

Public Law 106-498  
106th Congress

An Act

To authorize the Bureau of Reclamation to conduct certain feasibility studies to augment water supplies for the Klamath Project, Oregon and California, and for other purposes.

Nov. 9, 2000  
[S. 2882]

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

Klamath Basin  
Water Supply  
Enhancement  
Act of 2000.

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Klamath Basin Water Supply Enhancement Act of 2000”.

**SEC. 2. AUTHORIZATION TO CONDUCT FEASIBILITY STUDIES.**

In order to help meet the growing water needs in the Klamath River Basin, to improve water quality, to facilitate the efforts of the State of Oregon to resolve water rights claims in the Upper Klamath River Basin including facilitation of Klamath tribal water rights claims, and to reduce conflicts over water between the Upper and Lower Klamath Basins, the Secretary of the Interior (hereafter referred to as the “Secretary”) is authorized and directed, in consultation with affected State, local and tribal interests, stakeholder groups and the interested public, to engage in feasibility studies of the following proposals related to the Upper Klamath Basin and the Klamath Project, a Federal reclamation project in Oregon and California:

(1) Increasing the storage capacity, and/or the yield of the Klamath Project facilities while improving water quality, consistent with the protection of fish and wildlife.

(2) The potential for development of additional Klamath Basin groundwater supplies to improve water quantity and quality, including the effect of such groundwater development on nonproject lands, groundwater and surface water supplies, and fish and wildlife.

(3) The potential for further innovations in the use of existing water resources, or market-based approaches, in order to meet growing water needs consistent with State water law.

**SEC. 3. ADDITIONAL STUDIES.**

(a) **NONPROJECT LANDS.**—The Secretary may enter into an agreement with the Oregon Department of Water Resources to fund studies relating to the water supply needs of nonproject lands in the Upper Klamath Basin.

(b) **SURVEYS.**—To further the purposes of this Act, the Secretary is authorized to compile information on native fish species in the Upper Klamath River Basin, upstream of Upper Klamath Lake.

Wherever possible, the Secretary should use data already developed by Federal agencies and other stakeholders in the Basin.

(c) **HYDROLOGIC STUDIES.**—The Secretary is directed to complete ongoing hydrologic surveys in the Klamath River Basin currently being conducted by the United States Geological Survey.

Deadline.

(d) **REPORTING REQUIREMENTS.**—The Secretary shall submit the findings of the studies conducted under section 2 and section 3(a) of this Act to the Congress within 90 days of each study's completion, together with any recommendations for projects.

#### **SEC. 4. LIMITATION.**

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

#### **SEC. 5. WATER RIGHTS**

Nothing in this Act shall be construed to—

(1) create, by implication or otherwise, any reserved water right or other right to the use of water;

(2) invalidate, preempt, or create any exception to State water law or an interstate compact governing water;

(3) alter the rights of any State to any appropriated share of the waters of any body or surface or groundwater, whether determined by past or future interstate compacts or by past or future legislative or final judicial allocations;

(4) preempt or modify any State or Federal law or interstate compact dealing with water quality or disposal; or

(5) confer upon any non-Federal entity the ability to exercise any Federal right to the waters of any stream or to any groundwater resources.

#### **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

There are authorized such sums as necessary to carry out the purposes of this Act. Activities conducted under this Act shall be nonreimbursable and nonreturnable.

Approved November 9, 2000.

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#### **LEGISLATIVE HISTORY—S. 2882:**

SENATE REPORTS: No. 106-489 (Comm. on Energy and Natural Resources).  
CONGRESSIONAL RECORD, Vol. 146 (2000):

Oct. 13, considered and passed Senate.

Oct. 23, considered and passed House.