Groundwater in Montana: Common Ground Between Ranchers and Anglers

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Trout Unlimited’s Montana Water Project
2002: John “Jack” McGuire of the McGuire Ranch says that the South Fork of the Smith was “close to killed” for the first time since their family homesteaded their place.
Smith River: TU v. DNRC (April, 2006)

- TU and Ranchers challenge agency groundwater permitting
- Landmark ruling a catalyst
October 2006:
Gallatin County Commission petitions MT DNRC to amend their exempt well rule
2007 Legislative Session
Example of Exempt Well Use in a Residential Subdivision-Gallatin County

- Irrigation of adjacent ag parcel: not exempt, permit required.
- Entire subdivision served by exempt wells.
2009 TU “Blueprint”

- Reports on successful mitigation water banking models from around the Pacific NW
- Looks at how it could apply in Montana

Blueprint for a Ground Water Mitigation Exchange
Pilot Project in Montana

A report to the Montana Water Project of Trout Unlimited
By Sarah Bates

September 2009
Mitigation Credit Exchange

- Basin-scale mitigation for permit-exempt wells
- Reduce transaction costs

Potential mitigation zone shown on map is for illustrative purposes only.
Buyers: Exempt Well Users

1. Drill Exempt Well
2. Purchase Mitigation Credits From Seller
3. Check Mitigation Box on Form 602

NOTICE OF COMPLETION OF GROUNDWATER DEVELOPMENT

Use this form for completed groundwater developments where the water has been put to use for the purposes identified with a maximum use of 35 GPM not to exceed 10 AC-FT per year. Incomplete forms will be returned.

Filing Fee: $125.00

1. NAME
   MAILING ADDRESS
   CITY
   STATE
   ZIP
   WORK PHONE
   HOME PHONE
   CELL PHONE

2. DIVISION USED TO OBTAIN GROUNDWATER
   [ ] Well – Attach well log if available
   Water Well Contractor Name
Protect Senior Water Rights

• Keep senior water rights intact

• Provide workable mechanisms for mitigation water

• Model for 21st Century water management