

Calendar No. 106

109TH CONGRESS
1ST SESSION

H. R. 1046

IN THE SENATE OF THE UNITED STATES

MAY 17, 2005

Received; read twice and placed on the calendar

AN ACT

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,*

1 **SECTION 1. WATER STORAGE CONTRACTS.**

2 (a) DEFINITIONS.—In this Act:

3 (1) CITY.—The term “city” means—

4 (A) the city of Cheyenne, Wyoming;

5 (B) the Board of Public Utilities of the
6 city; and

7 (C) any agency, public utility, or enterprise
8 of the city.

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

16 (A) Seminoe Dam, Reservoir, and Power-
17 plant; and

18 (B) Alcova Dam and Powerplant.

19 (3) SECRETARY.—The term “Secretary” means
20 the Secretary of the Interior, acting through the
21 Commissioner of Reclamation.

22 (4) STATE.—The term “State” means the State
23 of Wyoming.

24 (b) CONTRACTS.—

25 (1) IN GENERAL.—The Secretary may enter
26 into 1 or more contracts with the city for annual

1 storage of the city's water for municipal and indus-
2 trial use in Seminole Dam and Reservoir of the
3 Kendrick Project.

4 (2) CONDITIONS.—

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

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

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

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

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

21 (ii) any other revenues received under
22 a contract executed under paragraph (1)
23 shall be credited to the Reclamation Fund
24 as a credit to the construction costs of the
25 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.

Passed the House of Representatives May 16, 2005.

Attest:

JEFF TRANDAHL,

Clerk.

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