Montana Clean Water Stands Our Ground

The recent press statements of Dry-Redwater Authority do not address the concerns of the Highway 200 community. In response to the May 7 article, “DRWA Addresses Allegations Made by Montana Clean Water,” we stand by our statements and invite the community to consider the evidence.

How can Dry-Redwater Authority (DRWA) claim there is a pressing need for clean drinking water in the same area that their partner, the Department of Natural Resources and Conservation (DNRC), is pushing to permit 75 million gallons a year of high-quality groundwater for fracking? The DRWA describes the SchMart Estates on Highway 200 as “having languished without a water source.” The SchMart Estates are 0.5 miles from the wells that DNRC claims can produce 75 million gallons of groundwater, year-round, in 100% consumptive use for water marketing. (DNRC Preliminary Determination to Grant, Permit No. 42M 30163320). A sufficient explanation for this contradiction, although known to both government entities, has gone unanswered.

DRWA’s website states, “DNRC has worked with DRWA to secure administrative, planning, and construction funding.” According to the 2025 Legislative Financial Division Budget Analysis, DRWA must show a clear need for government water utilities to justify use of taxpayer funding for their projects. Montana Clean Water questions why, if Highway 200 residents have a dire need to purchase government water, would the government approve a 75 million gallon yearly extraction from same area? DRWA’s issuing of defamatory statements and legal threats against Montana Clean Water does not alleviate our concern that adverse impacts to Highway 200 resident’s wells - caused by commercial pumping - would conveniently incentivize residents to purchase DRWA water.

Montana Clean Water asks: why is permitting 75 million gallons of Highway 200 groundwater for fracking so important?

To answer this question, Montana Clean Water has met with DNRC Director Kaster, Administrator Pakenham-Stevenson and Water Rights Bureau Chief Ward; the DEQ Director Nowakowski; the Richland County Commissioners Mitchell, Young, and Gorder; Governor Gianforte’s Director of Economic Development, Mark Blasdel; and called DRWA Administrator Mandi Nay to express our concerns about the DNRC’s modeling of the Highway 200 aquifer and the apparent conflict of interest between government partners.

Government representatives uniformly denied or deflected responsibility. Blasdel did not comment. DNRC Administrator Pakenham-Stevenson told us that "our hands are tied." (Helena, March 21, 2025)

We have also met with Glasgow Regional Director Yang, who stated that the DNRC will continue to permit groundwater for fracking “until there isn’t one drop left.”

It is up to Montana’s farmers and ranchers to decide whether permitting groundwater “until there isn’t one drop left” would “harm, threaten or diminish” their rights.

The DNRC application modeled that the applicant’s wells “would experience a predicted total drawdown of 30.7, 54.3, and 40.5 ft. respectively” at the end of the first year. “The remaining available water column for Well #1, Well #2, and Well #3 is 17.8, 0.3, and 18.1 ft…”(DNRC Draft Preliminary Determination to Grant, Permit No 42M 30163320, Pg. 19). How much further will these wells draw down in the second year of pumping?

Elected officials and government bureaucrats will permit an aquifer away until there isn’t one drop left. Why?

Since its creation in 2005, DRWA has not qualified for federal funding because the cost outweighs the benefits. The DNRC prioritizes project funding based on several criteria, with the “top three” being:

1. Need - Is there an “urgent need for the construction?”

2. Feasibility – “Can the project move forward this biennium?” (Over the next two years.)

3. Cost & Funding – “Is the project affordable, dependent on federal and state funds, and is the community prepared to pay their share?” (MCEP, Montana Legislative Financial Division Budget Analysis, 2025 Biennium, pg. F-23.)

According to their February 2025 meeting minutes, DRWA’s Highway 200 project includes a total of 64 connections. 29 belong to the Schmart Estates subdivision, with two unoccupied homes and 27 vacant lots.

DRWA is requesting $8,200,000 of “DNRC and Richland County ARPA funding” for its 2025 Highway 200 West project. The timeline is urgent: ARPA funds must be granted and spent by December 31, 2025, as tracked by a countdown clock on the DNRC Website. arpa-mtdnrc.hub.arcgis.com.

DRWA’s four-county project will ultimately cost taxpayers $891,957,210.33 (2026 dollars) for a speculative 4,403 connections. Approximately 440 of those connections would be pasture taps. Further, this total number includes towns, such as Richey, which will not receive updated infrastructure from the DRWA –instead, DRWA will build holding tanks to replace the town’s well and reverse osmosis systems. (DRWA 2023 Predesign Report, pgs. 3, 19, 153.)

DRWA Administrator Mandi Nay has called for facts, truth, and transparency. Montana Clean Water agrees that transparency is vital to establishing community trust; therefore, with the help of legal counsel, we have made Freedom of Information Act (FOIA) requests for government documentation and communications - including grant or loan funding from the Richland County Commissioners, the Department of Natural Resources and Conservation (DNRC), and the Bureau of Reclamation (BOR), as well as involvement with the DRWA from 2020-present. The DNRC alone has 2,380 items for this period.

While DRWA claims there are “no backroom deals, no special treatment, no collusion” between the DNRC and Richland County, both have supported DRWA with millions of taxpayer funds. Currently, DNRC funds DRWA’s administrative costs, building costs, and reports. DNRC Grant Administrator Rick Duncan stated that the State of Montana would likely get credit from the Bureau of Reclamation for DRWA project segment expenditures.

Richland County has funded and gifted DRWA’s projects: “ The Sidney South Extension was Dry-Redwater’s first extension, and was designed and constructed by Richland County and gifted to DRWA. “ (DRWA Meeting Minutes, July 2024) Furthermore, as an advantageous coincidence, “The Richland County Commissioners have agreed to allow users to apply DRWA connection fees to property taxes, paying it off over a period of twenty years at 3.5%.”(DRWA User Agreement, February 2025)

DRWA’s website states: “DRWA is working hard to make its Highway 200 West extension a reality” and “DRWA is planning its Culbertson Lambert Fairview line, which will provide water to the communities of Lambert and Fairview, as well as nearly 800 rural users in between.” To Montana Clean Water, it appears that the DNRC and Richland County are also working to make the Highway 200 West extension a reality. DRWA’s 2023 Predesign Report, funded by the DNRC, claims that “8 out of 10 homes will connect (pg. 44).”

A complete and detailed financial audit is due, and is the only means to assuage what the DRWA calls “public distrust and fear about water access and change.” (Cease and Desist Letter, from DRWA to MCW, April 30, 2025)

Many Highway 200 residents do not need or want to be forced into paying for expensive, chlorinated water monitored by Smart Meters – which upload resident’s water usage information 96 times every day and “automatically link with DRWA’s billing software.” (PDR 2023, pgs. 115-119) We want our wells, water rights, property values, and environment thoughtfully respected and maintained by our government, as elected officials and appointed bureaucrats are invested by the power of the people to do so. DRWA administrator claims that Montana Clean Water is "dangerously misleading." We ask DRWA: Dangerous to what? Misleading to whom?"

Montana Clean Water is a community organization that works to protect clean water for agricultural and residential needs, and seeks to bring awareness about industries and practices which may affect water quality and availability.

Montana Clean Water Team