

**Statement of Timothy R. Petty, Ph.D.**  
**Assistant Secretary for Water and Science**  
**U.S. Department of the Interior**  
**Before the**  
**Subcommittee on Water and Power**  
**Committee on Energy and Natural Resources**  
**U.S. Senate**

**H.R. 132 – Arbuckle Project Maintenance Complex and District Office Conveyance**

**Wednesday, June 13, 2018**

Chairman Flake, Ranking Member Cortez Masto and members of the Subcommittee, I am Dr. Tim Petty, Assistant Secretary for Water and Science at the U.S. Department of the Interior (Department). Thank you for the opportunity to provide the views of the Department on H.R. 132, the Arbuckle Project Maintenance Complex and District Office Conveyance Act of 2017. For the reasons I will discuss below, the Department supports this bill.

H.R. 132 directs the Department of the Interior to convey to the Arbuckle Master Conservancy District in Murray County, Oklahoma, all right, title, and interest of the United States in and to the Maintenance Complex and District Office of the Arbuckle Project. The bill shields the federal government from being held liable by any court for damages arising out of any act, omission, or occurrence related to the complex and office, except for damages caused by acts of negligence by the government or government employees or agents prior to its conveyance.

After such conveyance: (1) the complex and office shall not be a part of a federal reclamation project; and (2) such district shall not be eligible to receive any benefits with respect to any facility comprising such complex and office, except benefits that would be available to a similarly situated person with respect to such a facility that is not part of a federal reclamation project.

If the conveyance has not been completed within 12 months, Interior shall submit to Congress an explanation and the date by which the conveyance will be completed.

The Department has an active title transfer program and supports transferring certain Reclamation project facilities to non-Federal entities, particularly in cases where transfers could create opportunities, not just for those who receive title, but for other stakeholders and the public as well. This is also consistent with the broader aims of the Administration's Title Transfer legislative proposal, transmitted to Congress in February of this year.

The Arbuckle Project was authorized by the Act of August 24, 1962, Public Law 87-594, for municipal water supply, flood control, recreation, and fish and wildlife purposes. The Project was completed in 1966 and consists of Arbuckle Dam, Lake of the Arbuckles, and the Wynnewood Pumping Plant and Aqueduct.

Section 2(c) of the original authorizing language allowed for conveyance of title to pipelines and related facilities used solely for delivering project water to water users upon completion of their repayment. The District fulfilled its repayment obligation to the United States in September 2012, and Reclamation transferred title to the water conveyance facilities which consisted of the Wynnewood Pumping Plant and Aqueduct in December 2012.

As Reclamation was preparing to transfer title of the water conveyance facilities, the District requested that the Arbuckle Maintenance Complex and District Office be included in the title transfer. Reclamation determined that because these facilities were not used “solely for delivering project water to the water users” there was not sufficient authority to accommodate this request. H.R. 132 would authorize the Secretary of the Interior to convey to the District all right, title, and interest of the United States in and to the Maintenance Complex and District Office.

The Department is pleased to support this legislation.