

106TH CONGRESS  
2D SESSION

# S. 2882

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IN THE HOUSE OF REPRESENTATIVES

OCTOBER 17, 2000

Referred to the Committee on Resources

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## AN ACT

To authorize the Bureau of Reclamation to conduct certain feasibility studies to augment water supplies for the Klamath Project, Oregon and California, and for other purposes.

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.**

4 This Act may be cited as the “Klamath Basin Water  
5 Supply Enhancement Act of 2000”.

1 **SEC. 2. AUTHORIZATION TO CONDUCT FEASIBILITY STUD-**  
2 **IES.**

3 In order to help meet the growing water needs in the  
4 Klamath River basin, to improve water quality, to facili-  
5 tate the efforts of the State of Oregon to resolve water  
6 rights claims in the Upper Klamath River Basin including  
7 facilitation of Klamath tribal water rights claims, and to  
8 reduce conflicts over water between the Upper and Lower  
9 Klamath Basins, the Secretary of the Interior (hereafter  
10 referred to as the “Secretary”) is authorized and directed,  
11 in consultation with affected state, local and tribal inter-  
12 ests, stakeholder groups and the interested public, to en-  
13 gage in feasibility studies of the following proposals re-  
14 lated to the Upper Klamath Basin and the Klamath  
15 Project, a federal reclamation project in Oregon and Cali-  
16 fornia:

17 (1) Increasing the storage capacity, and/or the  
18 yield of the Klamath Project facilities while improv-  
19 ing water quality, consistent with the protection of  
20 fish and wildlife.

21 (2) The potential for development of additional  
22 Klamath Basin groundwater supplies to improve  
23 water quantity and quality, including the effect of  
24 such groundwater development on non-project lands,  
25 groundwater and surface water supplies, and fish  
26 and wildlife.

1           (3) The potential for further innovations in the  
2           use of existing water resources, or market-based ap-  
3           proaches, in order to meet growing water needs con-  
4           sistent with state water law.

5 **SEC. 3. ADDITIONAL STUDIES.**

6           (a) NON-PROJECT LANDS.—The Secretary may enter  
7           into an agreement with the Oregon Department of Water  
8           Resources to fund studies relating to the water supply  
9           needs of non-project lands in the Upper Klamath Basin.

10          (b) SURVEYS.—To further the purposes of this Act,  
11          the Secretary is authorized to compile information on na-  
12          tive fish species in the Upper Klamath River Basin, up-  
13          stream of Upper Klamath Lake. Wherever possible, the  
14          Secretary should use data already developed by Federal  
15          agencies and other stakeholders in the Basin.

16          (c) HYDROLOGIC STUDIES.—The Secretary is di-  
17          rected to complete ongoing hydrologic surveys in the  
18          Klamath River Basin currently being conducted by the  
19          U.S. Geological Survey.

20          (d) REPORTING REQUIREMENTS.—The Secretary  
21          shall submit the findings of the studies conducted under  
22          section 2 and Section 3(a) of this Act to the Congress  
23          within 90 days of each study's completion, together with  
24          any recommendations for projects.

1 **SEC. 4. LIMITATION.**

2 Activities funded under this Act shall not be consid-  
3 ered a supplemental or additional benefit under the Act  
4 of June 17, 1902 (82 Stat. 388) and all Acts amendatory  
5 thereof or supplementary thereto.

6 **SEC. 5. WATER RIGHTS**

7 Nothing in this Act shall be construed to—

8 (1) create, by implication or otherwise, any re-  
9 served water right or other right to the use of water;

10 (2) invalidate, preempt, or create any exception  
11 to State water law or an interstate compact gov-  
12 erning water;

13 (3) alter the rights of any State to any appro-  
14 priated share of the waters of any body or surface  
15 or groundwater, whether determined by past or fu-  
16 ture interstate compacts or by past or future legisla-  
17 tive or final judicial allocations;

18 (4) preempt or modify any State or Federal law  
19 or interstate compact dealing with water quality or  
20 disposal; or

21 (5) confer upon any non-Federal entity the abil-  
22 ity to exercise any Federal right to the waters of any  
23 stream or to any groundwater resources.

1 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

2       There are authorized such sums as necessary to carry  
3 out the purposes of this Act. Activities conducted under  
4 this Act shall be non-reimbursable and nonreturnable.

      Passed the Senate October 13 (legislative day, Sep-  
tember 22), 2000.

Attest:

GARY SISCO,  
*Secretary.*