

106TH CONGRESS
2D SESSION

S. 2594

AN ACT

To authorize the Secretary of the Interior to contract with the Mancos Water Conservancy District to use the Mancos Project facilities for impounding, storage, diverting, and carriage of nonproject water for the purpose of irrigation, domestic, municipal, industrial, and any other beneficial purposes.

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. CARRIAGE OF NONPROJECT WATER BY THE**
2 **MANCOS PROJECT, COLORADO.**

3 (a) SALE OF EXCESS WATER.—

4 (1) IN GENERAL.—In carrying out the Act of
5 August 11, 1939 (commonly known as the “Water
6 Conservation and Utilization Act”) (16 U.S.C. 590y
7 et seq.), if storage or carrying capacity has been or
8 may be provided in excess of the requirements of the
9 land to be irrigated under the Mancos Project, Colo-
10 rado (referred to in this Act as the “project”), the
11 Secretary of the Interior may, on such terms as the
12 Secretary determines to be just and equitable, con-
13 tract with the Mancos Water Conservancy District
14 and any of its member unit contractors for impound-
15 ing, storage, diverting, or carriage of nonproject
16 water for irrigation, domestic, municipal, industrial,
17 and any other beneficial purposes, to an extent not
18 exceeding the excess capacity.

19 (2) INTERFERENCE.—A contract under para-
20 graph (1) shall not impair or otherwise interfere
21 with any authorized purpose of the project.

22 (3) COST CONSIDERATIONS.—In fixing the
23 charges under a contract under paragraph (1), the
24 Secretary shall take into consideration—

25 (A) the cost of construction and mainte-
26 nance of the project, by which the nonproject

1 water is to be diverted, impounded, stored, or
2 carried; and

3 (B) the canal by which the water is to be
4 carried.

5 (4) NO ADDITIONAL CHARGES.—The Mancos
6 Water Conservancy District shall not impose a
7 charge for the storage, carriage, or delivery of the
8 nonproject water in excess of the charge paid to the
9 United States, except to such extent as may be rea-
10 sonably necessary to cover—

11 (A) a proportionate share of the project
12 cost; and

13 (B) the cost of carriage and delivery of the
14 nonproject water through the facilities of the
15 Mancos Water Conservancy District.

16 (b) WATER RIGHTS OF UNITED STATES NOT EN-
17 LARGED.—Nothing in this Act enlarges or attempts to en-
18 large the right of the United States, under existing law,
19 to control any water in any State.

Passed the Senate October 13 (legislative day, Sep-
tember 22), 2000.

Attest:

Secretary.

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