



**Water Policy Interim Committee**

**64th Montana Legislature**

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

**SENATE MEMBERS**

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**COMMITTEE STAFF**

JASON MOHR, Lead Staff  
HELEN THIGPEN, Staff Attorney  
NADINE SPENCER, Secretary

Aug. 30, 2015

Re: Additional comments for the Study of Water Availability and Supply.

Dear Members,

The attached 24 comments have been received in the last two weeks regarding the two bills proposing to defined the term, "combined appropriation."

Sincerely,

Jason Mohr, research analyst  
Legislative Environmental Policy Office

WATER POLICY INTERIM  
COMMITTEE 2015-16

August 29, 2016

Exhibit 14

**From:** Wally Wilkinson  
**To:** Mohr, Jason  
**Subject:** WPIC bill draft comments  
**Date:** Monday, August 22, 2016 3:54:09 PM

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I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you.

Wally Wilkinson  
President  
Frontier Builders at Whitefish  
20 W. 2nd Street  
Whitefish, Mt. 59937  
406-730-1060  
www.fbmt.com  
wally@fbmt.com

**From:** Tom Stringham  
**To:** Mohr, Jason  
**Subject:** LCwp07  
**Date:** Thursday, August 25, 2016 8:26:43 AM

---

I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you.

Tom Stringham

Hamilton, MT

**From:** Tom  
**To:** Mohr, Jason  
**Subject:** WPIC bill draft comments  
**Date:** Monday, August 22, 2016 12:17:06 PM

---

Jason,

I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you.

Tom Murphy

Helena, Mt.

**From:** [Tamara Gailey](#)  
**To:** [Mohr, Jason](#)  
**Cc:** "[wl](#)"  
**Subject:** WPIC bill draft comments  
**Date:** Tuesday, August 23, 2016 11:46:41 AM  
**Importance:** High

---

Jason,

I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you.

William Schrock

President

Schrock Construction Inc.

1353 Hwy 93 N

Victor, MT 59875

406-207-0400

[wl@chrockinc.com](mailto:wl@chrockinc.com)

**William Schrock**



1353 Highway 93 N  
Victor, MT 59875

Phone 406-961-6808  
Cell 406-207-0400

[www.schrockconstructioninc.com](http://www.schrockconstructioninc.com)

**From:** [Rod Turner](#)  
**To:** [Mohr, Jason](#)  
**Subject:** WPIC bill draft comments  
**Date:** Thursday, August 25, 2016 9:41:30 AM

---

Jason,

I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you.

Rod Turner  
Hamilton, MT



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**From:** [Renee Ewing](#)  
**To:** [Mohr, Jason](#)  
**Subject:** Support of LCwp07  
**Date:** Monday, August 22, 2016 11:54:40 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)

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I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you.

Renee D. Ewing

Kalispell, MT

Renee D. Ewing  
Executive Director  
Flathead Building Association  
309 Main Street ~ Kalispell, MT ~ 59901  
P: 406-752-2422  
F: 406-752-5122



[www.buildingflathead.com](http://www.buildingflathead.com)

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**From:** Merna  
**To:** Mohr, Jason  
**Cc:** [steve@Montanabia.com](mailto:steve@Montanabia.com)  
**Subject:** WPIC bill draft comments  
**Date:** Monday, August 22, 2016 12:16:28 PM  
**Attachments:** [image004.png](#)

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Dear Jason and Members of the MT Legislative Water Policy Interim Committee,

My husband and I manage a family-owned home-building business in the Flathead Valley. We work very hard to bring affordable housing to people in our valley. Due to increased costs including many local, state and federal regulations, it is getting more and more difficult to provide housing that is affordable to people who live and work in our valley. Because of this issue, I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you for your time.

Sincerely,

**Merna Terry**  
Vice President  
Ron Terry Construction, Inc.  
7 Meridian Court | Kalispell, MT 59901  
406-755-7516 office | 406-253-6627 | 406-755-1546 fax



**RON TERRY**  
**CONSTRUCTION, Inc.**

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**From:** Linda Revenaugh  
**To:** Mohr, Jason  
**Subject:** WPIC bill draft comments  
**Date:** Monday, August 22, 2016 4:31:51 PM

---

I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you,

Linda Revenaugh  
396 Ghost Canyon Court  
Belgrade MT 59714

**From:** Les  
**To:** Mohr, Jason  
**Subject:** "WPIC bill draft comments".  
**Date:** Monday, August 22, 2016 12:28:41 PM

---

Dear Jason Mohr,

I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you.

*Les Bruner*

Sales



900 6th Street SW  
Great Falls, MT 59404

406-216-3131 office  
406-899-6562 cell  
lesbruner@pellamt.com

**From:** [Kim Welzenbach](#)  
**To:** [Mohr, Jason](#)  
**Subject:** WPIC bill draft comments  
**Date:** Monday, August 22, 2016 2:16:31 PM  
**Attachments:** [image001.png](#)

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I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

*"Anyone who has never made a mistake has never tried anything new."*

*Albert Einstein*

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**Kimberly Welzenbach**

Executive Officer

**Home Builders Association of Billings**

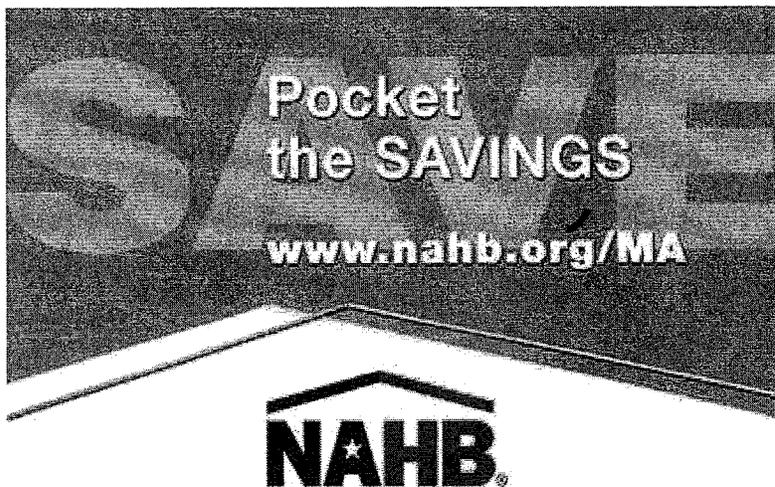
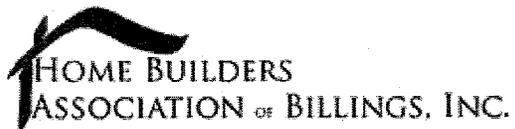
1645 Avenue D, Suite F

Billings, MT 59102

**406/252.7533 OFFICE**

**406/248.8611 FAX**

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**From:** [Gregory McCall](#)  
**To:** [Mohr, Jason](#)  
**Subject:** WPIC bill draft comments  
**Date:** Monday, August 22, 2016 3:13:01 PM

---

Dear Mr. Mohr,

I am writing to let you know that we here at McCall Homes, support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you.

Greg McCall, CGB, CGP

McCall Homes &  
McCall Development  
Billings, MT 59101  
Office: 406.651.5354  
Fax: 406.651.5364  
Mobile: 406.591.4747  
[greg@mccalldevelopment.com](mailto:greg@mccalldevelopment.com)  
[JosephineCrossing.com](http://JosephineCrossing.com)

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**From:** [gdhb](#)  
**To:** [Mohr, Jason](#)  
**Subject:** WPIC bill draft comments  
**Date:** Monday, August 22, 2016 1:12:50 PM

---

I am writing in support of LCwp07. It is important to protect the rights of personal wells for homes. When you consider the very small amount of water used for domestic purposes for a residence it seems in the best interest of us all to protect the right to drill a water well.

Rob Martin  
Great Divide Home Builders Inc.  
406-949-1681

**From:** Eugene Graf IV  
**To:** Mohr, Jason  
**Subject:** WPIC bill draft comments  
**Date:** Monday, August 22, 2016 1:42:58 PM

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Jason,

Please forward to Committee Members,

I support the passage of LCwp07. LCwp07 protects the right to personal water wells for residential use.

I oppose passage of LCwp20. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you,

**Eugene Graf IV**

*E.G. Construction LLC*

*P.O. Box 10906*

*Bozeman, MT 59719*

*(406) 579-8248*

*Fax (406) 587-7950*

[www.ea-construction.com](http://www.ea-construction.com)

**From:** [Byron Roberts](#)  
**To:** [Mohr, Jason](#)  
**Subject:** Domestic Water wells  
**Date:** Thursday, August 25, 2016 10:11:30 AM

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I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

This issue has gone on way too long. Domestic water wells have no impact on water supply in closed basins in Montana. The exception may be in specific isolated areas which can easily be identified by local planners.

I respectfully request that you look at this entire issue which has nothing to do with domestic water wells and everything to do with limiting development outside of cities and towns.

Thank you for this opportunity to have a voice.

Byron Roberts  
Helena, MT

**From:** [Blake Robinson](#)  
**To:** [Mohr, Jason](#)  
**Cc:** "[Renee Ewing](#)"  
**Subject:** WPIC bill draft comments  
**Date:** Monday, August 22, 2016 1:27:40 PM

---

Good Afternoon Jason,

I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you for keeping our building industry strong!

Sincerely,

**Blake Robinson**

*AVP / Construction Loan Manager*

Glacier Bank

202 Main Street

Kalispell, MT 59901

[brobinson@glacierbank.com](mailto:brobinson@glacierbank.com)

406-756-4201 (Office)

406-212-8946 (Cell)

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**From:** [Spencer Woith](#)  
**To:** [Mohr, Jason](#)  
**Subject:** WPIC draft bill comments  
**Date:** Friday, August 26, 2016 11:55:53 AM

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I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you.

Spencer Woith

MBIA President

Great Falls, MT

**From:** [Drew Mihelish](#)  
**To:** [Mohr, Jason](#)  
**Subject:** WPIC bill draft comments  
**Date:** Friday, August 26, 2016 9:24:50 AM  
**Attachments:** [image001.png](#)

---

Jason,

I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you,

**Miss Drew Mihelish**

Owner & Lighting Consultant, LS

Email: [dmihelish@wmldesigns.com](mailto:dmihelish@wmldesigns.com)

Phone: 406.543.7166 ext. 1

3250 South Reserve | Missoula, MT | 59801



**From:** [Chip Pigman](#)  
**To:** [Mohr, Jason](#)  
**Subject:** WPIC bill draft comments  
**Date:** Friday, August 26, 2016 8:33:00 AM

---

Good morning Jason,

I am a Home Builder in the Bitterroot Valley & our family has been building homes for the last 25 years.

I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use.

LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you.

Chip Pigman  
Pigman Builders  
935 N. First St.  
Hamilton, MT 59840  
363-3000

**From:** Jerry Kovach  
**To:** Mohr, Jason  
**Subject:** WPIC bill draft comments  
**Date:** Friday, August 26, 2016 8:03:54 AM

---

Dear Mr. Mohr,

I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you.

Jerome Kovach  
President

Kinetico Quality Water Systems of Missoula and Ravalli Counties  
Clearwater Incorporated  
106 Pennsylvania Ave.  
Hamilton, MT 59840

**From:** [TL Custom Homes](mailto:TL Custom Homes)  
**To:** [Mohr, Jason](mailto:Jason.Mohr)  
**Subject:** WPIC bill draft comments  
**Date:** Friday, August 26, 2016 7:40:43 AM  
**Attachments:** [image004.png](#)

---

Good Morning Jason,

I support the passage of LCwp07, and oppose the passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you,

Tony Giardina  
President Flathead Building Association  
Kalispell, MT 59901  
**TL Custom Homes, Inc**  
**PO Box 1942**  
**Kalispell, MT 59903**  
**[www.tlcustomhomes.com](http://www.tlcustomhomes.com)**



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---

**From:** Steve Snezek [<mailto:steve@montanabia.com>]  
**Sent:** Monday, August 22, 2016 11:51 AM  
**To:** Tony  
**Subject:** ACTION NEEDED before Friday Aug 26 at 12 noon on Exempt Wells

Tony,

ACTION NEEDED before Friday Aug 26 12noon – Please see below on what to do and who to email.

The MT Legislative Water Policy Interim Committee (known as WPIC) is looking at possibly introducing 2 bills important to the MBIA.

1. LCwp07 – This is a good bill that would put into statute the old DNRC rule on Exempt Wells that defines “combined appropriation” as physically manifold 2 wells

together. This is a good bill for MT's Economy, Affordable Housing, and the Building Industry. This bill is being supported on the committee by Rep. Carl Glimm. We support this bill.

2. LCwp20 – This bill is basically the opposite of what LCwp07 is trying to do. This bill is being supported by Rep. Kathleen Williams. The definition of “combined appropriation” in this bill draft perpetuates the same definition that was rejected by the DNRC in 1993 as difficult to administer and requiring too much interpretation by the department. The 2014 decision by Judge Sherlock instituted the definition that is proposed in this bill. This is the decision that we opposed in the recent Supreme Court hearing. We oppose this bill.

These two draft bills are, as WPIC has identified, are fundamentally incompatible – either one moves forward or the other does, or neither....but it makes little sense to advance both.

These bill drafts are being looked at by an interim committee. While the full Legislature does look at what an interim committee puts forward, it in no way prevents a bill from being introduced when the 2017 session begins in January. We don't want to get too excited about an interim committee's actions.....but we do want to make a statement.

The staffer for WPIC is Jason Mohr. He is collecting comments from the public and will present them to the committee on Monday August 29. We need you to send an email before August 26 (this Friday) at 12 noon. This will give Jason some time to compile your comments before he gives them to the committee on Monday. Any emails after this Friday Aug 29 at 12noon, may not be in the committees packet.

We need you to email Jason at [jasonmohr@mt.gov](mailto:jasonmohr@mt.gov). Please put in the subject line “WPIC bill draft comments”. And in the body of your email, please put:

I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

Thank you.

Your name

City, MT

At the end of your email, please put your name, your email, and what city in Montana you are from.

Also, if there is any way that you could be at the WPIC meeting on Monday Aug. 29 at 2pm in Room 152 of the Capitol in Helena, that would be great. If so, we would ask you to comment in person, but just very briefly. We will be having Abby St. Lawrence provide more extensive and legal comments on our behalf.

Please forward this email to anyone else you think may be able to respond, but please DO NOT forward this to Jason Mohr and the Legislative Committee. Just cut and paste from the email above.

This email is going to all MBIA Board of Director Members, Local Presidents and Local EO's.

Thank you so much for your efforts on this.

Steve

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Steve Snezek

Executive Director

Montana Building Industry Association

[steve@montanabia.com](mailto:steve@montanabia.com)

406-442-4479

**From:** [John Harding](#)  
**To:** [Mohr, Jason](#)  
**Subject:** WPIC Bill Draft Comments  
**Date:** Thursday, August 25, 2016 5:32:00 PM

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Jason...I know letter is generic but the truth is Judge Sherlock's ruling in 2014 has been bad for housing in Montana. I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department.

**John Harding**

President

S&H Aluminum Products Inc

901 6th St So

Great Falls, MT 59405

Ph: (406)452-2416

Fx: (406)452-2442

[jharding72@hotmail.com](mailto:jharding72@hotmail.com)

**From:** [Dewey Allsop](#)  
**To:** [Mohr, Jason](#)  
**Subject:** WPIC bill draft comments  
**Date:** Thursday, August 25, 2016 5:30:16 PM  
**Attachments:** [image001.png](#)

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Hello Mr. Mohr,

I support the passage of LCwp07, and oppose passage of LCwp20. LCwp07 protects the right to personal water wells for residential use. LCwp20 would put into statute the definitions that the DNRC said in 1993 was difficult to administer, and would require too much interpretation by the department. The last thing we need is more confusion for someone, with an agenda, to interpret and create more bureaucracy and litigation.

**Thank you for your consideration,**

**Dewey Allsop**



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Victor, MT 59875

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