



# AGAI Ripple

Association of Gallatin  
Agricultural Irrigators

October 2007

## Fall Update

### A Word from Walt

Well it looks like we made it through another summer, but was there any question? The question may be how will we make it through? I know that it's not ours to know the future and we shouldn't worry about it, but we are human, and well.....we made it. We were blessed again to live in a watershed that kept providing water even though the snow pack came out in early spring; temps were at record highs and on and on the story goes. Thank you.

Many thanks go out to you, the users that gave water back to the River, keeping the flows moving. This has been something that many people have worked on over the years and has been invaluable to the Valley. I have heard over and over that the Gallatin users are the example to copy. Your working together with each other has not gone unnoticed.

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**Check out AGAI's new website! [AGAIMT.com](http://AGAIMT.com)**

### Upcoming Events

## AGAI's Annual Membership Meeting

**Wednesday, November 21, 2007 @ 7pm at the**

**Amsterdam Churchill Bank at 7175 Churchill Road.**

Election of Directors / Committee Reports / Water Commissioner Update /

Local & State Update / Outlook for 2007 / Q&A

### Autumn Water Meeting

Sponsored by Judge Holly Brown and Judge Bruce Lobel, the meeting is scheduled for Nov 8th from 7-9 pm at the County Courthouse Community Room. Senator Perry & Representative Cohenour, members of the Water Policy Interim Committee, will be giving an update on their work.

### Montana Association of Conservation Districts Meeting

The meeting will be held on November 14 & 15, at the Holiday Inn in Bozeman. Topics include: water quality & quantity, noxious weeds, small acreages, etc. Contact the 406-443-5711 for more information.

### AGAI's Mission

The mission of the Association is to be the guardian and advocate of the Gallatin River system and its historically decreed water rights.

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### AGAI Directors

Walt Sales, President  
Al Lien, Vice President  
Spencer Smith, Treasurer  
Jennifer Mohler, Sec.  
Mick Seeburg  
Nick Schutter  
Susan Duncan  
Alan English  
Patrick Underwood  
Dan Triemstra

**AGAIMT.com**

## A Word from Walt *Continued from page 1*

As you read through this newsletter, you will see that your AGAI board work has been noticed also. Many members brought up projects from their committees and put them out into the public. We have done more this year in educating the public on water issues than in the years past. This resulted in continued meetings to discuss impacts of land/water use changes with various interests. This is a better approach than sticking your head in the sand (which is getting easier to find) and letting those changes occur without your input.

We are getting close to another annual meeting, and I always enjoy being able to share our work and receive feedback from our membership. This coming year it will be important that we, as water users, stay involved with the many changes that are taking place. I only hope that we can stay as active and effective as we have been in the past. With your support and guidance we will move ahead and continue working for you, as “guardians and advocates” of the Gallatin water users.

Please feel free to call me or one of the other board members with any concerns or ideas you may have.  
Walt Sales

## AGAIMT.com

The AGAI web page is up and running on the internet. The site may be accessed at [www.AGAIMT.com](http://www.AGAIMT.com). The web page is being developed to provide a source of information for water users and other individuals looking for answers to questions about irrigation and related data. The web page is currently running on the internet and new sections will be added over the next few months. Thanks to the efforts of Joe Evert, who set up the web site, this project was able to be on line this soon.

Currently contained on the site is basic information about AGAI, photographs of rivers systems, a glossary, membership information, and newsletters. As development continues, new sections will include frequently asked questions, a mapping system with a key to canals/ditches in the valley, and current river commissioner update. The mapping system is envisioned to provide not only location of irrigation systems, but to also serve as a source of contacts and basic information related to each canal or ditch. Additionally, the site will contain a section where the river commissioner can provide the latest information on river levels and river cut back dates.

The site provides a direct link for individuals to contact AGAI. Comments on the site or ideas for other sections that might be added are welcome and can be submitted on the web page.

## **Visit the web page [AGAIMT.COM](http://AGAIMT.COM)**

**A big thank you goes out to Thanks to the efforts of Dick DeBernardis and Joe Everet in getting the site up and looking great!**

## Legal Committee Update from Mick Seeburg

AGAI's legal affairs committee has remained as busy as ever over the summer. AGAI has attended the legislature's water policy committee meetings in Dillon, Bozeman, and Choteau. Members of the committee have given speeches regarding senior rights at four different conferences throughout the state as well as attended meetings concerning gravel pit mining in various locations throughout the county. The committee has spoken with irrigators from other counties seeking to follow AGAI's model by creating their own association of senior irrigators. Discussions with the DNRC are an on going activity of the committee as the agency publishes its administrative rules for implementation of HB 831.

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## Legal Committee Update *Continued from page 2*

We are talking with the district court about the need for the new administrator of the court, Ms. Bradley is retiring, to have an understanding of the water issues the court faces. The entire board has twice reviewed the work on the subdivision regulations for Gallatin county's agricultural water and infrastructure and expect the county commissioners to approve them in the next month. *Submitted by Mick Seeburg*

## Community News from Al Lien

As the building of residential and commercial enterprises slowly (and sometimes not so slowly) advances across the country, outward from the established municipalities, encroachment on the irrigation infrastructure is taking place. In the past, during the middle of winter or when ditches were dry, actions have been taken to fill in, move, or abandon ditches. These irrigation ditches were put in the right place originally to deliver water to a specific area, and these actions are not in the best interests of developers or irrigators. To assist water users and protect the irrigation infrastructure, AGAI has been working with Greg Sullivan, Director of Gallatin County Planning Department, and staff to bring awareness to the forefront in the preliminary plat regulations. The goal is to identify and resolve potential concerns between the water user, or a ditch or canal company, and the developers. That way, all issues will be addressed or resolved before any construction is started. We are scheduled to have these water delivery regulations in a final form with the County Planning Department by the end of the year.

The next step is for AGAI to work with the City of Bozeman and Belgrade's Planning Departments, anticipating they will incorporate the same or similar regulations. AGAI recognizes the importance of working with both city and county departments, as two irrigation canal companies terminate or pass through the Bozeman City limits, and another ditch terminates near the city limits.

Shareholders, water users, irrigators, AGAI members, and non-members that maybe involved are encouraged to participate. AGAI encourages its members to get involved, read the planning regulations, and participate in preserving the irrigation infrastructure. As land use and water use change, new or additional regulation will help ensure that these changes occur smoothly.

## West Gallatin Water Commissioner Update

As I write this it is raining outside, but that means we are getting some nice fall moisture. The Highline and Lowline both have water flowing and those farmers who want to irrigate are doing so. All in all it was a good year, although I broke some of the records established during my three year tenure as commissioner. I started about two weeks earlier than normal and cut further than I have before. Part of the reason for my early start was to thoroughly assess the river levels so that when the first cut was necessary I had a good idea of what was going on. That helped a lot and I think the first cut may have been delayed a little because of it.

I made the first cut on July 2 and went on from there. The last cut was made on September 4 which was 1/3 of the 1882 water. Soon after we got some rain and I could begin giving water back. Last winter we had record low snow pack and this summer we had record high temperatures, and still the good old Gallatin River hung in there.

As in past years, everyone cooperated really well which made my job much easier as well as making water available for a longer period of time. I thank everyone for working together and helping each other out, and I'm not just saying that. It really happened and it made a difference.

Thanks again. George Alberda

## Keeping the Gallatin Green and Growing ~ Coordinating Water Supply and Development in the Gallatin Valley Tour

Irrigators have become aware that real estate developers can not recognize an irrigation ditch when they see one, do not understand that ditches have maintenance easements, and have no idea where to find out what ditch company will be impacted by their development.

Consequently, on July 31<sup>st</sup>, Al Lien and Susan Duncan (AGAI Board members) narrated a bus tour: "Keeping the Gallatin Green and Growing – Coordinating Water Supply and Development in the Gallatin Valley. Over 40 planners, real estate developers and engineers from the throughout the Gallatin Valley attended. The tour featured the West Gallatin Canal infrastructure – ditches and headgate – and ended with a buffet lunch and panel discussion at Kountry Korner Café at Four Corners.

Key points covered in the tour:

- 1) Each ditch company is a small utility. Many of the ditch companies on the West Gallatin are over 100 years old.
- 2) Is the water on the property a stream or an irrigation ditch? If it's an irrigation ditch, it has an easement on it for maintenance.
- 3) Water claimed by irrigators is measured at the headgate and allocated by the Water Commissioner, according to the direction of the 18<sup>th</sup> District Court. Any removal of water after the headgate by persons without a water right constitutes theft.
- 4) All the water in the West Gallatin River is appropriated for beneficial uses. Water remains instream in late summer because irrigators choose to take less than their rightful share.

The water budget for Gallatin Valley shows that streamflow and rainfall are roughly equal in quantity and water use in the valley is approaching 100% of the total water available.

New development has to overlay this 100-year-old pattern of legally mandated use. We have to find ways for ag and development to share the water available so that all can prosper. In the panel discussion at lunch, presenters from County Planning, DNRC, the local Water Quality District, and AGAI's Dave Weaver talked about ways to coordinate water use issues at the preliminary plat stage. The tour has already sparked interest from the Gallatin Association of Realtors about how to research ditches and easements on properties. The planning department is drafting regulations to insist that developers contact ditch companies and that ditches show as easements on plats.

The tour was a joint venture by AGAI, the Watershed Council, the local Water Quality District, and the Conservation District. First Interstate Bank sponsored the buffet lunch. *Submitted by Susan Duncan*

### **One last reminder!**

## **AGAI's Annual Membership Meeting**

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**at the Amsterdam Churchill Bank at 7175 Churchill Road.**

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Don't forget...



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