

DATE 1-29-07

HB 262

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January 29, 2007

Re: HB262 Comments

Dear Sir or Madam, *House Natural Resources Comm.*

Please accept our comments in support of House Bill 262. We believe that this bill appropriately addresses problems arising from the current exemptions allowed for water right permits for individual wells of 35 gallons or less. The current individual well exemptions do not adequately address the cumulative impacts of multiple exemptions created by new subdivisions.

In the Flathead Valley we are seeing a rapid increase not only in the number of subdivisions being proposed, but also in the size of the subdivisions. Proposal for developments with 100 or more lots on individual wells are no longer uncommon.

Water availability can become a significant issue when an area is proposed for a large subdivision and exemptions for water rights are permitted in areas of potential limited ground water availability. We feel that this bill reasonably removes the current water rights exemption for individual wells in fast growth counties like the Flathead and allows for the exemption to remain in place in areas where rapid growth has not become a problem.

Citizens for a Better Flathead, founded in 1992, represents over 1400 members, a growing group of concerned residents in Flathead County, who actively work for positive and cost effective solutions to the growth related issues affecting our county.

Respectfully,

Mayre Flowers

Mayre Flowers, Executive Director
Citizens for a Better Flathead

Montana House of Representatives
Attn: Natural Resources Committee Members
Re: HB 262

Dear Committee Members:

As water commissioner on the Bitterroot River, and as a landowner, water right holder, and citizen of Ravalli County, I urge you to support HB 262. The benefits this Bill provides in terms of holding developers accountable for withdrawals of groundwater required to support construction of subdivisions, protecting senior water rights, stream flows and wetlands is, I believe, well supported by science.

However, I believe there are **many other benefits, including protection of public health**. HB 262 would promote development of public water supply systems or connection to existing public water supply instead of construction of private wells for each residence. Contamination of groundwater supplies by septic systems, fertilizer, herbicides and pesticides are becoming more common and often goes unnoticed for extended periods. Public water supplies are, by law, routinely monitored to ensure adequate water quality and hence will minimize the possibility that residence are using water which may be harmful to their health. Allowing construction of water supply wells and septic systems on lots as small as one acre certainly will contribute to potential health problems.

I hope you will support HB 262 to protect Montana's clean waters, and to protect senior water right holders in the state.

Thank you for your time.

Sincerely,

Ai Pernicelle
634 Quast Lane
Corvallis, MT 59828