

Calendar No. 849

106TH CONGRESS
2^D SESSION

S. 2594

[Report No. 106–427]

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.

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

SEPTEMBER 28 (legislative day, SEPTEMBER 22), 2000

Reported by Mr. MURKOWSKI, with an amendment

[Omit the part struck through and insert the part printed in *italic*]

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.—

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

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

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

4 (A) the cost of construction and mainte-
5 nance of the project, by which the nonproject
6 water is to be diverted, impounded, stored, or
7 carried; and

8 (B) the canal by which the water is to be
9 carried.

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

16 (A) a proportionate share of the project
17 cost; and

18 (B) the cost of carriage and delivery of the
19 nonproject water through the facilities of the
20 Mancos Water Conservancy District.

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

1 ~~(c) FUNDS RECEIVED AVAILABLE FOR OPERATION~~
2 ~~AND MAINTENANCE.—~~

3 ~~(1) IN GENERAL.—Any funds received by the~~
4 ~~United States under a contract under subsection (a)~~
5 ~~shall be available for expenditure for operation and~~
6 ~~maintenance of the project without further Act of~~
7 ~~appropriation.~~

8 ~~(2) REVENUE.—Any amount of funds received~~
9 ~~by the United States under a contract under sub-~~
10 ~~section (a) that is in excess of the amount of funds~~
11 ~~needed for operation and maintenance of the project~~
12 ~~shall be applied against the repayment contract of~~
13 ~~the project.~~

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