



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
Maddelyn Pennington - Secretary
Alexis Sandru – Legal Staff

MINUTES LOG – Day 2

March 27, 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)
Rep. Jamie Isaly (D)
Rep. Tom Millett (R)
Sen. Bob Phalen (R)
Rep. Tracy Sharp (R)

MEMBERS EXCUSED:

Sen. Bruce "Butch" Gillespie (R)
Rep. Russ Miner (R)

MEMBERS ABSENT:

STAFF PRESENT:

Toni Henneman, Lead Staff
Maddelyn Pennington, Secretary
Alexis Sandru, Legal Staff

AGENDA ([Attachment 1](#))

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

CALL TO ORDER/ROLL CALL

- 09:04:54 Presiding Officer Wylie Galt called the meeting to order at 9:04 AM. The committee secretary took roll.
- 09:06:23 Rep. Russ Miner joined the meeting

MONTANA WATER 201: DEEPER DIVE INTO THE ROLE OF THE JUDICIARY IN MONTANA WATER MANAGEMENT

- 09:06:01 Hon. Stephen Brown, Chief Judge, Montana Water Court
[EXHIBIT 14](#)
- 09:09:34 Sen. Bruce "Butch" Gillespie joined the meeting.
- 09:15:45 Hon. Vina Peters, Associate Water Judge, Montana Water Court
(See Exhibit 14)
- 09:20:54 Todd Netto, Bureau Chief, Department of Natural Resources & Conservation (DNRC)
(See Exhibit 14)
- 09:27:45 Diana Abbott, Chair Elect, Water Law Section & Water Law Attorney, Parsons Behle & Latimer
(See Exhibit 14)
- 09:47:23 Benjamin Sudduth, Attorney, Bozeman
(See Exhibit 14)

Public Comment

- 10:04:57 Ryder Ferguson
- 10:08:26 Sen. Willis Curdy

Committee Questions / Discussion

- 10:09:06 Rep. Tracy Sharp
- 10:09:29 Diana Abbott, Water Law Section & Parsons Behle & Latimer
- 10:11:50 Benjamin Sudduth, Bozeman
- 10:14:50 Presiding Officer Wylie Galt
- 10:14:55 Vice Presiding Officer Jill Cohenour
- 10:15:07 Hon. Stephen Brown, Montana Water Court
- 10:22:34 Sen. Bruce "Butch" Gillespie
- 10:22:43 Benjamin Sudduth, Bozeman
- 10:25:33 Sen. Willis Curdy
- 10:25:42 Hon. Stephen Brown, Montana Water Court
- 10:28:42 Rep. Jamie Isaly
- 10:30:05 Benjamin Sudduth, Bozeman
- 10:34:09 Sen. Bob Phalen

10:34:25 Hon. Stephen Brown, Montana Water Court
10:36:01 Rep. Tracy Sharp
10:36:09 Benjamin Sudduth, Bozeman
10:40:10 Presiding Officer Wylie Galt
10:40:41 Diana Abbott, Water Law Section & Parsons Behle & Latimer
10:43:00 Benjamin Sudduth, Bozeman
10:49:23 Rep. Tracy Sharp
10:49:34 Hon. Stephen Brown, Montana Water Court

WATER RIGHTS ADJUDICATION UPDATE

Adjudication Update

10:50:53 Todd Netto, Bureau Chief, Department of Natural Resources & Conservation (DNRC)
[EXHIBIT 15](#)
10:54:20 Hon. Stephen Brown, Chief Judge, Montana Water Court
[EXHIBIT 16](#)
[EXHIBIT 17](#)

Review Draft Legislation

11:02:46 Toni Henneman, Lead Staff, Legislative Services Division (LSD)
[EXHIBIT 18](#)

Public Comment

11:05:04 Clayton Elliott, Montana Trout Unlimited (MTU)
11:07:16 Jocelyn Cahill, Senior Ag Water Rights Alliance (SAWRA)
11:07:48 Karli Johnson, Montana Farm Bureau Federation (MFBF)

Committee Questions / Discussion

11:08:50 Vice Presiding Officer Jill Cohenour
11:09:44 Presiding Officer Wylie Galt
11:10:05 Clayton Elliott, MTU
11:12:09 Anna Pakenham Stevenson, Administrator, Water Resources Division, DNRC
11:13:19 Vice Presiding Officer Jill Cohenour
11:14:06 Sen. Willis Curdy

AGENCY UPDATE & MONITORING

Federal Funding Update

11:14:51 Josh Poulette, Fiscal Analyst, Legislative Fiscal Division (LFD)

Department of Environmental Quality (DEQ)

11:18:15 Sonja Nowakowski, Director, DEQ

Department of Natural Resources and Conservation (DNRC)

11:26:08 Amanda Kaster, Director, DNRC

Public Comment

11:38:50 None

Committee Questions / Discussion

11:39:06 Rep. Russ Miner
11:39:12 Dir. Amanda Kaster, DNRC
11:40:36 Sen. Bruce "Butch" Gillespie
11:40:40 Dir. Amanda Kaster, DNRC
11:43:28 Rep. Jamie Isaly
11:43:40 Dir. Amanda Kaster, DNRC
11:44:33 Sen. Willis Curdy
11:44:36 Dir. Amanda Kaster, DNRC
11:46:39 Vice Presiding Officer Jill Cohenour
11:46:47 Dir. Sonja Nowakowski, DEQ

REQUIRED REPORT: US FOREST SERVICE COMPACT – STATE WATER RESERVATION APPLICATIONS

11:48:58 Maya Rao, Compact Implementation Program Hydrologist, Department of Natural Resources & Conservation (DNRC)

[EXHIBIT 19](#)

Public Comment

11:52:47 None

Committee Questions / Discussion

11:53:03 Rep. Tracy Sharp
11:53:35 Maya Rao, DNRC

COMMITTEE WORK SESSION

Review Committee Timeline and Preview May Agenda

11:56:41 Toni Henneman, Lead Staff, Legislative Services Division (LSD)

[EXHIBIT 20](#)

July Field Trip Discussion

12:02:21 Rep. Russ Miner
12:03:21 Sen. Bob Phalen
12:04:12 Sen. Bruce "Butch" Gillespie
12:04:47 Sen. Willis Curdy
12:05:52 Toni Henneman, LSD
12:08:24 Presiding Officer Wylie Galt
12:09:02 Vice Presiding Officer Jill Cohenour

Motion

12:11:30 Vice Presiding Officer Jill Cohenour moved that the Water Policy Interim Committee draft a letter to the Legislative Council voicing disagreement with the policy of not allowing remote testimony at interim committee travel meetings.

Discussion on the Motion

12:12:20 Toni Henneman, LSD
12:13:23 Vice Presiding Officer Jill Cohenour
12:13:53 Presiding Officer Wylie Galt
13:14:09 Sen. Willis Curdy

Motion

12:15:21 Vice Presiding Officer Jill Cohenour amended her motion to include that Legislative Council consider revisions to the policy for next interim and for the Legislative Services Division to develop solutions to allow for remote testimony at future interim committee travel meetings, as proposed by Presiding Officer Wylie Galt.

Discussion on the Motion

12:15:53 Sen. Bruce "Butch" Gillespie
12:16:03 Presiding Officer Wylie Galt

Vote

12:16:13 Carried unanimously by voice vote.

July Field Trip - Continued

12:16:27 Presiding Officer Wylie Galt
12:17:21 Rep. Russ Miner
12:18:04 Sen. Bruce "Butch" Gillespie
12:18:40 Rep. Tracy Sharp
12:20:27 Toni Henneman, LSD
12:20:41 Vice Presiding Officer Jill Cohenour

Legislative Days Preview

12:22:23 Toni Henneman, LSD
[EXHIBIT 21](#)
12:24:46 Vice Presiding Officer Jill Cohenour
12:25:15 Rep. Jamie Isaly

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

12:25:53 Clayton Elliott, Montana Trout Unlimited (MTU)
12:27:10 Mark Larowe, Montan Water Resources Association (MWRA)

ADJOURNMENT

Adjournment: 12:28:04