

AMENDMENT TO
RULE COMMITTEE PRINT 116-54
OFFERED BY MR. GIANFORTE OF MONTANA

Page 1907, after line 24, insert the following:

1 **SEC. 81253. CONTINUED USE OF PICK-SLOAN MISSOURI**
2 **BASIN PROGRAM PROJECT USE POWER BY**
3 **THE KINSEY IRRIGATION COMPANY AND THE**
4 **SIDNEY WATER USERS IRRIGATION DISTRICT.**

5 (a) FINDINGS.—Congress finds that—

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

10 (2) section 2 of that Act (52 Stat. 404, chapter
11 250; 16 U.S.C. 833a) authorized and directed the
12 Bureau of Reclamation—

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

15 (B) “to interconnect the Fort Peck project
16 with either private or with other Federal
17 projects and publicly owned power systems now
18 or hereafter constructed.”;

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

4 (A) authorized the Missouri River Basin
5 Project, now known as the “Pick-Sloan Mis-
6 souri Basin Program” (referred to in this sec-
7 tion as the “Program”);

8 (B) approved the comprehensive plan for
9 the Program set forth in Senate Document 191
10 and House Document 475, as revised and co-
11 ordinated by Senate Document 247, 78th Con-
12 gress;

13 (C) established a permanent administra-
14 tion for the development of the Missouri River
15 Basin; and

16 (D) incorporated the Fort Peck project as
17 part of the Program;

18 (4) in 1946, the Bureau of Reclamation entered
19 into project use power contracts to provide the
20 Kinsey Irrigation Company and the predecessor of
21 the Sidney Water Users Irrigation District electrical
22 service under the authority of the Act of May 18,
23 1938 (52 Stat. 403, chapter 250; 16 U.S.C. 833 et
24 seq.);

1 (5) since 1946, the Bureau of Reclamation has
2 approved 9 modifications to the project use power
3 contracts between the Bureau of Reclamation, the
4 Kinsey Irrigation Company, and the Sidney Water
5 Users Irrigation District;

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

12 (7) the Kinsey Irrigation Company and the Sid-
13 ney Water Users Irrigation District have reasonably
14 relied on the authority of the Act of May 18, 1938
15 (52 Stat. 403, chapter 250; 16 U.S.C. 833 et seq.),
16 and the fact that the Bureau of Reclamation has
17 treated the Kinsey Irrigation Company and the Sid-
18 ney Water Users Irrigation District as irrigation
19 pumping units of the Program for more than 74
20 years.

21 (b) AUTHORIZATION.—Notwithstanding any other
22 provision of law and subject to subsection (c), the Sec-
23 retary of the Interior (acting through the Commissioner
24 of Reclamation) shall continue to treat the irrigation
25 pumping units known as the “Kinsey Irrigation Com-

1 pany” in Custer County, Montana, and the “Sidney Water
2 Users Irrigation District” in Richland County, Montana,
3 or any successor to the Kinsey Irrigation Company or Sid-
4 ney Water Users Irrigation District, as irrigation pumping
5 units of the Program for the purposes of wheeling, admin-
6 istration, and payment of project use power.

7 (c) LIMITATION.—The quantity of power to be pro-
8 vided to the Kinsey Irrigation Company and the Sidney
9 Water Users Irrigation District (including any successor
10 to the Kinsey Irrigation Company or the Sidney Water
11 Users Irrigation District) under subsection (b) may not
12 exceed the maximum quantity of power provided to the
13 Kinsey Irrigation Company and the Sidney Water Users
14 Irrigation District under the applicable contract for elec-
15 tric service in effect on the date of enactment of this Act.

