MILK RIVER PROJECT

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting (5-4-105, MCA; Chapter 309, Laws of 2017). The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: Congress and the U.S. Department of the Interior authorized the Milk River Project beginning in 1903. The project includes three storage reservoirs, five diversion dams, 200 miles of canals, 219 miles of laterals, and 295 miles of drainways. The project provides water for 121,000 acres of land along the river from Havre to below Nashua.

Included in the project is the St. Mary River diversion. Water from the St. Mary River is diverted 29 miles to the north fork of the Milk River. The diversion includes two siphons to climb over hills and out of gulleys. The diversion was initially completed in 1915. After entering the Milk River, the water flows 216 miles through Canada before returning to the United States for use by irrigators mostly between Havre and Nashua. The Milk River Project is subject to the 1909 Boundary Water Treaty, which recognizes Canada's share of St. Mary River water and the United States' share of Milk River water—and balances both.

Increasing canal seepage, unstable banks, and aging facilities have reduced the amount of water diverted through the St. Mary diversion system to the Milk River Project. A 2004 Bureau of Reclamation report identified rehabilitation of the St. Mary diversion works to improve downstream water supplies. Rehabilitation would benefit cities and tribes, wildlife refuges and preserves, recreational and fishing opportunities, endangered and threatened species, and provide other economic benefits across north-central Montana. In 2005, a state-hired consultant drafted a proposed rehabilitation plan, which estimated rehabilitation at $119 million. No significant rehabilitation has taken place since. The St. Mary Rehabilitation Working Group was formed in 2004 to advocate for St. Mary diversion rehabilitation. The 2005 Legislature authorized $10 million in bonds toward the rehabilitation project. A mix of local, state, federal and irrigator funds is likely necessary to complete the rehabilitation work.

Legislative Services Division Materials: None

Other Materials:

U.S. Bureau of Reclamation, Regional Feasibility Report: North Central Montana (2004).

Department of Natural Resources and Conservation (DNRC), Phase 1 Engineering Report Executive Summary (2005)

DNRC, St. Mary Rehabilitation Project website

U.S. Bureau of Reclamation, Milk River Project website

Introduced Legislation

2017: None

2015: None

2013: None

2011: None

2009: None

Prepared By:
Jason Mohr, research analyst
Legislative Environmental Policy Office