

Public Law 106–366
106th Congress

An Act

Oct. 27, 2000
[H.R. 2984]

To direct the Secretary of the Interior, through the Bureau of Reclamation, to convey to the Loup Basin Reclamation District, the Sargent River Irrigation District, and the Farwell Irrigation District, Nebraska, property comprising the assets of the Middle Loup Division of the Missouri River Basin Project, Nebraska.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVEYANCE OF THE ASSETS OF THE MIDDLE LOUP DIVISION OF THE MISSOURI RIVER BASIN PROJECT, NEBRASKA.

(a) **IN GENERAL.**—The Secretary shall, as soon as practicable after the date of the enactment of this Act and in accordance with all applicable law, convey all right, title, and interest in and to the property comprising the assets of the Missouri River Basin Project, Middle Loup Division, Nebraska, in accordance with the Memorandum of Understanding.

(b) **SALE PRICE.**—The Secretary shall accept \$2,847,360 as payment from the District and \$2,600,000 as payment from the power customers under the terms specified in this section, as consideration for the conveyance under subsection (a). Out of the receipts from the sale of power from the Pick-Sloan Missouri Basin Program (Eastern Division) collected by the Western Area Power Administration and deposited into the Reclamation fund of the Treasury in fiscal year 2001, \$2,600,200 shall be treated as full and complete payment by the power customers of such consideration and repayment by the power customers of all aid to irrigation associated with the facilities conveyed under subsection (a).

(c) **FUTURE BENEFITS.**—Upon payment by the Districts of consideration for the conveyance in accordance with the Memorandum of Understanding, the Middle Loup Division of the Missouri River Basin Project—

(1) shall not be treated as a Federal reclamation project; and

(2) shall not be subject to the reclamation laws or entitled to receive any reclamation benefits under those laws.

(d) **LIABILITY.**—Except as otherwise provided by law, effective on the date of conveyance of the assets under this section, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on its prior ownership or operation of the assets.

SEC. 2. DEFINITIONS.

In this Act:

(1) ASSETS.—The term “assets” has the meaning that term has in the Memorandum of Understanding.

(2) DISTRICTS.—The term “Districts” means the Loup Basin Reclamation District, the Sargent River Irrigation District, and the Farwell Irrigation District, Nebraska.

(3) MEMORANDUM OF UNDERSTANDING.—The term “Memorandum of Understanding” means Bureau of Reclamation memorandum of understanding number 99AG601285, entitled “MEMORANDUM OF UNDERSTANDING BETWEEN UNITED STATES DEPARTMENT OF THE INTERIOR BUREAU OF RECLAMATION GREAT PLAINS REGION NEBRASKA-KANSAS AREA OFFICE AND LOUP BASIN RECLAMATION DISTRICT FARWELL IRRIGATION DISTRICT SARGENT IRRIGATION DISTRICT CONCERNING PRINCIPLES AND ELEMENTS OF PROPOSED TRANSFER OF TITLE TO WORKS, FACILITIES AND LANDS IN THE MIDDLE LOUP DIVISION”.

Approved October 27, 2000.

LEGISLATIVE HISTORY—H.R. 2984 (S. 1612):

HOUSE REPORTS: No. 106-829 (Comm. on Resources).

SENATE REPORTS: No. 106-373 accompanying S. 1612 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Sept. 18, considered and passed House.

Oct. 13, considered and passed Senate.

