

**Unofficial Draft Copy**

As of: January 4, 2008 (9:27AM)

LC5002

\*\*\*\* Bill No. \*\*\*\*

Introduced By \*\*\*\*\*

By Request of the \*\*\*\*\*

A Bill for an Act entitled: "An Act providing that a person may issue a notice of intent to drill well for which a water permit is required; providing for the issuance of a provisional permit if no objections are received on the notice."

Be it enacted by the Legislature of the State of Montana:

NEW SECTION. **Section 1. Notice of intent to appropriate ground water.** (1) A person with a possessory interest in the real property from which ground water is proposed to be appropriated, may provide notice of the proposed drilling of a well and the person's intent to appropriate ground water from the well. The notice must be provided by the person and must conform to the requirements of 85-2-307. A copy of the notice must be provided to the department. The notice must include a statement that an objection to the proposed drilling may be filed with the department within 60 days of the date of publication of the notice.

(2) The department shall notify the person intending to appropriate ground water of all objections. If an objection is received, then no further action may be taken except that the

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person intending to appropriate ground water may submit an application as provided in 85-2-302. If no objections are received, then the department may issue a provisional permit pursuant to 85-2-313.

NEW SECTION. **Section 2. {standard} Codification**

**instruction.** [Section 1] is intended to be codified as an integral part of Title 85, chapter 2, part 3, and the provisions of Title 85, chapter 2, part 3, apply to [section 1].

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