

116TH CONGRESS
1ST SESSION

S. 1882

To make available the continued use of Pick-Sloan Missouri Basin Program project use power by the Kinsey Irrigation Company and the Sidney Water Users Irrigation District, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2019

Mr. DAINES introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To make available the continued use of Pick-Sloan Missouri Basin Program project use power by the Kinsey Irrigation Company and the Sidney Water Users Irrigation District, 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. CONTINUED USE OF PICK-SLOAN MISSOURI**
4 **BASIN PROGRAM PROJECT USE POWER BY**
5 **THE KINSEY IRRIGATION COMPANY AND THE**
6 **SIDNEY WATER USERS IRRIGATION DISTRICT.**

7 (a) FINDINGS.—Congress finds that—

1 (1) the Act of May 18, 1938 (52 Stat. 403,
2 chapter 250; 16 U.S.C. 833 et seq.), authorized the
3 completion, maintenance, and operation of the Fort
4 Peck project;

5 (2) section 2 of that Act (52 Stat. 404, chapter
6 250; 16 U.S.C. 833a) authorized and directed the
7 Bureau of Reclamation—

8 (A) to transmit and sell electric energy
9 generated by the Fort Peck project; and

10 (B) “to interconnect the Fort Peck project
11 with either private or with other Federal
12 projects and publicly owned power systems now
13 or hereafter constructed.”;

14 (3) section 9 of the Act of December 22, 1944
15 (commonly known as the “Flood Control Act of
16 1944”) (58 Stat. 891, chapter 665)—

17 (A) authorized the Missouri River Basin
18 Project, now known as the “Pick-Sloan Mis-
19 souri Basin Program” (referred to in this sec-
20 tion as the “Program”);

21 (B) approved the comprehensive plan for
22 the Program set forth in Senate Document 191
23 and House Document 475, as revised and co-
24 ordinated by Senate Document 247, 78th Con-
25 gress;

1 (C) established a permanent administra-
2 tion for the development of the Missouri River
3 Basin; and

4 (D) incorporated the Fort Peck project as
5 part of the Program;

6 (4) in 1946, the Bureau of Reclamation entered
7 into project use power contracts to provide the
8 Kinsey Irrigation Company and the predecessor of
9 the Sidney Water Users Irrigation District electrical
10 service under the authority of the Act of May 18,
11 1938 (52 Stat. 403, chapter 250; 16 U.S.C. 833 et
12 seq.);

13 (5) since 1946, the Bureau of Reclamation has
14 approved 9 modifications to the project use power
15 contracts between the Bureau of Reclamation, the
16 Kinsey Irrigation Company, and the Sidney Water
17 Users Irrigation District;

18 (6) the project use power contracts in effect on
19 the date of enactment of this Act provide electric
20 service to the Kinsey Irrigation Company and the
21 Sidney Water Users Irrigation District at the Pro-
22 gram rate of 2.5 mills per kilowatt-hour, including
23 wheeling, through 2020; and

24 (7) the Kinsey Irrigation Company and the Sid-
25 ney Water Users Irrigation District have reasonably

1 relied on the authority of the Act of May 18, 1938
2 (52 Stat. 403, chapter 250; 16 U.S.C. 833 et seq.),
3 and the fact that the Bureau of Reclamation has
4 treated the Kinsey Irrigation Company and the Sid-
5 ney Water Users Irrigation District as irrigation
6 pumping units of the Program for more than 74
7 years.

8 (b) AUTHORIZATION.—Notwithstanding any other
9 provision of law and subject to subsection (c), the Sec-
10 retary of the Interior (acting through the Commissioner
11 of Reclamation) shall continue to treat the irrigation
12 pumping units known as the “Kinsey Irrigation Com-
13 pany” in Custer County, Montana and the “Sidney Water
14 Users Irrigation District” in Richland County, Montana,
15 or any successor to the Kinsey Irrigation Company or Sid-
16 ney Water Users Irrigation District, as irrigation pumping
17 units of the Program for the purposes of wheeling, admin-
18 istration, and payment of project use power.

19 (c) LIMITATION.—The quantity of power to be pro-
20 vided to the Kinsey Irrigation Company and the Sidney
21 Water Users Irrigation District (including any successor
22 to the Kinsey Irrigation Company or the Sidney Water
23 Users Irrigation District) under subsection (b) may not
24 exceed the maximum quantity of power provided to the
25 Kinsey Irrigation Company and the Sidney Water Users

- 1 Irrigation District under the applicable contract for elec-
- 2 tric service in effect on the date of enactment of this Act.

