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March 13, 2013

Mr. Ron Devlin
208 North Montana, Suite 205
Helena MT 59601

RE: *SB 19 (Hamlett)*

Dear Ron:

Thank you for your call today on Senate Bill 19 by Sen. Hamlett. As I indicated to you I have reviewed the legislation, not only as introduced, but as presented to the Water Policy Committee this past interim. In my opinion the legislation is an excellent bill and should be adopted by the House.

I have practiced water law in Montana for approximately 24 years. Most of my practice deals with handling water related matters for farmers and ranchers located throughout Montana. My practice involves not only protecting their existing rights, but also in the development of water necessary to meet their needs.

Senate Bill 19 essentially codifies a DNRC rule which has been on the books for decades. Essentially, the definition clarifies that a permit from DNRC is not required for two or more wells or developed springs in the same aquifer which develop quantities within the permit exception threshold (i.e. 35 gpm and less than 10 acre-feet per year), unless the well or spring developments are physically connected or manifolded into the same conveyance or delivery system.

From a practical perspective this means that a rancher who wishes to develop a stockwater well into the same aquifer that his existing domestic well taps, does not need a permit from DNRC provided the well produces quantities within the exemption threshold and provided he does not physically connect the plumbing of the well to the same system. From my experience representing literally hundreds of ranches across the state, requiring a DNRC permit for multiple, small quantity stock and domestic wells which tap the same source aquifer would be cost prohibitive, or at times simply impossible to achieve. S.B. 19 would prevent such an obstacle and would continue long standing practices.

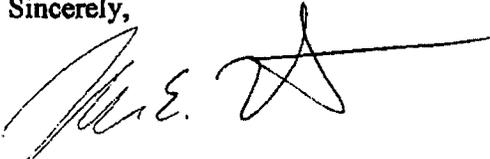
In addition, given the environmental issues associated with livestock grazing on riparian areas, many ranchers have or are developing exempt wells off stream to water their livestock. These developments in many cases may tap the same aquifer. Again, requiring permitting for multiple

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well developments would in most cases be cost prohibitive or in some basins impossible, with no benefit derived by preventing the wells.

Senate Bill 19 is a common sense bill which adopts an approach to small quantity well developments which, in my opinion, has been sound from both a legal and hydrologic perspective for decades. If not adopted I am concerned that many of my ranching clients would be forced into a DNRC permit system which would be extremely costly, or in some instances impossible to achieve, with no noticeable or appreciable benefit to other water users.

Sincerely,

A handwritten signature in black ink, appearing to read "John E. Bloomquist", with a long horizontal flourish extending to the right.

John E. Bloomquist

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