

SENATE BILL NO. 390
INTRODUCED BY GALT, CLARK

IN THE SENATE

FEBRUARY 11, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON AGRICULTURE, LIVESTOCK & IRRIGATION. FIRST READING.
FEBRUARY 16, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 17, 1989	PRINTING REPORT.
FEBRUARY 18, 1989	SECOND READING, DO PASS.
FEBRUARY 20, 1989	ENGROSSING REPORT.
FEBRUARY 21, 1989	THIRD READING, PASSED. AYES, 50; NOES, 0. TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 21, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON NATURAL RESOURCES. FIRST READING.
MARCH 16, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 27, 1989	SECOND READING, CONCURRED IN.
MARCH 29, 1989	THIRD READING, CONCURRED IN. AYES, 58; NOES, 39. RETURNED TO SENATE WITH AMENDMENTS.

IN THE SENATE

APRIL 1, 1989	RECEIVED FROM HOUSE.
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APRIL 4, 1989

SECOND READING, AMENDMENTS
CONCURRED IN.

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *Senate* BILL NO. *390*
2 INTRODUCED BY *Adm. Clerk*
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DEPARTMENT
5 OF NATURAL RESOURCES AND CONSERVATION TO ISSUE AN INTERIM
6 PERMIT FOR A PERIOD ENDING NO LATER THAN SEPTEMBER 30, 1991,
7 TO APPROPRIATE GROUND WATER IN EXCESS OF 3,000 ACRE-FEET PER
8 YEAR FROM ABANDONED COAL MINES IN MUSSELHELL COUNTY."

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 provide
17 substantial supplemental water; and

18 WHEREAS, the 50th Montana Legislature authorized the
19 Department of Natural Resources and Conservation to issue an
20 interim permit to the Deadman Basin Water Users Association
21 to appropriate ground water in the mines; and

22 WHEREAS, the Department of Natural Resources and
23 Conservation is preparing to issue an interim permit to the
24 Deadman Basin Water Users Association for a small test
25 withdrawal, after a thorough review of the project for any

1 environmental effects; and

2 WHEREAS, the best interests of people in the Roundup
3 area will be served by a credible and technically sound
4 evaluation of whether the coal mines can provide significant
5 supplemental water supplies without significant adverse
6 environmental effects and without harm to other existing
7 appropriators; and

8 WHEREAS, test appropriations proposed during the summers
9 of 1990 and 1991 will require an interim permit for an
10 amount exceeding 3,000 acre-feet per year, thereby requiring
11 legislative approval pursuant to section 85-2-317, MCA.

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14 NEW SECTION. **Section 1.** Authorization to issue interim
15 permit to appropriate ground water. Pursuant to 85-2-317(1),
16 the department of natural resources and conservation may
17 authorize an interim permit for a period ending no later
18 than September 30, 1991, to the Deadman Basin water users
19 association to appropriate ground water in excess of 3,000
20 acre-feet per year from abandoned coal mines in Musselshell
21 County. The application and interim permit are subject to
22 the remaining provisions of Title 85, chapter 2, part 3.

-End-

APPROVED BY COMMITTEE
ON AGRICULTURE LIVESTOCK
& IRRIGATION

BILL NO. 390

INTRODUCED BY Adm. Clerk

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO ISSUE AN INTERIM PERMIT FOR A PERIOD ENDING NO LATER THAN SEPTEMBER 30, 1991, TO APPROPRIATE GROUND WATER IN EXCESS OF 3,000 ACRE-FEET PER YEAR FROM ABANDONED COAL MINES IN MUSSELHELL COUNTY."

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 50th Montana Legislature authorized the Department of Natural Resources and Conservation to issue an interim permit to the Deadman Basin Water Users Association to appropriate ground water in the mines; and

WHEREAS, the Department of Natural Resources and Conservation is preparing to issue an interim permit to the Deadman Basin Water Users Association for a small test withdrawal, after a thorough review of the project for any

environmental effects; and

WHEREAS, the best interests of people in the Roundup area will be served by a credible and technically sound evaluation of whether the coal mines can provide significant supplemental water supplies without significant adverse environmental effects and without harm to other existing appropriators; and

WHEREAS, test appropriations proposed during the summers of 1990 and 1991 will require an interim permit for an amount exceeding 3,000 acre-feet per year, thereby requiring legislative approval pursuant to section 85-2-317, MCA.

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

NEW SECTION. **Section 1.** Authorization to issue interim permit to appropriate ground water. Pursuant to 85-2-317(1), the department of natural resources and conservation may authorize an interim permit for a period ending no later than September 30, 1991, to the Deadman Basin water users association to appropriate ground water in excess of 3,000 acre-feet per year from abandoned coal mines in Musselshell County. The application and interim permit are subject to the remaining provisions of Title 85, chapter 2, part 3.

-End-

1 *Senate* BILL NO. *390*
2 INTRODUCED BY *Roll Call*
3
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-End-

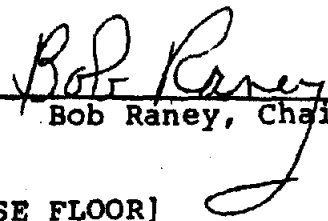
STANDING COMMITTEE REPORT

March 16, 1989

Page 1 of 1

Mr. Speaker: We, the committee on Natural Resources report that Senate Bill 390 (third reading copy -- blue) be concurred in as amended .

Signed: _____


Bob Raney, Chairman

[REP. CLARK WILL CARRY THIS BILL ON THE HOUSE FLOOR]

And, that such amendments read:

1. Title, line 7.

Strike: "IN EXCESS OF 3,000"

Insert: "UP TO 6,000"

2. Page 2, line 19.

strike: "in excess of 3,000"

insert: "up to 6,000"

HOUSE

SB 390

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INTRODUCED BY GALT, CLARK

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION TO ISSUE AN INTERIM PERMIT FOR A PERIOD ENDING NO LATER THAN SEPTEMBER 30, 1991, TO APPROPRIATE GROUND WATER ~~IN EXCESS OF 3,000~~ UP TO 6,000 ACRE-FEET PER YEAR FROM ABANDONED COAL MINES IN MUSSELSHELL COUNTY."

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WHEREAS, the Department of Natural Resources and Conservation is preparing to issue an interim permit to the Deadman Basin Water Users Association for a small test

withdrawal, after a thorough review of the project for any environmental effects; and

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-End-

-2-



SB 390
REFERENCE BILL

AS AMENDED