

108TH CONGRESS  
1ST SESSION

# H. R. 3400

To amend the reclamation laws to clarify that certain man-made facilities that receive water from a Bureau of Reclamation Project are not navigable waters.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 29, 2003

Mr. OTTER (for himself, Mr. CANNON, Mr. SIMPSON, Mr. NUNES, Mr. OSE, and Mr. PEARCE) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To amend the reclamation laws to clarify that certain man-made facilities that receive water from a Bureau of Reclamation Project are not navigable waters.

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. MAN-MADE FACILITIES THAT RECEIVE WATER**  
4                       **FROM A BUREAU OF RECLAMATION PROJECT**  
5                       **ARE NOT NAVIGABLE WATERS.**

6       The first section of the Act of July 4, 1955 (chapter  
7       271; 43 U.S.C. 421a), is amended—

8               (1) by striking “That distribution and drainage  
9       systems” and inserting the following:

1       “SEC. 1. (a) Distribution and drainage systems”; and

2               (2) by adding at the end the following:

3       “(b) Except for reservoirs in navigable streams or riv-

4   ers, man-made facilities that receive water from a Bureau

5   of Reclamation Project and store or convey water for irri-

6   gation or drainage purposes, shall not be considered to be

7   navigable waters of the United States.”.

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