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Message from the President

At our last Board of Directors meeting we set the dates for our next workshop. Those dates are October 8 and 9 at the Best Western Great Northern Hotel in Helena. The format will be the same: a half day field trip to Canyon Ferry Dam and then a full day of informative seminars. Some of the topics include concrete repair, dewatering systems, choosing the correct gates for ditches and canals and much more.

We would like to welcome two new Directors. They are Bill Bohmker and Lezlie Kinne. Bill lives in Fort Shaw and is actively involved in the Fort Shaw Irrigation District. Lezlie is from Harrison and has been a water commissioner and manager of the Hollowtop Ranch for many years.

If you have any subject you would to talk about, call, e-mail or write.
Larry

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Wanted! Committee Members!

MADCS has recently created committees to focus on important issues:

Public Relations and Membership. The PR and membership committee will help organize the annual workshop and collect ideas and articles for the newsletters. The committee will also work to improve outreach to dam and canal owners around the state.

Legislative: The legislative committee will keep track of federal and state legislation with a potential impact on dam and canal owners in Montana, and pass this information on to other MADCS members. This committee will also contact local, state and federal representatives on behalf of MADCS on important water and storage issues.

Finance: The finance committee will oversee MADCS's finances, and pursue fund raising opportunities.

Participation in the committees will only require a small amount of involvement.

Please call Larry Draper at (406) 961-1490 or by email at madcs1@gmail.com if you need more information or would like to be involved.

Thank you!

TOP 10 LIST ... Of Reasons For Inspecting Your Dam Every Year

10. **Catch problems, before they become serious** - Dams often show early warning signs that something is wrong.
9. **Liability Protection** – Proof that you are a conscientious dam owner, in case you ever get sued. Don't forget to document your inspection.
8. **Required for High Hazard Dams** - Montana law requires that *dam owners* conduct an annual inspection (most other states require the annual inspection to be done by an *engineer*).
7. **Provides a Long-Term Record** – The inspection is a record of changes to the dam over time. Be sure and take a lot of photographs!
6. **Standard of Care** - Standard of Care is defined as “The degree of prudence that a reasonable person is expected to exercise when caring for something”. For dams, an annual inspection is considered to be the Standard of Care nationwide. This ties into “liability”.
5. **Identify Maintenance Concerns** – Keeping up with annual maintenance will save money and time in the long term (for example: trees are easy to cut when small and the roots can be left in place, while roots of big trees must be removed).
4. **Identify Operational Problems** – Are releases starting to undermine your downstream outlet channel or is excessive use of the spillway causing erosion?
3. **Documentation for your Engineer** – Annual inspection reports help your engineer prepare for a formal five year inspection.
2. **Operate and Lubricate Control Structures** - The annual owner inspection is a great time to check the condition of your control structures (diversion gates, operating and emergency gates, spillway gates and stop-logs).

And the number one reason for inspecting your dam each year:

1. **You will automatically be entered in a drawing for a \$100 gift certificate from your favorite ranch or sporting goods store. Drawing will be held at the next MADCS workshop¹.**

Save The Date! 2008 Annual MADCS WORKSHOP

October 8th - 9th at the Great Northern Hotel, Helena, MT

October 8th (afternoon)

Field trip to Canyon Ferry Dam & surrounding facilities

October 9th (8:00 - 4:30)

Workshop

- *Canal siphon & drop structure design*
- *Considerations when choosing pipe materials*
- *Concrete repair*
- *Recent dam & canal rehabilitations*
- *Legislative water issues*
- *Construction dewatering techniques*
- *And much more*

More information to come!

Water Legislation By Lezlie Kinne, Willow Cr. WUA Dam Operator, Water Commissioner, VP MADCS

The Water Interim Committee met on March 12 and 13 in Helena. The following were many issues that came under discussion:

- The relationship between land use and water resources.
- HOUSE BILL831
- Water Marketing
- Growing communities' doctrine
- HOUSE BILL831 Implementation
- Discussion drafts.

These were full days with opportunities for public comment sprinkled throughout. What I will address here is the drafts that will be coming out of the committee as House Bills. At this time they are numbered and they are for discussion only.

LC5001-A bill for an Act entitled An Act providing that an applicant for an appropriation right in a basin closed to new appropriation is not required to submit a hydrogeologic assessment if the applicant submits a mitigation plan or an aquifer recharge plan that provides for the offset of at least 100 percent of the amount of groundwater withdrawn by the proposed appropriation, regardless of the amount of the net depletion of surface water or adverse affect. As it stands now it is what the DNRC refers to as the "bucket for bucket proposal". This bill has been turned over to the DNRC for refinement and will appear at the April Committee meeting with new language. If you have any questions or are concerned, watch the Montana Legislative web page, www.leg.mt.gov , for a new form of this draft.

LC5002-Notice of Intent to Drill and **LC5006**-Final plat approval Conditional on a Water Right. These are problematic at best and have been given to a working group to review and come back in April with new language.

LC5003-Water Rights Enforcement Division. After discussion and defending of the DNRC enforcement actions, this paper was scrapped and a new line of thought will come forth at the April Meeting. The general thought being that if enforcement works in some drainages there is no need to fix that which is not broken. **This bears watching.**

LC5005-Water Reservations for MDOT compliance with CWA. This will go forward as a House Bill as the MDOT is in need of a less complex process to deal with wetland mitigation.

LC5007-Ground Water Investigation Program. This will come as a House Bill for the funding of a hydrogeologic assessment for the State of Montana. There is a great need in the State of Montana for making wise rules that will govern our water.

LC5008-Resolution of Issue Remarks by the Water Court. The water court was helpful in answering questions regarding the resolution of these remarks and the time frame that they would be resolved.

These issues are all very important to the future water use in the state of Montana. I encourage you to become involved with a letter or an appearance to the committee on any of the above issues as they pertain to you. This is the time when your involvement can make the greater impact and is very helpful during this process. If you, as a private individual, do not make your concerns known the DNRC and special interest groups will. The committee wants to hear from you. They hear from the others all the time. You can make a difference in the outcome of any of these issues.

Go to www.leg.mt.gov.org for internet access on the upcoming agenda and all legislative issues.

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MONTANA ASSOCIATION OF
DAM AND CANAL SYSTEMS

MADCS

Do You Know What Dam This Is?



This photo shows a dam being overtopped in what is believed to be the 1964 flood.

At first glance, it looks like Gibson Dam, but Gibson is much larger. Any ideas?

Please email your thoughts to Larry Draper at mads1@gmail.com or phone him at (406) 961-1490

Photograph taken by Bob Tubbs, Helena Montana

Thanks to our Sustaining Affiliates for their Financial Support of MADCS

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