



PO BOX 201706  
Helena, MT 59620-1706  
(406) 444-3064  
FAX (406) 444-3036

## Water Policy Interim Committee

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### 62nd Montana Legislature

#### SENATE MEMBERS

DEBBY BARRETT  
BRADLEY MAXON HAMLETT  
SHARON STEWART-PEREGOY  
CHAS VINCENT

#### HOUSE MEMBERS

PAT CONNELL  
BETSY HANDS  
BILL MCCHESENEY  
WALTER MCNUTT

#### COMMITTEE STAFF

JOE KOLMAN, Lead Staff  
TODD EVERTS, Staff Attorney  
HELEN THIGPEN, Staff Attorney  
KEVIN MCCUE, Secretary

## FINAL AGENDA

# WATER POLICY INTERIM COMMITTEE

State Capitol, Room 172  
September 13-14, 2011

AGENDA ITEM TIMES ARE APPROXIMATE

- 9:00 a.m.     **Call to Order** - Sen. Hamlett
- Roll Call
  - Approval of minutes from June 2011 WPIC
- 9:05 a.m.     **Nutrient Work Group - standards update** (75-5-313, MCA)
- George Mathieus, DEQ
  - Public comment
  - Committee questions, discussion, and action, if any
- 9:30 a.m.     **Water-related research by state entity** (85-2-105, MCA)
- Gretchen Rupp, Montana Water Center
  - Public comment
  - Committee questions, discussion, and action, if any
- 9:50 a.m.     **Water Information System update** (85-2-105, MCA)
- Evan Hammer, Natural Resource Information System Manager
  - Public comment
  - Committee questions, discussion, and action, if any
- 10:10 a.m.    **Water right adjudication update** (85-2-281, MCA)
- DNRC Update - Director Sexton
  - Montana Water Court - Judge Loble
  - Public comment
  - Committee questions, discussion, and action, if any
- 10:40 a.m.    **Break**

- 10:50 a.m.     **Pipelines crossing state waterways**
- How Rivers Move - John Metesh, MBMG
  - Oil Pipeline Safety Review Council - Director Opper, DEQ
  - Silvertip Pipeline update - Director Sexton, DNRC
  - Public comment
  - Committee questions, discussion, and action, if any
- 11:45 a.m.     **Flood-related demonstrations** -- DNRC Rolling River -- David Martin
- 12:30 p.m.     **Lunch**
- 1:30 p.m.     **Water Right Permitting**
- Overview -- Joe Kolman, staff
  - Examples:
    - Elk Creek irrigation water right permit -- Dave Schmidt
    - Stevensville subdivision water right permit -- Donny Ramer
    - TimberWorks subdivision exempt wells -- Ryan Casne
  - DNRC perspective -- Tim Davis
  - Public comment
  - Committee questions, discussion, and action, if any
- 2:45 p.m.     **Exempt Well Issues in the West**
- Overview -- Nathan Bracken, Western States Water Council
  - Public comment
  - Committee questions, discussion, and action, if any
- 3:30 p.m.     **Legal challenges to exempt wells**
- Summary -- Helen Thigpen, staff attorney
  - Public comment
  - Committee questions, discussion, and action, if any
- 3:45 p.m.     **Break**
- 3:55 p.m.     **Enforcement of statutory exempt well limits**
- Overview of enforcement of water rights -- Helen Thigpen, staff attorney
  - Exempt well measurement options and enforcement -- Tim Davis, DNRC
  - Public comment
  - Committee questions, discussion, and action, if any
- 5:00 p.m.     **Public comment** on any matter not contained in this agenda and that is within the jurisdiction of the WPIC

**Recess for the day**

## Reconvene Wednesday

- 8:00 a.m.     **Rule review & agency litigation status report** -- Helen Thigpen, staff attorney
- Public comment
  - Committee questions, discussion, and action, if any
- 8:15 a.m.     **EPA guidance on Clean Water Act** -- Helen Thigpen, staff attorney
- Public comment
  - Committee questions, discussion, and action, if any
- 8:30 a.m.     **Clark Fork River Basin Task Force update** (85-2-350, MCA)
- Gerald Mueller, task force facilitator
  - Public comment
  - Committee questions, discussion, and action, if any
- 9:00 a.m.     **Water use requirements**
- Overview -- Tim Davis, DNRC
  - Public comment
  - Committee questions, discussion, and action, if any
- 9:15 a.m.     **Break**
- 9:30 a.m.     **Previously discussed exempt well options**
- Overview -- Joe Kolman, staff
  - Public comment
  - Committee questions, discussion, and action, if any
- 10:15 a.m.    **Ground Water Investigation Program - MBMG**
- Project updates -- John Wheaton
    - North Hills Groundwater Model -- Kirk Waren
  - Exempt well analysis options -- John Metesh
  - Public comment
  - Committee questions, discussion, and action, if any
- 11:00 a.m.    **Administrative matters**
- Adoption of work plan - Mr. Kolman
    - Public comment
    - Committee discussion and action
  - Review of final WPIC rules - Mr. Kolman
- 11:15 a.m..   **Other business**  
**Instructions to staff**

11:30 a.m.. **Public comment** on any matter not contained in this agenda and that is within the jurisdiction of the WPIC

### **Adjourn**

Anyone wanting to attend the meeting who may need services or accommodations, please contact Joe Kolman (406-444-9280 or [jkolman@mt.gov](mailto:jkolman@mt.gov)) at least 5 working days before the meeting.

All meeting materials are available on the WPIC website at [leg.mt.gov/water/](http://leg.mt.gov/water/)