



August 8, 2025

Amanda Kaster, Director  
ATTN: Jamie Price  
Rules Coordinator  
Montana Department of Natural Resources  
1539 Eleventh Avenue  
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Helena, MT 59620

Director Kaster,

The Montana Water Well Drillers' Association appreciates the opportunity to participate in the DNRC rule making process. Please accept these written suggestions to the proposed ARM related to water right permitting.

The primary concern of the MWWDA is the newly added definition of "aquifer system" and the subsequent change to the definition of "source aquifer". We do not believe that there were any legislative changes that would initiate or justify the changes to these definitions. If the Department's goal is to provide clarity, the new definition is ambiguous and does not accomplish this goal.

Although not addressing the concern that there is no legislative authority for this change, if the Department chooses to use the cited authorizing statutes to provide clarity, we suggest that you change the language to clearer definition, and one that is commonly used in other jurisdictions. We offer the National Groundwater Association Compendium of Hydrogeology definition:

*"Aquifer System – One or more aquifers, either continuous or connected through leakage, considered integrated at the scale of interest."*

Our second concern with the rules package is related to the processing of Department forms. The change to the definition of Form 602, taken in conjunction with New Rule 2, makes is unclear as to whether New Rule 2 applies to the 602 Form or not. If the Department intended New Rule 2 to apply to the 602 Form, we have concerns about how (5) would be implemented.

As you are aware, there have been a number of reiterations to the 602 Form over the years and older forms may not include all of the information that the Department is now requesting. The ownership of the well has likely changed since the original filing and the driller may no longer be in business, making it extremely difficult for a new owner to obtain the information on an older well.

We ask that if it is not the Department's intent to include 602 Forms under New Rule 2, that this be clarified in the language of the rule.

MWWDA board has asked that I also express our concerns about the fee associated with the 602I, Notice of Intent to Appropriate Groundwater. Although we understand that the legislature directed the Department to cover the cost of the new program with fees, this will create 160% increase from the current cost. We do not have a recommendation on how the Department can complete the new review process without increased FTE, we simply want the Department to be aware that the customers are likely to experience, and express, sticker shock.

Thank you for the opportunity to offer our comments on the proposed DNRC rules package. It is our hope that our comments were constructive and helpful to the process of administering water in Montana.

Sincerely,

*Ronda*

Ronda Wiggers

**Ronda Wiggers Consulting**

**On behalf of the Montana Water Well Drillers' Association**

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