



Date: January 7, 2022
To: Water Policy Interim Committee
From: DNRC/WRD Compact Implementation Program
Subject: DNRC 2020-2021 Report on Forest Service Compact Implementation 85-20-1401 Article VI.F

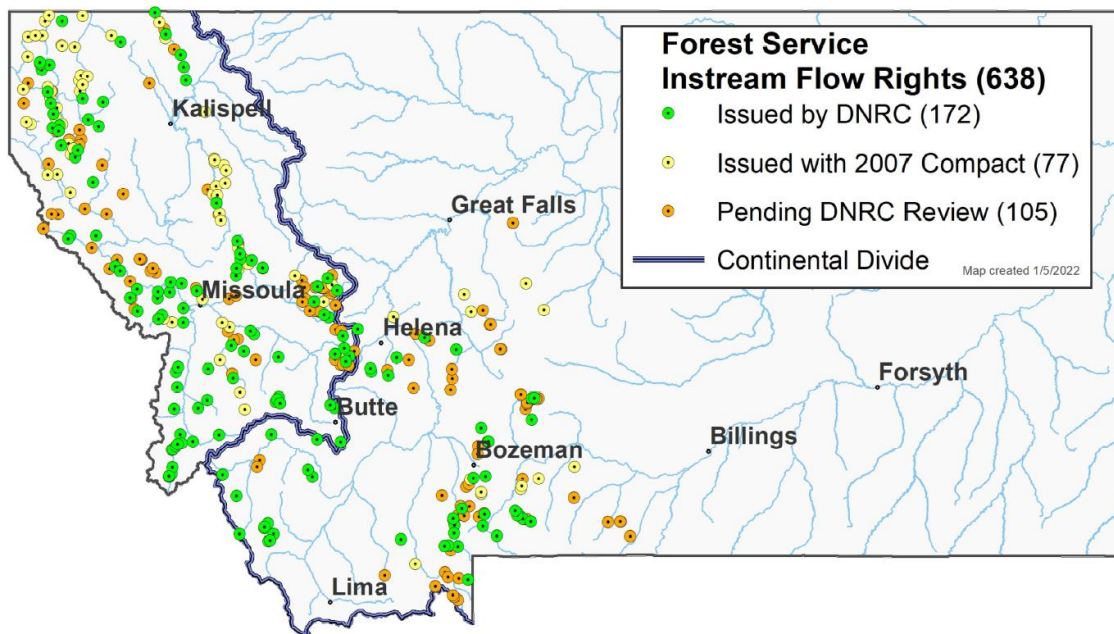
DNRC 2020-2021 REPORT ON FOREST SERVICE COMPACT IMPLEMENTATION

BACKGROUND

The Compact between the State of Montana and the United States Department of Agriculture Forest Service took more than 25 years to negotiate and was approved by the Montana Legislature and signed by Governor Schweitzer and the Federal Government in April of 2007. The Compact generally provides for a resolution to federal reserved water rights for all Forest Service System Lands in the State of Montana and specifically addresses the following issues:

- **Discrete Administrative Uses** – Future and existing National Forest water uses for district offices, ranger stations, guard stations, work centers, housing, facilities operated for administrative purposes, permanently established tree nurseries and seed orchards, maintaining stock, and other discrete administrative uses are quantified by the Compact in Article II, Table 1.
- **Dispersed Administrative Uses** – Intermittent National Forest water uses for dust abatement, road construction, prescribed fire, mining reclamation, establishment of restoration vegetation, establishment of temporary nursery stocks and seed orchards, and other incidental administrative purposes are also quantified by the Compact in Article II, Table 1.
- **New water reservations for instream flow** – Article VI, section B of the Compact allows the Forest Service to apply for new instream flows for the purpose of maintaining instream flow for fish habitat. DNRC receives, evaluates, and processes these applications.

Status Map



Status Table

USFS Instream Water Reservations (form 638)																
	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021		
															Total	Total
Compacted	-	-	-	-	-	-	-	-	-	-	-	-	-	-	77	(%)
Received	4	9	4	5	27	50	19	35	12	12	28	34	25	22	286	100%
Issued	0	6	7	4	1	25	37	4	11	9	5	35	17	11	172	60%
Terminated	0	0	0	0	1	4	0	0	0	0	0	2	1	1	9	3%
Pending	0	0	0	0	0	1	5	12	2	6	9	24	24	22	105	37%
Valid Objections	0	0	0	0	0	2	4	0	1	0	0	0	0	0	7	
Invalid Objections	0	2	0	0	0	18	10	0	7	0	0	1	0	0	38	
Fees Collected	\$3,200	\$7,200	\$3,200	\$3,200	\$20,800	\$40,000	\$15,200	\$28,000	\$9,600	\$9,600	\$22,400	\$27,200	\$19,200	\$17,600	\$226,400	