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MONTANA CONSTITUTIONAL CONVENTION
 STATE CAPITOL • HELENA, MONTANA 59601 • TELEPHONE 406/449-3750

NATURAL RESOURCES AND AGRICULTURE COMMITTEE

Place of Meeting: Room 402

Date Meeting Held: 2/4/72
 Hour Meeting Held: 1:30 p.m.

Committee Chairman: Louise Cross

MINUTES OF THE THIRTEENTH MEETING OF THE NATURAL RESOURCES
 AND AGRICULTURE COMMITTEE

SUBJECT OF MEETING: Water Use.

Roll Call:

Louise Cross, Chairman	Present
E. S. "Erv" Gysler, Vice Chairman	Present
John H. Anderson, Jr.	Present
Geoffrey L. Brazier	Present
Douglas Delaney	Present
A. W. Kamhoot	Present
Charles B. McNeil	Present
Donald Rebal	Present
Henry L. Siderius	Present

INTERESTED PERSONS TESTIFYING:

<u>Name</u>	<u>Address</u>	<u>Occupation or Title</u>
Fletcher Newby	Helena, Montana	Ex.Dir., Environmental Quality Council
Fred Wetzsteon	Sula, Montana	Farmer
Albert W. Stone	University of Mont.	Professor
Elmer Cox		Pres. Montana National Farmers Organization
Charles Bowman	Montana St. Univ.	Head of Agricultural Expmt. Stn
James A. Stewart	Glasgow, Montana	Gen. Mgr. Montana Quality Commodities, Inc.
Alex Mogan	" , "	Pres., Montana Quality Commodities, Inc.
Clyde Jarvis	Great Falls, "	Pres., Montana Farmers Union
Fred Johnston	" " , "	Rancher-Lawyer
Sen. McGowan	Highwood, Montana	Rancher
Maurice Hickey	Helena, Montana	Mont. Education Assn.
Rep. Al Kosena	Anaconda, Montana	Mont. Legislative Council

Sen. McOmber		Rancher
Mons Teigen	Helena, Montana	Sec., Montana Stock-growers Assn.
David A. Smith	Mont. Wool Growers Assn.	Secretary-Treasurer
Earl Berthelson	Conrad, Montana	Delegate, Dist. #15
Philip Donally	Superior, Montana	Mont. Weed Control Assn.
Jim Kalpin	Missoula, "	" " " "
Larry Blazing	Mont. Wood Products Assn.	Forester
Marvin McMichels	" " " "	" "

DISCUSSION:

The first witness to testify was Fletcher Newby, Executive Director of the Environmental Quality Council, who read a prepared statement. (See Attachment #1)

Mr. Fred Wetzsteon of Sula, Montana, then testified in behalf of the Montana Farm Bureau, reading a prepared statement. (See Attachment #2)

Professor Albert W. Stone of the University of Montana at Missoula then spoke to the committee on water use in Montana. He said that he would be available to them for further discussion of this subject if they so desired. The Chairman requested him to appear at the Romney hearing on Thursday, February 10, 1972.

Elmer Cox, President of the Montana National Farmers Organization then appeared before the committee and read a prepared statement. (See Attachment #3) He gave the committee a copy of a booklet entitled "A NEW WATER RESOURCE PLAN FOR THE GREAT PLAINS" for their study.

Mr. Charles Bowman, head of the Agricultural Experiment Station at Bozeman, told the committee that the present statement on water use in the Constitution should be kept but there should be added a definite definition of the state ownership of water and a statement recognizing the prior appropriation doctrine.

DISCUSSIONS (Continued):

The next witness was James Stewart, representing the Montana Quality Commodities, Inc., read a prepared statement. (See Attachment #4) He agreed with the statements of Professor Bowman, the previous witness.

Alex Mogan, President of Montana Quality Commodities, Inc., read a prepared statement supporting the statement of James Stewart. (See Attachment #5.)

The next witness was Clyde Jarvis, President of the Montana Farmers Union, who read a short prepared statement. (See Attachment #6) Mr. Jarvis offered to appear again if he could be of any help.

Mr. Fred A. Johnston, a rancher-lawyer from Great Falls, then appeared as a witness on water rights.

Senator Gordon McGowan of Highwood, Montana, stated that, in amending that portion of the Constitution dealing with water, a centralized filing system should be set up, but leaving it to the legislature to set up the actual machinery for this. (See Attachment 6A) He gave the committee 3 more copies of the booklet "A New Resource Plan for the Great Plains".

Maurice Hickey, representing the Montana Education Association, read a prepared statement to the committee (See Attachment #6B) and stated that they were concerned about the state's right to underground water.

Rep. Kosena of Anaconda, Montana, representing the Montana Legislative Council, appeared before the committee but did not testify as he was not prepared to do so at this time.

Senator McOmber then appeared as a private citizen, stating that he did not like recreation being a beneficial use without a diversion.

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DISCUSSIONS (Continued):

The next witness was Mons Teigen, Secretary of the Montana Stockgrowers Association, who read a prepared statement. (See Attachment #7)

Mr. David A. Smith, Secretary-Treasurer of the Montana Wool Growers Association, the next witness, gave a prepared statement (See Attachment #8) to the committee as he was not able to be present.

Delegate Earl Berthelson of District 15 told the committee that he had introduced his proposal (Delegate Proposal No. 2) to stir up sentiment on the pollution of streams by land owners. He told the committee that he supports Delegate Proposal #127 rather than his own proposal.

At this time, two representatives of the Montana Weed Control Association testified on the use of pesticides. They were Philip Donally and Jim Kallin of Superior/ Montana. Mr. Donally read a prepared statement which is attached. (See Attachment #9)

Two foresters from Missoula, representing the Montana Wood Products Association, Larry Blazing and Marvin McMichels, appeared before the committee to answer any questions of the committee on forest land management.

There being no further business, the committee adjourned.

Time of adjournment: 5:40 p.m.

C. Louise Cross
Chairman

Clair L. Kung
Secretary