

HOUSE JOINT RESOLUTION NO. 48

INTRODUCED BY DAY

BY REQUEST OF SELECT WATER COMMITTEE

IN THE HOUSE

February 19, 1979	Introduced and referred to Select Committee on Water.
February 20, 1979	Committee recommend bill do pass. Report adopted.
February 22, 1979	Second reading, do pass.
February 23, 1979	Considered correctly engrossed.
	Third reading, passed. Transmitted to second house.

IN THE SENATE

February 23, 1979	Introduced and referred to Committee on Agriculture, Livestock, and Irrigation.
March 10, 1979	Committee recommend bill be concurred in. Report adopted.
March 13, 1979	Second reading, concurred in.
March 16, 1979	Third reading, concurred in.

IN THE HOUSE

March 17, 1979	Returned from second house. Concurred in. Sent to enrolling.
	Reported correctly enrolled.

1 House JOINT RESOLUTION NO. 48
2 INTRODUCED BY Day By Request of Select Water
3 Committee

4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
5 REPRESENTATIVES OF THE STATE OF MONTANA TO ENCOURAGE
6 SIGNATORY STATES OF THE YELLOWSTONE RIVER COMPACT TO ABIDE
7 BY THE PROVISIONS OF THE COMPACT AND TO LIMIT WATER
8 DIVERSIONS TO THOSE AUTHORIZED IN MANNER AND AMOUNT BY THE
9 COMPACT AND TO PERMIT WATER DIVERSIONS ONLY CONSISTENT WITH
10 THE PROVISIONS OF THE COMPACT.

12 WHEREAS, on December 8, 1950, the states of Montana,
13 Wyoming, and North Dakota, being moved by consideration of
14 interstate comity and desiring to remove present and future
15 controversies between the states respecting waters in the
16 Yellowstone River Basin and designed further to provide an
17 equitable division and apportionment of the waters of the
18 Yellowstone River Basin and recognizing the great importance
19 of water for irrigation in the signatory states, did enter
20 into the Yellowstone River Compact; Section 85-20-101, et
21 seq., MCA, which Yellowstone River Compact was thereafter
22 federally approved by the Congress of the United States; and

23 WHEREAS, the Yellowstone River Compact has governed
24 water use in the Compact states of Montana, Wyoming, and
25 North Dakota and has promoted cooperation between the

1 states, has encouraged water conservation and development
2 between the states, and has averted costly and
3 time-consuming litigation between the states; and
4 WHEREAS, recent actions by various legislatures of the
5 Compact states permitting diversions of Yellowstone River
6 Basin water in methods inconsistent with the Yellowstone
7 River Compact have been introduced and are now under
8 consideration and may be approved by such legislatures; and
9 WHEREAS, these actions threaten the harmonious
10 cooperation between the states, threaten the purposes of the
11 Yellowstone River Compact, and threaten to involve the
12 states in prolonged and expensive litigation before the
13 United States Supreme Court or in other courts of competent
14 jurisdiction involving the application of the Yellowstone
15 River Compact, its provisions, and the legality of the
16 proposed diversions; and
17 WHEREAS, such consequences can only result in actions
18 adverse to the water users within the Compact states and
19 adverse to the interests of the Compact states and to the
20 continued cooperative relationship between the states.
21
22 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE
23 OF REPRESENTATIVES OF THE STATE OF MONTANA:
24
25 That the Legislature urges and requests the signatory
states of the Yellowstone River Compact to abide by the

1 provisions of the Yellowstone River Compact and to limit
2 water diversions to those authorized in manner and amount by
3 the Compact and to permit water diversions only consistent
4 with the provisions of such Compact.

5 BE IT FURTHER RESOLVED, that copies of this resolution
6 be sent to the Governor of Wyoming and to the President of
7 the Senate and Speaker of the House of the Wyoming
8 Legislature, to the Governor of North Dakota and the
9 President of the Senate and Speaker of the House of the
10 North Dakota Legislature, and be further brought to the
11 attention of appropriate members of the Montana
12 Congressional Delegation and the appropriate congressional
13 and executive branch leaders.

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