

# DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

## INTERIM WATER POLICY COMMITTEE

October 24 & 25, 2007

### House Bill 831 Update

- I. Applications Received under HB 831
  - a. **Six** applications (see attached table)
  - b. **Three** were filed under 85-2-360(6), they are refilled applications that were returned after the TU v. DNRC decision was issued. Will retain original priority date.
  
- II. Administrative Rules Adoption
  - a. Published Proposed Rules for Net Depletion analysis requirements on August 2007; **286** interested persons were sent notice
  - b. Hearing conducted September 26, 2006
  - c. Comments received from **11** participants
  - d. Completing MEPA document
  - e. HB831 Work Group meeting on rules – Oct. 31, 2007
  - f. Primary comment issues include:
    - i. Cost of compliance with rules and hydrologic assessment. We will need to address possible cost to senior water rights by not complying.
    - ii. Requirements not realistic; level of precision not attainable; DNRC will need to explain why the requirements are needed and that they can be achieved.
    - iii. Why are rate, volume, timing, and location needed? Are they attainable and will they be accurate?
    - iv. Allow applicants to forego assessment development if they are willing to mitigate 100% of net depletion.
    - v. If net depletion equals adverse affect, state that and establish requirements for mitigation. Don't waste applicant's time and money.
    - vi. Define "degree of connection"; "affected ground water"; and "potentially affected surface water".
    - vii. Help public understand how hydro-assessment relates to criteria, not just connection to surface water.
    - viii. Rather than require analysis of "net depletion", require a water balance evaluation considering elements that cause depletion and those that enhance accretions.
    - ix. What is DNRC going to accept? What amount of data and to what degree?
  
- III. Recruitment of Water Resource Specialists
  - a. Submitted to Classification August 31, 2007
  - b. Recruitment materials submitted to Personnel Office
  - c. Within 1 week of classification, notice will be posted for 2 weeks
  - d. Hiring completed by end of December

APPLICATIONS RECEIVED UNDER HB 831

10/23/2007

BASIN	APPL. NO.	TYPE	OWNER	REC'D DATE	TO HYDROGL	DEFFCY LETTER SENT	DEEMED C&C DATE	DELS COMMENT	EA COMPLTD	PUBLIC NOTICE TO APPL	PUBLIC NOTICED	PERMIT / CHANGE ISSUED
41B	**30028374	600	Sitz Ranch	2007-06-19	2007-08-16	2007-08-21	2007-09-21		2007-09-19	2007-10-09		
41B	**30028375	600	Sitz Ranch	2007-06-19	2007-08-16	2007-08-21	2007-09-21		2007-09-19	2007-10-09		
41I	30028560	600	Glacier Point	2007-07-02	2007-7-10	2007-08-02	2007-10-19	11/02/2007 - 90 DAYS				INTERIM PRMIT ISSUED 2007-07-24
41I	30028566	606	Glacier Point	2007-07-02		2007-08-14		11/14/2007 - 90 DAYS				
76H	30028713	600	Skergan/Helmer	2007-07-23	2007-08-14	2007-09-17		12/17/07- 90 DAYS				
41G	**30029173	600	Hollowtop Prtn.	2007-08-22	2007-09-06	2007-09-26		12/06/07- 90 DAYS				

600 = PERMIT APPLICATION  
 606 = CHANGE APPLICATION

\*\* = REFILED APPLICATION UNDER 85-2-360(6) Returned applications maintains original priority date.