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## Water Policy Interim Committee

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### 62nd Montana Legislature

#### SENATE MEMBERS

BRADLEY MAXON HAMLETT--Chair  
DEBBY BARRETT  
SHARON STEWART-PEREGOY  
CHAS VINCENT

#### HOUSE MEMBERS

WALTER MCNUTT--Vice Chair  
PAT CONNELL  
BETSY HANDS  
BILL MCCHESENEY

#### COMMITTEE STAFF

JOE KOLMAN, Lead Staff  
HELEN THIGPEN, Staff Attorney  
KEVIN MCCUE, Secretary

# FINAL AGENDA

# WATER POLICY INTERIM COMMITTEE

State Capitol, Room 172  
January 10-11 2012

AGENDA ITEM TIMES ARE APPROXIMATE

- 9:00 a.m.     **Call to Order** - Sen. Hamlett
- Roll Call
  - Approval of minutes from September 2011
- 9:05 a.m.     **Missouri River Management**
- Director Mary Sexton, DNRC
  - Jody Farhat, Missouri River Basin Water Management Division, Army Corps of Engineers
  - Public comment
  - Committee questions, discussion, and action, if any
- 9:35 a.m.     **Exempt Well Case Studies**
- Physical Availability of Water - John Metesh, MBMG
  - Legal Availability of Water - Tim Davis, DNRC
  - Public comment
  - Committee questions, discussion, and action, if any
- 10:35 a.m.    **Break**
- 10:45 a.m.    **Hydrogeology Related to Exempt Wells**
- John Metesh, MBMG
  - Public comment
  - Committee questions, discussion, and action, if any
- 11:30 a.m.    **Saddle Creek Fire Hydrology Report**
- Bruce Sims, Forest Service hydrologist
  - Public comment
  - Committee questions, discussion, and action, if any
- Noon           **Lunch**

- 1:00 p.m.      **Water Marketing and Mitigation in Washington**
- Peggy Clifford, Trust Water Program, Washington Department of Ecology
  - Cathy Schaeffer, Walla Walla Watershed Management Partnership
  - Paul Jewell, Kittitas County Commissioner
  - Public comment
  - Committee questions, discussion, and action, if any
- 1:45 p.m.      **Ground Water Investigation Program Project Updates**
- John Wheaton, MBMG
  - Public comment
  - Committee questions, discussion, and action, if any
- 2:00p.m.      **Subdivision water supplies**
- County planning role - Randy Johnson, Gallatin County Planner
  - County Commission role- Commissioner Steve White, Gallatin County
  - DEQ role - Steve Kilbreath
  - DNRC role - Tim Davis
  - Well driller role, Dave Potts
  - Developer decisions, Dan Chovanak
  - Public comment
  - Committee questions, discussion, and action, if any
- 3:15 p.m.      **Break**
- 3:30 p.m.      **Exempt Well Alternatives - Montana examples**
- Proposed Controlled Ground Water Area at Horse Creek - Tim Davis, DNRC
  - Proposed exempt well ordinance from CSKT negotiation - Bill Schultz, Reserved Water Rights Compact Commission
  - Public Proposals
  - Committee questions, discussion, and action, if any

**Public comment** on any matter not contained in this agenda and that is within the jurisdiction of the WPIC

**Recess for the day**

**Reconvene Wednesday**

- 8:00 a.m.      **Instream leasing report, (85-2-436, MCA)**
- Mike McLane, FWP
  - Public comment
  - Committee questions, discussion, and action, if any
- 8:15 a.m.      **Reserved Water Right Compact Commission update**
- Chris Tweeten, chairman
  - Public comment
  - Committee questions, discussion, and action, if any

- 9:00 a.m.      **Water right adjudication update**
- DNRC - Director Sexton
  - Montana Water Court - Judge Loble
  - Public comment
  - Committee questions, discussion, and action, if any
- 9:30 a.m.      **Break**
- 9:40 a.m.      **Water rights exempt from filing**
- Overview - Judge Loble
  - Public comment
  - Committee questions, discussion, and action, if any
- 10:15 a.m      **Water Right Enforcement**
- Review of Complaints - Tim Davis, DNRC
  - Appointing of Water Commissioners - Judge Loble
  - Public comment
  - Committee questions, discussion, and action, if any
- 10:45 a.m      **Rule review**
- Helen Thigpen, staff attorney
  - Public comment
  - Committee questions, discussion, and action, if any
- 11:00 a.m.      **Exempt Well Discussion**
- Identify areas for more information
  - Proposal requests
  - Meeting locations
- 11:40 a.m.      **Other business**  
**Administrative matters**  
**Instructions to staff**
- 11:45 a.m..      **Public comment** on any matter not contained in this agenda and that is within the jurisdiction of the WPIC

**Adjourn**

Anyone wanting to attend the meeting who may need services or accommodations, please contact Joe Kolman (406-444-3747 or jkolman@mt.gov) at least 5 working days before the meeting.

All meeting materials are available on the WPIC website at [leg.mt.gov/water/](http://leg.mt.gov/water/)

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