

108TH CONGRESS  
2D SESSION

# S. 1071

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## AN ACT

To authorize the Secretary of the Interior, through the Bureau of Reclamation, to conduct a feasibility study on a water conservation project within the Arch Hurley Conservancy District in the State of New Mexico, and for other purposes.

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

1 **SECTION 1. STUDY AUTHORIZATION.**

2 (a) **AUTHORIZATION.**—Pursuant to reclamation laws,  
3 the Secretary of the Interior, through the Bureau of Rec-  
4 lamation, and in consultation and cooperation with the  
5 Arch Hurley Conservancy District and the State Engineer  
6 in New Mexico, is authorized to conduct a study to deter-  
7 mine the feasibility of implementing a water conservation  
8 project that will minimize water losses from the irrigation  
9 conveyance works of the Arch Hurley Conservancy Dis-  
10 trict, and to consider—

11 (1) options for utilizing any saved water made  
12 available from the conservation project including the  
13 possible conveyance of such water, in accordance  
14 with State law, to the Pecos River basin to address  
15 water supply issues in that basin;

16 (2) the impacts that the conservation project  
17 could have on the local water supply in and around  
18 the Arch Hurley Conservancy District and any ap-  
19 propriate mitigation that may be necessary if the  
20 project is implemented; and

21 (3) appropriate cost-sharing options for imple-  
22 mentation of the project based on the use and pos-  
23 sible allocation of any conserved water.

24 (b) **REPORT.**—

25 (1) Upon completion of the feasibility study au-  
26 thorized by this Act, the Secretary of the Interior

1 shall transmit to Congress a report containing the  
2 results of the study.

3 (2) In developing the report, the Secretary shall  
4 utilize reports or any other relevant information sup-  
5 plied by the Arch Hurley Conservancy District or  
6 the State Engineer in New Mexico.

7 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

8 (a) AMOUNT.—There are authorized to be appro-  
9 priated \$2,500,000 to carry out this Act.

10 (b) COST SHARE.—

11 (1) The Federal share of the costs of the feasi-  
12 bility study shall not exceed 50 percent of the total,  
13 except that the Secretary of the Interior is author-  
14 ized to waive or limit the required non-Federal cost  
15 share for the feasibility study if the Secretary deter-  
16 mines, based upon a demonstration of financial  
17 hardship on the part of the Arch-Hurley Conser-  
18 vancy District, that the District is unable to con-  
19 tribute such required share.

20 (2) The Secretary of the Interior may accept as  
21 part of the non-Federal cost share the contribution  
22 of such in-kind services by the Arch Hurley Conser-  
23 vancy District as the Secretary determines will con-

- 1      tribute substantially toward the conduct and comple-
- 2      tion of the study.

Passed the Senate September 15, 2004.

Attest:

*Secretary.*

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