

DEPARTMENT OF FISH, WILDLIFE AND PARKS

FISHERIES DIVISION  
JOB PROGRESS REPORT

STATE: MONTANA

PROJECT TITLE: Water Leasing Study  
Part One

PROJECT NO: F-46-R-7

JOB NO: VII-D (3823)

PROJECT PERIOD: July 1, 1993 to June 30, 1994

ABSTRACT

The water leasing study was authorized by the 1989 Legislature. Interest in leasing has been developing slowly, however, significant progress was made this year. During the past year one change-of-use application for a water lease was approved and put out for public notice, a lease agreement was negotiated and is awaiting signatures and one lease was consummated.

OBJECTIVES AND DEGREE OF ATTAINMENT

The specific job objective is to implement the provisions of HB 707 of the 1989 Legislature which authorized a pilot water leasing study to test the feasibility of leasing existing diversionary water rights and to acquire water leases for instream flow enhancement purposes.

This is a pilot study under HB 707 to determine the feasibility of leasing water for instream flows. If the project is successful, it could lead to expansion of legislative authority to lease water and will establish criteria and identify the problems involved in the water leasing process. A successful leasing program will benefit fisheries in the long term by enhancing flows in dewatered streams.

A change-of-use application on Cedar Creek was released for public notice by DNRC in June 1994. A lease agreement was completed on Tin Cup Creek and was awaiting signature by six parties. A lease on Blanchard Creek was approved by DNRC in June 1994 and implemented by FWP.

RECOMMENDATIONS

Interest in water leasing has increased since the beginning of the program. It is recommended that this project be continued.

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Date: 8/22/94