

HOUSE BILL NO. 914

INTRODUCED BY ASAY, SPARTH, WILLIAMS, YARDLEY,
SAUNDERS, ADDY, ELLISON, HAGER, IVERSON

IN THE HOUSE

March 17, 1983	Introduced and referred to Committee on Natural Resources.
March 23, 1983	Committee recommend bill do pass as amended. Report adopted.
March 24, 1983	Bill printed and placed on members' desks.
March 25, 1983	On motion, taken from printing and referred to Committee on Appropriations.
March 28, 1983	Committee recommend bill do pass as amended. Report adopted.
	Bill printed and placed on members' desks.
	Second reading, do pass.
	Third reading, passed. Transmitted to Senate.

IN THE SENATE

April 5, 1983	Introduced and referred to Committee on Finance and Claims.
April 14, 1983	Committee recommend bill be concurrred in as amended. Report adopted.
	Second reading, concurrred in.
April 15, 1983	Third reading, concurrred in. Ayes, 48; Noes, 0.

IN THE HOUSE

April 16, 1983

**Returned to House with
amendments.**

April 18, 1983

**Second reading, amendments
concurred in.**

**Third reading, amendments
concurred in.**

Sent to enrolling.

Reported correctly enrolled.

1 *House* BILL NO. *914*
 2 INTRODUCED BY *Asay, Spaxel, Williams, Gardley*
 3 *Saunders, Kelly, Ellison, Hager, Sherman*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE FOR ANALYSIS
 5 OF THE POTENTIAL FOR A JOINT WATER DEVELOPMENT PROJECT
 6 BETWEEN MONTANA AND WYOMING ON THE CLARKS FORK OF THE
 7 YELLOWSTONE RIVER; AND TO APPROPRIATE MONEY FOR THE
 8 ASSESSMENT."

9
 10 WHEREAS, the Clarks Fork River is an interstate
 11 tributary of the Yellowstone River in South Central Montana
 12 that flows from its headwaters in Wyoming through an
 13 agricultural basin in Carbon County, Montana, to its
 14 confluence with the Yellowstone River; and

15 WHEREAS, present and future agricultural, municipal,
 16 and mineral development in the Clarks Fork River basin
 17 depends on a firm supply of water, and mainstream reservoirs
 18 would help to alleviate water shortages that have occurred
 19 in recent years; and

20 WHEREAS, there are no cost-effective reservoir sites in
 21 the Clarks Fork River basin of Montana but several reservoir
 22 sites are presently being considered for development in the
 23 Clarks Fork River basin in the State of Wyoming; and

24 WHEREAS, the apportionment of water of the Clarks Fork
 25 River between the State of Montana and the State of Wyoming

1 is governed by the Yellowstone River Compact, but the amount
 2 of water allocated to each state under the compact has never
 3 been quantified, and an effective method of compact
 4 administration has never been established; and

5 WHEREAS, the threat of overuse of the Clarks Fork River
 6 water by the State of Wyoming and the possible impact of
 7 overuse upon water users in Montana make it imperative that
 8 Montana delineate its rights under the terms of the
 9 Yellowstone River Compact and assess the feasibility of a
 10 joint storage project with the State of Wyoming.

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

13 Section 1. Duties of department. The Department of
 14 Natural Resources and Conservation shall, prior to January
 15 1, 1935, collect all relevant data, build hydrologic
 16 computer simulation models, and conduct any necessary water
 17 availability studies to determine Montana's and Wyoming's
 18 allocable share of Clarks Fork River water under the terms
 19 of the Yellowstone River Compact.

20 Section 2. Legislative committee. There is created a
 21 committee of two legislators from South Central Montana, one
 22 selected by the Speaker of the House and one selected by the
 23 President of the Senate, to provide advice to the Department
 24 of Natural Resources and Conservation in carrying out its
 25 duties under section 1 and, in close cooperation with

1 representatives of the department, to conduct discussions
2 with State of Wyoming officials regarding the feasibility of
3 one or more joint reservoir projects in the State of Wyoming
4 that would mutually satisfy the present and future needs of
5 both states. The department shall pay the expenses of the
6 committee members in accordance with 5-2-302 from the funds
7 appropriated in section 3. The committee and the
8 department, together with representatives of the State of
9 Wyoming, shall, if feasible, formulate a plan to provide a
10 basis for a joint state appraisal study.

11 Section 3. Appropriation. There is appropriated from
12 the resource indemnity trust account provided for in
13 15-38-201 [or the renewable resources development account
14 provided for in 90-2-102] to the Department of Natural
15 Resources and Conservation for the biennium ending July 30,
16 1985, \$20,700 for the purposes of implementing sections 1
17 and 2.

-End-

Rereferred and
Approved by Comm.
on Appropriations

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INTRODUCED BY ASAY, SPAETH, WILLIAMS, YARDLEY,

SAUNDERS, ADDY, ELLISON, HAGER, IVERSON

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WHEREAS, the Clarks Fork River is an interstate tributary of the Yellowstone River in South Central Montana that flows from its headwaters in Wyoming through an agricultural basin in Carbon County, Montana, to its confluence with the Yellowstone River; and

WHEREAS, present and future agricultural, municipal, and mineral development in the Clarks Fork River basin depends on a firm supply of water, and mainstream reservoirs would help to alleviate water shortages that have occurred in recent years; and

WHEREAS, there are no cost-effective reservoir sites in the Clarks Fork River basin of Montana but several reservoir sites are presently being considered for development in the Clarks Fork River basin in the State of Wyoming; and

WHEREAS, the apportionment of water of the Clarks Fork

River between the State of Montana and the State of Wyoming is governed by the Yellowstone River Compact, but the amount of water allocated to each state under the compact has never been quantified, and an effective method of compact administration has never been established; and

WHEREAS, the threat of overuse of the Clarks Fork River water by the State of Wyoming and the possible impact of overuse upon water users in Montana make it imperative that Montana delineate its rights under the terms of the Yellowstone River Compact and assess the feasibility of a joint storage project with the State of Wyoming.

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SECOND READING
-2- HB 914

SECOND PRINTING

1 Conservation in carrying out its duties under section 1 and,
2 in close cooperation with representatives of the department,
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5 projects in the State of Wyoming that would mutually satisfy
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18 1985, ~~\$20,700~~ \$1,000 for the purposes of implementing
19 sections 1 and 2.

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19 sections 1 and 2.

-End-

April 14, 1983

SENATE STANDING COMMITTEE REPORT
(Finance & Claims)

That House Bill No. 914 be amended as follows:

1. Title, line 8.

Following: "RIVER"

Strike: remainder of line 8 through "ASSESSMENT" on line 9

2. Page 3, line 13.

Strike: lines 13 through 19 in their entirety.

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REFERENCE BILL

-2- SECOND PRINTING HB 914

CLERICAL CORRECTION MADE ON P. 2
OF THIS BILL.

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-End-