

SENATE BILL NO. 471
INTRODUCED BY V. JACKSON

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT AN APPROPRIATION OF WATER AFTER JANUARY 25, 1951, IN THE CLARK FORK RIVER WATERSHED IN THE STATE OF MONTANA FOR IRRIGATION AND DOMESTIC USE ABOVE A DAM LOCATED WITHIN 25 MILES OF THE MONTANA-IDAHO BOUNDARY HAS PRIORITY OVER WATER FOR POWER USE AT A DAM; AMENDING SECTION 85-1-122, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 85-1-122, MCA, is amended to read:

"85-1-122. Clark Fork River. (1) The waters of the Clark Fork River may be impounded or restrained within the state of Montana for a distance not exceeding 25 miles from the Idaho-Montana boundary line by ~~a dam~~ dams located on ~~said the Clark Fork River river~~ in the state of Idaho or the state of Montana and constructed by any person, firm, partnership, or corporation authorized to do business in the state of Montana.

(2) ~~Any present or future appropriations~~ An appropriation of water after January 25, 1951, in the watershed in the state of Montana for irrigation and domestic use above ~~said a dam~~ built pursuant to the provisions of subsection (1) ~~shall have~~ has priority over water for power use at ~~said the dam~~."

NEW SECTION. **Section 2. Effective date.** [This act] is effective on passage and approval.

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