

LC1383 – Groundwater appropriations in closed basins

Hydrogeologic Assessment (HA)
[Sec. 16]

EXHIBIT 1
DATE 3-23-07
#B 83i

Application –
must include HA
[Sec. 15]

For new ground water appropriation right or certain changes in appropriation rights and aquifer storage and recovery projects

No Net Depletion
[Sec. 15(2)]

Net Depletion Predicted
[Sec. 15(3)]

DNRC proceeds with
85-2-307 through 85-2-311,
MCA

Adverse Affect

No Adverse Affect

DNRC proceeds with
85-2-307 through 85-2-311,
MCA

Net depletion does not mean adverse affect that is a determination that is made by DNRC

Department determines amount of net depletion that will result in adverse affect

Mitigation or aquifer recharge plan [Sec. 17]

Net Depletion resulting in adverse affect NOT offset
[Sec. 16(4)]

Must include copy of appropriate discharge permit if necessary from DEQ
[Sec. 18]

Net Depletion resulting in adverse affect IS offset
[Sec. 16(4)]

Permit Denied

Nondegradation and drinking water standards apply to discharges or return flows of effluent
[Sec. 19]

DNRC proceeds with
85-2-307 through 85-2-311,
MCA

Other Pieces:

- [Sec. 21] – Previously approved augmentation plans outside of Clark Fork Basin have to comply by 7/1/08
- [Sec. 22] – Aquifer testing, test well, or monitoring data must be submitted to Bureau of Mines and Geology
- [Sec. 24] – Closed basin groundwater study review and case study
- [Sec. 26] – Recognition of existing rights in closed basins
- [Sec. 32] – Directs DNRC to amend rules related to augmentation

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March 15, 2007