

Connie Morris
HC 39 Box 30
Otter, MT 59062
406-784-2485
02-14-07

To the Natural Resource Committee of the 2007 Montana Legislature:

I urge you to vote YES on Senate Bill 407 to allow ranchers use of CBM water for emergency drought relief.

Much of Eastern Montana was settled on water off of coal seams and most of its rural population continues to rely on this water to this very day.

You must look at the intent that your predecessors laid before you, for they intended for Montanans to be able to use our natural resources, including the water. The Montana Environmental Policy Act MEPA even supports this in its original intent and purpose. In doing a search of the MCA "beneficial use" appears in 107 documents and "environmental protection" appears in 112 (that's 49% to 51%).

**TITLE 75. ENVIRONMENTAL PROTECTION
CHAPTER 1. ENVIRONMENTAL POLICY AND PROTECTION GENERALLY
Part 1. General Provisions**

75-1-102. Intent -- purpose. (1) The legislature, mindful of its constitutional obligations under Article II, section 3, and Article IX of the Montana constitution, has enacted the Montana Environmental Policy Act. The Montana Environmental Policy Act is procedural, and it is the legislature's intent that the requirements of parts 1 through 3 of this chapter provide for the adequate review of state actions in order to ensure that environmental attributes are fully considered.

(2) The purpose of parts 1 through 3 of this chapter is to declare a state policy that will encourage productive and enjoyable harmony between humans and their environment, to protect the right to use and enjoy private property free of undue government regulation.

Montana recently filed a lawsuit against Wyoming over the amount of water coming to us. Montana must do its part in helping to resolve this issue and part of that answer is in use of CBM water. Montana's water use policy encourages the development of facilities that store and conserve waters for beneficial use.

**TITLE 85. WATER USE
CHAPTER 2. SURFACE WATER AND GROUND WATER
Part 1. General Provisions**

85-2-101. Declaration of policy and purpose.

(3) It is the policy of this state and a purpose of this chapter to encourage the wise use of the state's water resources by making them available for appropriation consistent with this

chapter and to provide for the wise utilization, development, and conservation of the waters of the state for the maximum benefit of its people with the least possible degradation of the natural aquatic ecosystems. In pursuit of this policy, the state encourages the development of facilities that store and conserve waters for beneficial use, for the maximization of the use of those waters in Montana, for the stabilization of streamflows, and for ground water recharge.

TITLE 85. WATER USE
CHAPTER 1. WATER RESOURCES
Part 7. Water Storage Policy

Part 1. General Provisions

85-1-101. Policy considerations. It is hereby declared as follows:

(1) The general welfare of the people of Montana, in view of the state's population growth and expanding economy, requires that water resources of the state be put to optimum beneficial use and not wasted.

85-1-701. Short title. This part may be cited as the "Water Storage Policy Act".

History: En. Sec. 1, Ch. 659, L. 1991.

85-1-702. Purpose. The purpose of this part is to define the role of water storage in solving water management problems and, if water storage projects provide the best solutions to those problems, to facilitate the development of the projects.

History: En. Sec. 2, Ch. 659, L. 1991.

85-1-703. Water storage policy. (1) The legislature recognizes that water resource needs are growing, existing water facilities are aging and in need of repair, and new water storage projects have become more difficult to complete. Other types of action will be needed to solve many emerging problems, but if water storage is the best way to meet growing water needs and solve problems, then it should be actively pursued.

It is clear the authors of the MCA INTENDED for there to be BALANCE. YOU CANNOT IGNORE ALMOST 50% of the ORIGINAL INTENTION OF THE LAW or the people it impacts. OVER A DECADE OF DROUGHT HAS FORCED US INTO "SURVIVAL MODE", DON'T PASS UP THIS OPPORTUNITY. I urge you to VOTE YES ON SENATE BILL 407.

Thank you for your service.

Sincerely,

Connie Morris

Charles R. Larsen
P.O. Box 24
Decker, MT 59025

Senator Keith Bales and
Montana Natural Resource Committee of the 2007 Montana Legislature
Helena, MT

Feb. 13, 2007

Sir:

As you realize, the southeast part of Montana has been in drought for the past 7 or 8 years, and this coming year doesn't look to be any better!

If it were possible to put some of this CBM water to use, especially in reservoirs or ponds, I don't mean to fill them, but at least a third full, so if, by chance we'd get a run off, they possibly wouldn't wash out. Also, having the bottoms wet, they'd have a better chance of holding run off, for it takes quite a bit of moisture to soak up a dry pond, usually more than we normally get.

We have 19 dry reservoirs and 5 major drainages on my operations. All reservoirs are dry. The main drainage running the length of the ranch has dried up $\frac{3}{4}$ of the way through. The other drainage runs along the south end, which is the Tongue River. As for the other drainages, they are dry.

If this water could be put into these dry ponds and such, they should help the local aquifers by infiltration. One should have to pull cattle out of these mud creeks and ponds to see what it's like not to have water. My operation is running $\frac{1}{3}$ of the cow numbers we should be thanks to the drought.

We could sure use a sip of this CBM water for our livestock and the State's wildlife.

Thank you.

Sincerely,


Charles Larsen

1/22/07

Montana Department of Environmental Quality
Attn:

Porter Ranch
H.C. 40 Box 103
Decker, MT 59025

To Whom IT May Concern:

We would like to apologize for not being able to have a representative from your family at your meeting. Thank you so much for taking time out of your busy schedule to listen to our concerns.

As a family ranch operating in southern Montana since 1943, we believe that the water from CBM should be used to benefit our ranch. We have been in a drought for 10 plus years now. We have struggled to water our cows for these years and have bought the majority of our hay. This year being the worst year of the drought we had no choice but to haul about 500 gallons of water to our cows this past summer everyday. This water was produced CBM water that we utilized. Attached are photos of us getting water and unloading it into water tanks for our cattle. The drought has not only burdened us with haulage of water but the economic cost of hay as well. Since there wasn't any rain for dry land hay production we had to purchase over 150 tons of hay.

We think it is really distressing that this produced water is being discharged into Tongue River and taken away from us. This water can be and will be used to benefit our ranching operation in the future. If the state would allow us to utilize this water on our ranch were it is produced so that we can do the following options.

One option for use of this water is to put it into dry reservoirs. We have seven reservoirs in our summer pasture that is about 3200 acres in size, every one of these are dry at this time. If the water is put into these watering holes, the water would be there for years to come, even after the CBM producers leave, for us to use. This would let us utilize our pastures better. This would also let the water go back into the shallow water zones that have dried up from the drought.

A second option is to treat the water and use it to irrigate with. We feel that our hay fields would produce enough hay for use to stop buying hay from out of the area and transporting with in. This is a high expense, not to mention the risk of bringing in noxious weeds into our region that are not already here. We paid 110 dollars a ton this year for the hay. That is 16,500 dollars we put into hay this year. With hay shortages and rising prices this could be cut in half or not even a factor if we could produce hay on our own ranch with the operation of this water.

The third option is to use it for fire suppression. As you know this summer was very bad in the state. We had several fires in the area. One problem we ran into while trying to put these fires out was no there wasn't any water resources close. Thanks to the CBM companies they brought in water trucks for the fire trucks to load out of when needed.

In conclusion we are sure that there are many more options out there for use of this water. But these three are for sure good ones that could be used. To put the water in dry reservoirs, use it to irrigate hay dry lands, and also to fight wildfires. We would like you to come down and visit with the landowners and see for yourself first hand how it will impact the land and their lives.

We greatly appreciate your time and consideration of our comments and should you have any questions you may contact us at (406) 757-2293 or shaw9316@msn.com.

Thank you,

Fra Porter



Owner



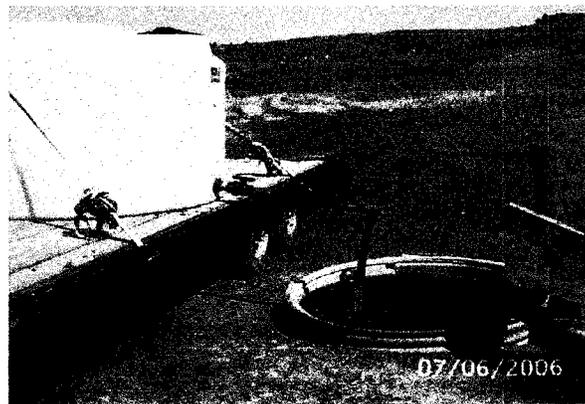
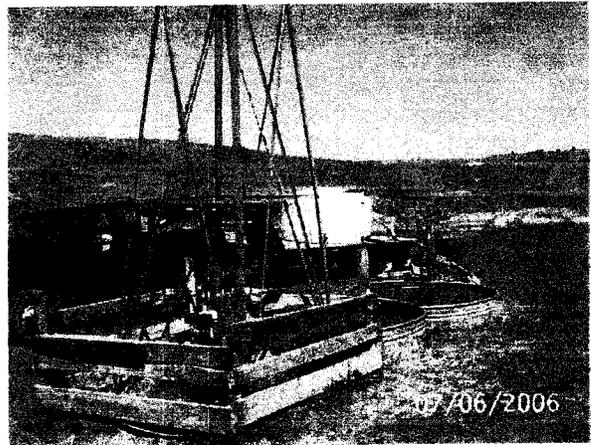
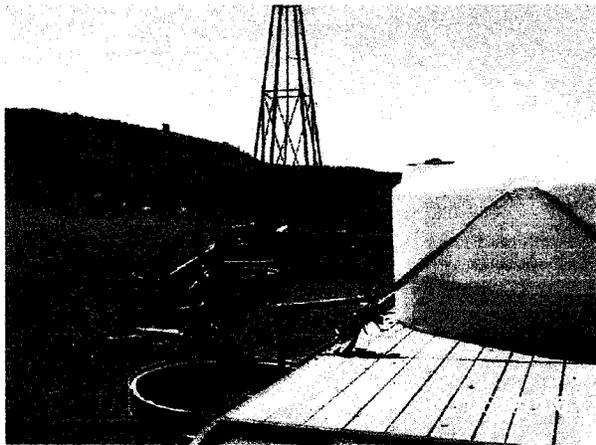
Leah Shaw

Dustin Shaw

Manager and Grandson

Daughter

These are pictures at a well that the production has dropped in the past year because of the drought.



This is pictures of us hauling water to water tanks this past summer.



This is one of the seven dry reservoirs on our place. That could be utilized for CBM water.



Horace & Addie
Goodwin

#139
2-10-07 Otter, MT 59062
406 784-2800

DNR C Committee

We would like to express our deep concern for the use of water from coalbed methane. We need the water extremely bad. We have 20 reservoirs on our ranch and not one has a drop of water in them. Most of them have been dry for 8 consecutive years due to the extreme drought.

We don't want the water from our property going to the Tongue or ending up being shipped out of state. We want to use it ourselves.

We strongly feel that if coalbed methane is done properly, it could benefit us all.

Sincerely
Horace (Ace) and Addie Goodwin

Attached is a letter I sent to Governor Schweitzer 9-7-06.

9-7-06

Governor Schweitzer

We would like to express to you our views on Coalbed methane development. We support it for personal, County, and state reasons.

Personally: We ranch and have reservoirs that have been dry for 8 consecutive years. We put an expensive pipeline on. It has to be checked every other day as something can and does go wrong. When it is down we have to haul water. Both running to check pipeline and hauling water is extremely expensive with the price of fuel. This is our main summer range and is 12 to 15 miles from home.

We haul water full time for the livestock on home end of the range. This is not only expensive but time consuming to where you can't get other things accomplished on the ranch. Wells and springs are going dry from so many years of drought.

County: Powder River County is broke. CBM would do a lot for the County with the revenue and could help reduce taxes not mention what it could do for Education, and welfare of the elderly people & other programs - Roads etc.

State: Look at the revenue it would bring into the state of Montana. More revenue better law enforcement, lower taxes, help Education at County, and state level. Look at the jobs it would create, at local and state level. Plus we need alternative fuel.

We feel there has been extensive research

to prove that there would be more
benefit from the development than
damaging draw backs.

We are letting extreme environmentalist
stop landowners from running their own
property and it needs to come to a halt.
Most land owners think environmentally

Sincerely

Alce and Addie Goodwin