MONTANA STATE WATER PLAN

Montana Water Policy Interim Committee
June 18, 2013

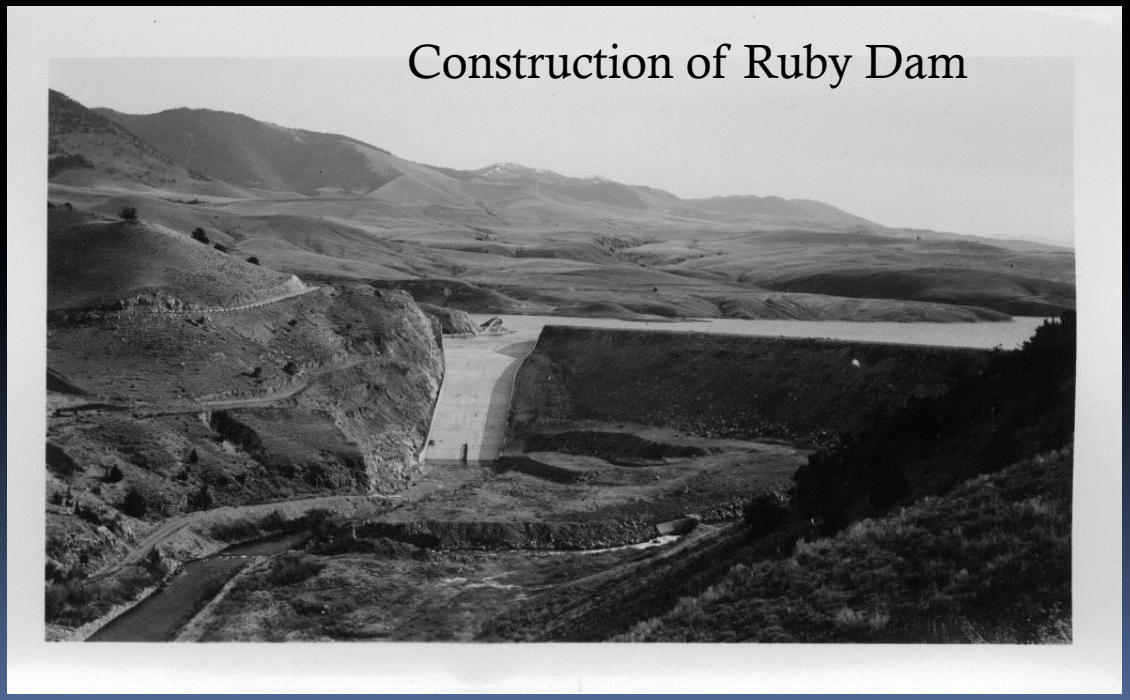
Tim Davis, Administrator
Water Resources Division

History of Water Planning in Montana

- 1919 – 1921 – MT Irrigation Commission
  - County by county plans prepared for irrigation development.
- 1934 – State Water Conservation Board

History of Water Planning in Montana

- 1942 - 1974 State conducts county by county Water Resource Surveys.
- 1967 - Montana Water Resources Act (89-101.2, R.C.M. 1947).
  - Created Montana Water Resources Board



Montana State Water Plan 1960's – 1970's

- Montana Water Resources Board Water Planning
  - Phase I - Inventory - Data collection and creation of Water Resources Data Center
  - Phase II – Water Use and Future Demand
  - Phase III – Development and Implementation

1973 Water Resources Act §85-1-203 MCA

(1) "The department (DNRC) shall gather from any source reliable, information relating to Montana's water resources and prepare from the information a continuing comprehensive inventory of the water resources of the state."

1973 Water Resources Act §85-1-203 MCA

. . . .The state water plan must set out a progressive program for the conservation, development, and utilization, and sustainability of the state's water resources and propose the most effective means by which these water resources may be applied for the benefit of the people, with due consideration of alternative uses and combination of uses."

Montana State Water Plan 1987-1999

- Focused on nine water resource issues.

1. Agricultural Water Use Efficiency.
2. Instream Flow Protection
3. Federal Hydropower and State Water Rights
4. Water Information System
5. Water Storage
6. Drought Management
7. Integrated Water Quality and Quantity Management.
8. Upper Clark Fork Basin Water Management
9. Ground Water

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2009 Legislation

- Conduct an inventory of consumptive and non-consumptive uses associated with existing water rights;

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2009 legislation

- Conduct an analysis of the effects of drought and increased depletions on water availability;

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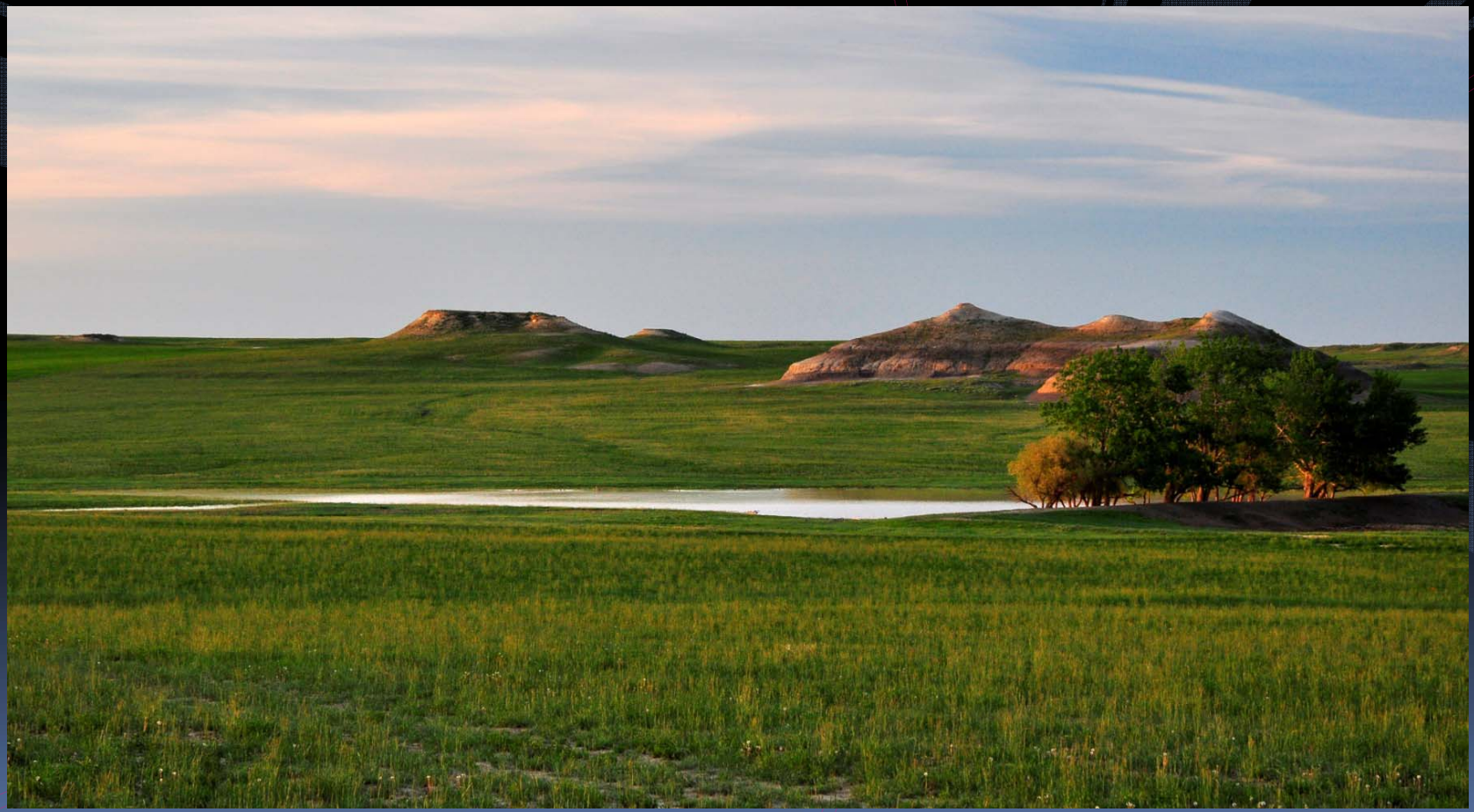
2009 legislation

- Conduct an estimate of the amount of surface and groundwater needed to satisfy existing and future demands;



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2009 legislation

- Develop proposals for the best means to satisfy existing water rights and new water demands.

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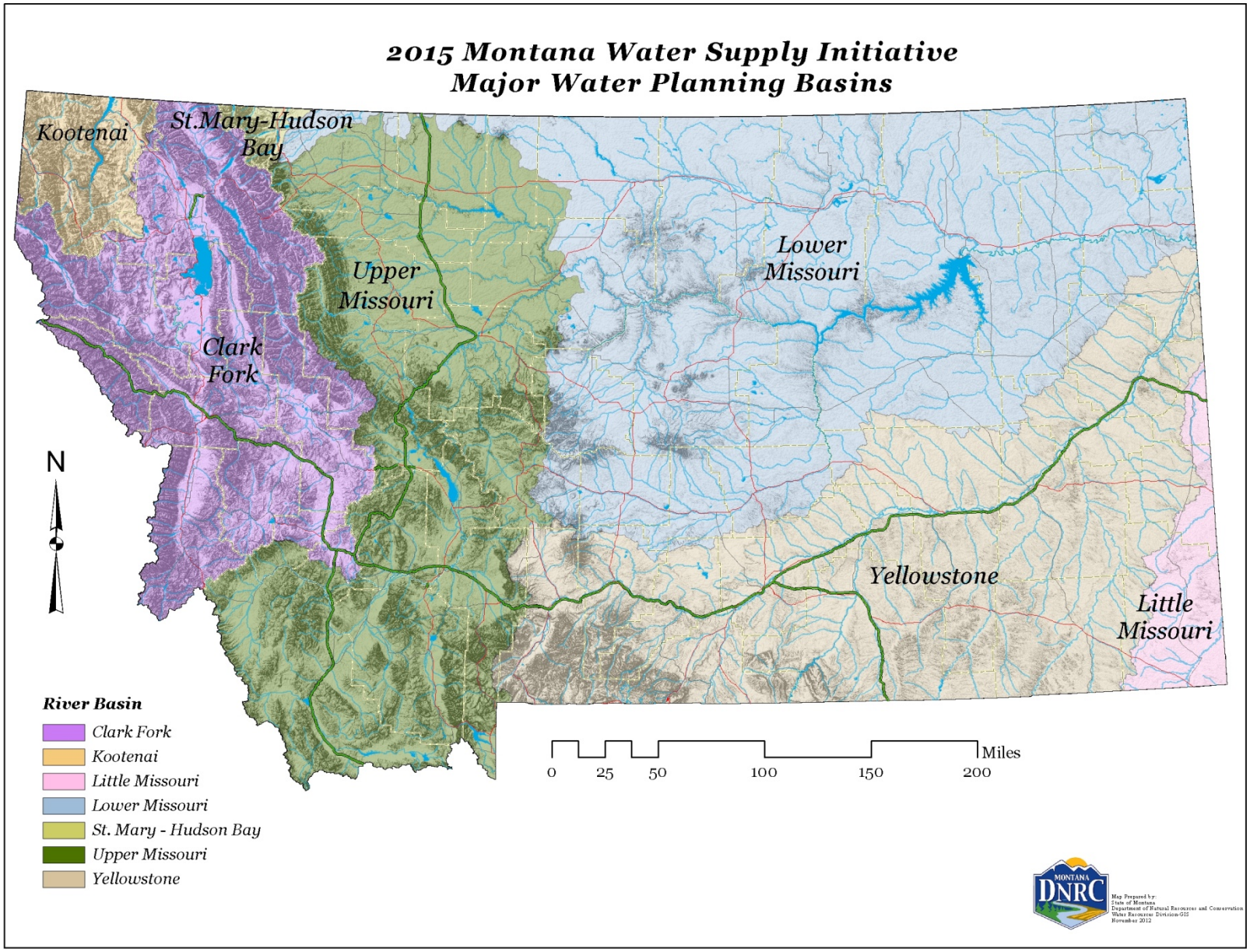
- 2009 legislation

  - Create Basin Advisory Councils made up of water users to advise DNRC in each of the planning basins.


2015 Montana Water Supply Initiative
Major Water Planning Basins
Kootenai
St.Mary-Hudson Bay
Upper Missouri
Lower Missouri
Clark Fork
Yellowstone
Little Missouri
N
River Basin
Clark Fork
Kootenai
Little Missouri
Lower Missouri
St. Mary - Hudson Bay
Upper Missouri
Yellowstone
0 25 50 100 150 200
Miles
MONTANA DNRC
Map Prepared by:
State of Montana
Department of Natural Resources and Conservation
Water Resources Division-GIS
November 2012

Central Questions?

- What water is legally and <u>physically</u> available to meet existing and future needs?

- What are Montana's current and future water resource needs?

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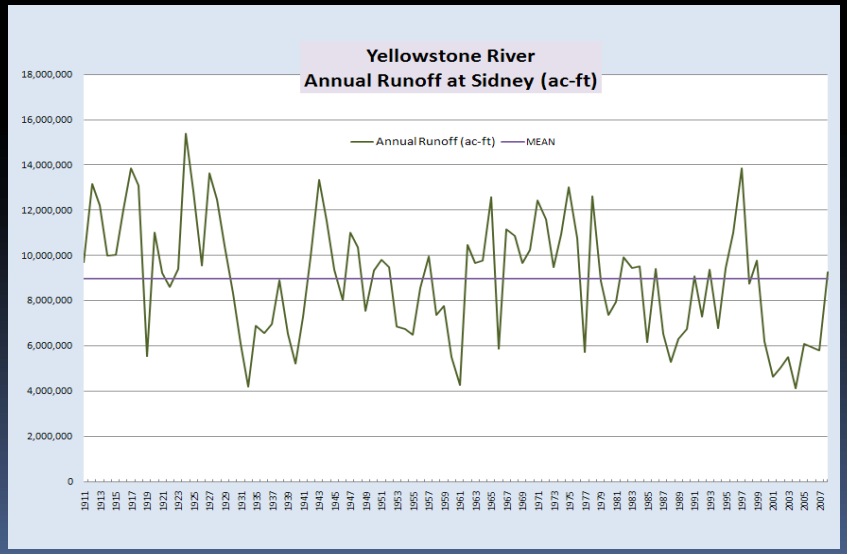
Fundamental Relationship:

(Water Supply) – (Water Use) = Water Availability



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Goal of Water Planning (Why Do We Plan?)

Answer: To Maximize Beneficial Use of the Water Resource.

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Future Demand?

(How much water will we use in the future?)

- **Agriculture**
- **Residential**
- **Industry**
- **Instream**
- **Other?**

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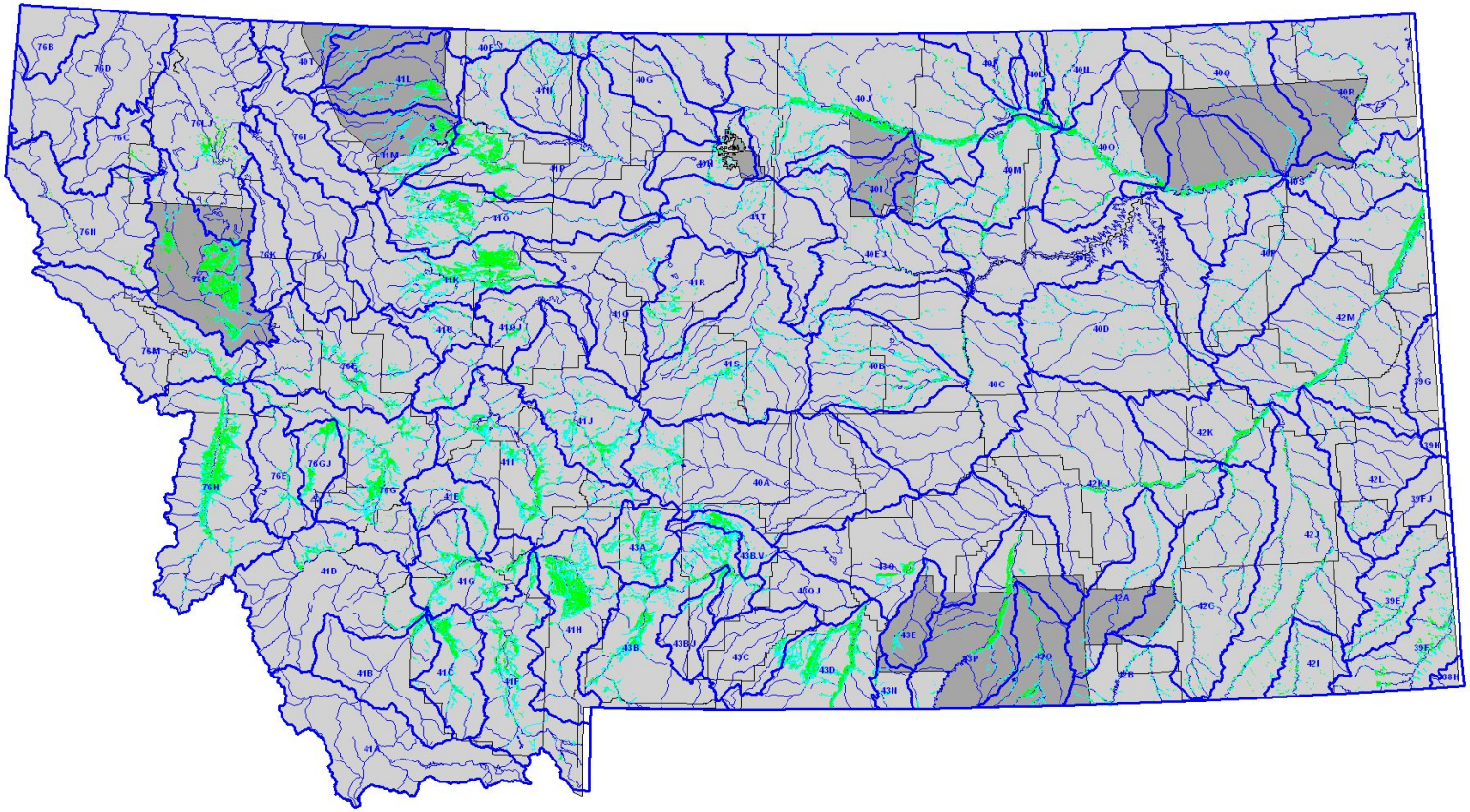
Irrigated lands in Montana ~ 2 million acres



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- Water Planning vs. Adjudication
  - The water right adjudication process examines and resolves all pre-1973 claims filed by water users.
  - Adjudication only establishes the order of claims based upon historic use and does not address water supply or availability.
  - MT Water Court is responsible for adjudicating water rights

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- Benefits of Water Planning:

Facilitates neighbor to neighbor agreements for sharing water.

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- Benefits of Water Planning:

- Non-Regulatory approach for avoiding regulatory oversight - endangered species

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- Benefits of Water Planning:

- Process for collecting data and public input for the development of policy recommendations.

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- Benefits of Water Planning:

  - Process for accommodating changes in water use.

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- State Water Plan Objectives
  - Document current water supply and demand in the Clark Fork, Yellowstone, and Missouri River basins.
  - Estimate increases in demand for water over the next 20 years.
  - Identify sources of water to meet increases in demand, while protecting existing beneficial uses.

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Potential Outcomes

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Potential Outcomes

- Identification of potential sources of mitigation water in closed basins including mitigation banking.

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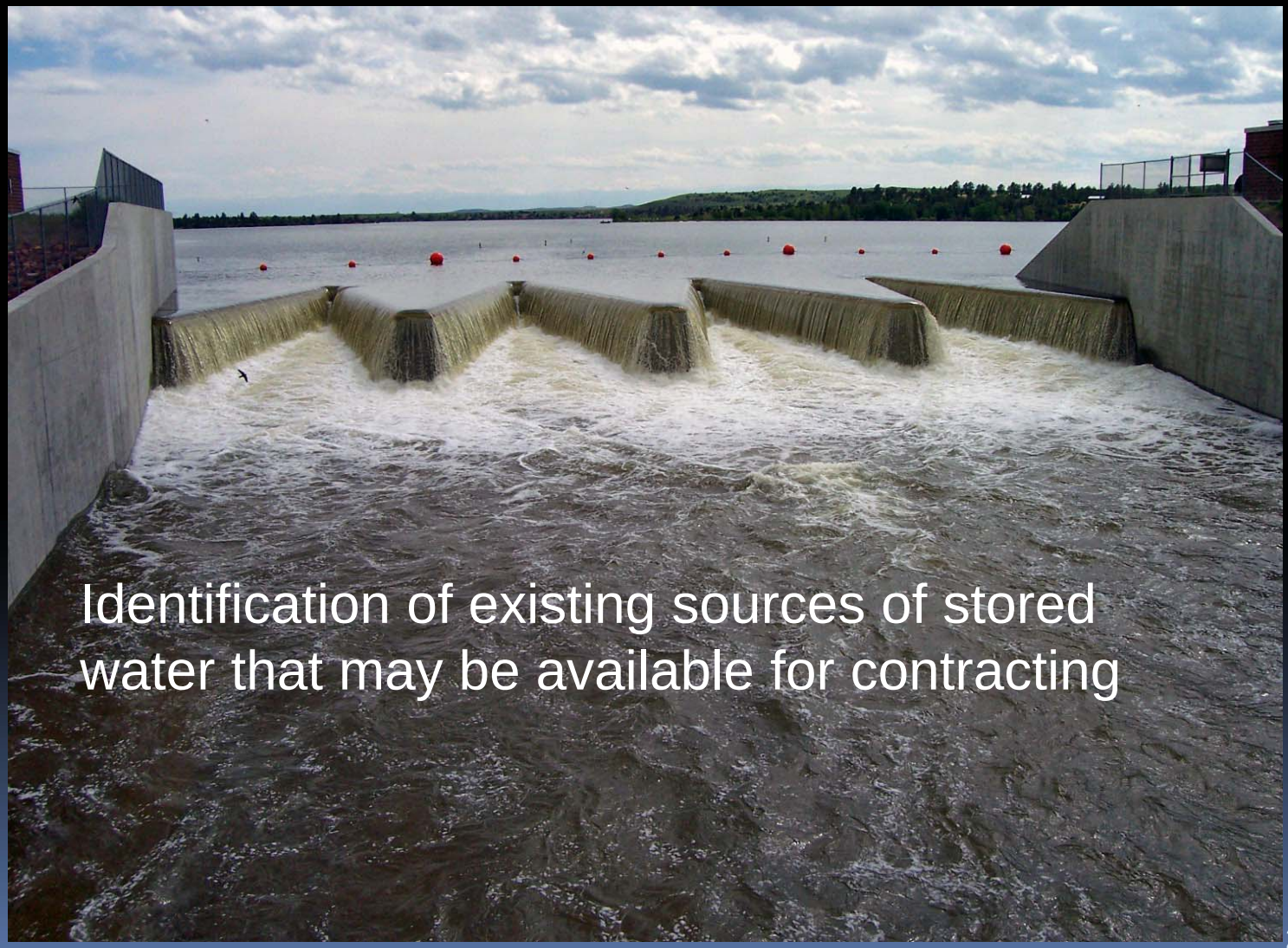
Potential Outcomes



Identification of existing sources of stored water that may be available for contracting

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State Water Planning Process

- Phase 1: Form Basin Advisory Councils (BAC's) Conduct issues scoping through public listening sessions. Identify data gaps and secure additional data.
- Phase 2: BAC's / DNRC work together in developing alternatives based upon issues scoping and data collection effort.
- Phase 3: BAC's / DNRC work together in developing recommendations for presentation to WPIC, EQC and 2015 Legislature. Publish final report

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- Basin Advisory Councils
  - 20 member citizen council geographically distributed with all major stakeholder groups represented.
  - The BAC makes recommendations to DNRC on planning activities in each basin.
  - BAC participates in issues listening sessions
  - BAC will assist DNRC in the development of alternatives based upon issues and data collection
  - BAC will assist DNRC in developing final recommendations to WPIC/EQC and 2015 Legislature.

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- Water Planning Process Timeline
  - Bid solicitation for Basin Facilitators / Coordinators Winter / Spring, 2013
  - Form Basin Advisory Councils Spring /Summer, 2013
  - Conduct Listening / Issues Scoping - Fall, 2013
  - Publication of Issues Scoping Report - Winter, 2013

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- Water Planning Process Timeline (cont.)
  - Data Reporting / Alternative Development - Winter, 2014
  - BAC / DNRC Develop Recommendations - Spring, 2014
  - Prepare Draft Report for WPIC /EQC Review - Summer, 2014
  - Present Draft Plan to WPIC/EQC - Sept 2014
  - Publish final report - Fall, 2014

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- Water Planning Process Status Report
  - Basin Facilitators/Coordinators hired for all Basins
  - Yellowstone BAC established and 4 public listening sessions completed in Big Timber, Billings, Forsyth, and Glendive, plus 2 additional informational meetings in Billings.
  - 14 hours of presentations and 34 hours of recorded discussion at meetings in the Yellowstone Basin.
  - 330 total participants in Yellowstone Issues Scoping

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- Next Steps – Issues Analysis / Data Gathering
  - Summary of Top Issues Identified in Yellowstone Process
    - Water Availability
    - Drought Readiness
    - Enforcement/Protecting Senior Rights
    - Water Quality
    - Instream Flows
    - Shifting Practices: Irrigation Technologies
    - Future Allocations/Additional Rights
    - Incentives and Support for New Technologies and Conservation
    - Storage Capacities

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- Questions from the Committee?