

116TH CONGRESS
1ST SESSION

S. 1758

To extend a repayment contract relating to the Purgatoire River Water Conservancy District and to authorize the District to develop an excess capacity contract to offset repayment costs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 10, 2019

Mr. GARDNER introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To extend a repayment contract relating to the Purgatoire River Water Conservancy District and to authorize the District to develop an excess capacity contract to offset repayment costs, 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,*

3 **SECTION 1. TRINIDAD DAM, PURGATOIRE RIVER, COLO-**
4 **RADO.**

5 (a) IN GENERAL.—Notwithstanding the maximum
6 term of the repayment of the irrigation first cost described
7 in House Document 325, 84th Congress, 2d Session, the
8 Commissioner of Reclamation may extend the contract

1 with the Purgatoire River Water Conservancy District re-
2 lating to the Purgatoire project for the Trinidad Dam on
3 Purgatoire River, Colorado, authorized by section 203 of
4 the Flood Control Act of 1958 (72 Stat. 309) to allow
5 for a maximum term of the repayment of the irrigation
6 first cost of not more than 100 years.

7 (b) EXCESS CAPACITY.—

8 (1) AUTHORIZATION.—Notwithstanding any
9 other provision of law, the Commissioner of Rec-
10 lamation may enter into excess capacity contracts at
11 the project described in subsection (a).

12 (2) USE OF REVENUE.—Notwithstanding the
13 reclamation laws, any revenue derived from a con-
14 tract for the use of the excess capacity at the project
15 described in subsection (a) shall be—

16 (A) first credited toward the outstanding
17 repayment obligation of the Purgatoire River
18 Water Conservancy District under the contract
19 referred to in subsection (a); and

20 (B) after the outstanding repayment obli-
21 gation referred to in subparagraph (A) is repaid
22 in full, credited toward the annual operations,
23 maintenance, and replacement obligation of the
24 Purgatoire River Water Conservancy District.

1 (c) OPERATIONS, MAINTENANCE, AND REPLACE-
2 MENT COSTS.—Notwithstanding any other provision of
3 law, the operations, maintenance, and replacement costs
4 of the Corps of Engineers described in the contract re-
5 ferred to in subsection (a) and annually invoiced to the
6 Purgatoire River Water Conservancy District shall not ex-
7 ceed the lesser of—

8 (1) the actual costs of the Corps of Engineers,
9 determined in accordance with the terms of the con-
10 tract; and

11 (2) the calculation of the Bureau of Reclama-
12 tion of the actual costs of the Corps of Engineers for
13 a single-purpose irrigation reservoir facility.

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