

106TH CONGRESS  
2D SESSION

# S. 2594

To authorize the Secretary of the Interior to contract with the Mancos Water Conservancy District to use the Mancos Project facilities for impounding, storage, diverting, and carriage of nonproject water for the purpose of irrigation, domestic, municipal, industrial, and any other beneficial purposes.

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IN THE SENATE OF THE UNITED STATES

MAY 18, 2000

Mr. ALLARD introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

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## A BILL

To authorize the Secretary of the Interior to contract with the Mancos Water Conservancy District to use the Mancos Project facilities for impounding, storage, diverting, and carriage of nonproject water for the purpose of irrigation, domestic, municipal, industrial, and any other beneficial purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. CARRIAGE OF NONPROJECT WATER BY THE**  
4                               **MANCOS PROJECT, COLORADO.**

5               (a) SALE OF EXCESS WATER.—

1           (1) IN GENERAL.—In carrying out the Act of  
2 August 11, 1939 (commonly known as the “Water  
3 Conservation and Utilization Act”) (16 U.S.C. 590y  
4 et seq.), if storage or carrying capacity has been or  
5 may be provided in excess of the requirements of the  
6 land to be irrigated under the Mancos Project, Colo-  
7 rado (referred to in this Act as the “project”), the  
8 Secretary of the Interior may, on such terms as the  
9 Secretary determines to be just and equitable, con-  
10 tract with the Mancos Water Conservancy District  
11 and any of its member unit contractors for impound-  
12 ing, storage, diverting, or carriage of nonproject  
13 water for irrigation, domestic, municipal, industrial,  
14 and any other beneficial purposes, to an extent not  
15 exceeding the excess capacity.

16           (2) INTERFERENCE.—A contract under para-  
17 graph (1) shall not impair or otherwise interfere  
18 with any authorized purpose of the project.

19           (3) COST CONSIDERATIONS.—In fixing the  
20 charges under a contract under paragraph (1), the  
21 Secretary shall take into consideration—

22           (A) the cost of construction and mainte-  
23 nance of the project, by which the nonproject  
24 water is to be diverted, impounded, stored, or  
25 carried; and

1 (B) the canal by which the water is to be  
2 carried.

3 (4) NO ADDITIONAL CHARGES.—The Mancos  
4 Water Conservancy District shall not impose a  
5 charge for the storage, carriage, or delivery of the  
6 nonproject water in excess of the charge paid to the  
7 United States, except to such extent as may be rea-  
8 sonably necessary to cover—

9 (A) a proportionate share of the project  
10 cost; and

11 (B) the cost of carriage and delivery of the  
12 nonproject water through the facilities of the  
13 Mancos Water Conservancy District.

14 (b) WATER RIGHTS OF UNITED STATES NOT EN-  
15 LARGED.—Nothing in this Act enlarges or attempts to en-  
16 large the right of the United States, under existing law,  
17 to control any water in any State.

18 (c) FUNDS RECEIVED AVAILABLE FOR OPERATION  
19 AND MAINTENANCE.—

20 (1) IN GENERAL.—Any funds received by the  
21 United States under a contract under subsection (a)  
22 shall be available for expenditure for operation and  
23 maintenance of the project without further Act of  
24 appropriation.

1           (2) REVENUE.—Any amount of funds received  
2           by the United States under a contract under sub-  
3           section (a) that is in excess of the amount of funds  
4           needed for operation and maintenance of the project  
5           shall be applied against the repayment contract of  
6           the project.

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