

Final Decree Sub working Group Actions from August 2023

New name “water division court/Water Court

- Division Courts
- Water Division Courts
- ?

Background information for the SWG

1. SB 72
 - a. Senate passed version ([SB0072.4- Gillespie Amendment](#))
 - b. Amendments ([LAWS Detailed Bill Information Page \(mt.gov\)](#))
2. SB72 testimony
 - a. Hearing ([LAWS Detailed Bill Information Page \(mt.gov\)](#))
3. Legal analyses
 - a. Legality of the water court/ specialized court
 - i. LG memo *new (PPT) and Memo
 - b. McCarran amendment
 - i. LG memo *new ([PPT](#)) & handout
4. Navigating the legislation ([Navigating SB72.docx](#))
5. Other?

SB72 Judiciary

1. Applicable statutes ([Navigating SB72.docx](#))
2. Lessons learned/concerns and what worked ([Lessons Learned.docx](#))
3. What is the problem that the change is trying to solve in 2022 SWG?
 - a. Identify major policy questions, clean-up, or statute coordination
 - b. Identify terms and topics that need further clarification or questions that need to be answered ([FDT- questions and next steps.docx](#))
4. Is this changes still necessary for 2023 SWG?
5. Sub-working group recommendations on next steps ([FDT- questions and next steps.docx](#))
 - a. If the work is being done in another venue and how long it will take
 - b. How to approach effective dates/termination dates on transition recommendations, new statute.
6. Can you create a visual of current law, SB72, new SWG recommendations?
 - a. E.g., pre/post final decree with and without the legislation

SB 72 Provisional permits and changes

1. Applicable statutes ([Navigating SB72.docx](#))
2. Lessons learned/concerns and what worked ([Lessons Learned.docx](#))
3. What is the problem that the change is trying to solve in 2022 SWG?
 - a. Identify major policy questions, clean-up, or statute coordination

- b. Identify terms and topics that need further clarification or questions that need to be answered ([FDT- questions and next steps.docx](#))
- 4. Is this changes still necessary for 2023 SWG?
- 5. Sub-working group recommendations on next steps ([FDT- questions and next steps.docx](#))
 - a. If the work is being done in another venue and how long it will take
 - b. How to approach effective dates/termination dates on transition recommendations, new statute.
- 6. Can you create a visual of current law, SB72, new SWG recommendations?
 - a. E.g., provisional permits and changes with Final decree

Commissioners and local control

- 1. Applicable statutes ([Navigating SB72.docx](#))
- 2. Lessons learned/concerns and what worked ([Lessons Learned.docx](#))
- 3. What is the problem that the change is trying to solve in 2022 SWG?
 - a. Identify major policy questions, clean-up, or statute coordination
 - b. Identify terms and topics that need further clarification or questions that need to be answered ([FDT- questions and next steps.docx](#))
- 4. Is this changes still necessary for 2023 SWG?
- 5. Sub-working group recommendations on next steps ([FDT- questions and next steps.docx](#))
 - a. If the work is being done in another venue and how long it will take
 - b. How to approach effective dates/termination dates on transition recommendations, new statute.
- 6. Can you create a visual of current law, SB72, new SWG recommendations?
 - a. E.g., enforcement when a basin vs the state is under final decree