

108TH CONGRESS  
2D SESSION

# S. 2429

To authorize the Secretary of the Interior to reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 17, 2004

Mr. DURBIN (Mr. DASCHLE (for himself and Mr. JOHNSON)) 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 reallocate costs of the Pactola Dam and Reservoir, South Dakota, to reflect increased demands for municipal, industrial, and fish and wildlife 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. SHORT TITLE.**

4       This Act may be cited as the “Pactola Reservoir Re-  
5       allocation Authorization Act of 2004”.

6       **SEC. 2. FINDINGS.**

7       Congress finds that—

1           (1) it is appropriate to reallocate the costs of  
2           the Pactola Dam and Reservoir, South Dakota, to  
3           reflect increased demands for municipal, industrial,  
4           and fish and wildlife purposes; and

5           (2) section 302 of the Department of Energy  
6           Organization Act (42 U.S.C. 7152) prohibits such a  
7           reallocation of costs without congressional approval.

8   **SEC. 3. REALLOCATION OF COSTS OF PACTOLA DAM AND**  
9                                   **RESERVOIR, SOUTH DAKOTA.**

10          The Secretary of the Interior may, as provided in the  
11         contract of August 2001 entered into between Rapid City,  
12         South Dakota, and the Rapid Valley Conservancy District,  
13         reallocate, in a manner consistent with Federal reclama-  
14         tion law (the Act of June 17, 1902 (32 Stat. 388, chapter  
15         1093), and Acts supplemental to and amendatory of that  
16         Act (43 U.S.C. 371 et seq.)), the construction costs of  
17         Pactola Dam and Reservoir, Rapid Valley Unit, Pick-  
18         Sloan Missouri Basin Program, South Dakota, from irri-  
19         gation purposes to municipal, industrial, and fish and  
20         wildlife purposes.

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