

107TH CONGRESS
1ST SESSION

S. 1824

To authorize payments to certain Klamath Project water distribution entities for amounts assessed by the entities for operation and maintenance of the Project's irrigation works for 2001, to authorize refunds to such entities of amounts collected by the Bureau of Reclamation for reserved works for 2001, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 13, 2001

Mr. SMITH of Oregon (for himself and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To authorize payments to certain Klamath Project water distribution entities for amounts assessed by the entities for operation and maintenance of the Project's irrigation works for 2001, to authorize refunds to such entities of amounts collected by the Bureau of Reclamation for reserved works for 2001, 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 Emer-
5 gency Operation and Maintenance Refund Act of 2001".

1 **SEC. 2. QUALIFIED KLAMATH PROJECT ENTITY DEFINED.**

2 In this Act, the term “qualified Klamath Project enti-
3 ty” means any entity that—

4 (1) has executed a contract with the United
5 States providing for delivery of water from the
6 Upper Klamath Lake and the Klamath River of the
7 Klamath Project pursuant to the reclamation laws,
8 including the Act of June 17, 1902 (32 Stat. 388),
9 and Acts amendatory thereof or supplementary
10 thereto;

11 (2) distributes water received under the con-
12 tract;

13 (3) received a severely limited irrigation supply
14 from the Upper Klamath Lake and the Klamath
15 River based on the Bureau of Reclamation 2001 an-
16 nual operations plan dated April 6, 2001; and

17 (4) was not reimbursed for its operation and
18 maintenance expenses for 2001 pursuant to State
19 law.

20 **SEC. 3. REFUND AND WAIVER OF ASSESSMENTS AND**
21 **CHARGES FOR OPERATION AND MAINTENANCE OF KLAMATH RECLAMATION**
22 **PROJECT.**

24 (a) IN GENERAL.—The Secretary of the Interior is
25 authorized to pay to each qualified Klamath Project entity
26 an amount equal to the amount assessed or charged to

1 members of the qualified Klamath Project entity, or to
2 other persons receiving water or drainage service from
3 such an entity, for operation and maintenance of Klamath
4 Project irrigation works for 2001.

5 (b) CONDITIONS.—Payment under this section may
6 be made to a qualified Klamath Project entity only after
7 the entity has—

8 (1) provided to the Secretary documentation
9 satisfactory to the Bureau of Reclamation, dem-
10 onstrating the total amount assessed or charged to
11 members of the entity or to persons receiving service
12 from the entity; and

13 (2) executed a binding agreement under which
14 the funds paid to the entity under this section shall
15 be distributed to each member of the entity or per-
16 sons receiving service from the entity in an amount
17 equal to the amount equal to the amount collected
18 by the entity from the member or person for oper-
19 ation and maintenance for 2001.

20 (c) WAIVER OF REMAINING AND ADDITIONAL
21 CHARGES.—The Secretary may waive any requirement
22 that a qualified Klamath Project entity pay remaining or
23 additional charges for operation and maintenance of
24 Klamath Project reserved works for 2001.

1 (d) PAYMENTS AND WAIVERS FOR INDIVIDUALS.—

2 The Secretary—

3 (1) may pay, to any individual within the Klamath
4 ath Project who holds a contract entered into pursuant
5 ant to the Act of February 21, 1911 (36 Stat. 925;
6 43 U.S.C. 523–525), popularly known as the “Warren
7 ren Act”, and who is not within a district that receives
8 ceives a payment pursuant to subsection (a) and a
9 waiver under subsection (c), an amount equal to the
10 amount collected from such individual for operation
11 and maintenance of Klamath Project reserved works
12 for 2001; and

13 (2) may forego collection from such individual
14 of charges for operation and maintenance of such
15 works for the remainder of 2001.

16 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

17 There are authorized to be appropriated such sums
18 as are necessary to carry out this Act, not to exceed \$5
19 million. Amounts needed for the operation and maintenance
20 nance of the reserved works for 2001 but not paid by a
21 qualified Klamath Project entity to the Bureau of Reclamation
22 shall be funded from the appropriations authorized by this Act.
23 Costs incurred by Reclamation in fulfilling this Act shall not be
24 reimbursable.

1 **SEC. 5. NO SUPPLEMENTAL OR ADDITIONAL BENEFIT.**

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

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