

1 House BILL NO. 300  
2 INTRODUCED BY Justin ORR

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4 A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO THE DEPARTMENT OF NATURAL  
5 RESOURCES AND CONSERVATION FROM THE RENEWABLE RESOURCE GRANT AND LOAN STATE  
6 SPECIAL REVENUE ACCOUNT FOR A GRANT TO THE GLEN LAKE IRRIGATION DISTRICT FOR NEEDED  
7 REPAIRS TO COSTICH DAM; GIVING PRIORITY TO THIS GRANT OVER THOSE IN HOUSE BILL NO. 6; AND  
8 PROVIDING EFFECTIVE DATES."

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10 WHEREAS, water users on 122 farms on 3,162 acres near Eureka rely on the water stored behind  
11 Costich Dam for their livelihood, and those water users make a significant contribution to the local  
12 economy; and

13 WHEREAS, Costich Dam should be repaired by May 1998 to comply with its Dam Safety Operations  
14 Permit for a High Hazard Dam and thereby to continue to operate; and

15 WHEREAS, Costich Drop No. 1 failed during the 1996 irrigating season and was repaired, using  
16 temporary materials, and will likely require major repair or replacement for use in the 1997 irrigating season;  
17 and

18 WHEREAS, Glen Lake Irrigation District, a nonprofit entity, does not currently have the funds  
19 necessary to finance the improvements required; and

20 WHEREAS, a loan is impractical because repayment costs would necessitate increases in water fees  
21 that are already high and would thereby create an undue burden on the district's water users.

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

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25 NEW SECTION. Section 1. Appropriation -- grant. An amount of \$195,405 is appropriated to the  
26 department of natural resources and conservation from the renewable resource grant and loan state special  
27 revenue account. The funds appropriated in this section must be granted to the Glen Lake irrigation district  
28 for the purpose of constructing an enclosed conveyance system and dam bypass structure at Costich dam  
29 and Costich drop No. 1 and drop No. 2, subject to the conditions set forth in [section 2]. This appropriation  
30 constitutes a valid obligation of these funds for purposes of encumbering the funds within the 1999

1 biennium pursuant to 17-7-302.

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3 **NEW SECTION. Section 2. Conditions of grant.** Disbursement of funds under [sections 1 through  
4 3] for the grant described in [section 1] is subject to the following conditions that must be met by the  
5 irrigation district:

6 (1) approval of a scope of work and budget for the project by the department of natural resources  
7 and conservation;

8 (2) documented commitment of other funds required for project completion, if any;

9 (3) execution of a grant agreement with the department; and

10 (4) accomplishment of other specific requirements considered necessary by the department to  
11 accomplish the purpose of the grant.

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13 **NEW SECTION. Section 3. Priority.** The grant described in [section 1] has a higher priority than  
14 any other grants under the renewable resource grant and loan program provided for in House Bill No. 6 for  
15 fiscal years 1998 and 1999, and the appropriation in [section 1] must be made before other grants are  
16 made. This appropriation reduces the amount available for grants in House Bill No. 6 by the amount  
17 appropriated in [section 1].

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19 **NEW SECTION. Section 4. Effective dates.** (1) Except as provided in subsection (2), [this act] is  
20 effective on passage and approval.

21 (2) [Section 1] is effective July 1, 1997.

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