

DEPARTMENT OF NATURAL RESOURCES  
AND CONSERVATION



BRIAN SCHWEITZER, GOVERNOR

1625 ELEVENTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE (406) 444-2074  
TELEFAX NUMBER (406) 444-2684

PO BOX 201601  
HELENA, MONTANA 59620-1601

March 8, 2006

Environmental Quality Council  
Legislative Environmental Policy Office  
P.O. Box 201794  
Helena, Mt 59620 -1794

RE: Surface Water / Ground Water Work Group Recommendation

Dear Council Members,

During the EQC Study Committee's January 26, 2006 meeting, I provided a briefing on an ongoing collaborative process investigating surface water and ground water allocation and management provisions in Montana water law. This process, referred to as the Surface Water / Ground Water Work Group, submitted their recommendations to me on March 3. Their proposed statutory amendments and a cover memo are attached.

These recommendations have the potential to resolve several very pressing water issues related to both allocation and protection of senior water rights. Without resolution, these issues will affect development of projects that require new ground water supplies. They also will likely continue to be the source of litigation.

At our last meeting, the Study Committee expressed some interest in considering whether it would be beneficial for EQC to take an active role in legislation resulting from this collaborative effort. I look forward to providing a more detailed briefing on these concepts at the March 16 EQC Study Committee meeting.

I along with my staff at DNRC am very appreciative of the time and energy dedicated by the Work Group to this effort. We were impressed by their candor and desire to seek solutions that help Montana's communities. Those considerable efforts merit our attention.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mary Sexton".

Mary Sexton  
Director