



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2017 Biennium

**Bill #** SB0221

**Title:** Transfer of Willow Creek dam to water users association

**Primary Sponsor:** Barrett, Debby

**Status:** As Introduced

- Significant Local Gov Impact     
 Needs to be included in HB 2     
 Technical Concerns  
 Included in the Executive Budget     
 Significant Long-Term Impacts     
 Dedicated Revenue Form Attached

### FISCAL SUMMARY

	<u>FY 2016 Difference</u>	<u>FY 2017 Difference</u>	<u>FY 2018 Difference</u>	<u>FY 2019 Difference</u>
<b>Expenditures:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance:</b>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

**Description of fiscal impact:** SB 221 requires the Department of Natural Resources and Conservation (DNRC) to attempt to dispose of the Willow Creek Dam Water Project by transfer of ownership to the Willow Creek Water Users Association (association). It has no fiscal impact to DNRC.

### FISCAL ANALYSIS

**Assumptions:**

1. All liability for property ownership including, but not limited to, known and unknown site conditions, flooding, dam failure, or any other act or occurrence would be 100% transferred to the association as the entity taking full ownership.
2. It is assumed that the association, as the entity requesting ownership, would cover all transaction costs and all other costs associated with the conditions required by DNRC to complete the transfer. Those costs would include, but are not limited to a survey of the property, acquiring a dam safety permit, etc.
3. DNRC assumes that the historic purpose of the project to provide water for agricultural use must be maintained. If this assumption is correct, DNRC will not be required to consider other uses in determining market value for the project as required under 85-1-213, MCA.

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*Sponsor's Initials*

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*Date*

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*Budget Director's Initials*

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*Date*