

National Park Service
U.S. Department of the Interior

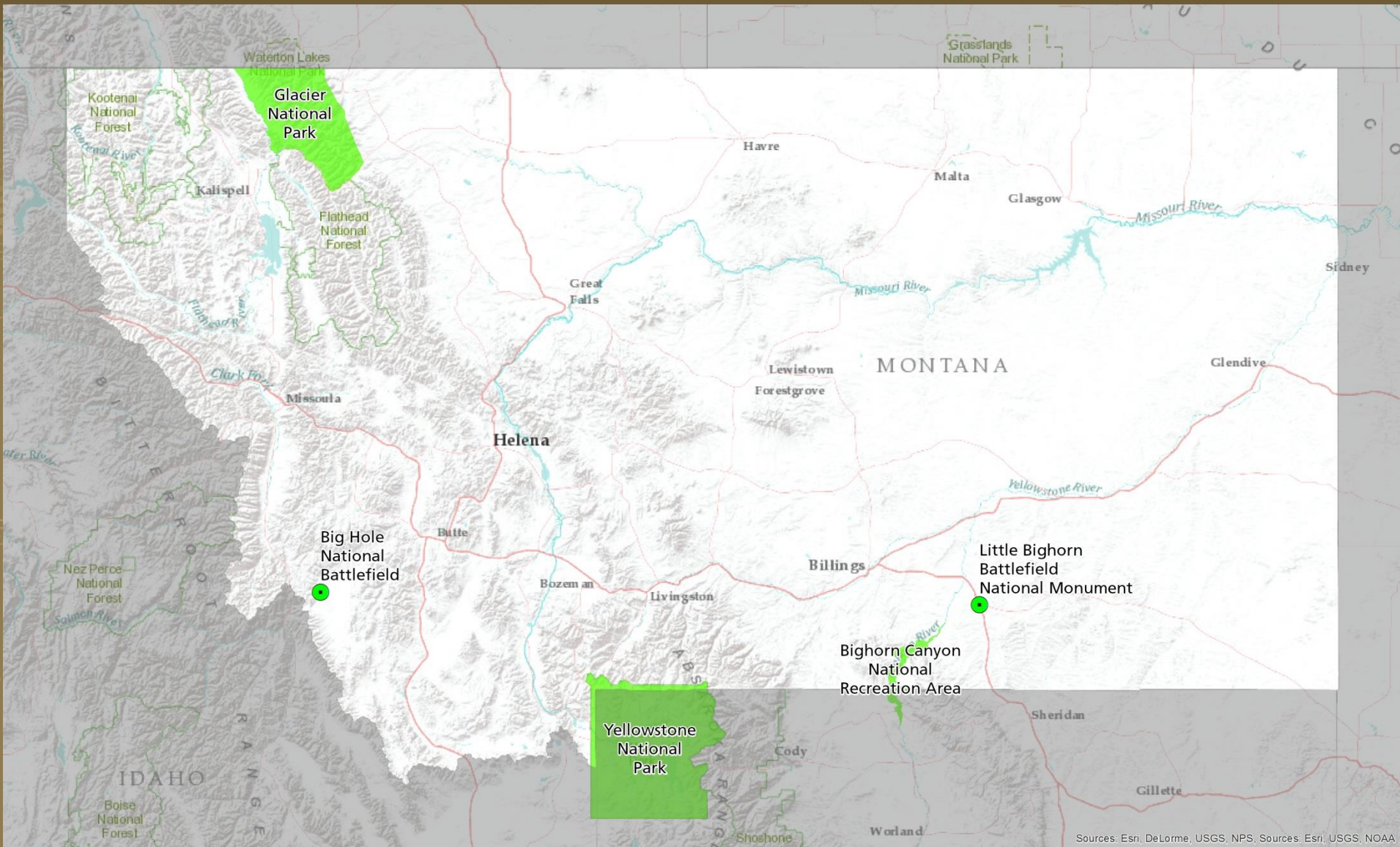


Overview of Montana – NPS Water Rights Compact

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MT – NPS Water Rights Compact

- Effective May 31, 1995
- Settles federal reserved water rights for all time
- Five NPS units in Montana
- Negotiated Settlement
- Includes NPS consumptive and in-situ uses
- Groundwater and surface water



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Background

- Montana Adjudication initiated in 1979
- Reserved Water Rights Compact Commission established in 1979
- NPS filed many claims
- Initial negotiations were not successful
- Restarted in the late 1980s
- NPS claims were generally not controversial

Positive outcomes for NPS

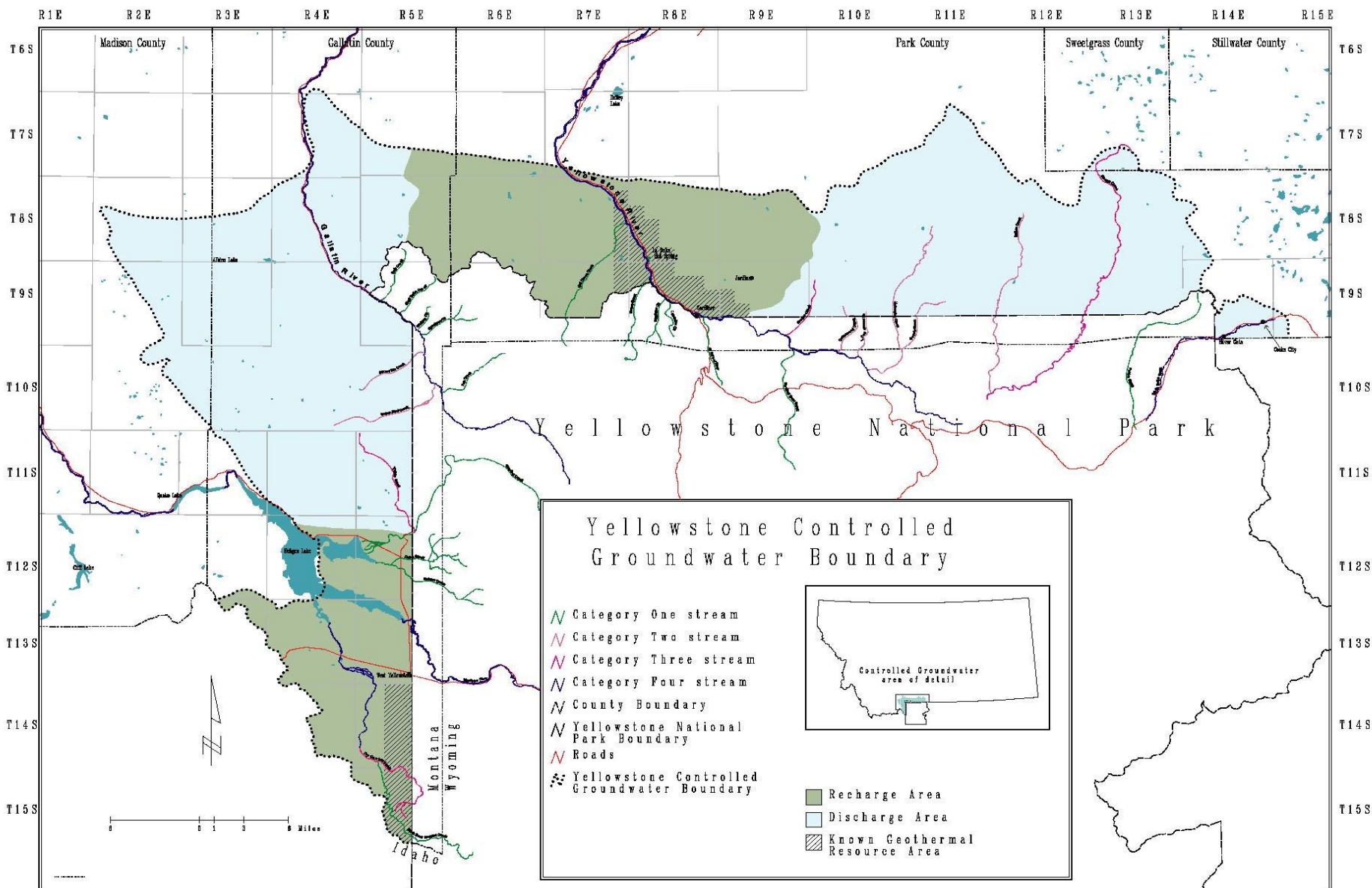
- Protection of park water-related resources
- Secured water supply for visitor use and staff
- Recognition of in-situ rights for streams, lakes, springs, and seeps
- Limits on upstream mainstem impoundments
- Limits on future appropriations
- Procedure to evaluate and object to applications
- Yellowstone Controlled Groundwater Area
- Avoided the uncertainty and costs inherent in protracted litigation

Positive outcomes for Montana

- Quantification of NPS rights
- Existing valid upstream junior uses protected
- Amount of water available for future appropriation
- Limit on NPS consumptive uses
- Administration implemented through state process
- Avoided the uncertainty and costs inherent in protracted litigation

For Yellowstone National Park

- Creation of the Yellowstone Controlled Groundwater Area
 - Goal – No impact to hydrothermal system
 - Boundary established – err on side of protection
 - Management based on science
 - NPS reviews all applications
 - Temperature criteria for development and evaluation
 - Administered by the State
 - Operational funding provided by NPS



Technical Oversight Committee

- Purpose:
 - Review scientific evidence
 - Advise the State on administration of YCGA, including applications of 60°F or more
 - Consult with State on inventory & sampling
 - Recommend boundary modifications
- Consists of five qualified scientists
 - NPS, USGS, DNRC, Montana University system appoint 1 member, these four select one more
- Annual meetings and 5- year reports

Compact – cooperation examples

- NPS and RWRCC cooperated on field work and computations
- Use of State-based researchers and staff to perform studies
- Public meetings in local towns and cities to present proposed Compact concepts
- Annual TOC meetings
- NPS provides annual funding to the state for YCGA
- Annual reports by the State and NPS

Questions?

