

Public Law 106-376
106th Congress

An Act

To direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District.

Oct. 27, 2000

[H.R. 4389]

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

SECTION 1. DEFINITIONS.

In this Act:

(1) **CONTRACT.**—The term “contract” means the contract between the United States and the Northern Colorado Water Conservancy District providing for the construction of the Colorado-Big Thompson Project, dated July 5, 1938 (including any amendments and supplements).

(2) **DISTRICT.**—The term “District” means the Northern Colorado Water Conservancy District.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(4) **TRANSFERRED WATER DISTRIBUTION FACILITIES.**—The term “transferred water distribution facilities” means the North Poudre Supply Canal and Diversion Works, also known as the Munroe Gravity Canal, the Charles Hansen (Supply) Canal and Windsor Extension, and the Dixon Feeder Canal, all of which are facilities of the Colorado-Big Thompson Project located in Larimer County, Colorado.

SEC. 2. CONVEYANCE OF TRANSFERRED WATER DISTRIBUTION FACILITIES.

(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 to the District all right, title, and interest in and to the transferred water distribution facilities.

(b) **SALE PRICE.**—

(1) **IN GENERAL.**—The Secretary shall accept \$150,315 as payment from the District and \$1,798,200 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 Loveland Area Projects collected by the Western Area Power Administration and deposited into the Reclamation fund of the Treasury in fiscal year 2001, \$1,798,200 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).

(2) **NO EFFECT ON OBLIGATIONS AND RIGHTS.**—Except as expressly provided in this Act, nothing in this Act affects or

modifies the obligations and rights of the District under the contract.

(3) **PAYMENTS.**—Except as provided in subsection (c), the District shall continue to make such payments as are required under the contract.

(c) **CREDIT TOWARD PROJECT REPAYMENT.**—Upon payment by the District of the amount authorized to be accepted from the District under subsection (b)(1), the amount paid shall be credited toward repayment of capital costs of the Colorado-Big Thompson Project in an amount equal to the associated undiscounted obligation for repayment of the capital costs.

SEC. 3. LIABILITY.

Except as otherwise provided by law, effective on the date of conveyance of the transferred water distribution facilities under this Act, the United States shall not be liable for damages of any kind arising out of any act, omission, or occurrence based on any prior ownership or operation by the United States of the conveyed property.

Approved October 27, 2000.

LEGISLATIVE HISTORY—H.R. 4389 (S. 2400):

HOUSE REPORTS: No. 106-812 (Comm. on Resources).

SENATE REPORTS: No. 106-450 accompanying S. 2400 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 3, considered and passed House.

Oct. 13, considered and passed Senate.