



Water Policy Interim Committee

63rd Montana Legislature

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TO: Water Policy Interim Committee
RE: Jan. 6-7, 2014 meeting

Greetings WPIC members,

The Jan. 6 meeting starts at 9 a.m. in room 172 of the capitol. Enclosed are the meeting materials. The materials are also online at www.leg.mt.gov/water.

Enclosures include:

- An agenda for the January meeting.
- Draft minutes from the September 2013 WPIC meeting
- Tab 1: Water rights adjudication updates from the Department of Natural Resources and Conservation (DNRC) and from the Water Court, as required by statute
- Tab 2: Three documents related to water transfers, including the executive summary of a report produced by the Western States Water Council, and a background on water transfers allowed under Montana law
- Tab 3: A copy of a 2007 complaint filed by the state of Montana against Wyoming alleging illegal water use; this issue went to trial this fall (see news story)
- Tab 4: A fact sheet, timeline, and final recommendations related to a possible renegotiation of the Columbia River Treaty
- Tab 5: *Report on the Proposed Water Rights Compact* from the Reserved Water Rights Compact Commission. The commission also provided a cover letter separately answering certain questions; the CD contains references cited while answering these questions
- Tab 6: Background related to streambed protection, 310 permits, conservation districts related to the definition of a perennial stream
- Tab 7: A statutorily required report on instream water rights leases by the Department of Fish, Wildlife and Parks. Please note the committee will be asked to consider whether or not to retain this report into the future (House Bill 142 review)
- Tab 8: Brief biographies about the four presenters related to the future of agricultural water use in Montana
- Tab 9: A memo related to Montana's Floodplain Mapping Program
- Tab 10: A DNRC report on water reservations asserted by the U.S. Forest Service; the report is required per terms of the 2007 water rights compact

- Tab 11: A memo related to investigation of sedimentation at Painted Rocks Reservoir. Two agencies will present information related to effects of the 2011 wildfires on the Painted Rocks and other Bitterroot Range drainages

A notable omission from your packet is proposed DNRC administrative rules related to exempt groundwater wells. In September, the WPIC commented on previously proposed rules and recommended the EQC formally object to the rules. The EQC objected, and the agency subsequently withdrew the proposed rule. The DNRC has since drafted a new, proposed definition of a combined appropriation. Staff will send you a copy of the new definition as soon as it is noticed in the Montana Administrative Register.

Please let me know if you have questions. I will contact you prior to the Sept. 9 meeting.

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