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SENATE JOINT RESOLUTION NO. 27
INTRODUCED BY M. LANG

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF STOCK WATER RIGHTS ON TAYLOR GRAZING ACT LANDS.

WHEREAS, Taylor Grazing Act lands are managed by the Bureau of Land Management of the United State Department of the Interior; and

WHEREAS, the Bureau of Land Management does not have a federally reserved water right for Taylor Grazing Act lands; and

WHEREAS, water rights on Taylor Grazing Act lands are state-based water rights; and

WHEREAS, most Taylor Grazing Act lands fall within a state or federal grazing district; and

WHEREAS, access to stock water on Taylor Grazing Act lands is critical to the success of ranchers that lease these lands and for the continued viability of eastern Montana agriculture; and

WHEREAS, Montana case law recognizes that an individual can own water rights on federal land; and

WHEREAS, other western states have determined that the federal government cannot own stock water rights.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Legislative Council be requested to designate an appropriate interim committee or statutory committee, pursuant to section 5-5-217, MCA, or direct sufficient staff resources to examine issues related to the administration and exercise of stock water rights on Taylor Grazing Act lands, including evaluations of:

(1) the data and records management system employed by the Department of Natural Resources and Conservation as it relates to claims of water rights filed on Taylor Grazing Act lands;

(2) the amount and type of livestock owned by the federal government and where those are grazed or located in the state;

