

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 5110

To facilitate the use for irrigation and other purposes of water produced  
in connection with development of energy resources.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 2006

Mr. UDALL of Colorado introduced the following bill; which was referred to  
the Committee on Resources

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## A BILL

To facilitate the use for irrigation and other purposes of  
water produced in connection with development of energy  
resources.

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. SHORT TITLE, FINDINGS, AND PURPOSE.**

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “More Water and More Energy Act of 2006”.

6       (b) FINDINGS.—The Congress finds the following:

7               (1) Development of energy resources, including  
8       oil, natural gas, and coalbed methane, frequently re-  
9       sults in bringing to the surface water extracted from  
10       underground sources.

1           (2) Some of this produced water is used for ir-  
2           rigation or other purposes, but most of it is returned  
3           to the subsurface.

4           (3) Reducing the amount of produced water re-  
5           turned to the subsurface, and increasing the amount  
6           that is made available for irrigation and other  
7           uses—

8                   (A) would augment water supplies;

9                   (B) could reduce the costs to energy devel-  
10           opers for disposing of such water; and

11                   (C) in some instances could increase the  
12           efficiency of energy development activities.

13           (4) Removing or reducing the technical, eco-  
14           nomic, environmental, legal, and other factors that  
15           impede use of produced water for irrigation and  
16           other purposes is in the national interest.

17           (c) PURPOSE.—The purpose of this Act is to facili-  
18           tate the use of produced water for irrigation and other  
19           purposes and to demonstrate ways to accomplish that re-  
20           sult.

21 **SEC. 2. DEFINITIONS.**

22           In this Act:

23                   (1) PRODUCED WATER.—The term “produced  
24           water” means water from an underground source,  
25           that is brought to the surface as part of the process

1 of exploration for or development of oil, natural gas,  
2 coalbed methane, or any other substance to be used  
3 as an energy source.

4 (2) SECRETARY.—The term “the Secretary”  
5 means the Secretary of the Interior.

6 (3) UPPER BASIN STATES.—The term “Upper  
7 Basin States” means the States of Colorado, New  
8 Mexico, Utah, and Wyoming.

9 (4) LOWER BASIN STATES.—The term “Lower  
10 Basin States” means the States of Arizona, Cali-  
11 fornia, and Nevada.

12 **SEC. 3. IDENTIFICATION OF PROBLEMS AND SOLUTIONS.**

13 (a) STUDY.—

14 (1) IN GENERAL.—The Secretary, acting  
15 through the Commissioner of Reclamation and the  
16 Director of the United States Geological Survey,  
17 shall conduct a study to identify—

18 (A) the technical, economic, environmental,  
19 legal, and other obstacles to increasing the ex-  
20 tent to which produced water can be used for  
21 irrigation and other purposes; and

22 (B) the legislative, administrative, and  
23 other actions that could reduce or eliminate  
24 such obstacles.

1           (2) CONSULTATION, ADVICE, AND COM-  
2           MENTS.—In implementing this subsection, the Sec-  
3           retary—

4                   (A) shall consult with the Secretary of En-  
5                   ergy, the Administrator of the Environmental  
6                   Protection Agency, and appropriate Governors  
7                   and local officials;

8                   (B) shall seek the advice of individuals  
9                   with relevant professional and industrial experi-  
10                  ence or academic expertise; and

11                  (C) shall solicit comments and suggestions  
12                  from the public.

13           (b) REPORT.—Not later than one year after the date  
14 of the enactment of this Act, the Secretary shall report  
15 to the Committee on Resources of the House of Represent-  
16 atives and the Committee on Energy and Natural Re-  
17 sources of the Senate regarding the results of the study  
18 required by this section.

19 **SEC. 4. DEMONSTRATION PROJECTS.**

20           (a) GRANTS.—Subject to the availability of funds ap-  
21 propriated for the purpose, the Secretary shall award  
22 grants to assist in the development of facilities to dem-  
23 onstrate the feasibility, effectiveness, and safety of proc-  
24 esses to increase the extent to which produced water may

1 be recovered and made suitable for use for irrigation, mu-  
2 nicipal or industrial uses, or other purposes.

3 (b) LIMITATIONS.—Grants under this section—

4 (1) shall be provided for—

5 (A) no more than one project in one of the  
6 Upper Basin States;

7 (B) no more than one project in one of the  
8 Lower Basin States other than California; and

9 (C) no more than one project in California;

10 (2) shall not exceed \$1,000,000 for any project;

11 (3) shall be used to pay not more than 50 per-  
12 cent of the total cost of a project carried out with  
13 such grants; and

14 (4) shall not be used for operation or mainte-  
15 nance of any facility.

16 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

17 There are authorized to be appropriated—

18 (1) such sums as may be required to implement  
19 section 3; and

20 (2) \$5,000,000 to implement section 4.

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