



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
Ania Alduenda - Secretary

MINUTES LOG

May 11, 2026
Room 317 & Zoom
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
Ania Alduenda, Secretary

AGENDA ([Attachment 1](#))

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

CALL TO ORDER / ROLL CALL

09:01:37 Presiding Officer Wylie Galt called the meeting to order at 9:01 AM. The committee secretary took roll.

MEETING OVERVIEW

09:02:13 Toni Henneman, Lead Staff, Legislative Services Division (LSD)

HOUSE JOINT RESOLUTION 74 STUDY: WATER REUSE AND STORAGE

09:02:55 Presiding Officer Wylie Galt

Review Committee Requests from March

09:03:03 Toni Henneman, Lead Staff, Legislative Services Division (LSD)
[EXHIBIT 1](#)
[EXHIBIT 2](#)

Department of Environmental Quality (DEQ)

09:05:07 Lindsey Krywaruchka, Water Quality Division Administrator, DEQ
[EXHIBIT 3](#)

Department of Natural Resources and Conservation (DNRC)

09:09:12 Nate Ward, Water Rights Bureau Chief, DNRC
[EXHIBIT 4](#)
[EXHIBIT 5](#)

Committee Discussion / Questions

09:22:49 Vice Presiding Officer Jill Cohenour
09:23:13 Lindsey Krywaruchka, DEQ
09:23:56 Sen. Willis Curdy
09:24:58 Lindsey Krywaruchka, DEQ
09:25:38 Rachel Clark, Engineering Bureau Chief, DEQ
09:28:11 Rep. Russ Miner
09:28:34 Lindsey Krywaruchka, DEQ
09:28:52 Rep. Tracy Sharp
09:29:39 Lindsey Krywaruchka, DEQ
09:31:01 John LaFave, Interim Director, Montana Bureau of Mines and Geology (MBMG)
09:33:42 Rep. Tom Millett
09:34:35 Nate Ward, DNRC
09:36:29 Lindsey Krywaruchka, DEQ
09:36:47 Vice Presiding Officer Jill Cohenour
09:37:25 Nate Ward, DNRC
09:38:47 Lindsey Krywaruchka, DEQ

09:40:48 Rep. Russ Miner
09:41:40 Lindsey Krywaruchka, DEQ
09:41:49 Nate Ward, DNRC
09:42:31 Presiding Officer Wylie Galt
09:43:00 Nate Ward, DNRC

HOUSE BILL 935 FOX HILLS-HELL CREEK STUDY UPDATE

09:44:35 Presiding Officer Wylie Galt
09:44:51 Sara Edinberg, Hydrologist, Montana Bureau of Mines and Geology (MBMG)
[EXHIBIT 6](#)

Committee Discussion / Questions

09:59:03 Sen. Bruce Gillespie
09:59:27 Sara Edinberg, MBMG
10:00:05 Vice Presiding Officer Jill Cohenour
10:00:35 Sara Edinberg, MBMG
10:01:41 Rep. Tracy Sharp
10:02:02 Sara Edinberg, MBMG
10:03:31 Sen. Bob Phalen
10:04:08 Sara Edinberg, MBMG
10:05:51 Presiding Officer Wylie Galt

RULE REVIEW

10:06:26 Alexis Sandru, Legal Staff, Legislative Services Division (LSD)
[EXHIBIT 7](#)

Committee Discussion / Questions

10:07:49 Vice Presiding Officer Jill Cohenour
10:08:24 Lindsey Krywaruchka, Water Quality Division Administrator, Department of Environment Quality (DEQ)

10:09:47 **Recessed**
10:24:16 **Reconvened**

AGENCY UPDATE AND MONITORING

10:24:23 Presiding Officer Wylie Galt

Department of Fish, Wildlife, and Parks (FWP)

10:24:35 Christy Clark, Director, FWP
[EXHIBIT 8](#)

Department of Natural Resources and Conservation (DNRC)

10:40:23 Amanda Kaster, Director, DNRC
10:48:40 Austin Bray, Director, State and Federal Affairs, DNRC

Department of Environmental Quality (DEQ)

10:51:24 Sonja Nowakowski, Director, DEQ

Committee Discussion / Questions

10:57:08 Rep. Russ Miner
10:57:33 Austin Bray, DNRC
10:59:50 Dir. Amanda Kaster, DNRC
11:02:07 Sen. Willis Curdy
11:03:18 Austin Bray, DNRC
11:04:25 Sen. Bruce Gillespie
11:04:43 Dir. Christy Clark, FWP
11:06:12 Sen. Willis Curdy
11:06:54 Dir. Sonja Nowakowski, DEQ
11:07:23 Lindsey Krywaruchka, Water Quality Division Administrator, DEQ
11:11:20 Sen. Bob Phalen
11:11:36 Dir. Amanda Kaster, DNRC
11:12:06 Trevor Watson, Deputy Division Administrator, Water Resources Division, DNRC
11:14:25 Dir. Christy Clark, FWP
11:14:41 Bill Schenk, Land and Water Program Unit Manager, FWP
11:16:16 Rep. Tom Millett
11:17:14 Dir. Sonja Nowakowski, DEQ
11:18:07 Dir. Amanda Kaster, DNRC
11:19:32 Dir. Christy Clark, FWP
11:21:38 Adam Strainer, Fisheries Division Administrator, FWP
11:24:11 Vice Presiding Officer Jill Cohenour
11:25:05 Bill Schenk, FWP

11:26:21 **Recessed**

12:46:22 **Reconvened**

MEMBER TOPIC: EXEMPT GROUNDWATER WELLS

12:46:23 Presiding Officer Wylie Galt

Litigation Update

12:46:33 Alexis Sandru, Legal Staff, Legislative Services Division (LSD)
[EXHIBIT 9](#)

Committee Discussion / Questions

12:49:28 Sen. Bob Phalen
12:49:39 Alexis Sandru, LSD

COMMITTEE BILL REVIEW: PROVISIONAL DRAFT 2 - GRANDFATHERING OF CERTAIN EXEMPT WELLS

Review of Draft and Considerations

12:50:59 Toni Henneman, Lead Staff, Legislative Services Division (LSD)
[EXHIBIT 10](#)
[EXHIBIT 11](#)

Public Comment

12:59:24 Tom Cinko, Great Falls Resident
13:02:57 Peter Scott, Bozeman Attorney
13:09:39 Daniella Bowen, Helena Resident
13:12:36 Steve Utick, Developer, Grand Vista Estates
13:15:12 Judy Higgins, Developer, Riverbend Estates in Great Falls
13:18:13 Adrienne Cotton, Montana Building Industry Association
13:19:41 Clayton Elliott, Montana Trout Unlimited
13:25:32 John Tubbs
13:28:58 Sen. Mary Ann Dunwell, SD 42

Committee Discussion / Questions

13:31:24 Rep. Russ Miner
13:31:39 Toni Henneman, LSD
13:32:26 John Tubbs
13:34:26 Rep. Tom Millett
13:34:52 Peter Scott, Bozeman Attorney
13:36:51 Presiding Officer Wylie Galt
13:37:38 John Tubbs
13:40:59 Rep. Russ Miner
13:42:04 Alexis Sandru, Legal Staff, LSD
13:43:24 Vice Presiding Officer Jill Cohenour
13:46:00 Sen. Bob Phalen
13:46:34 Steve Utick, Developer, Grand Vista Estates
13:49:12 Sen. Bruce Gillespie
13:50:12 Rep. Jamie Isaly
13:50:30 Toni Henneman, LSD
13:50:52 Presiding Officer Wylie Galt
13:51:50 Rep. Russ Miner
13:52:20 Presiding Officer Wylie Galt
13:53:19 Vice Presiding Officer Jill Cohenour
13:54:43 Rep. Tom Millett
13:55:24 Peter Scott, Bozeman Attorney
13:55:44 Rep. Tracy Sharp
13:56:28 Vice Presiding Officer Jill Cohenour

13:57:04 Toni Henneman, LSD

COMMITTEE BILL REVIEW: PROVISIONAL DRAFT 3 - METERING AND REPORTING

13:58:28 Toni Henneman, Lead Staff, Legislative Services Division (LSD)

[EXHIBIT 12](#)

[EXHIBIT 13](#)

Public Comment

14:04:01 Chuck Denowh, Montana Water Well Drillers Association (MWWDA)

14:08:40 Clayton Elliott, Montana Trout Unlimited (MTU)

14:16:27 Raylee Honeycutt, Montana Stock Growers Association (MSGA)

14:21:25 Hertha Lund, Senior Water Rights Coalition (SrWRC)

14:22:58 Jocelyn Cahill, Senior Agriculture Water Rights Alliance

14:24:31 Adrienne Cotton, Montana Building Industry Association

14:25:10 Daniel Cox, Montana Association of Realtors

Committee Discussion / Questions

14:25:54 Rep. Tom Millett

14:26:19 Clayton Elliott, MTU

14:33:59 Sen. Bob Phalen

14:34:30 Clayton Elliott, MTU

14:39:45 Vice Presiding Officer Jill Cohenour

14:41:23 Chuck Denowh, MWWDA

14:46:55 Raylee Honeycutt, MSGA

14:48:21 Presiding Officer Wylie Galt

14:48:56 Sen. Willis Curdy

14:50:37 Raylee Honeycutt, MSGA

14:51:38 Hertha Lund, Senior Water Rights Coalition

14:52:28 Presiding Officer Wylie Galt

14:52:55 Chuck Denowh, MWWDA

14:56:09 Rep. Jamie Isaly

14:56:48 Chuck Denowh, MWWDA

14:59:29 Sen. Bob Phalen

14:59:57 Clayton Elliott, MTU

15:01:06 Rep. Tom Millett

15:02:25 Presiding Officer Wylie Galt

COMMITTEE BILL CONCEPT: DE MINIMUS PROPOSAL

15:02:36 Presiding Officer Wylie Galt

Review of Proposal and Updates

15:02:41 Toni Henneman, Lead Staff, Legislative Services Division (LSD)

[EXHIBIT 14](#)

Public Comment

15:06:14 Clayton Elliott, Montana Trout Unlimited (MTU)
15:13:19 Raylee Honeycutt, Montana Stock Growers Association
15:18:32 Daniel Cox, Montana Realtors Association
15:19:02 Jocelyn Cahill, Senior Agriculture Water Rights Alliance
15:20:21 Adrienne Cotton, Montana Building Industry Association
15:21:50 Chuck Denowh, Montana Water Well Drillers Association (MWWDA)
15:22:27 Karli Johnson, Montana Farm Bureau Federation
15:24:03 Daniella Bowen, Helena Resident

Committee Discussion / Questions

15:25:23 Presiding Officer Wylie Galt
15:26:00 Sen. Willis Curdy
15:26:41 Daniel Cox, Montana Realtors Association
15:28:29 Clayton Elliott, MTU
15:32:53 Presiding Officer Wylie Galt

COMMITTEE BILL CONCEPT: MITIGATION

15:33:00 Presiding Officer Wylie Galt

Stakeholders Update

15:33:09 Cori Hach, Bureau Chief, Water Planning, Implementation & Communications
Bureau, Department of Natural Resources and Conservation (DNRC)

Public Comment

15:41:13 Raylee Honeycutt, Montana Stock Growers Association
15:41:53 John Tubbs
15:44:15 Clayton Elliott, Montana Trout Unlimited
15:47:02 Julie Merritt, Water Rights Consultant, WGM Group

Committee Discussion / Questions

15:49:18 Sen. Willis Curdy
15:49:35 Presiding Officer Wylie Galt
15:49:44 Rep. Tom Millett
15:50:12 Cori Hach, DNRC
15:51:28 Presiding Officer Wylie Galt
15:51:51 Julie Merritt, WGM Group

15:52:10 **Recessed**

16:05:08 **Reconvened**

CONFEDERATED SALISH AND KOOTENAI TRIBES (CSKT) WATER COMPACT

16:05:09 Presiding Officer Wylie Galt

16:05:43 Sen. Willis Curdy

Overview Presentation

16:07:21 Rick Jore, Ronan Resident

[EXHIBIT 15](#)

Committee Discussion / Questions

16:30:40 Vice Presiding Officer Jill Cohenour

16:31:35 Rick Jore, Ronan Resident

16:39:40 Rep. Tracy Sharp

Public Comment

16:42:55 Moquey Marquross

Committee Discussion / Questions

16:50:38 Rep. Tracy Sharp

16:51:52 Rick Jore, Ronan Resident

16:54:57 Presiding Officer Wylie Galt left the meeting and Vice Presiding Officer Jill Cohenour assumed the position of Presiding Officer.

16:57:12 Acting Presiding Officer Jill Cohenour

16:59:11 Sen. Bob Phalen

16:59:29 Rick Jore, Ronan Resident

PUBLIC COMMENT ON ANY TOPIC WITHIN WPIC JURISDICTION

17:00:26 Erling Juel, Manager, Greenfields Irrigation District

[EXHIBIT 16](#)

17:01:13 Sen. Wylie Galt joined the meeting via zoom. He did not resume the position of Presiding Officer for the remainder of the meeting.

17:11:46 Hertha Lund, Senior Water Rights Coalition (SrWRC)

[EXHIBIT 17](#)

Committee Discussion / Questions

17:21:16 Rep. Russ Miner

17:21:32 Hertha Lund, SrWRC

17:23:10 Sen. Bruce Gillespie

17:23:56 Erling Juel, Greenfields Irrigation District

COMMITTEE WORK SESSION

17:25:10 Acting Presiding Officer Jill Cohenour

Review Draft Letter to Legislative Council

17:25:15 Toni Henneman, Lead Staff, Legislative Services Division (LSD)

[EXHIBIT 18](#)

Motion

17:27:04 Rep. Russ Miner moved to send the proposed letter to Legislative Council.

Vote

17:27:20 Carried unanimously by voice vote.

Review and Suggest Next Steps for Any Topic on this Agenda

17:27:27 Toni Henneman, LSD
[EXHIBIT 19](#)
17:28:22 Acting Presiding Officer Jill Cohenour
17:31:28 Rep. Jamie Isaly
17:32:00 Acting Presiding Officer Jill Cohenour
17:32:22 Rep. Tracy Sharp
17:33:13 Rep. Jamie Isaly
17:33:45 Sen. Bob Phalen
17:34:13 Acting Presiding Officer Jill Cohenour
17:34:48 Toni Henneman, LSD

ADJOURNMENT

Adjournment: 17:35:24