

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 63rd LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON NATURAL RESOURCES

**Call to Order:** Chair Gerald (Jerry) Bennett, on March 15, 2013 at 3:00 PM, in Room 172 Capitol

#### ROLL CALL

**Members Present:**

Rep. Gerald (Jerry) Bennett, Chair (R)  
Rep. Pat Connell, Vice Chair (R)  
Rep. Virginia Court, Vice Chair (D)  
Rep. Jennifer Eck (D)  
Rep. Steve Fitzpatrick (R)  
Rep. Ed Lieser (D)  
Rep. Mike Miller (R)  
Rep. JP Pomnichowski (D)  
Rep. Wendy Warburton (R)  
Rep. Kerry White (R)  
Rep. Kathleen Williams (D)

**Members Excused:** Rep. Alan Doane (R)  
Rep. Wylie Galt (R)  
Rep. Brian Hoven (R)  
Rep. Ryan Lynch (D)  
Rep. Ray L. Shaw (R)

**Members Absent:** None

**Staff Present:** Joe Kolman, Legislative Branch  
Rebecca Shaw, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 19, 3/8/2013; SB 346, 3/8/2013

00:14:31 Chair Bennett

[EXHIBIT\(nah56a01\)](#)

00:14:40 Rep. Warburton left.

### HEARING ON SB 346

#### Opening Statement by Sponsor:

00:14:54 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 346, Revise exempt well laws.

#### Proponents' Testimony:

00:25:42 Krista Lee Evans, Executive Director, Senior Water Rights Coalition, Association of Gallatin Agricultural Irrigators (AGAI)

00:28:37 Mike Hughes, Contractor

00:30:50 John Youngberg, Vice President, Government Relations, Montana Farm Bureau Federation (MFBF)

00:33:25 Mark Aagenes, Conservation Director, Montana Trout Unlimited (MTU)

00:34:13 Tom Hopgood, Executive Director, Montana Mining Association (MMA)

00:34:29 Dustin Stewart, Montana Building Industry Association (MBIA)

00:36:50 Joan Wiegert, Citizen

00:37:54 Rep. Lynch entered.

00:40:03 Barbara Hall, Legal Director, Clark Fork Coalition

00:41:04 Jay Bodner, Executive Director, Montana Stockgrowers Association (MSGA)

00:42:25 Bill Schenk, Instream Flow Specialist, Director's Office, Montana Fish, Wildlife and Parks (FWP)

00:43:21 Tim Davis, Administrator, Water Resources Division, Department of Natural Resources and Conservation (DNRC)

00:44:13 Jacob Cowgill, Montana Farmer's Union

00:44:36 Dave Galt, Executive Director, Montana Petroleum Association (MPA)

00:44:59 Rhonda Wiggers, Montana Water Well Drillers Association (MWWDA)

00:46:10 Maureen Conner, Montana Association of Counties (MACo)

00:46:49 Holly Franz, PPL Montana

Opponents' Testimony: None

#### Informational Testimony:

00:47:50 John Metesh, Director and State Geologist, Montana Bureau of Mines and Geology (MBMG)

[EXHIBIT\(nah56a02\)](#)

#### Questions from Committee Members and Responses:

01:04:01 Rep. Miller

01:04:31 Sen. Vincent

01:05:44 Rep. Miller

01:05:52 Sen. Vincent

01:06:07 Rep. Pomnichowski

01:06:23 John Metesh, MBMG

01:07:15 Rep. Hoven entered.

01:08:24 Rep. Pomnichowski

01:09:29 John Metesh, MBMG

01:10:09 Rep. Pomnichowski  
 01:10:37 Tim Davis, DNRC  
 01:11:33 Rep. Lieser  
 01:11:41 John Metesh, MBMG  
 01:12:04 Rep. Lieser  
 01:12:26 John Metesh, MBMG  
 01:16:25 Rep. Williams  
 01:18:09 Dustin Stewart, MBIA  
 01:19:54 Dave Galt, MPA  
 01:20:58 Rep. Pomnichowski  
 01:21:59 Dave Galt, MPA  
 01:23:00 Rep. Pomnichowski  
 01:23:59 Tim Davis, DNRC  
 01:25:18 Rep. Pomnichowski  
 01:25:24 Tim Davis, DNRC  
 01:25:31 Rep. Court  
 01:25:38 Dustin Stewart, MBIA  
 01:26:36 Rep. Williams  
 01:26:43 Sen. Vincent  
 01:28:18 Rep. Williams  
 01:28:47 Sen. Vincent

**Closing by Sponsor:**

01:30:19 Sen. Vincent  
  
 01:36:09 Recessed.  
 01:46:46 Reconvened. Rep. Doane and Rep. Warburton were absent.

**HEARING ON SB 19****Opening Statement by Sponsor:**

01:46:49 Sen. Bradley Hamlett (D), SD 10, opened the hearing on SB 19, Define combined appropriation for exempt wells.

**Proponents' Testimony:**

01:57:03 Jim Hagenbarth, Rancher, Dillon  
**EXHIBIT(nah56a03)**  
 02:02:40 Randy Smith, Rancher, Southwest Montana  
 02:05:41 Eugene Graf, State Director, Southwest Montana Building Industry Association (SWMBIA)  
 02:07:08 Ross Salmond, Rancher, Choteau  
 02:09:47 Esther Fishbaugh, Owner, Gallatin Canyon Campgrounds, Bozeman  
 02:13:24 Glen Hayes, Owner, Frontier Builders  
 02:16:31 Curt Sampson, Bridger Drilling, Inc. and Board Member, Montana Water Well Drillers Association (MWWDA)  
 02:19:13 Will Hayes, Hayes Drilling, Inc. and Board Member, MWWDA  
 02:20:27 Dustin Stewart, MBIA  
**EXHIBIT(nah56a04)**  
 02:24:15 Maureen Conner, MACo  
 02:25:17 Abigail St. Lawrence, Montana Association of Realtors (MAR)

02:28:03 Rhonda Wiggers, MWWDA

**EXHIBIT(nah56a05)**

**Opponents' Testimony:**

02:30:54 Holly Franz, PPL Montana

**EXHIBIT(nah56a06)**

02:39:35 Krista Lee Evans, Executive Director, Senior Water Rights Coalition, Association of Gallatin Agricultural Irrigators (AGAI)

**EXHIBIT(nah56a07)**

02:42:59 Dave Galt, MPA

02:45:33 Barbara Hall, Legal Director, Clark Fork Coalition

02:53:17 Jay Bodner, MSGA

02:55:18 John Youngberg, MFBF

03:01:33 Mark Aagenes, MTU

03:02:26 Jacob Cowgill, Montana Farmer's Union

03:03:52 Bill Schenk, FWP

03:04:58 Clayton Elliot, Northern Plains Resource Council

03:05:32 Tim Davis, DNRC

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

03:07:05 Rep. White

03:07:12 Tim Davis, DNRC

03:08:52 Rep. Lieser

03:09:43 Sen. Hamlett

03:12:15 Rep. Hoven

03:12:41 Holly Franz, PPL Montana

03:13:48 Rep. Hoven

03:13:49 Holly Franz, PPL Montana

03:14:33 Rep. Hoven

03:15:08 Holly Franz, PPL Montana

03:15:29 Rep. Hoven

03:16:15 Holly Franz, PPL Montana

03:16:33 Rep. Connell

03:16:40 Holly Franz, PPL Montana

03:17:00 Rep. Connell

03:17:35 Holly Franz, PPL Montana

03:19:32 Rep. Connell

03:20:44 Sen. Hamlett

03:22:14 Rep. Williams

03:22:45 Tim Davis, DNRC

03:23:57 Rep. Williams

03:24:02 Tim Davis, DNRC

03:24:48 Rep. Williams

03:25:24 Sen. Hamlett

03:25:37 Rep. Williams

03:25:49 Sen. Hamlett

03:26:51 Rep. Pomnichowski

03:30:59 Sen. Hamlett

03:36:11 Rep. Fitzpatrick  
03:36:38 Holly Franz, PPL Montana  
03:37:28 Rep. Fitzpatrick  
03:38:32 Holly Franz, PPL Montana  
03:38:35 Rep. Fitzpatrick  
03:39:12 Holly Franz, PPL Montana

**Closing by Sponsor:**

03:39:20 Sen. Hamlett

**ADJOURNMENT**

Adjournment: 03:53:18

---

Rebecca Shaw, Secretary

rs

Additional Documents:

**EXHIBIT([nah56aad.pdf](#))**