock*
 3 *McKellum*

4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE
 5 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO ISSUE A
 6 PERMIT FOR THE APPROPRIATION OF GROUND WATER IN MUSSELSHELL
 7 COUNTY PURSUANT TO SECTION 85-2-317, MCA; AND PROVIDING AN
 8 EFFECTIVE DATE."
 9

10 WHEREAS, agricultural and stockwater users in
 11 Musselshell County are experiencing water shortages during
 12 periods of low flow in the Musselshell River; and

13 WHEREAS, alternatives for additional water supplies,
 14 such as off-stream reservoir storage, would be very costly;
 15 and

16 WHEREAS, abandoned coal mines near Roundup could
 17 provide substantial supplemental water; and

18 WHEREAS, the Deadman Basin Water Users Association has
 19 applied to the Department of Natural Resources and
 20 Conservation for a permit to appropriate approximately
 21 13,000 acre-feet annually; and

22 WHEREAS, the use of this water would exceed 3,000
 23 acre-feet per year and therefore requires legislative
 24 approval pursuant to 85-2-317, MCA.

25 THEREFORE, The Legislature of the State of Montana

1 finds it appropriate to authorize the Department of Natural
 2 Resources and Conservation to issue a permit to appropriate
 3 ground water to the Deadman Basin Water Users Association.

4
 5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

6 Section 1. Authorization to issue permit to
 7 appropriate ground water. Pursuant to 85-2-317(1), the
 8 department of natural resources and conservation may issue a
 9 permit to appropriate ground water in excess of 3,000
 10 acre-feet per year to the Deadman Basin water users
 11 association according to application number 61478-g40C. The
 12 application is subject to the remaining provisions of Title
 13 85, chapter 2, part 3.

14 Section 2. Coordination instruction. If [LC 856],
 15 including the section of that bill repealing 85-2-317, is
 16 passed and approved, this act is void.

17 Section 3. Effective date. This act is effective July
 18 1, 1987.

-End-



-2- INTRODUCED BILL
 SB 151

APPROVED BY COMM. ON NATURAL RESOURCES

1 INTRODUCED BY *Senate BILL NO. 151*
2 *Paul Stuyvesant Holliday*
3 *Mark Holloman*

4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE
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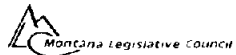
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11 application is subject to the remaining provisions of Title
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-End-



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INTRODUCED BY *Sen. Steve Stucky*
Sen. Steve Stucky
Sen. Steve Stucky

BILL NO. *151*

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO ISSUE A PERMIT FOR THE APPROPRIATION OF GROUND WATER IN MUSSELSHELL COUNTY PURSUANT TO SECTION 85-2-317, MCA; AND PROVIDING AN EFFECTIVE DATE."

WHEREAS, agricultural and stockwater users in Musselshell County are experiencing water shortages during periods of low flow in the Musselshell River; and

WHEREAS, alternatives for additional water supplies, such as off-stream reservoir storage, would be very costly; and

WHEREAS, abandoned coal mines near Roundup could provide substantial supplemental water; and

WHEREAS, the Deadman Basin Water Users Association has applied to the Department of Natural Resources and Conservation for a permit to appropriate approximately 13,000 acre-feet annually; and

WHEREAS, the use of this water would exceed 3,000 acre-feet per year and therefore requires legislative approval pursuant to 85-2-317, MCA.

THEREFORE, The Legislature of the State of Montana

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finds it appropriate to authorize the Department of Natural Resources and Conservation to issue a permit to appropriate ground water to the Deadman Basin Water Users Association.

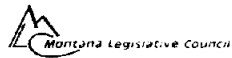
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Authorization to issue permit to appropriate ground water. Pursuant to 85-2-317(1), the department of natural resources and conservation may issue a permit to appropriate ground water in excess of 3,000 acre-feet per year to the Deadman Basin water users association according to application number 61478-g40C. The application is subject to the remaining provisions of Title 85, chapter 2, part 3.

Section 2. Coordination instruction. If [LC 856], including the section of that bill repealing 85-2-317, is passed and approved, this act is void.

Section 3. Effective date. This act is effective July 1, 1987.

-End-



1 SENATE BILL NO. 151

2 INTRODUCED BY GALT, BLAYLOCK, HOLLIDAY, MCCALLUM, STIMATZ

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE
5 DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO ISSUE A
6 AN INTERIM PERMIT FOR THE APPROPRIATION OF GROUND WATER IN
7 MUSSELSHELL COUNTY PURSUANT TO SECTION 85-2-317, MCA; AND
8 PROVIDING AN EFFECTIVE DATE."

9
10 WHEREAS, agricultural and stockwater users in
11 Musselshell County are experiencing water shortages during
12 periods of low flow in the Musselshell River; and

13 WHEREAS, alternatives for additional water supplies,
14 such as off-stream reservoir storage, would be very costly;
15 and

16 WHEREAS, abandoned coal mines near Roundup could
17 provide substantial supplemental water; and

18 WHEREAS, the Deadman Basin Water Users Association has
19 applied to the Department of Natural Resources and
20 Conservation for a permit to appropriate approximately
21 13,000 acre-feet annually; and

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23 acre-feet per year and therefore requires legislative
24 approval pursuant to 85-2-317, MCA.

25 THEREFORE, The Legislature of the State of Montana

1 finds it appropriate to authorize the Department of Natural
2 Resources and Conservation to issue a permit to appropriate
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5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

6 Section 1. Authorization to issue permit to
7 appropriate ground water. Pursuant to 85-2-317(1), the
8 department of natural resources and conservation may issue a
9 AN INTERIM permit FOR A PERIOD ENDING JUNE 30, 1989, to
10 appropriate ground water in excess of 3,000 acre-feet per
11 year to the Deadman Basin water users association according
12 to application number 61478-g40C FOR THE PURPOSE OF
13 CONDUCTING AND EVALUATING A PROJECT TO PUMP GROUND WATER
14 FROM ABANDONED MINE WORKINGS ALONG THE LOWER MUSSELSHELL
15 RIVER. The application is subject to the remaining
16 provisions of Title 85, chapter 2, part 3. ANY PARTY WHOSE
17 WATER RIGHTS ARE SHOWN TO BE ADVERSELY AFFECTED BY THE
18 APPROPRIATION OF WATER AUTHORIZED IN THIS SECTION MAY
19 RECOVER DAMAGES FROM THE DEADMAN BASIN WATER USERS
20 ASSOCIATION.

21 Section 2. Coordination instruction. If House Bill No.
22 642, including the section of that bill repealing 85-2-317,
23 is passed and approved, this act is void.

24 Section 3. Effective date. This act is effective July
25 1, 1987.

-End-

-2-

SB 151

REFERENCE BILL

CONFERENCE COMMITTEE REPORT

Report No.1.....

March 25, 1987

MR. PRESIDENT

We, your FREE Conference Committee on

Senate Bill 151

met and considered Senate Bill 151

Reference copy (salmon)

We recommend as follows:

That Senate Bill 151 be amended as follows:

1. Page 2, line 9.

Strike: " JUNE "


Insert: "September"

2. Page 2, lines 16 through 20

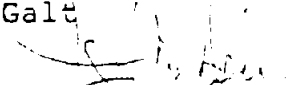
Strike: " ANY " on line 16 through " ASSOCIATION." on line 20.

And that this Conference Committee report be adopted.

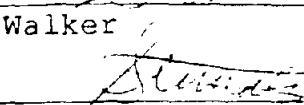
FOR THE SENATE



 Galt

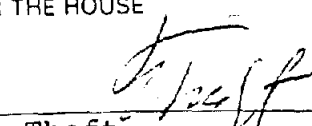


 Walker

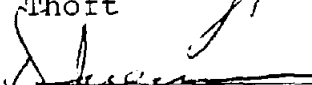


 Stimatz

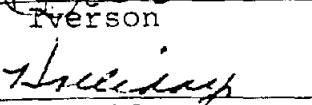
FOR THE HOUSE



 Thoft



 Iverson



 Holliday

STANDING COMMITTEE REPORT

HOUSE

MARCH 9

1987

Mr. Speaker: We, the committee on NATURAL RESOURCES

report SB 151

do pass
 do not pass

be concurred in
 be not concurred in

as amended
 statement of intent attached


TOM JONES Chairman

1. Title, line 5.
Strike: "A"
Insert: "AN INTERIM"
2. Page 2, line 8.
Strike: "a"
Insert: "an interim"
3. Page 2, line 9.
Following: "permit"
Insert: "for a period ending June 30, 1989,"
4. Page 2, line 11.
Following: "61478-g40C"
Insert: "for the purpose of conducting and evaluating a project to pump ground water from abandoned mine workings along the lower Musselshell River"
5. Page 2, line 13.
Following: "3."
Insert: "Any party whose water rights are shown to be adversely affected by the appropriation of water authorized in this section may recover damages from the Deadman Basin water users association."



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10 1989, to appropriate ground water in excess of 3,000
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13 THE PURPOSE OF CONDUCTING AND EVALUATING A PROJECT TO PUMP
14 GROUND WATER FROM ABANDONED MINE WORKINGS ALONG THE LOWER
15 MUSSELSHELL RIVER. The application is subject to the
16 remaining provisions of Title 85, chapter 2, part 3. ANY
17 PARTY-WHOSE-WATER-RIGHTS-ARE-SHOWN-TO-BE-ADVERSELY--AFFECTED
18 BY-THE-APPROPRIATION-OF-WATER-AUTHORIZED-IN-THIS-SECTION-MAY
19 RECOVER---DAMAGES---FROM---THE--DEADMAN--BASIN--WATER--USERS
20 ASSOCIATION.

21 Section 2. Coordination instruction. If House Bill No.
22 642, including the section of that bill repealing 85-2-317,
23 is passed and approved, this act is void.

24 Section 3. Effective date. This act is effective July
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-End-

-2-

SB 151

REFERENCE BILL: INCLUDES Free
CONFERENCE COMMITTEE REPORT.DATED 3-25-87