



AN ACT PROVIDING POLICY CONSIDERATIONS FOR MEASURING STREAMFLOW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1. Policy considerations.** (1) Article IX, section 3(3), of the Montana constitution declares that all surface, underground, flood, and atmospheric waters within the boundaries of the state are the property of the state for the use of its people and are subject to appropriation for beneficial uses as provided by law.

(2) The legal appropriation of water requires that the water be legally and physically available for appropriation.

(3) The measurement and monitoring of streamflow supports the state's ability to determine when water is physically and legally available to meet new demands while protecting existing water rights.

(4) The effective management and distribution of water depends on an accurate, real-time measurement of streamflow.

**Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 85, chapter 2, part 1, and the provisions of Title 85, chapter 2, part 1, apply to [section 1].

- END -

I hereby certify that the within bill,  
SB 61, originated in the Senate.

---

Secretary of the Senate

---

President of the Senate

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2025.

---

Speaker of the House

Signed this \_\_\_\_\_ day  
of \_\_\_\_\_, 2025.

SENATE BILL NO. 61

INTRODUCED BY B. GILLESPIE

BY REQUEST OF THE WATER POLICY INTERIM COMMITTEE

AN ACT PROVIDING POLICY CONSIDERATIONS FOR MEASURING STREAMFLOW.