

Sen. Henry Dworshak  
Room 332 Senate Office Bldg.  
Washington 25, D. C.

85TH CONGRESS  
1ST SESSION

## S. 145

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### IN THE SENATE OF THE UNITED STATES

JANUARY 7 (legislative day, JANUARY 3), 1957

Mr. DWORSHAK introduced the following bill; which was read twice and referred to the Committee on Interior and Insular Affairs

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## A BILL

To authorize the Secretary of the Interior to construct, operate, and maintain a reregulating reservoir and other works at the Burns Creek site in the Upper Snake River Valley, Idaho, 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 That in order to assist in the irrigation of arid and semiarid  
4 lands in the Upper Snake River Valley, Idaho, to provide  
5 facilities for river regulation and the control of floods, to  
6 utilize the hydroelectric power opportunities created thereby,  
7 and, as incidents to the foregoing purposes, to enhance  
8 recreational opportunities and provide for the preservation  
9 and propagation of fish and wildlife, the Secretary of the

1 Interior is authorized to construct, operate, and maintain a  
2 reregulating reservoir, power plant, and related facilities at  
3 or near the Burns Creek site below Palisades Dam on the  
4 Snake River. In so doing, the Secretary shall be governed  
5 by the Federal reclamation laws (Act of June 17, 1902, 32  
6 Stat. 388, and Acts amendatory thereof and supplementary  
7 thereto). The works herein authorized shall be considered  
8 as features of the Palisades Dam and Reservoir project  
9 (Act of September 30, 1950, 64 Stat. 1083) and shall be  
10 integrated therewith financially and operationally.

11 SEC. 2. The irrigation storage space in Burns Creek  
12 Reservoir shall be reserved for subscription by organiza-  
13 tions which have storage rights in Palisades Reservoir, and  
14 the Secretary may contract with any such organization on  
15 the basis of operating plans which, in accordance with con-  
16 tracts heretofore entered into between the United States  
17 and subscribers to Palisades space, treat said conservation  
18 capacity as having a priority equal to that of the irrigation  
19 capacity in Palisades Reservoir. Any Burns Creek irriga-  
20 tion storage space which is not so subscribed within six  
21 months from the time when funds are first made available  
22 for starting construction of the Burns Creek development  
23 shall then be made available for use in accordance with the  
24 Federal reclamation laws.

25 SEC. 3. (a) The Secretary is authorized, in connection

1 with the Burns Creek development, to construct minimum  
2 basic public recreational facilities and to arrange for the  
3 operation and maintenance of the same by an appropriate  
4 State or local organization or agency.

5 (b) The Secretary may make such reasonable provision  
6 in the works of the Burns Creek development as, upon fur-  
7 ther study in accordance with section 2 of the Act of August  
8 14, 1946 (60 Stat. 1080, 16 U. S. C., sec. 662), he finds  
9 to be required for the preservation and propagation of fish  
10 and wildlife. An appropriate portion of the cost of the de-  
11 velopment shall be allocated as provided in said Act and it,  
12 together with the portion of the construction cost allocated to  
13 recreation and the operation and maintenance costs allocated  
14 to these functions, shall be nonreimbursable and nonreturn-  
15 able under the reclamation laws.

16 (c) So far as the Secretary finds the same to be con-  
17 sistent with safety and with efficient operation for the  
18 primary purposes of the development, Burns Creek Reservoir  
19 and lands adjacent thereto which are owned by the United  
20 States shall be open to free public use for lawful hunting  
21 and fishing purposes, and free access thereto for those pur-  
22 poses shall be assured.

23 (d) During times when releases for other purposes are  
24 less than one thousand cubic feet per second, a release of

1 this amount from Burns Creek Reservoir shall nevertheless  
2 be maintained for the benefit of downstream fishlife, but  
3 this release may be reduced for brief temporary periods by  
4 the Secretary whenever he may find that maintenance  
5 thereof is harmful to the primary purposes of the project.

6       SEC. 4. To assist in the construction of the works au-  
7 thorized by section 1 of this Act, the Secretary may, not-  
8 withstanding the last sentence of section 2 of the Act of  
9 September 30, 1950 (64 Stat. 1083), construct all neces-  
10 sary facilities to deliver power to the site of said works.  
11 The power-generating and transmission facilities authorized  
12 to be constructed by section 1 of this Act shall be subject  
13 to the second sentence of section 2 of said Act of September  
14 30, 1950, and shall, to the greatest possible extent consistent  
15 with existing contractual obligations, be operated in conjunc-  
16 tion with and connected to the facilities covered by such  
17 second sentence to the end of producing and marketing the  
18 greatest amount of power and energy. Nothing contained in  
19 this Act shall be construed to affect adversely the application  
20 in aid of irrigation, under sections 2 (b), 3 (a), and 5 of  
21 the Act of August 31, 1954 (68 Stat. 1026), of net power  
22 revenues received from the Palisades Reservoir and develop-  
23 ments combined therewith for payout purposes under said  
24 Act of September 30, 1950.

1        SEC. 5. There are hereby authorized to be appropriated  
2 such sums as may be necessary to carry out the purposes  
3 of this Act.