

108TH CONGRESS
2D SESSION

S. 2750

To authorize the Secretary of the Interior to assist in the planning, design, and construction of the Tumalo Irrigation District Water Conservation Project in Deschutes County, Oregon.

IN THE SENATE OF THE UNITED STATES

JULY 22, 2004

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

A BILL

To authorize the Secretary of the Interior to assist in the planning, design, and construction of the Tumalo Irrigation District Water Conservation Project in Deschutes County, Oregon.

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 “Tumalo Water Con-
5 servation Project Act of 2004”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) DISTRICT.—The term “District” means the
2 Tumalo Irrigation District, Oregon.

3 (2) PROJECT.—The term “Project” means the
4 Tumalo Irrigation District Water Conservation
5 Project authorized under section 3(a).

6 (3) SECRETARY.—The term “Secretary” means
7 the Secretary of the Interior.

8 **SEC. 3. AUTHORIZATION TO PLAN, DESIGN AND CON-**
9 **STRUCT THE TUMALO WATER CONSERVA-**
10 **TION PROJECT.**

11 (a) AUTHORIZATION.—The Secretary, in cooperation
12 with the District—

13 (1) may participate in the planning, design, and
14 construction of the Tumalo Irrigation District Water
15 Conservation Project in Deschutes County, Oregon;
16 and

17 (2) for purposes of planning and designing the
18 Project, shall take into account any appropriate
19 studies and reports prepared by the District.

20 (b) COST-SHARING REQUIREMENT.—

21 (1) FEDERAL SHARE.—The Federal share of
22 the total cost of the Project shall be 50 percent,
23 which shall be nonreimbursable to the United States.

1 (2) CREDIT TOWARD NON-FEDERAL SHARE.—

2 The Secretary shall credit toward the non-Federal
3 share of the Project—

4 (A) any amounts that the District provides
5 toward the design, planning, and construction
6 before the date of enactment of this Act; and

7 (B) an amount equal to—

8 (i) the value of any water converted
9 by the Project to instream water rights, as
10 determined in accordance with State law;
11 plus

12 (ii) the value of the annual District
13 assessment and headgate fee that the Dis-
14 trict foregoes as a result of the activities
15 carried out under the Project for the 20-
16 year period beginning on the date on which
17 construction of the Project is completed.

18 (c) TITLE.—The District shall hold title to any facili-
19 ties constructed under this Act.

20 (d) OPERATION AND MAINTENANCE COSTS.—The
21 District shall pay the operation and maintenance costs of
22 the Project.

23 (e) EFFECT.—Any assistance provided under this Act
24 shall not be considered to be a supplemental or additional
25 benefit under Federal reclamation law (the Act of June

1 17, 1902 (32 Stat. 388, chapter 1093), and Acts supple-
2 mental to and amendatory of that Act (43 U.S.C. 371 et
3 seq.).

4 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

5 There is authorized to be appropriated to pay the
6 Federal share of the cost of the Project \$14,000,000.

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