

SENATE BILL NO. 324

INTRODUCED BY JACKSON, GALLUS, WEINBERG, MCNUTT, SESSO, PERRY, CURTISS, BROWN,
LASLOVICH, NOONAN

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING AN AGENCY THAT REQUIRES AN AQUIFER TEST TO FORWARD COPIES OF THE TEST RESULTS TO THE BUREAU OF MINES AND GEOLOGY; REQUIRING A WELL DRILLER TO DESIGNATE THE LOCATION OF THE WELL BEING DRILLED USING TWO METHODS; DEFINING "AQUIFER TEST"; AND AMENDING SECTIONS 85-2-501 AND 85-2-516, MCA."

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

Section 1. Section 85-2-501, MCA, is amended to read:

"85-2-501. Definitions. Unless the context requires otherwise, in this part the following definitions apply:

(1) "Aquifer" means any underground geological structure or formation ~~which~~ that is capable of yielding water or is capable of recharge.

~~(2) "Aquifer test" means measuring the observed change in water level in an aquifer resulting from pumping a well for the purpose of calculating the aquifer's hydrologic characteristics~~ STRESSING AN AQUIFER BY REMOVING OR ADDING WATER AT A KNOWN RATE AND MEASURING THE RESULTANT CHANGE IN HYDRAULIC HEAD FOR THE PURPOSE OF DETERMINING THE AQUIFER'S HYDRAULIC PROPERTIES NEAR THE TESTED WELL.

~~(2)(3)~~ "Bureau" means the Montana state bureau of mines and geology provided for in 20-25-211.

~~(3)(4)~~ "Ground water" means any water that is beneath the ground surface.

~~(4)(5)~~ "Ground water area" means an area ~~which~~ that, as nearly as known facts permit, may be designated so as to enclose a single and distinct body of ground water, which ~~shall~~ must be described horizontally by surface description in all cases and which may be limited vertically by describing known geological formations ~~should~~ if conditions dictate ~~this~~ vertical limits to be desirable."

Section 2. Section 85-2-516, MCA, is amended to read:

"85-2-516. Well logs. (1) Within 60 days after any well is completed, the driller shall file with the bureau a well log report.

(2) Except as provided in subsection (3), the well log report must be filed on a form specified by the department in consultation with the board of water well contractors provided for in 2-15-3307 and the bureau.

The driller shall provide a location for the well using at least two methods as specified on the form.

(3) The bureau may allow submission of the well log report in an electronic format that is in accordance with the form specified as provided in subsection (2).

(4) The bureau may return the report for refiling if it is incomplete or incorrect."

NEW SECTION. Section 3. Aquifer tests. (1) Aquifer tests required by a state agency must be forwarded by the agency to the bureau.

(2) Except as provided in subsection (3), the aquifer test report must be filed on a form specified by the department in consultation with the department of environmental quality and the bureau.

(3) The bureau may allow submission of an aquifer test report in an electronic format if it meets the requirements for the form provided for in subsection (2).

NEW SECTION. Section 4. Codification instruction. [Section 3] is intended to be codified as an integral part of Title 85, chapter 2, part 5, and the provisions of Title 85, chapter 2, part 5, apply to [section 3].

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