Public Law 98-470
98th Congress

An Act

To authorize amendments to a certain repayment and water service contract for the Frenchman Unit of the Pick-Sloan Missouri River Basin Program.

Oct. 11, 1984
[H.R. 3130]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") is authorized to execute an amendatory contract with H&RW Irrigation District (hereinafter in this Act referred to as the "district"), Nebraska, to amend the provisions of the district's existing contract (numbered 7-07-70-W0045) with the United States for water service and construction of a distribution system in the following manner:

(1) Rescind the construction charge obligations remaining unpaid as of September 30, 1980, and any interest or penalty thereon, under part B of such existing contract.

(2) Amend part A of such existing contract to provide that, beginning January 1, 1982, the district's annual obligation for payment of costs to the United States for water service (including the cost to the United States to operate and maintain the reserved water supply works on the Frenchman unit of the Pick-Sloan Missouri River Basin Program) and for the construction of a distribution system shall be limited to the annual water service charges for the amount of water delivered to the district. Such charges shall be based on the repayment ability of the district associated with the amount of water delivered by the district for irrigation purposes as may be determined by the Secretary taking into account an appropriate share of the district's costs for the care, operation, and maintenance of those works of the Frenchman unit transferred to the district for such purposes.

(3) Those costs allocated to the irrigation purpose of the Frenchman unit and properly assignable to the district for payment which are in excess of the district's repayment ability as determined by the Secretary, pursuant to paragraph (2), and all obligations (including any interest or penalty thereon) described in paragraph (1) shall be repaid from municipal and industrial and/or power revenues in

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accordance with procedures established for the Pick-Sloan Missouri River Program, authorized by the Act entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved December 22, 1944 (58 Stat. 887-901, as amended).

33 USC 701 *et seq.*

Approved October 11, 1984.

LEGISLATIVE HISTORY—H.R. 3130:

HOUSE REPORT No. 98-840 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98-624 (Comm. on Energy and Natural Resources).
CONGRESSIONAL RECORD, Vol. 130 (1984):
June 18, considered and passed House.
Sept. 28, considered and passed Senate.