

**Testimony of HB 205, Natural Resources Committee
Submitted by Kathleen (Kathy) Gallagher, 8965 Sandy Creek Ln., Bozeman, MT 59715**

Mr. Chairman and Members of the Committee:

My name is Kathy Gallagher. My address is 8965 Sandy Creek Lane in Bozeman. I have been a resident of Montana for over 31 years and graduated from Montana State University with a degree in Soil Science/Geology in 1981. My career in groundwater began in 1983 when I worked with the Montana Bureau of Mines and Geology and the U.S. Geological Survey on the Northeast Montana Groundwater Study and Groundwater Reservation – the first in the state. Since that time, I have worked as a hydrogeologist and senior scientist for a number of environmental consulting and engineering firms. Since 1992 I have been an independent consultant and have continued to work on surface and groundwater issues for a variety of clients including the Montana DEQ, US BLM, US EPA, several Montana counties, and a number of private clients. I was also on the steering committee for the formation of the Gallatin Local Water Quality District (GLWQD) and have served on the board, including chairman, for many years. I also served on the City-County Health Board in Gallatin County which sponsored and received a Controlled Groundwater Area designation for the Bozeman Solvent Site.

For the sake of brevity, I have prepared testimony for HB 203 that is applicable to this bill also. My experience includes being the author of a Controlled Groundwater Area (CGA), a petitioner, and a witness at the hearing.

I am opposed to the provisions in HB 205 to require that 70% of water rights holders within a proposed CGA sign the petition and that a bond in the amount of \$10,000 be provided by the petitioners. These provisions put an undue burden on the petitioners, who you must remember are water rights holders who have already been harmed. The DNRC is the agency tasked with not only the appropriation of water, but also with the protection of water resources within the state for future use. As described in my testimony for HB 203, a better action is to find appropriate funding for data collection and analyses when groundwater issues are identified. This benefits everyone.

I urge you to kill this bill. Thank you.