

106TH CONGRESS  
2D SESSION

**H. R. 4389**

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**AN ACT**

To direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District.



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## AN ACT

To direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District.

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. DEFINITIONS.**

2 In this Act:

3 (1) **CONTRACT.**—The term “contract” means  
4 the contract between the United States and the  
5 Northern Colorado Water Conservancy District pro-  
6 viding for the construction of the Colorado-Big  
7 Thompson Project, dated July 5, 1938 (including  
8 any amendments and supplements).

9 (2) **DISTRICT.**—The term “District” means the  
10 Northern Colorado Water Conservancy District.

11 (3) **SECRETARY.**—The term “Secretary” means  
12 the Secretary of the Interior.

13 (4) **TRANSFERRED WATER DISTRIBUTION FA-**  
14 **CILITIES.**—The term “transferred water distribution  
15 facilities” means the North Poudre Supply Canal  
16 and Diversion Works, also known as the Munroe  
17 Gravity Canal, the Charles Hansen (Supply) Canal  
18 and Windsor Extension, and the Dixon Feeder  
19 Canal, all of which are facilities of the Colorado-Big  
20 Thompson Project located in Larimer County, Colo-  
21 rado.

22 **SEC. 2. CONVEYANCE OF TRANSFERRED WATER DISTRIBU-**  
23 **TION FACILITIES.**

24 (a) **IN GENERAL.**—The Secretary shall, as soon as  
25 practicable after the date of enactment of this Act and  
26 in accordance with all applicable law, convey to the Dis-

1 trict all right, title, and interest in and to the transferred  
2 water distribution facilities.

3 (b) SALE PRICE.—

4 (1) IN GENERAL.—The Secretary shall accept  
5 \$150,315 as payment from the District and  
6 \$1,798,200 as payment from the power customers  
7 under the terms specified in this section, as consid-  
8 eration for the conveyance under subsection (a). Out  
9 of the receipts from the sale of power from the  
10 Loveland Area Projects collected by the Western  
11 Area Power Administration and deposited into the  
12 Reclamation fund of the Treasury in fiscal year  
13 2001, \$1,798,200 shall be treated as full and com-  
14 plete payment by the power customers of such con-  
15 sideration and repayment by the power customers of  
16 all aid to irrigation associated with the facilities con-  
17 veyed under subsection (a).

18 (2) NO EFFECT ON OBLIGATIONS AND  
19 RIGHTS.—Except as expressly provided in this Act,  
20 nothing in this Act affects or modifies the obliga-  
21 tions and rights of the District under the contract.

22 (3) PAYMENTS.—Except as provided in sub-  
23 section (c), the District shall continue to make such  
24 payments as are required under the contract.

1           (c) CREDIT TOWARD PROJECT REPAYMENT.—Upon  
2 payment by the District of the amount authorized to be  
3 accepted from the District under subsection (b)(1), the  
4 amount paid shall be credited toward repayment of capital  
5 costs of the Colorado-Big Thompson Project in an amount  
6 equal to the associated undiscounted obligation for repay-  
7 ment of the capital costs.

8 **SEC. 3. LIABILITY.**

9           Except as otherwise provided by law, effective on the  
10 date of conveyance of the transferred water distribution  
11 facilities under this Act, the United States shall not be  
12 liable for damages of any kind arising out of any act, omis-  
13 sion, or occurrence based on any prior ownership or oper-  
14 ation by the United States of the conveyed property.

          Passed the House of Representatives October 3,  
2000.

Attest:

*Clerk.*