**Part 3: GROUNDWATER VITAL TO MONTANA'S ECONOMY**

As explained in Parts 1 and 2, there is an abundance of unused groundwater in Montana. Most of this groundwater is not connected immediately or directly to any surface water.

Montana must sensibly manage our natural resources in order to maintain economic growth in this state. Groundwater development has always been the key to our economic sustainability. The two mainstays of Montana's economy are the traditional agriculture accompanied with the surge of modern home building. Without groundwater these driving forces will quickly diminish or die.

Agriculture has been the core of the economy throughout Montana's history. Most irrigation water historically derived from surface sources, leading to modern contentions over the priority of water rights. In recent years, more ranches have turned to the option of using wells in order to maintain current levels of cultivation as drought conditions, accompanied with in-stream flow efforts, have reduced available surface water. Without the option of wells, Montana's agriculture will inevitably decline. Unfortunately, there is currently a legal effort to draw groundwater into surface water battles.

Even where surface water rights are no longer issued in closed basins, groundwater has always been available. The legislature has allowed for permits for groundwater appropriation in the absence of an "immediate or direct connection" to the surface. Groundwater appropriation should be allowed unless there is an actual adverse quantifiable affect on surface water. As stated in earlier articles, most of Montana's groundwater is found in confined aquifers with only theoretical connection to the surface over vast time periods. Montana has one of the largest natural groundwater reserves in the nation. We cannot ignore its potential and continue to grow our economy. Other Rocky Mountain States with less natural abundance have developed far more. Idaho, for example, uses nearly 20 times the groundwater than Montana. Montana's new economy has been driven by construction and development. Many jobs and small businesses in the state are dependent on a continuation of the recent housing boom. We are fortunate to have vast groundwater resources that have not been utilized. Wells are absolutely critical to the continued building of new homes. Without well use, the construction industry would collapse. Yet, recently proposed DNRC legislation would severely hamper any further well development. It would require augmentation from surface water rights in order to appropriate further groundwater. Only current surface water right holders would have power over future development. Essentially, small ranches with insufficient surface water rights for profitable agriculture would subdivide. New construction would come to a complete halt outside of municipalities, and agriculture would decline in the face of future drought conditions and efforts to maintain in-stream flows.

Montana's economy would suffer tremendously. This is not the result that anyone would favor and derives from misguided environmental protectionism. Groundwater can be utilized in an effective manner without hindering surface flows. The original intent of the Montana Legislature when writing the current law was to allow groundwater appropriation in the absence of an actual demonstrable adverse impact on the surface. The legislature needs to clarify the law to allow the utilization of groundwater unless a

perceived connection to the surface is actually measurable and has an adverse impact on senior surface water rights. Theoretical or potential effect (sometimes centuries in the future) should not be allowed to stop development, as the DNRC has proposed. Montana must strive for a solution that allows for utilization of our massive natural resource. Otherwise we will be catering to out-of-state downstream users and unrealistic environmental protectionists. There is absolutely no reason why Montana's economy cannot continue to grow driven by groundwater. Wells and natural stream flows can coexist. Groundwater is a renewable resource that is not destroyed by use.