

Resolution: 21-04

Resolution to address stock water rights on federal grazing district allotments

Submitted by Valley CD, 2021

WHEREAS, Conservation Districts are legal subdivisions of the State of Montana; and

WHEREAS, the declared policy of the Montana Conservation District Law includes,
". . .to preserve wildlife, protect the tax base, protect public lands and protect and promote the health, safety, and general welfare of the people of the state" (75- 15-102 MCA); and

WHEREAS, the 1972 Montana Constitution mandated the Montana Legislature to redo the confusing and overlapping state controlled, privately held, water rights; and

WHEREAS, the Montana Legislature passed the Montana Water Use Act (Act) in 1973 that dealt primarily with live streams, irrigation and ground water; and

WHEREAS, the Act did not address the stockwater rights on the 1934 Taylor Grazing Act (TGA) authorized Federal Grazing District allotments; and

WHEREAS, this oversight has resulted in considerable confusion and hardship for the allotment holding ranchers to the point the state of Montana is giving the TGA allotment ranchers stockwater rights to the federal government; and

WHEREAS, the TGA allotment holding ranchers are asking the 2023 Montana Legislature to provide relief by passing a bill that addresses these stockwater rights and returns them to their rightful owners;

NOW THEREFORE BE IT RESOLVED, the Montana Association of Conservation Districts (MACD) supports the efforts of the TGA allotment ranchers and encourages the 2023 Montana Legislature to pass a bill that gives the stockwater rights back to the TGA allotment holding ranchers and simplifies the process for filing stockwater rights on these allotments.