



Water Policy Interim Committee

61st Montana Legislature

SENATE MEMBERS

DAVID WANZENRIED--Vice Chair
DEBBY BARRETT
BRADLEY MAXON HAMLETT
TERRY MURPHY

HOUSE MEMBERS

WALTER MCNUTT--Chair
RUSSELL BEAN
BILL MCCHESENEY
JP POMNICHOWSKI

COMMITTEE STAFF

JOE KOLMAN, Research Analyst
TODD EVERTS, Staff Attorney
CYNTHIA PETERSON, Secretary

MINUTES

Approved March 10, 2010

DATE: January 13, 2010

Room 152
Montana State Capitol

Please note: These minutes provide abbreviated information about committee discussion, public testimony, action taken, and other activities. The minutes are accompanied by an audio recording. For each action listed, the minutes indicate the approximate amount of time in hours, minutes, and seconds that has elapsed since the start of the meeting. This time may be used to locate the activity on the audio recording.

An electronic copy of these minutes and the audio recording may be accessed from the Legislative Branch home page at <http://leg.mt.gov>. On the left-side column of the home page, select *Committees*, then *Interim*, and then the appropriate committee.

To view the minutes, locate the meeting date and click on minutes. To hear the audio recording, click on the Real Player icon. Note: You must have Real Player to listen to the audio recording.

COMMITTEE MEMBERS PRESENT

REP. WALTER MCNUTT, Chair
SEN. DAVID WANZENRIED, Vice Chair
SEN. DEBBY BARRETT
SEN. BRADLEY MAXON HAMLETT
SEN. TERRY MURPHY
REP. RUSSELL BEAN
REP. BILL MCCHESENEY
REP. JP POMNICHOWSKI

STAFF PRESENT

JOE KOLMAN, Research Analyst
TODD EVERTS, Staff Attorney
DEBRA POLHEMUS, Secretary

VISITORS

Agenda ([Attachment 1](#))
Visitors' list ([Attachment 2](#))

COMMITTEE ACTION

- The Water Policy Interim Committee adopted the minutes from the September 21, 2009, meeting

CALL TO ORDER AND ROLL CALL

00:00:09 Representative Walter McNutt, Chairman of the Water Policy Interim Committee, called the meeting to order at 9:00 A.M. Secretary Debra Polhemus called the roll ([Attachment 3](#)).

Approval of September 2009 WPIC Minutes

00:01:00 Senator Wanzenried moved that the minutes from the September 21, 2009, meeting be approved. The motion carried unanimously by voice vote.

AGENDA

00:01:22 Joe Kolman introduced Debra Polhemus, Secretary, and Helen Thigpen, Staff Attorney, Legislative Services Division (LSD).

WATER CONFERENCE REPORTS

00:05:14 Senator Barrett, as a member and Chair of the Legislative Council on River Governance Committee, announced that she had attended council meetings in Boise, Portland, and Spokane. The council's mission is to support, protect, and be vigilant on state sovereignty issues. The council received an update from the Bonneville Power Administration (BPA) on a lawsuit relating to the Endangered Species Act (ESA). The BPA is spending \$650 million per year to mitigate for issues concerning salmon. The council is comprised of representatives from the states of Montana, Oregon, Washington, and Idaho.

00:08:38 Senator Hamlett stated that many of the issues relating to water usage involved Canada, and that during the runoff period 50 percent of the water flowing down the Columbia River is from Canada with 30 percent during non-runoff time periods. The BPA paid \$20 million for a removable water wheel to assist fish getting past the dams. Pharmaceutical elements that are increasingly found in the water supply are becoming a serious issue. The source is not only the direct disposal of pharmaceuticals into the sewage system, but also through the elimination of human waste. Irrigators and farmers are starting to increase their usage of winter water flows through increased usage of ponds and other storage facilities. The next scheduled meeting will be in the fall of 2010 in Montana.

00:14:12 Senator Wanzenried announced he participated on a panel discussion at the Water Law Conference along with Senators Murphy and Hamlett, which discussed developments during the 2009 Legislative Session. Senator Wanzenried stated that finding the right balance between the needs of a new system and senior water rights holders will be crucial, and that developers are

concerned about any new changes and potential increased costs to the cost of housing.

00:15:56 Senator Murphy stated that during the October 1-2 meetings, of the many legislative issues discussed, the issue of primary concern was the permitting of exempt wells, especially in the closed basin areas.

00:17:20 Senator Hamlett summarized that at the Water Law Conference it was evident that water is very scarce and valuable and, while it is uncertain the exact quantity of water available, what is certain is the continuing increase in demand.

Public Comment

There was no public comment.

Questions and discussion

There were no questions or discussion.

UPDATE ON WATER ADJUDICATION AND WATER RIGHT TRANSFERS

00:19:00 Mary Sexton, Director, Department of Natural Resources and Conservation (DNRC), introduced John Peterson, new Bureau Chief for Adjudication, DNRC. Director Sexton presented a report "DNRC Report to EQC HB22 Adjudication Progress," which reviewed the progress on claims examination. Expenses YTD FY2010 are \$789,958.52 with the annual budget amount of \$2,375,917.00 ([EXHIBIT 1](#)).

00:26:25 Alan Peura, Deputy Director, Department of Revenue (DOR), stated that the department's primary role is to maintain the Orion database which handles the property tax records for Montana. The department can migrate data between the DOR and DNRC; however, the DOR information uses geocodes and the DNRC used legal land descriptions and the discrepancy needs to be correlated. Mr. Peura anticipates that the DOR will meet its completion goal date of June 2010.

00:29:10 Bruce Loble, Chief Judge, Montana Water Court, discussed the importance of giving adequate notice to property owners concerning information on the owner's water rights. Judge Loble said that the progress of issuing decrees for the eleven basins listed on the DNRC report will be related to the proposed budget cuts, which will reduce his budget by a minimum of \$80,000 and will substantially slow the process. Judge Loble reported that three new decrees will be issued in the next three months and recommended the transfer of four FTEs to the water court to handle the upcoming workload.

Questions and discussion

00:32:25 Representative Pomnichowski questioned the information that 11 decrees are waiting to be issued. Judge Loble stated that these summaries can be issued once the ownership is confirmed.

- 00:34:14 Senator Wanzenried asked what the impact of a five percent budget cut would be. Judge Loble responded that it would eliminate the ability to issue decrees in a timely manner considering it is a minimum two-year process, which allows for adequate time for the notices to be given and responses to be received.
- 00:36:16 Senator Hamlett inquired about the use of conference calls. Judge Loble responded that telephone conference calls will help keep costs down, and that 30 people participated in the first town hall telephone conference. Judge Loble noted that it may be more productive to conduct a conference in person, but it is extremely expensive to send staff.
- 00:37:43 Senator Barrett asked whether the 2,200 hours DNRC reported working for the water court was an expected level as identified in HB 22. Director Sexton responded that some of it was expected, but the workload continues to increase. Director Sexton stated that the DNRC will track the hours and keep the committee informed.
- 00:38:51 Representative Pomnichowski asked about the DNRC's process of manually updating records as mentioned in Director Sexton's letter dated December 9, 2009, and why the department stopped the effort beginning in July 2009 resulting in a large backlog. Director Sexton responded that after HB 39 passed, the department thought it would no longer need to make manual entries, and the DNRC began to work with local clerks and recorders to establish the process. Terri McLaughlin, Water Rights Bureau, DNRC, further stated that it has been a long process to coordinate the different databases. Representative Pomnichowski asked about the present size of the backlog and whether it represented about 18 months of work. Ms. McLaughlin replied that it did. Representative Pomnichowski asked what resources the department could commit to speed the process along. Director Sexton replied this was the primary focus of their two database IT specialists and also the regional offices.
- 00:47:20 Chairman McNutt stated there are many verified claims and asked about plans for reexamination. Judge Loble responded that he asked the DNRC for a reexamination for Frenchman's Basin on the Milk River, which had 418 claims. Chairman McNutt asked if the audit committee had completed their work. Judge Loble replied that the committee was behind schedule but thought it would be completed in March of 2010.
- 00:54:01 Senator Barrett asked who requested the audit and why it was requested. Judge Loble replied that the decision was made by the Legislative Audit Committee. Mr. Kolman, LSD, stated that the directive came out of the Legislative Audit Committee.
- 00:54:35 Senator Hamlett asked about Canada's increasing use of water in the Milk River, where the river ventures into Canada then back into Montana. Judge Loble replied that the boundary treaty between Canada and Montana covers the issue of the Milk River water usage.

00:56:10 Chairman McNutt asked how many people in a basin need to submit a request for reexamination before one is conducted. Judge Loble responded approximately 100 people and Frenchman Creek is the first reexamination to be undertaken.

Public Comment

00:56:54 Steve Roth, Rancher, Big Sandy, stated that his ranch participated in a change application process between 2006-08 where the ranch took 60 acres of irrigated land and wanted to apply the permit to non-irrigated land. Mr. Roth further stated that even through three decrees had previously been issued, the DNRC said the ranch had to start the process from the very beginning. The ranch has incurred legal expenses exceeding \$3,600 and has lost two years' production on the land dealing with this issue. Mr. Roth inquired how producers could increase their efficiency without needing to go through a change application process.

Additional questions and discussion

01:01:39 Senator Barrett asked why with a change of application an applicant would need to start the process from the beginning. Director Sexton replied that the applicant has to prove their historic use regardless of what the decree said.

PERMITTING IN CLOSED BASINS

01:03:07 Terri McLaughlin, DNRC, discussed "Water Permitting in Closed Basins" (**EXHIBIT 2**), that identified which basins were closed to new surface water appropriations due to over appropriation:

- 1991 Upper Clark Fork River
- 1993 Teton, Jefferson/Madison, Upper Missouri River
- 1999 Bitterroot River
- Exceptions made for domestic, stock, municipal, non-consumptive, storage uses and ground water developments

Questions and discussion

01:15:35 Representative Pomnichowski asked why there were multiple applications by the same parties and why an applicant for permit changes must go through the entire application process. Ms. McLaughlin replied that in some cases the party had filed an initial application and did not adequately identify depletion, and by law the application is terminated within 90 days.

01:18:23 Representative Bean asked what a hydrological assessment would cost. Ms. McLaughlin replied that by statute, the assessment must be completed by a qualified scientist and the cost can easily run between \$20,000-\$30,000.

01:18:59 Senator Barrett asked from the 45 applicants mentioned, how many of them were affected by the change in law from HB 831. Ms. McLaughlin replied six applicants were affected.

01:19:41 BREAK

NEW CONTROLLED GROUND WATER AREA LAWS

01:39:45 Anne W. Yates, Attorney, DNRC, presented a PowerPoint entitled "Controlled Ground Water Areas" (**EXHIBIT 3**). The report compared procedures prior to 2009 and after the passage of SB 120 which resulted in allowing a rulemaking process.

Questions and discussion

01:52:51 Senator Wanzenried asked under what circumstances the DNRC would form a controlled ground water area. Ms. Yates replied that concerns on permit applications, complaints from water users, or studies by the Montana Bureau of Mines & Geology (MBMG) could all trigger the establishment of controlled ground water areas. Senator Wanzenried asked what the standards are for needing geological studies. Ms. Yates replied that the state can initiate a rule based on its own hydrological study.

01:55:26 Representative Pomnichowski wondered whether there was coordination between other events that might cause a controlled ground water area to be formed (e.g., solvents from dry cleaners that are released). Ms. Yates replied that the DEQ would start the process in possible contaminated water issues.

01:56:15 Senator Hamlett asked if the DNRC monitors and flags the areas citizens call in from to express concerns about well water to spot a possible trend. Ms. Yates replied that the department does keep track of situations and concerns received from the public.

01:57:11 Chairman McNutt asked how many controlled ground water areas were initiated by the DNRC. Ms. Yates replied that none were initiated by the department.

Public Comment

There was no public comment.

GROUND WATER INVESTIGATION PROGRAM UPDATE

01:58:19 John Wheaton, MBMG, presented the PowerPoint report "Ground Water Investigation Program" (**EXHIBIT 4**), which focused on three present projects: two in Helena, and one in Kalispell. The presentation recapped the correlation of precipitation on ground water, drawdown water levels, and the time needed for water recovery.

Questions and discussion

02:22:43 Senator Hamlett inquired whether Flathead Lake recharges the North Valley. Mr. Wheaton stated that the information had not identified the seasonal direction of water movement.

Public Comment

There was no public comment.

UPDATE ON STATE WATER PLAN

02:23:55 Paul Azevedo, Bureau Chief, Water Management, DNRC, presented an update on "Montana Water: An Assessment of Water Availability and Use in Montana" (**EXHIBIT 5**), which reviewed the State Water Plan. Mr. Azevedo focused on two main issues: what are Montana's current and future water resource needs; and, is this water physically and legally available to meet existing and future needs.

Questions and discussion

02:37:52 Representative Pomnichowski asked what outreach had occurred. Mr. Azevedo replied that the department is in the initial stages and contact has been limited. He further stated that they had met with representatives from the Missouri River Conservation Council.

02:40:33 Senator Wanzenried asked if this new program would be eliminated if the budget is cut by five percent as is presently proposed. Mr. Azevedo replied that the bureau is struggling with this question about how to deal with these potential cuts. Senator Wanzenried asked that once those recommendations are made that the funding decisions be communicated from the DNRC to Mr. Kolman. Mr. Azevedo agreed to provide this information to Mr. Kolman.

02:41:52 Senator Hamlett asked if the amounts of snowfall, rainfall, and streams from other states are taken into consideration when conducting water supply calculations. Mr. Azevedo replied that stream gauges are used, and that the U.S. Geological Survey (USGS) is presently looking at a potential tool for measurement that is used in Idaho. Senator Hamlett asked how evaporation was measured and calculated. Mr. Azevedo replied that evaporation is a large portion of the water budget process and is a difficult measurement to determine. Senator Hamlett shared that a Bureau of Land Management (BLM) representative had informed him that in eastern Montana standing water could account for 36" of evaporation over time. Mr. Azevedo replied he was uncertain what the data from eastern Montana would be. Senator Hamlett commented that also wind has a significant effect on evaporation.

02:45:37 Representative Pomnichowski suggested that the bureau work with outreach first and gather information from the volunteer stream teams that have been working with stream gauges for years. Mr. Azevedo stated that the bureau recognizes the value of local information.

Public Comment

There was no public comment.

02:45:06 LUNCH

EXEMPT WELLS -- AGENCY OVERVIEWS

- 04:02:31 Mary Sexton, Director, DNRC, discussed the historic overviews of exempt wells (**EXHIBIT 6**). Director Sexton stated that the Montana Water Use Act provided for an exemption from the Act's permitting requirements for ground water wells and developed springs "with a maximum appropriation of 100 gallons per minute (gpm) or less not to exceed 10 acre-feet per year." Director Sexton further noted that the gpm limit was amended to 35 gpm in the 1991 Legislative Session.
- 04:20:19 Richard Opper, Director, Department of Environmental Quality (DEQ), discussed exempt wells and the secondary issue of what to do with waste water. Director Opper reported that many lots request permits with their own wells and own septic system, and that since septic systems are inappropriate in dense areas, he would rather see centralized treatment systems. Director Opper further stated that since it takes a longer time to get the permits for centralized treatment systems, developers are going to follow the path of least resistance and build with individual wells and septic systems. Director Opper suggested either changing the regulations, or looking at other tools that can lead developments to more positive outcomes.
- 04:29:12 Bill Schenk, Legal Counsel, Department of Fish, Wildlife & Parks (FWP), said that his department is not a regulator in this field but is highly interested because as a water right holder, the agency is responsible for viable fish and wildlife in and near streams. Mr. Schenk stated that the department's position is that as the law exists it is very detrimental to their interests. Mr. Schenk referenced Mr. Kolman's report "Drilling Down" (**EXHIBIT 7**), and suggested that the state review the "water bank" concept or some other mechanism where water can be traded back and forth.

Public comment

- 04:43:34 James Rokosch, Ravalli County Commissioner, discussed the 400-acre subdivision proposal, Legacy Ranch, planned on land presently used for agriculture. Mr. Rokosch said the development would include 500 individual residences plus some commercial, and the development plans had been withdrawn because the developers were considering a redesign to offer individual wells and septic systems.
- 04:57:09 Abigail St. Lawrence, representing Montana Association of Realtors (MAR), reported that at least one-third of Montanans rely on self-supplied water, and of that 95 percent is coming from wells. Ms. St. Lawrence further noted that individual wells only constitute five percent or less of water consumption.

Questions and comments

- 05:05:02 Representative Pomnichowski referenced a previous legislative bill that proposed changing the exempt well from ten acre feet to one acre foot, and wondered if it was true that the state does not measure this. Director Sexton stated that the state did not review measurements on an exempt well, and that generally a

neighbor sees a violation and enforcement occurs within the neighborhood. Director Sexton said that the department does not enforce or check, unless a complaint is registered. Representative Pomnichowski asked if there was a limit per person or lot. Director Sexton reported that the DNRC knew about well drilling through MBMG and then requires a Certificate of Completion. Representative Pomnichowski asked what a Certificate of Completion provided. Director Sexton replied that it allows a person to use their well and obtain a water right. Representative Pomnichowski asked if any control could be placed on the machinery to ensure the well could not draw more water than the level determined. Director Sexton said that she was not aware of any stopping mechanism, but that regional managers often make visits to the land and can see the amount of land irrigated.

05:10:42 Senator Hamlett asked if there were concerns about pharmaceuticals in streams. Mr. Schenk, FWP, replied that the department had not discussed the issue overall. Senator Hamlett asked if water is a commodity. Mr. Schenk replied that he thought it was, and that a good indication is that water is increasingly viewed valuable and separate from the value of the land. Senator Hamlett asked about the use of household gray water on irrigating gardens or crops. Director Opper replied that in general, reuse of gray water is a good thing. Senator Hamlett asked if a winter climate compromises the use of gray water. Steve Kilbreath, Program Manager, DEQ, replied that it did and that gray water should be used in shallow systems and during the growing season.

05:20:01 Representative Pomnichowski asked what other practices use exempt wells other than residential development. Ms. St. Lawrence said that especially in rural counties exempt wells are designated for agriculture use. Representative Pomnichowski asked if the MAR would support monitoring equipment on wells. Ms. St. Lawrence stated that this was a new idea, and she would need to talk with her association to learn their position. Representative Pomnichowski asked where the most change in use of exempt wells was occurring. Ms. St. Lawrence identified residential development.

05:24:12 Chairman McNutt stated that he never did hear any comment made that exempt wells were going to be abolished but that the control needs to be regionalized.

WATER AND WASTEWATER IN SUBDIVISIONS

05:25:50 Steve Kilbreath, DEQ presented a report on "Water and Wastewater in Subdivisions." Mr. Kilbreath discussed the regulation of subdivisions, the permitting process, and the trend in the number of lots and wells by lot size (**EXHIBIT 8**). Mr. Kilbreath stated that approximately 65 percent of the lots that DEQ approves have individual wells and 65-70 percent have individual septic systems. He further stated that the number of lots and the lot size rules are controlled by the waste water plans, and that the average lot size with an exempt well is four acres.

05:36:43 Abigail St. Lawrence, (MAR), discussed this issue from the residential and developers' perspective. Ms. St. Lawrence presented a report to the committee

"Phase 1 Evaluation: Significance of Septic Tank Systems on Water Quality in Montana" (**EXHIBIT 9**). Ms. St. Lawrence stated that septic systems must be properly sited, properly installed, and properly maintained. Ms. St. Lawrence stated that a few problems exist with septic systems: they are improperly sited; the use of personal care products (PCPs); and the presence of pharmaceuticals.

05:43:40 Derek Brown, Commissioner, Lewis & Clark County, stated it would be beneficial if county governments could develop regulations specific to their needs, and that the process of working through state agencies is very difficult. Thus, he continued, the developers believe it is much easier to build with individual wells and septic systems. Mr. Brown also said that it is easier to meet the regulations in a "sprawl" development rather than a more urban development, and yet he feels that the state should encourage cluster development which would result in more open space.

05:49:55 Jim Rokosch, Commissioner, Ravalli County, stated that he concurs with Commissioner Brown's testimony. Mr. Rokosch stated that a recent decision by Judge Sherlock reversed approvals given by the City of Helena to a proposed development because the city had not displayed they had given due consideration to the impact on water resources. Mr. Rokosch felt that this occurred because the commissioners needed to have DEQ water information to review before the preliminary plat stage.

06:08:33 Alan English, Manager, Gallatin County Water Quality District, gave a PowerPoint presentation "Exempt Wells in Montana, Used & Abused" (**EXHIBIT 10**). Mr. English stated that he rarely gets more than 15 gallons of water per minute from a drilled well. Mr. English said that he is working with the MBMG on the issue of pharmaceuticals within the Gallatin County water supply.

Public Comment

There was no public comment.

Questions and discussion

There were no questions or discussion.

06:25:22 BREAK

COMPARISON OF MANY WELLS VERSUS ONE WELL

06:39:58 John Metesh, Montana Bureau of Mines & Geology, presented a report "Comparison of One Well versus Many ~ From a Hydrogeologic Perspective." (**EXHIBIT 11**). Mr. Metesh commented that stream depletion is ultimately equal to the number of wells divided by the periodicity, and that the rate of depletion is dependent upon the distance the well is from the stream. He further stated that moving the point of withdrawal away from the stream reduces the rate of stream depletion and changes the timing of maximum depletion in the annual cycle.

06:54:16 Eric Regensburger, Subdivision Area Manager, DEQ, presented a report to the committee "Costs and Uses of Community Wells vs. Single Family Wells" (**EXHIBIT 12**), which reviewed the types of water systems appropriate for subdivisions. Mr. Regensburger also analyzed the cost of individual wells vs. public water systems.

Public Comment

There was no public comment.

Questions and Discussion

There were no questions or discussion.

SUGGESTIONS OR PROPOSALS

07:10:27 Dustin Stewart, representing the Montana Building Industry Association (MBIA), presented a report "Exempt Wells" (**EXHIBIT 13**). Mr. Stewart stated that for most of western Montana, there is not another way to deliver water to new homes outside of individual wells. Mr. Stewart provided recommendations concerning the quality, as well as quantity. To assist with water quality, Mr. Stewart suggested rulemaking changes to propose to DEQ; and, to assist with water quantity, Mr. Stewart suggested focusing on giving cities the ability to get through the process as quickly as possible. Also, Mr. Stewart recommended giving counties the authority to authorize approved times for lawn irrigation during excessively hot or peak usage times.

07:24:10 Abigail St. Lawrence, MAR, stressed the importance of enforcement concerning wells going in without any permits, or people pumping out more than they're allowed to pump. Ms. St. Lawrence also advised giving the public incentives to participate in the public water systems and the use of mitigation banks.

07:29:06 Laura Ziemer, Director, Montana Water Project, Trout Unlimited, presented a report "Exempt Wells: A Changing Landscape" (**EXHIBIT 14**), and circulated a proposed amendment to 85.2.310 MCA (**EXHIBIT 15**).

07:40:09 Tim Davis, Montana Smart Growth Coalition, stated that all of the proposals have merit, but none will work if the loophole is not eliminated for exempt wells. Mr. Davis said that the large cost up front to the developer for a public system forces them into using individual wells and septic systems. He further stated that the process needs to level the playing field and bring the parties together, and his association supports the Growing Cities doctrine.

Public comment

07:44:39 Kevin Germain, Moonlight Basin Ranch, Big Sky, expressed concern about a moratorium being placed on exempt wells. Mr. Germain shared that he had applied for a water right in December 2004, which was approved in 2008, and yet the change application is still in process. Thus, Mr. Germain believed there was

no alternative other than exempt wells. Mr. Germain encouraged innovative approaches to this issue including water banking, xeriscaping, rain water harvesting, and use of gray water.

Questions and discussion

- 07:48:31 Senator Wanzenried was concerned that if municipalities were allowed to accelerate their claim issue, everyone could claim the issue. Mr. Stewart replied that the point of a municipality's approval given priority is that the population is increasing and it is important to get the water to people as quickly as possible. Mr. Stewart stated that the goal is moving cities to the front of the line, because they already have the infrastructure in place.
- 07:55:23 Chairman McNutt was encouraged with the many different suggestions and proposals, and believed just one part of would constitute the only solution. Chairman McNutt also was intrigued by the process of mitigation credits and water banking.
- 07:58:08 Senator Barrett stated interest in the testimony from the county commissioners and wondered about letting the local agencies regulate their water rather than the state.
- 07:59:41 Chairman McNutt stated that the demand for water is only going to increase and that the policy committee needs to be looking at not just one phase of this issue. He further commented that present regulations are an impediment to the situation and the problems in closed basins or growth areas are not going away.
- 08:02:37 Senator Hamlett expressed concerns that with present water usage allowable levels, which are not sustainable, a situation could develop where as the value of water continues to increase, an incentive could be created for people to pump the maximum level of water and sell the excess to others for different uses.
- 08:04:24 Chairman McNutt suggested that the council form ideas to lessen the impact to water rights holders and encourage the use of water systems rather than individuals wells.
- 08:05:19 Joe Kolman, LSD, reminded the WPIC of previous legislation concerning water rights, priority of use, and community wells.

Recess

- 08:08:15 Chairman McNutt recessed the WPIC at 5:10 P.M.

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