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HOUSE BILL NO. 935

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INTRODUCED BY M. THIEL, B. CARTER, S. MANESS, R. MINER, G. OBLANDER, G. PARRY, J.

3

SCHILLINGER

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5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR DEPARTMENT SUSPENSION OR CLOSURE
6 OF NEW GROUND WATER APPROPRIATIONS IN THE FOX HILLS-HELL CREEK AQUIFER; PROVIDING
7 FOR A FEASIBILITY STUDY OF GROUND WATER AVAILABILITY; APPROPRIATING FUNDS; AND
8 PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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12 **NEW SECTION. Section 1. Fox Hills-Hell Creek aquifer -- temporary suspension of action on**
13 **permits -- groundwater study.** (1) In order to balance the need for continued development of Montana's water
14 and for protection of existing water rights in the Fox Hills-Hell Creek aquifer, the department may suspend
15 action on a class of applications or may close an aquifer source and refuse to accept a class of applications, or
16 both, for a permit to appropriate ground water from that source pursuant to this part.

17 (2) Pursuant to subsection (1), the department may suspend or close permit applications to
18 appropriate ground water from the Fox Hills-Hell Creek aquifer within department administrative boundaries
19 39E, 39FJ, 39G, 39H, 40D, 40E, 40P, 40Q, 40R, 40S, 42A, 42C, 42J, 42K, 42KJ, 42L, and 42M if the proposed
20 appropriation is 3,000 gallons a minute or more.

21 (3) The bureau of mines and geology shall complete a feasibility study on ground water availability
22 in the department administrative boundaries listed in subsection (2).

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24 **NEW SECTION. Section 2. Transfer.** By June 30, 2025, the state treasurer shall transfer \$5,000 to
25 the ground water assessment account in 85-2-905.

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27 **NEW SECTION. Section 3. Appropriation.** There is appropriated \$5,000 from the general fund to
28 the bureau of mines and geology for the biennium beginning July 1, 2025, for a feasibility study pursuant to

1 subsection (3) of [section 1].

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3 **NEW SECTION. Section 4. Codification instruction.** [Section 1] is intended to be codified as an
4 integral part of Title 85, chapter 2, part 3, and the provisions of Title 85, chapter 2, part 3, apply to [section 1].

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6 **NEW SECTION. Section 5. Effective date.** [This act] is effective on passage and approval.

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8 **NEW SECTION. Section 6. Termination.** [This act] terminates June 30, 2027.

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