

HOUSE BILL NO. 244

INTRODUCED BY CONNELL, WHITE

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A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE PLACEMENT OF A WELL TO PREVENT ANOTHER PROPERTY OWNER FROM USING THE PROPERTY TO THE FULL EXTENT OF APPLICABLE LAW."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Malicious well placement.** It is an unlawful use of water, subject to the provisions of 85-2-114, for an appropriator to willfully and knowingly place a well in a location for the primary purpose of preventing another property owner from using the property to the full extent of applicable laws. A PERSON FOUND TO BE UNLAWFULLY USING WATER PURSUANT TO THIS SECTION SHALL PLUG AND ABANDON THE WELL.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 85, chapter 2, part 1, and the provisions of Title 85, chapter 2, part 1, apply to [section 1].

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