

Union Calendar No. 487

106TH CONGRESS
2^D SESSION

H. R. 2984

[Report No. 106-829]

To direct the Secretary of the Interior, through the Bureau of Reclamation, to convey to the Loup Basin Reclamation District, the Sargent River Irrigation District, and the Farwell Irrigation District, Nebraska, property comprising the assets of the Middle Loup Division of the Missouri River Basin Project, Nebraska.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 30, 1999

Mr. BARRETT of Nebraska introduced the following bill; which was referred to the Committee on Resources

SEPTEMBER 7, 2000

Additional sponsors: Ms. CARSON, Ms. DUNN, Mr. STUMP, Mr. WATKINS, Mr. SHOWS, Mr. UPTON, Mr. BRYANT, Mr. SALMON, Mr. KIND, Mr. HAYWORTH, Mr. STEARNS, Mr. MCCOLLUM, Mrs. THURMAN, Mr. WAMP, Mrs. MYRICK, and Mr. WELDON of Florida

SEPTEMBER 7, 2000

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italics]

A BILL

To direct the Secretary of the Interior, through the Bureau of Reclamation, to convey to the Loup Basin Reclamation District, the Sargent River Irrigation District, and

the Farwell Irrigation District, Nebraska, property comprising the assets of the Middle Loup Division of the Missouri River Basin Project, Nebraska.

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. CONVEYANCE OF THE ASSETS OF THE MIDDLE**
 4 **LOUP DIVISION OF THE MISSOURI RIVER**
 5 **BASIN PROJECT, NEBRASKA.**

6 (a) **IN GENERAL.**—The Secretary of the Interior, act-
 7 ing through the Bureau of Reclamation, shall promptly
 8 convey to the Districts all right, title, and interest of the
 9 United States in and to the property comprising the assets
 10 of the Missouri River Basin Project, Middle Loup Divi-
 11 sion, Nebraska, in accordance with the Memorandum of
 12 Understanding.

13 (b) **FUTURE BENEFITS.**—Upon payment by the Dis-
 14 tricts of consideration for the conveyance in accordance
 15 with the Memorandum of Understanding, the Middle Loup
 16 Division of the Missouri River Basin Project—

17 (1) shall not be treated as a Federal reclama-
 18 tion project; and

19 (2) shall not be subject to the reclamation laws
 20 or entitled to receive any reclamation benefits under
 21 those laws.

22 (c) **LIABILITY.**—Except as otherwise provided by law,
 23 effective on the date of conveyance of the assets under

1 this section, the United States shall not be liable for dam-
2 ages of any kind arising out of any act, omission, or occur-
3 rence based on its prior ownership or operation of the as-
4 sets.

5 (d) DEFINITIONS.—In this section:

6 (1) ASSETS.—The term “assets” has the mean-
7 ing that term has in the Memorandum of Under-
8 standing.

9 (2) DISTRICTS.—The term “Districts” means
10 the Loup Basin Reclamation District, the Sargent
11 River Irrigation District, and the Farwell Irrigation
12 District, Nebraska.

13 (3) MEMORANDUM OF UNDERSTANDING.—The
14 term “Memorandum of Understanding” means Bu-
15 reau of Reclamation memorandum of understanding
16 number 99AG601285, entitled “MEMORANDUM
17 OF UNDERSTANDING BETWEEN UNITED
18 STATES DEPARTMENT OF THE INTERIOR
19 BUREAU OF RECLAMATION GREAT PLAINS
20 REGION NEBRASKA-KANSAS AREA OFFICE
21 AND LOUP BASIN RECLAMATION DISTRICT
22 FARWELL IRRIGATION DISTRICT SARGENT
23 IRRIGATION DISTRICT CONCERNING PRIN-
24 CIPLES AND ELEMENTS OF PROPOSED
25 TRANSFER OF TITLE TO WORKS, FACILI-

1 TIES AND LANDS IN THE MIDDLE LOUP DI-
2 VISION”.

3 **SECTION 1. CONVEYANCE OF THE ASSETS OF THE MIDDLE**
4 **LOUP DIVISION OF THE MISSOURI RIVER**
5 **BASIN PROJECT, NEBRASKA.**

6 (a) *IN GENERAL.*—*The Secretary shall, as soon as*
7 *practicable after the date of enactment of this Act and in*
8 *accordance with all applicable law, convey all right, title,*
9 *and interest in and to the property comprising the assets*
10 *of the Missouri River Basin Project, Middle Loup Division,*
11 *Nebraska, in accordance with the Memorandum of Under-*
12 *standing.*

13 (b) *SALE PRICE.*—*The Secretary may accept payment*
14 *as provided for in the Memorandum of Understanding as*
15 *consideration for the conveyance of the assets.*

16 (c) *FUTURE BENEFITS.*—*Upon payment by the Dis-*
17 *tricts of consideration for the conveyance in accordance*
18 *with the Memorandum of Understanding, the Middle Loup*
19 *Division of the Missouri River Basin Project—*

20 (1) *shall not be treated as a Federal reclamation*
21 *project; and*

22 (2) *shall not be subject to the reclamation laws*
23 *or entitled to receive any reclamation benefits under*
24 *those laws.*

1 (d) *LIABILITY.*—*Except as otherwise provided by law,*
2 *effective on the date of conveyance of the assets under this*
3 *section, the United States shall not be liable for damages*
4 *of any kind arising out of any act, omission, or occurrence*
5 *based on its prior ownership or operation of the assets.*

6 (e) *DEFINITIONS.*—*In this section:*

7 (1) *ASSETS.*—*The term “assets” has the meaning*
8 *that term has in the Memorandum of Understanding.*

9 (2) *DISTRICTS.*—*The term “Districts” means the*
10 *Loup Basin Reclamation District, the Sargent River*
11 *Irrigation District, and the Farwell Irrigation Dis-*
12 *trict, Nebraska.*

13 (3) *MEMORANDUM OF UNDERSTANDING.*—*The*
14 *term “Memorandum of Understanding” means Bu-*
15 *reau of Reclamation memorandum of understanding*
16 *number 99AG601285, entitled “MEMORANDUM OF*
17 *UNDERSTANDING BETWEEN UNITED STATES*
18 *DEPARTMENT OF THE INTERIOR BUREAU OF*
19 *RECLAMATION GREAT PLAINS REGION NE-*
20 *BRASKA-KANSAS AREA OFFICE AND LOUP*
21 *BASIN RECLAMATION DISTRICT FARWELL IR-*
22 *RIGATION DISTRICT SARGENT IRRIGATION*
23 *DISTRICT CONCERNING PRINCIPLES AND*
24 *ELEMENTS OF PROPOSED TRANSFER OF*

- 1 *TITLE TO WORKS, FACILITIES AND LANDS IN*
- 2 *THE MIDDLE LOUP DIVISION”.*

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