

Testimony for City of Cut Bank
Proponent of SB 20

The City of Cut Bank respectfully submits this testimony in support of SB 20 by Senator Roush.

- The strict application of abandonment principles of prior appropriation law unduly restricts municipalities from financing and developing adequate infrastructure and water rights to assure firm supplies for future municipal needs. Membership in regional water authorities is a sound means for cities to share the increasing cost of delivery and treatment of drinking water with other users. Therefore the City believes that municipalities joining such regional water authorities should be allowed to maintain their preexisting water rights and works for use in times when the regional system must be taken off-line for maintenance and repair or in emergencies.
- Existing Montana law, specifically MCA Section 85-2-227(4) establishes a presumption of nonabandonment for municipalities in certain very specific and limited circumstances. This bill is a small amendment to accommodate the newer sections of Montana law establishing the regional authorities as appropriate and needed projects for critically needed rural drinking water.
- There are several regional water authorities in Montana: Cut Bank is currently a member of the North Central Montana Regional Water Authority. Like other regional systems, the system expects that its treated water will be the sole source of supply for the members. Cut Bank has maintained and updated its current treatment works and water rights, however, and should be allowed to maintain those rights if it maintains the diversion works for use of the water for emergencies, unusual demand situations, or off-line times of the regional supply. This minor amendment will give Cut Bank greater flexibility in providing its citizens adequate drinking water supplies.

Thank you for your consideration of this bill, which Senator Roush has agreed to sponsor on behalf of our City. We urge the members of the Committee to pass this bill with a favorable vote.

Mayor Marion Culleton