

109TH CONGRESS
1ST SESSION

S. 99

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

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—

6 (A) the city of Cheyenne, Wyoming;

7 (B) the Board of Public Utilities of the

8 city; and

1 (C) any agency, public utility, or enterprise
2 of the city.

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

10 (A) Seminoe Dam, Reservoir, and Power-
11 plant; and

12 (B) Alcova Dam and Powerplant.

13 (3) SECRETARY.—The term “Secretary” means
14 the Secretary of the Interior, acting through the
15 Commissioner of Reclamation.

16 (4) STATE.—The term “State” means the State
17 of Wyoming.

18 (b) CONTRACTS.—

19 (1) IN GENERAL.—The Secretary may enter
20 into 1 or more contracts with the city for annual
21 storage of the city’s water for municipal and indus-
22 trial use in Seminoe Dam and Reservoir of the
23 Kendrick Project.

24 (2) CONDITIONS.—

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

3 (i) have a term of not more than 40
4 years; and

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

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

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

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

22 (C) EFFECT ON EXISTING CONTRAC-
23 TORS.—A contract under paragraph (1) shall
24 not adversely affect the Kendrick Project, any
25 existing Kendrick Project contractor, or any ex-

- 1 existing Reclamation contractor on the North
- 2 Platte River System.

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