

HOUSE JOINT RESOLUTION NO. 15  
INTRODUCED BY K. FUREY

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY TO EVALUATE WATER MARKETS IN MONTANA AND THE FEASIBILITY OF ESTABLISHING AND OPERATING A WATER BANK IN MONTANA.

WHEREAS, expanding populations and different land uses in Montana are placing additional demands on existing water supplies; and

WHEREAS, meeting additional demands for water through the traditional method of building and rehabilitating infrastructure is proving to be cost-prohibitive; and

WHEREAS, water trading has a role in reallocating supplies and stimulating conservation by providing a measure of the value of the water; and

WHEREAS, property rights with regard to water must be clearly defined, enforceable, and transferable; and

WHEREAS, in comparison to other western states, Montana is at a point where there is generally enough water available for beneficial use, allowing the opportunity for good decisions to be made with regard to the use and allocation of water before there is an emergency or before demand exceeds supply.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to evaluate alternatives for the management of water in Montana.

BE IT FURTHER RESOLVED, that the study address:

(1) the different options available in Montana for the reallocation of water, including but not limited to leasing water rights, water banking, water trading, and water sales.

(2) the lease-to-sale ratio of water rights in Montana;

(3) the number of market purchases that have been completed in Montana;

(4) the purposes for which water trades or sales have taken place;

(5) the feasibility of creating and operating a water bank in Montana; and

(6) the administrative procedures and costs that would be necessary to establish and operate a water bank in Montana.

BE IT FURTHER RESOLVED, that if the study is assigned to staff, any findings or conclusions be presented to and reviewed by an appropriate committee designated by the Legislative Council.

BE IT FURTHER RESOLVED, that all aspects of the study, including presentation and review requirements, be concluded prior to September 15, 2008.

BE IT FURTHER RESOLVED, that the final results of the study, including any findings, conclusions, comments, or recommendations of the appropriate committee, be reported to the 61st Legislature.

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