

Senate Bill 254

In The Senate

January 23, 1981	Introduced and referred to Committee on Agriculture, Livestock and Irrigation.
February 17, 1981	Committee recommend bill do not pass as amended.
February 18, 1981	On motion Senate reconsider its action taken on Adverse Committee Report. Motion failed.

1 *Sen. Bill No. 254*  
 2 INTRODUCED BY *Don Hoffmann, Pat Briggs*  
 3 *C. Smith, Conroy, Graham, Olson*

4 A BILL FOR AN ACT ENTITLED: "AN ACT GRANTING CONSENT OF THE  
 5 STATE OF MONTANA FOR THE INTERBASIN AND INTERSTATE TRANSFER  
 6 OF CERTAIN WATERS OF THE YELLOWSTONE RIVER BY INTAKE WATER  
 7 COMPANY IN ACCORDANCE WITH SECTIONS 85-1-121 AND 85-20-101  
 8 (ARTICLE X OF THE YELLOWSTONE RIVER COMPACT), MCA,  
 9 SPECIFYING USE, AMOUNTS, AND CONDITIONS OF TRANSFER."

10  
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Consent to diversion. The state of Montana  
 13 hereby grants consent to Intake Water Company, pursuant to  
 14 Article X of 85-20-101 and subject to [section 4], to divert  
 15 from the Yellowstone River Basin to the Little Missouri  
 16 River Basin 14,000 acre-feet a year of the waters of the  
 17 Yellowstone River from Intake's appropriation of June 8,  
 18 1973, for the permitted uses by the customers of Intake  
 19 Water Company.

20 Section 2. Permitted uses. Of the 14,000 acre-feet a  
 21 year of the waters specified in [section 1], 12,000  
 22 acre-feet a year shall be used for the following beneficial  
 23 purposes:

24 (1) 10,000 acre-feet a year for industrial uses within  
 25 the state of Montana;

1 (2) 2,000 acre-feet a year for municipal and domestic  
 2 uses within the state of Montana;

3 (3) waters not used for industrial, municipal, or  
 4 domestic uses pursuant to subsections (1) and (2) may be  
 5 used for agricultural uses within the state of Montana.

6 Section 3. Permission for use in North Dakota --  
 7 permitted use. Of the 14,000 acre-feet specified in [section  
 8 1], the state of Montana hereby grants permission to Intake  
 9 Water Company, in accordance with 85-1-121, to divert 2,000  
 10 acre-feet a year of the waters of the Yellowstone River from  
 11 its appropriation for ultimate use by the customers of  
 12 Intake Water Company in the state of North Dakota for  
 13 municipal and domestic purposes.

14 Section 4. Conditions of consent and permission. The  
 15 consents given under [sections 1 and 2] are conditioned upon  
 16 the issuance of the appropriate permits under the Montana  
 17 Major Facility Siting Act, Title 75, chapter 20, with  
 18 respect to any facility or associated facility to be  
 19 constructed that will use all or any portion of the water of  
 20 the Yellowstone River so diverted by Intake Water Company.

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