

HOUSE No. 2927

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, April 7, 1958.

The committee on Water Supply, to whom were referred the petition (accompanied by fill, House, No. 1554) of Rene A. Brassard for legislation relative to providing water supplies to the town of Rutland; the petition (accompanied by bill, House, No. 1555) of Rene A. Brassard for legislation relative to providing water supplies to the town of Rutland; and the petition (accompanied by bill, House, No. 1556) of J. Stanley Holt and others relative to the rights of the town of Holden and the town of Rutland to take water from Muschopauge Pond, report the accompanying bill (House, No. 2927.

For the committee,

MARY B. NEWMAN.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Eight.

AN ACT TO REGULATE THE DRAWING OF WATER FROM MUSCHOPAUGE POND BY THE TOWNS OF RUTLAND AND HOLDEN.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. At all times after the effective date of this act
2 the towns of Rutland and Holden may for the purposes specified
3 in chapter one hundred and fifty-eight of the acts of eighteen
4 hundred and ninety-five, and chapter one hundred and eighty
5 of the acts of eighteen hundred and ninety-six, withdraw from
6 Muschopauge Pond all the water necessary to meet the reason-
7 able requirements of the towns of Rutland and Holden when the
8 water level of Muschopauge Pond is not more than five feet below
9 the high water elevation, said high water elevation being hereby
10 re-established as one thousand twenty-nine and four hundredths
11 feet above mean sea level datum. When the level of Muscho-
12 pauge Pond is below elevation one thousand twenty-four and
13 four hundredths feet mean sea level, the amounts of water
14 drawn by the town of Holden from Muschopauge Pond shall be
15 subject to the rights of the town of Rutland in said pond, and
16 the amounts which may be drawn by said towns shall be de-
17 termined by the water resources commission upon application
18 by either of said towns. Such determination shall be made
19 within thirty days after such application, and shall be final,
20 and the supreme judicial or superior court upon application of
21 said water resources commission may enforce said determina-
22 tions.

1 SECTION 2. Said towns shall adopt all reasonable measures
2 recommended to prevent wasting or improper use of the water
3 withdrawn from said towns, or by either of them. The towns

4 of Rutland and Holden shall each of them report monthly to
5 said water resources commission the amounts of water with-
6 drawn from said pond and the elevation of the water therein.

1 SECTION 3. This act shall take effect upon its passage.

4 of United and British shall each of the report monthly to
 5 and water resources commission the amount of water with
 6 there shall be held and the operation of the same shall

7 Section 2. This section shall take effect upon its passage.

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