



WATER POLICY INTERIM COMMITTEE

69th Montana Legislature

SENATE MEMBERS

Willis Curdy
Wylie Galt
Bruce "Butch" Gillespie
Bob Phalen

HOUSE MEMBERS

Jill Cohenour
Jamie Isaly
Tom Millett
Russ Miner
Tracy Sharp

COMMITTEE STAFF

Toni Henneman – Lead Staff
Alexis Sandru – Legal Staff
Jacelyn Sterling – Secretary

MINUTES LOG – Day 1

March 26, 2026
Room 154
Helena, Montana

Minutes logs provide an annotation of the time elapsed between the beginning of a meeting and the time at which a topic is presented or discussed, a motion made, or a vote taken. The time designation may be used to locate the referenced discussion in the video. The minutes log is only a guide to the video of the meeting. The official record of the meeting is the video. Minutes logs can be accessed at <https://committees.legmt.gov> and videos can be accessed at <https://media.legmt.gov>.

For more information, please contact:

The Legislative Services Division at 406-444-3064 for policy committees;
The Legislative Fiscal Division at 406-444-2986 for fiscal committees; or
The Legislative Audit Division at 406-444-3122 for the Legislative Audit Committee.

MEMBERS PRESENT:

Sen. Wylie Galt, Presiding Officer (R)
Rep. Jill Cohenour, Vice Presiding Officer (D)
Sen. Willis Curdy (D)
Sen. Bruce "Butch" Gillespie (R)
Rep. Jamie Isaly (D)
Rep. Tom Millett (R)
Rep. Russ Miner (R)
Sen. Bob Phalen (R)
Rep. Tracy Sharp (R)

MEMBERS EXCUSED:

MEMBERS ABSENT:

STAFF PRESENT:

Toni Henneman, Lead Staff
Alexis Sandru, Legal Staff
Jacelyn Sterling, Secretary

AGENDA ([Attachment 1](#))

VISITORS' LIST ([Attachment 2](#))

CALL TO ORDER/ROLL CALL

08:59:32 Presiding Officer Wylie Galt called the meeting to order at 8:59 AM. The committee secretary took roll.

MEETING OVERVIEW

09:00:07 Toni Henneman, Lead Staff, Legislative Services Division (LSD)

MEMBER TOPIC: EXEMPT GROUNDWATER WELLS

Litigation Update

09:04:09 Alexis Sandru, Legal Staff, Legislative Services Division (LSD)

Presentation Of Stakeholder Policy Options

09:05:32 Clayton Elliott, Montana Trout Unlimited (MTU)

[EXHIBIT 1](#)

09:06:09 Raylee Honeycutt, Montana Stock Growers Association (MSGGA)
(See Exhibit 1)

09:41:02 Anna Pakenham Stevenson, Administrator, Water Resources Division,
Department of Natural Resource and Conservation (DNRC)

[EXHIBIT 2](#)

Public Comment

09:52:35 Jennifer Miller, Redfox Meadows

[EXHIBIT 3](#) (See pages 3-4)

09:59:02 Tom Sinko, Riverbend Estates, Great Falls

10:05:03 Mark Larsen, Montana Senior Water Rights Alliance (SrWRC)

10:06:19 Daniella Bowen, Grand Vista Estates, Helena

Committee Questions / Discussion

10:09:42 Rep. Russ Miner

10:09:45 Daniella Bowen, Grand Vista Estates, Helena

Public Comment

10:09:59 Danielle Bradley, Montana Water Well Drillers Association (MWWDA)

10:10:52 Adrienne Cotton, Montana Building Industry Association (MBIA)

10:11:45 Daniel Cox, Montana Association of Realtors (MAR)

10:12:36 Steve Wirtz, Lake Vista

10:13:46 Bill Gowen, Montana Land Title Association (MLTA)

Committee Questions / Discussion

10:15:41 Rep. Russ Miner

10:15:52 Bill Gowen, MLTA

Public Comment

10:18:09 Hertha Lund, SrWRC
10:32:29 Mark Larowe, Montana Water Resource Association (MWRA)
10:33:29 Mark Taylor, Hospitality and Development Montana
10:37:25 Karli Johnson, Montana Farm Bureau Federation (MFBF)
10:41:28 Sen. Mary Ann Dunwell, Senate District 42
10:45:03 James Anderson
10:48:21 Kirk Donsbach
10:49:32 Mary Harlow, Helena
10:54:10 Julie Merritt
10:57:09 Chris Murphy

Committee Questions / Discussion

10:59:55 Presiding Officer Wylie Galt
11:00:10 Clayton Elliott, MTU
11:01:37 Vice Presiding Officer Jill Cohenour
11:01:48 Danielle Bradley, MWWDA
11:03:50 Adrienne Cotton, MBIA
11:05:32 Daniel Cox, MAR
11:06:43 Sen. Willis Curdy
11:06:54 Anna Pakenham Stevenson, DNRC
11:09:32 Presiding Officer Wylie Galt
11:13:55 Clayton Elliott, MTU
11:14:54 Raylee Honeycutt, MSGA
11:16:48 Anna Pakenham Stevenson, DNRC
11:18:24 Sen. Willis Curdy
11:19:22 Clayton Elliott, MTU
11:21:13 Presiding Officer Wylie Galt
11:21:35 Clayton Elliott, MTU
11:22:14 Raylee Honeycutt, MSGA
11:23:34 Daniel Cox, MAR

COMMITTEE WORK SESSION

11:24:01 Presiding Officer Wylie Galt
11:24:38 Vice Presiding Officer Jill Cohenour

Motion

11:24:43 Rep. Cohenour moved to begin draft legislation based on conversation and input from the stakeholders.

Vote

11:25:03 Carried unanimously by voice vote.

COMMITTEE WORK SESSION - Continued

11:25:19 Clayton Elliott, MTU

11:25:54 Toni Henneman, Lead Staff, Legislative Services Division (LSD)

Motion

11:26:32 Rep. Russ Miner moved for the proposed bill draft legislation concerning grandfathering water rights and monitoring and enforcement to both be separate bills.

Vote

11:26:46 Carried unanimously by voice vote.

Discussion on the Vote

11:26:58 Toni Henneman, LSD

11:27:21 Presiding Officer Wylie Galt

COMMITTEE WORK SESSION - Continued

11:27:30 Vice Presiding Officer Jill Cohenour

Motion

11:28:00 Vice Presiding Officer Jill Cohenour moved to begin draft legislation regarding permitting and mitigation based on conversation and input from the stakeholders.

Discussion on the Motion

11:28:09 Presiding Officer Wylie Galt

11:28:18 Anna Pakenham Stevenson

Vote

11:28:32 Carried unanimously by voice vote.

Public Comment

11:29:00 Clayton Elliott, Montana Trout Unlimited (MTU)

11:29:52 Vice Presiding Officer Jill Cohenour

11:30:22 Karli Johnson, MFBF

11:30:49 Hertha Lund, SrWRC

REQUIRED REPORT: APPROPRIATION RIGHTS CHANGED TO STREAMFLOW, FISH WILDLIFE AND PARKS (FWP)

11:33:22 Bill Schenk, Land and Water Program Unit Manager, FWP

[EXHIBIT 4](#)

Public Comment

12:00:57 Clayton Elliott, Montana Trout Unlimited (MTU)
12:03:50 Jocelyn Cahill, Senior Ag Water Rights Alliance

Committee Questions / Discussion

12:05:02 Rep. Jamie Isaly
12:05:18 Bill Schenk, FWP

RULE REVIEW

12:07:15 Alexis Sandru, Legal Staff, Legislative Services Division (LSD)
[EXHIBIT 5](#)

Public Comment

12:07:46 None

Committee Questions / Discussion

12:07:53 None

12:08:08 **Recessed**

13:14:58 **Reconvened**

2026 DROUGHT OUTLOOK

13:15:17 Michael Downey, Drought Program Coordinator, Department of Natural Resources and Conservation (DNRC)
[EXHIBIT 6](#)

Public Comment

13:39:54 None

Committee Questions / Discussion

13:40:09 Vice Presiding Officer Jill Cohenour
13:40:39 Michael Downey, DNRC
13:41:50 Sen. Bruce "Butch" Gillespie
13:42:15 Michael Downey, DNRC
13:43:08 Rep. Tracy Sharp
13:43:27 Michael Downey, DNRC
13:45:07 Presiding Officer Wylie Galt
13:45:31 Michael Downey, DNRC
13:46:33 Rep. Jamie Isaly
13:46:49 Michael Downey, DNRC
13:47:40 Sen. Willis Curdy
13:48:35 Michael Downey, DNRC

REVIEW WATER DATA, MEASURING SYSTEMS, AND RECENT RESEARCH

- 13:50:09 Kelsey Jencso, State Climatologist, Montana Climate Office
[EXHIBIT 7](#)
[EXHIBIT 8](#)
- 14:17:07 Florence Miller, Hydrologist, Natural Resources Conservation Service (USDA)
[EXHIBIT 9](#)
- 14:41:00 Stephanie Ewing, Director, Water Center, Montana State University (MSU)
[EXHIBIT 10](#)

Public Comment

- 15:05:52 None

Committee Questions / Discussion

- 15:06:10 Sen. Bob Phalen
- 15:06:48 Kelsey Jencso, Montana Climate Office
- 15:07:36 Sen. Bruce "Butch" Gillespie
- 15:08:30 Stephanie Ewing, MSU
- 15:10:02 Vice Presiding Officer Jill Cohenour
- 15:10:36 Stephanie Ewing, MSU
- 15:12:09 Kelsey Jencso, Montana Climate Office
- 15:13:41 Rep. Tracy Sharp
- 15:14:14 Kelsey Jencso, Montana Climate Office
- 15:17:31 Stephanie Ewing, MSU
- 15:20:01 Sen. Bob Phalen
- 15:20:15 Kelsey Jencso, Montana Climate Office
- 15:21:11 **Recessed**
- 15:26:42 **Reconvened**

HJ 74 STUDY: WATER REUSE AND STORAGE

Allowable Uses Of Reclaimed Wastewater Review

- 15:26:51 Toni Henneman, Lead Staff, Legislative Services Division (LSD)
[EXHIBIT 11](#)

Implementing a Water Reuse System in Montana – Panelist Introductions

- 15:35:41 Rich Chandler, Vice President, Lone Mountain Land Company
- 15:37:17 Scott Buecker, Wastewater Engineer, AE2S Engineering
- 15:38:55 Johnny O'Connor, Executive Director, Big Sky Water & Sewer District
- 15:40:15 Patrick Byorth, Montana Water Director, Trout Unlimited (TU)

Implementing a Water Reuse System in Montana – Panelist Discussion

- 15:42:02 Rich Chandler, Lone Mountain Land Company
[EXHIBIT 12](#)
- 15:47:11 Toni Henneman, LSD
- 15:47:24 Rich Chandler, Lone Mountain Land Company
- 15:50:56 Jonny O'Conner, Big Sky Water & Sewer District
- 15:53:33 Scott Buecker, AE2S Engineering
- 15:56:10 Patrick Byorth, TU
- 16:02:13 Johnny O'Connor, Big Sky Water & Sewer District
- 16:05:09 Rich Chandler, Lone Mountain Land Company
[EXHIBIT 13](#)

Public Comment

- 16:07:17 None

Committee Questions / Discussion

- 16:07:34 Sen. Bruce "Butch" Gillespie
- 16:08:17 Scott Buecker, AE2S Engineering
- 16:14:09 Sen. Willis Curdy
- 16:14:28 Rich Chandler, Lone Mountain Land Company
- 16:17:02 Johnny O'Connor, Big Sky Water & Sewer District
- 16:19:21 Rep. Tracy Sharp
- 16:19:44 Scott Buecker, AE2S Engineering
- 16:22:29 Rich Chandler, Lone Mountain Land Company
- 16:24:08 Sen. Bob Phalen
- 16:24:24 Johnny O'Connor, Big Sky Water & Sewer District
- 16:27:35 Rep. Russ Miner
- 16:28:03 Scott Buecker, AE2S Engineering
- 16:30:46 Rep. Tom Millett
- 16:30:58 Scott Buecker, AE2S Engineering
- 16:31:39 Johnny O'Connor, Big Sky Water & Sewer District
- 16:32:28 Presiding Officer Wylie Galt
- 16:32:54 Patrick Byorth, TU
- 16:34:02 Scott Buecker, AE2S Engineering
- 16:35:02 Rich Chandler, Lone Mountain Land Company
- 16:36:53 Sen. Willis Curdy
- 16:38:46 Presiding Officer Wylie Galt
- 16:39:16 Johnny O'Connor, Big Sky Water & Sewer District
- 16:40:12 Rich Chandler, Lone Mountain Land Company
- 16:42:13 Patrick Byorth, TU
- 16:42:42 Sen. Bob Phalen

16:43:23 Johnny O'Connor, Big Sky Water & Sewer District
16:44:23 Rich Chandler, Lone Mountain Land Company

16:46:00 **Recessed**
16:54:49 **Reconvened**

COMMITTEE WORK SESSION

Future Agenda Items

16:54:55 Toni Henneman, Lead Staff, Legislative Services Division (LSD)
16:55:51 Rep. Russ Miner
16:57:00 Vice Presiding Officer Jill Cohenour
16:58:39 Presiding Officer Wylie Galt
16:59:12 Sen. Willis Curdy

Field Trip Ideas

16:59:52 Presiding Officer Wylie Galt
17:00:12 Toni Henneman, LSD

Any Other Topics

17:00:49 Presiding Officer Wylie Galt
17:00:57 Sen. Bruce "Butch" Gillespie
17:01:44 Rep. Tom Millett
17:02:49 Presiding Officer Wylie Galt
17:03:03 Rep. Russ Miner
17:03:30 Vice Presiding Officer Jill Cohenour
17:04:17 Sen. Bruce "Butch" Gillespie

PUBLIC COMMENT ON ANY ITEM IN WPIC'S SUBJECT MATTER JURISDICTION

17:05:04 None

IN RECESS UNTIL MARCH 27, 2026

Adjournment: 17:05:20