

106TH CONGRESS
2D SESSION

H. R. 2984

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 19, 2000

Received; read twice and referred to the Committee on Energy and Natural
Resources

AN ACT

To direct the Secretary of the Interior, through the Bureau of Reclamation, to convey to the Loup Basin Reclamation District, the Sargent River Irrigation District, and the Farwell Irrigation District, Nebraska, property comprising the assets of the Middle Loup Division of the Missouri River Basin Project, Nebraska.

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. CONVEYANCE OF THE ASSETS OF THE MIDDLE**
4 **LOUP DIVISION OF THE MISSOURI RIVER**
5 **BASIN PROJECT, NEBRASKA.**

6 (a) IN GENERAL.—The Secretary shall, as soon as
7 practicable after the date of the enactment of this Act and
8 in accordance with all applicable law, convey all right, title,
9 and interest in and to the property comprising the assets
10 of the Missouri River Basin Project, Middle Loup Divi-
11 sion, Nebraska, in accordance with the Memorandum of
12 Understanding.

13 (b) SALE PRICE.—The Secretary shall accept
14 \$2,847,360 as payment from the District and \$2,600,000
15 as payment from the power customers under the terms
16 specified in this section, as consideration for the convey-
17 ance under subsection (a). Out of the receipts from the
18 sale of power from the Pick-Sloan Missouri Basin Pro-
19 gram (Eastern Division) collected by the Western Area
20 Power Administration and deposited into the Reclamation
21 fund of the Treasury in fiscal year 2001, \$2,600,200 shall
22 be treated as full and complete payment by the power cus-
23 tomers of such consideration and repayment by the power
24 customers of all aid to irrigation associated with the facili-
25 ties conveyed under subsection (a).

1 (c) FUTURE BENEFITS.—Upon payment by the Dis-
2 tricts of consideration for the conveyance in accordance
3 with the Memorandum of Understanding, the Middle Loup
4 Division of the Missouri River Basin Project—

5 (1) shall not be treated as a Federal reclama-
6 tion project; and

7 (2) shall not be subject to the reclamation laws
8 or entitled to receive any reclamation benefits under
9 those laws.

10 (d) LIABILITY.—Except as otherwise provided by law,
11 effective on the date of conveyance of the assets under
12 this section, the United States shall not be liable for dam-
13 ages of any kind arising out of any act, omission, or occur-
14 rence based on its prior ownership or operation of the as-
15 sets.

16 (e) DEFINITIONS.—In this section:

17 (1) ASSETS.—The term “assets” has the mean-
18 ing that term has in the Memorandum of Under-
19 standing.

20 (2) DISTRICTS.—The term “Districts” means
21 the Loup Basin Reclamation District, the Sargent
22 River Irrigation District, and the Farwell Irrigation
23 District, Nebraska.

24 (3) MEMORANDUM OF UNDERSTANDING.—The
25 term “Memorandum of Understanding” means Bu-

1 reau of Reclamation memorandum of understanding
2 number 99AG601285, entitled “MEMORANDUM
3 OF UNDERSTANDING BETWEEN UNITED
4 STATES DEPARTMENT OF THE INTERIOR
5 BUREAU OF RECLAMATION GREAT PLAINS
6 REGION NEBRASKA-KANSAS AREA OFFICE
7 AND LOUP BASIN RECLAMATION DISTRICT
8 FARWELL IRRIGATION DISTRICT SARGENT
9 IRRIGATION DISTRICT CONCERNING PRIN-
10 CIPLES AND ELEMENTS OF PROPOSED
11 TRANSFER OF TITLE TO WORKS, FACILI-
12 TIES AND LANDS IN THE MIDDLE LOUP DI-
13 VISION”.

Passed the House of Representatives September 18,
2000.

Attest:

JEFF TRANDAHL,

Clerk.