

# Calendar No. 929

106TH CONGRESS  
2D SESSION

# S. 3022

[Report No. 106-480]

To direct the Secretary of the Interior to convey certain irrigation facilities to the Nampa and Meridian Irrigation District.

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## IN THE SENATE OF THE UNITED STATES

SEPTEMBER 8, 2000

Mr. CRAIG (for himself and Mr. CRAPO) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

OCTOBER 3 (legislative day, SEPTEMBER 22), 2000

Reported by Mr. MURKOWSKI, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

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## A BILL

To direct the Secretary of the Interior to convey certain irrigation facilities to the Nampa and Meridian Irrigation District.

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. SHORT TITLE.**

4 This Act may be cited as the “Nampa and Meridian  
5 Conveyance Act”.

1 **SEC. 2. CONVEYANCE.**

2 (a) **DEFINITIONS.**—In this section:

3 (1) **DISTRICT.**—The term “District” means the  
4 Nampa and Meridian Irrigation District, Idaho.

5 (2) **SECRETARY.**—The term “Secretary” means  
6 the Secretary of the Interior.

7 (b) **CONVEYANCE OF FACILITIES.**—As soon as prac-  
8 ticable after the date of enactment of this Act, the Sec-  
9 retary shall convey to the District, in accordance with the  
10 memorandum of agreement between the Secretary and the  
11 District, dated July 7, 1999 (contract No. 1425–  
12 99MA102500), and all applicable law, all right, title, and  
13 interest of the United States in and to any portion of the  
14 canals, laterals, drains, and any other portion of the water  
15 distribution and drainage system that is operated or main-  
16 tained by the District for delivery of water to and drainage  
17 of water from land within the boundaries of the District.

18 (c) **LIABILITY.**—Effective on the date of the convey-  
19 ance of facilities under this Act, the United States shall  
20 not be liable for damages of any kind arising out of any  
21 act, omission, or occurrence based on prior ownership or  
22 operation of the conveyed facilities by the United States.

23 (d) **EXISTING RIGHTS NOT AFFECTED.**—

24 (1) **NO EFFECT ON WATER RIGHTS.**—No water  
25 rights shall be transferred, modified, or otherwise af-

1        fected by the conveyance of facilities to the District  
2        under this Act.

3            ~~(2) NO EFFECT ON CONTRACTUAL OR STATE~~  
4        ~~LAW.—~~The conveyance of facilities and interests to  
5        the District under this Act shall not affect or abro-  
6        gate any provision of a contract executed by the  
7        United States, or any State law, regarding any right  
8        of an irrigation district to use water developed in the  
9        facilities conveyed.

10    **SECTION 1. SHORT TITLE.**

11        *This Act may be cited as the “Nampa and Meridian*  
12    *Conveyance Act”.*

13    **SEC. 2. CONVEYANCE OF FACILITIES.**

14        *The Secretary of the Interior (in this Act referred to*  
15    *as the “Secretary”) shall, as soon as practicable after the*  
16    *date of enactment of this Act, convey facilities to the Nampa*  
17    *and Meridian Irrigation District (in this Act referred to*  
18    *as the “District”) in accordance with all applicable laws*  
19    *and pursuant to the terms of the Memorandum of Agree-*  
20    *ment (contract No. 1425–99MA102500, dated 7 July 1999)*  
21    *between the Secretary and the District. The conveyance of*  
22    *facilities shall include all right, title, and interest of the*  
23    *United States in and to any portion of the canals, laterals,*  
24    *drains, and any other portion of the water distribution and*  
25    *drainage system that is operated or maintained by the Dis-*

1 *strict for delivery of water to and drainage of water from*  
2 *lands within the boundaries of the District.*

3 **SEC. 3. LIABILITY.**

4 *Except as otherwise provided by law, effective on the*  
5 *date of conveyance of facilities under this Act, the United*  
6 *States shall not be liable for damages of any kind arising*  
7 *out of any act, omission, or occurrence based on its prior*  
8 *ownership or operation of the conveyed property.*

9 **SEC. 4. EXISTING RIGHTS NOT AFFECTED.**

10 *Nothing in this Act affects the rights of any person*  
11 *except as provided in this Act. No water rights shall be*  
12 *transferred, modified, or otherwise affected by the convey-*  
13 *ance of facilities and interests to the Nampa and Meridian*  
14 *Irrigation District under this Act. Such conveyance shall*  
15 *not affect or abrogate any provision of any contract exe-*  
16 *cuted by the United States or State law regarding any irri-*  
17 *gation district's right to use water developed in the facilities*  
18 *conveyed.*



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