Public Law 98-334
98th Congress

An Act

To consent to the Goose Lake Basin Compact between the States of California and Oregon.

July 2, 1984
[S. 1135]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the Goose Lake Basin Compact between the States of California and Oregon, which compact is as follows:

"Goose Lake Basin Compact

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"Article I. Purposes

"The major purposes of this compact are:

"A. To facilitate and promote the orderly, integrated and comprehensive development, use, conservation and control of the water resources of Goose Lake Basin.

"B. To further intergovernmental cooperation and comity and to remove the causes of present and future controversies by (1) providing for continued development of the water resources of Goose Lake Basin by the States of California and Oregon, and (2) prohibiting the export of water from Goose Lake Basin without consent of the legislatures of California and Oregon.

"Article II. Definition of Terms

"As used in this compact:

"A. 'Goose Lake Basin' shall mean the drainage area of Goose Lake within the States of California and Oregon and all closed basins included in the Goose Lake drainage basin as delineated on the official map of the Goose Lake Basin which is attached to and made a part of this compact.

"B. 'Person' shall mean the States of Oregon and California, any individual and any other entity, public or private.

"C. 'Water', 'waters' or 'water resources' shall mean any water appearing on the surface of the ground in streams, lakes, or otherwise, and any water beneath the land surface or beneath the bed of

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any stream, lake, reservoir, or other body of surface water within the boundaries of Goose Lake Basin.

"ARTICLE III. DISTRIBUTION AND USE OF WATER

"A. There are hereby recognized vested rights to the use of water originating in Goose Lake Basin existing as of the effective date of this compact and established under the laws of California and Oregon.

"B. Except as provided in this Article, this compact shall not be construed as affecting or interfering with appropriation under the laws of California and Oregon of unappropriated waters of Goose Lake Basin for use within the basin.

"C. Export of water from Goose Lake Basin for use outside the basin without prior consent of both State legislatures is prohibited.

"D. Each State hereby grants the right for a person to construct, and operate facilities for the measurement, diversion, storage, and conveyance of water from the Goose Lake Basin in one State for use within the basin in the other State, providing the right to such use is secured by appropriation under the general laws administered by the Water Resources Director of the State of Oregon or the Water Rights Board of California and the laws of the State from which the water is to be taken shall control.

"E. Should any facilities be constructed in one State to implement use of water in the other State, the construction, operation, repairs and replacements of such facilities shall be subject to the laws of the State in which the facilities are constructed.

"ARTICLE IV. ADMINISTRATION

"No commission or administrative body is necessary to administer this compact.

"ARTICLE V. TERMINATION

"This compact may be terminated at any time by consent of the legislatures of California and Oregon and upon such termination all rights then established hereunder shall continue unimpaired.

"ARTICLE VI. GENERAL PROVISIONS

"Nothing in this compact shall be construed to limit, or prevent any State from instituting or maintaining any action or proceeding, legal or equitable, in any court having jurisdiction thereof for the protection of any right under this compact or the enforcement of any of its provisions.

"ARTICLE VII. RATIFICATION

Congress.

"A. This compact shall become operative when ratified by the legislatures of California and Oregon and consented to by the Congress of the United States.

"B. This compact shall remain in full force and effect until amended in the same manner as is required for it to be ratified to become operative or until terminated.

"C. A copy of any proposed amendments to or termination of this compact shall be filed with the Board of Supervisors of Modoc County, California, and the County Court of Lake County, Oregon,

at least 30 days prior to any legislative consideration by the legislatures of the States of California and Oregon.

"ARTICLE VIII. FEDERAL RIGHTS

"Nothing in this compact shall be deemed:

"A. To impair or affect the existing rights or powers of the United States of America, its agencies, or instrumentalities, in and to the use of the waters of the Goose Lake Basin nor its capacity to acquire rights in and to the use of said waters.

"B. To subject any property of the United States of America, its agencies or instrumentalities, to taxation by any State or subdivision thereof, nor to create an obligation on the part of the United States of America, its agencies or instrumentalities by reason of the acquisition, construction or operation of any property or works of whatsoever kind, to make any payments to any State or political subdivision thereof, State agency, municipality or entity, whatsoever in reimbursement for the loss of taxes. Taxes.

"C. To subject any property of the United States of America, its agencies or instrumentalities, to the laws of any State to any extent other than the extent to which these laws would apply without regard to the compact.".

Approved July 2, 1984.

LEGISLATIVE HISTORY—S. 1135:

HOUSE REPORT No. 98-841 (Comm. on Interior and Insular Affairs).
SENATE REPORT No. 98-397 (Comm. on the Judiciary).
CONGRESSIONAL RECORD, Vol. 130 (1984):
May 1, considered and passed Senate.
June 18, considered and passed House.