**From:** David Baldwin
**To:** Mohr, Jason
**Subject:** RE: Water Availability and Supply
**Date:** Thursday, December 10, 2015 3:55:15 PM
**Attachments:** image001.png

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Jason,

Sorry, I lost track of this a bit. I don't have any case studies for you, but here are my comments. Because they are very obvious, I don't know how much use they will be to you.

Water Availability and Supply – Considerations and comments to the Water Policy Interim Committee. Specifically, the committee seeks to evaluate four diverse cases of what you think works well and what doesn't related to supplying water for growing communities.

Example: Issues associated with the development of a subdivision next to city limits and the subsequent decision to use either individual groundwater wells or a municipal water supply. What works, what doesn't and what the issues are.

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With the combined appropriation statute, individual wells are no longer permissible, so the two remaining options are permitting a new public water supply or getting municipal water.

A major issue with using municipal water is whether the city's existing water rights allow it to annex new subdivisions. The two most important questions are:

- Is the subdivision within the city's place of use?
- Does the city have sufficient volume to provide for the proposed expansion?

What Works:

- Obviously, the simple solution is that the subdivision is within the city's place of use and their water rights have sufficient volume to supply the water.

- Cities should have a policy like Bozeman uses. When annexing land, Bozeman requires the landowner to deed any existing water rights to the City. In lieu of water rights, the City charges a one-time fee of $6000 per acre foot for the expected increase in volume. This fee allows the City to purchase water rights to expand its permitted volume.

What Doesn't Work:

- What doesn't work is a city that keeps expanding its beneficial use without regard to its underlying water rights and existing statutes and rules.

Issues:

- A city should know the extent of its water rights, especially in terms of flow rate,

volume and place of use. Because city boundaries expand with time as land is annexed, cities should be aware of how expansion impacts their water rights. If necessary, cities should expand their water rights to serve their expanding customer base.

- By acquisition of existing water rights for mitigation to offset new permits.
- By perfecting reservations, if applicable.

Thanks

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**Dave Baldwin MS PG** | Sr. Hydrogeologist

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**From:** Mohr, Jason [mailto:JasonMohr@mt.gov]
**Sent:** Thursday, December 10, 2015 3:35 PM
**To:** David Baldwin <dbaldwin@hydrosi.com>
**Subject:** RE: Water Availability and Supply

Hi David,

I am compiling all the suggested case studies next week in order to meet a pre-meeting mailing for the Water Policy Interim Committee. If you still have a suggestion, I would need it by Monday. Most submissions are a few paragraphs, although some are lengthier.

Sincerely,

Jason Mohr
Research Analyst
Montana Legislative Environmental Policy Office
Capitol Building, Room 171
(406) 444-1640

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**From:** David Baldwin [mailto:dbaldwin@hydrosi.com]
**Sent:** Thursday, October 29, 2015 11:02 AM
**To:** Mohr, Jason
**Subject:** Water Availability and Supply

Jason,

I wanted to let you know I am working on some comments for you on this.

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**Dave Baldwin MS PG** | Sr. Hydrogeologist

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INDEPENDENT EXPERTISE IN WATER RESOURCES AND THE ENVIRONMENT

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