

# Calendar No. 40

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 99

[Report No. 109–27]

To authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city’s water in the Kendrick Project, Wyoming.

---

## IN THE SENATE OF THE UNITED STATES

JANUARY 24, 2005

Mr. ENZI introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

MARCH 10, 2005

Reported by Mr. DOMENICI, without amendment

---

## A BILL

To authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city’s water in the Kendrick Project, Wyoming.

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. WATER STORAGE CONTRACTS.**

4        (a) DEFINITIONS.—In this Act:

5            (1) CITY.—The term “city” means—

1 (A) the city of Cheyenne, Wyoming;

2 (B) the Board of Public Utilities of the  
3 city; and

4 (C) any agency, public utility, or enterprise  
5 of the city.

6 (2) KENDRICK PROJECT.—The term “Kendrick  
7 Project” means the Bureau of Reclamation project  
8 on the North Platte River that was authorized by a  
9 finding of feasibility approved by the President on  
10 August 30, 1935, and constructed for irrigation and  
11 electric power generation, the major features of  
12 which include—

13 (A) Seminoe Dam, Reservoir, and Power-  
14 plant; and

15 (B) Alcova Dam and Powerplant.

16 (3) SECRETARY.—The term “Secretary” means  
17 the Secretary of the Interior, acting through the  
18 Commissioner of Reclamation.

19 (4) STATE.—The term “State” means the State  
20 of Wyoming.

21 (b) CONTRACTS.—

22 (1) IN GENERAL.—The Secretary may enter  
23 into 1 or more contracts with the city for annual  
24 storage of the city’s water for municipal and indus-

1 trial use in Seminole Dam and Reservoir of the  
2 Kendrick Project.

3 (2) CONDITIONS.—

4 (A) TERM; RENEWAL.—A contract under  
5 paragraph (1) shall—

6 (i) have a term of not more than 40  
7 years; and

8 (ii) may be renewed on terms agree-  
9 able to the Secretary and the city, for suc-  
10 cessive terms of not more than 40 years  
11 per term.

12 (B) REVENUES.—Notwithstanding the Act  
13 of May 9, 1938 (52 Stat. 322, chapter 187; 43  
14 U.S.C. 392a)—

15 (i) any operation and maintenance  
16 charges received under a contract executed  
17 under paragraph (1) shall be credited  
18 against applicable operation and mainte-  
19 nance costs of the Kendrick Project; and

20 (ii) any other revenues received under  
21 a contract executed under paragraph (1)  
22 shall be credited to the Reclamation Fund  
23 as a credit to the construction costs of the  
24 Kendrick Project.

1           (C) EFFECT ON EXISTING CONTRAC-  
2           TORS.—A contract under paragraph (1) shall  
3           not adversely affect the Kendrick Project, any  
4           existing Kendrick Project contractor, or any ex-  
5           isting Reclamation contractor on the North  
6           Platte River System.



**Calendar No. 40**

109<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 99**

[Report No. 109-27]

---

---

**A BILL**

To authorize the Secretary of the Interior to con-  
tract with the city of Cheyenne, Wyoming, for  
the storage of the city's water in the Kendrick  
Project, Wyoming.

---

---

MARCH 10, 2005

Reported without amendment