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RECLAMATION

# Overview of Reclamation's Title Transfer Program & Update to CMP 11-01 Title Transfer for Reclamation Project Facilities

Presenter: Bureau of Reclamation, Asset Management Office

April 24, 2026

# Webinar Agenda

- Title Transfer Authority and History
- Directives and Standards Title Transfer for Reclamation Project Facilities  
CMP 11-01
- Overview of Proposed Revisions to CMP 11-01
- Title Transfer Program Update
- Overview of the Title Transfer Process
- Q&A



# Title Transfer Authority

- The Reclamation Act of 1902 requires that title “remain with the Government until otherwise provided by Congress”
- Until March 2019, title transfers had to be authorized by specific legislation, this changed when the John D. Dingell, Jr. Conservation, Management and Recreation Act (Pub. L. 116-9) was signed into law on March 12, 2019
- Facilities not eligible for title transfer under Pub. L. 116-9 may only be transferred following specific authorization of the title transfer by the United States Congress

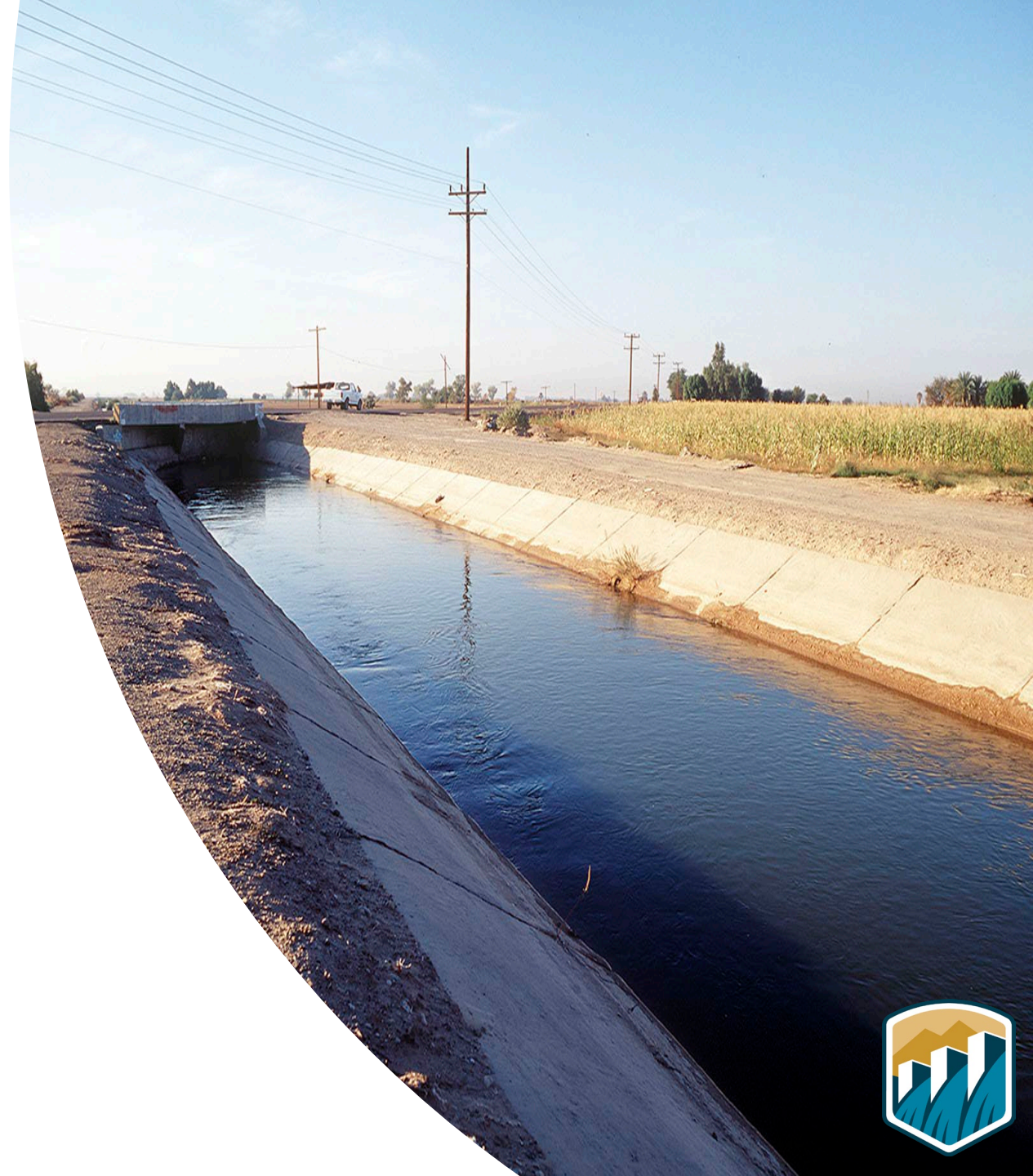


## Title Transfer Pathways >>>

- Pub. L. 116-9 (Dingell Act) authorized March 2019
- Individual legislation if not eligible under Pub. L. 116-9

# Title Transfer Directive & Standard

- Reclamation released a Directive and Standard (D&S) CMP 11-01 “Title Transfer for Reclamation Project Facilities” in March 2020, **currently under revision**
  - Establishes a clear process for title transfers
  - Outlines roles and responsibilities
  - Provides more certainty when pursuing title transfer



# Directive and Standards CMP 11-01 Update

- D&S CMP 11-01 Title Transfer for Reclamation Facilities has been updated to reflect lessons learned over the past seven years of implementing title transfers Pub. L. 116-9 and other individual authorities.
- This update was developed with input from technical experts across Reclamation to ensure accuracy, consistency, and practical application.
- Reclamation initiated a 30-day external review to gather feedback from partners, stakeholders, and the public. Comments are due to Nicole Carson [ncarson@usbr.gov](mailto:ncarson@usbr.gov) by May 9, 2026.

## Links to Draft Version:

- [Reclamation Manual | Bureau of Reclamation](#)
- [cmp11-01webdraft.pdf](#)



# Directive and Standards CMP 11-01 Update

- The revised guidance has been reorganized to more clearly outline the steps, responsibilities, and coordination needed throughout the title transfer process.
- Key revisions include:
  - Enhanced clarity regarding the coordination required for the transfer of dams and/or hydropower facilities, including engagement with appropriate dam safety and power authorities
  - Clarification of roles and responsibilities in coordination with power marketing agencies
  - Clarification of the Commissioner Approval to Proceed step to ensure clear, consistent, and timely notification and approval.
  - Refinement of the process and applicability of the D&S to title transfers not authorized by Pub. L. 116-9, 43 U.S.C. 2902, et seq.
  - Clearer delineation of post-title transfer responsibilities and liabilities.



# TITLE TRANSFER PROGRAM UPDATE



# Current Programmatic Actions/Improvements

- CMP 11-01 Major Revision – External Review April 9-May 9, 2026
- Reclamation's Title Transfer Dashboard (internal)
- Title Transfer Subject Matter Expert Team (includes staff from Appraisal and Valuation Services Office (AVSO))
- Continued development and implementation of streamline and consistent templates and tools
- Non-Dingell Act Legislation Template – in draft
- Assessment of Transferred Works for Potential Title Transfers (review of remaining transferred works bureau-wide)
- Continued outreach and support for external partners





Title Transfers  
70

Completed Transfers  
47

In Progress Transfers  
17

On Hold  
6

Region

All

State

All

Transfer Type

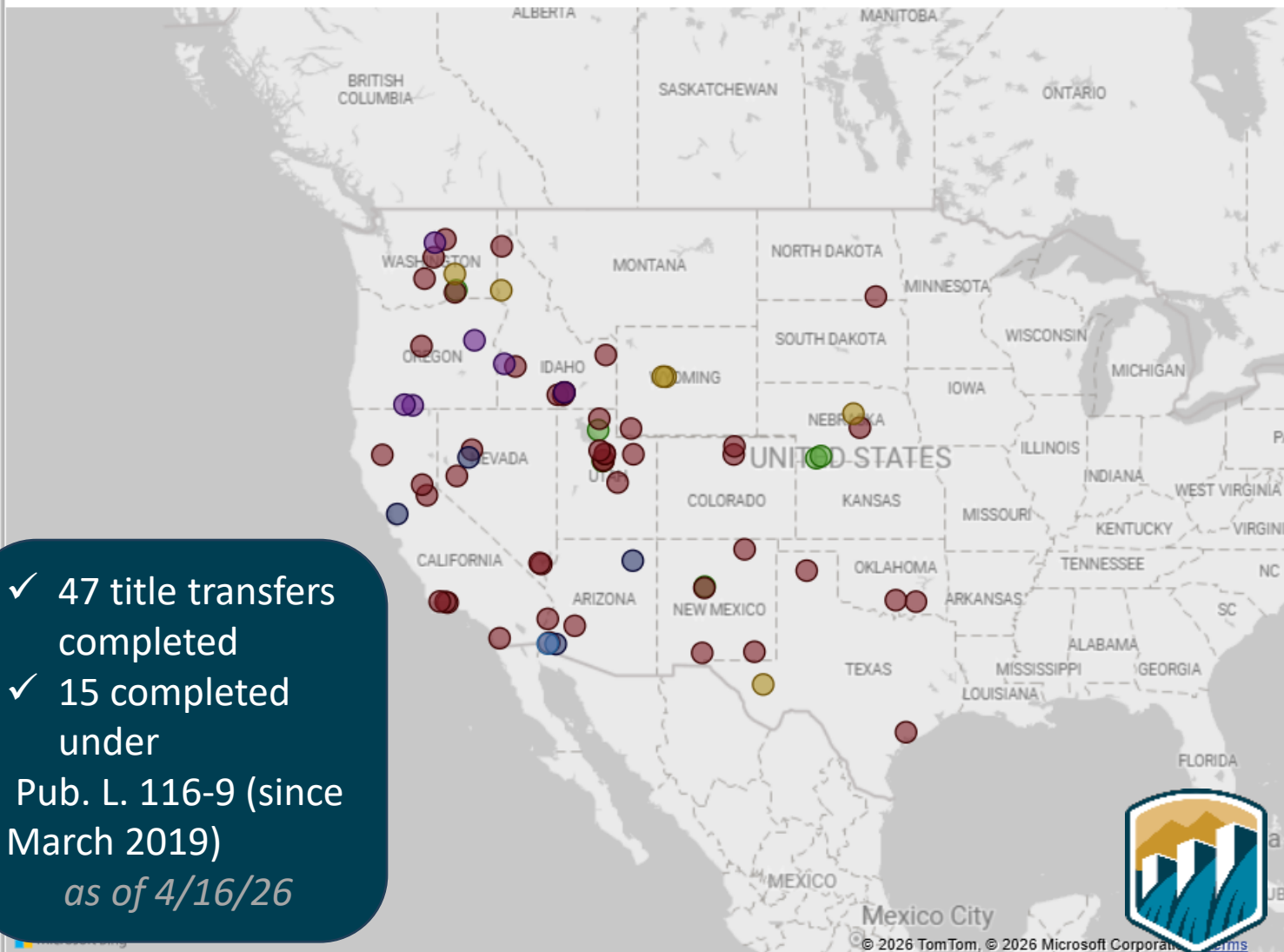
All

Status

All

Title Transfer Name Estimated Date of Transfer Project Manager Status

● Active Title Transfer ● Completed Title Transfer ● Legislation Passed ● On Hold ● Ready to Execute ● Requested Title ...

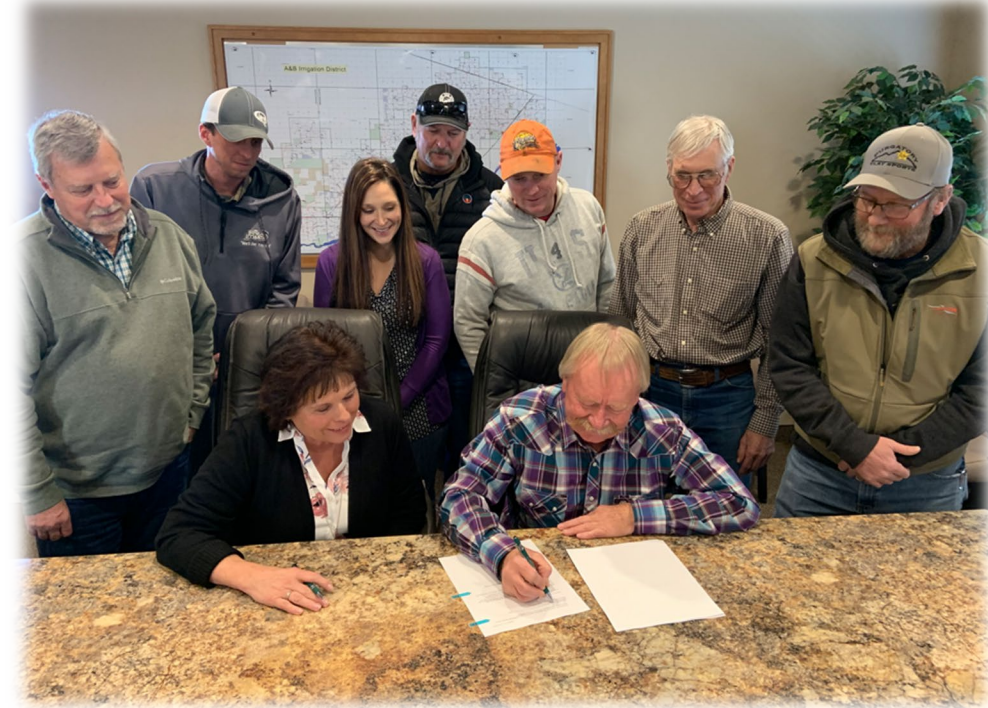


✓ 47 title transfers completed  
✓ 15 completed under Pub. L. 116-9 (since March 2019)  
*as of 4/16/26*



# Title Transfers Executed under P.L. 116-9

1. Emery County Project, Utah, October 2020
2. Uintah Basin Replacement Project, Central Utah Project, Utah, October 2020
3. Oakes Test Area, Garrison Diversion Unit, North Dakota, November 2020
4. North Side Pumping Division, Minidoka Project, Idaho, January 2021
5. Gravity Division, Minidoka Project, Idaho, January 2021
6. Hyrum Project (Partial), Utah, January 2021
7. Utah Lake Distributing Company South Lateral Canal, Provo River Project, March 2021
8. Middle Rio Grande (Partial), New Mexico, November 2021
9. Chief Joseph Dam Project (Partial), Washington, December 2021
10. Yakima Project (Partial), Washington, February 2022
11. Newlands Project (Old Lahontan Power Plant), Truckee-Carson ID, Nevada, February 2022
12. Rathdrum Prairie Project (Hayden Lake Unit), Hayden Lake ID, Idaho, August 2023
13. Crooked River Project (Partial), Ochoco ID, Oregon, March 2024
14. Strawberry Project (Partial), Southern Utah Valley Power Systems, Utah, January 2025
15. Lyman Project (Partial), Bridger Valley Water Conservancy District, Wyoming, January 2026



*A&B Irrigation District Execution, January 2021*



# TITLE TRANSFER PROCESS



# Dingell Act Eligibility

## Eligible Facility

### Includes

- Dams, canals, laterals, ditches, gates, control structures, etc.
- Lands and interests in land
- Meets additional criteria if the facilities generate power, are managed for recreation, or are part of the Central Valley Project

### Excludes

- Reserved works
- Facilities that produce hydropower
- Recreation facilities with outstanding repayment obligations

### Includes

- Agency of a State or political subdivision of a State
- Water Users Association
- Indian Tribe or Tribal utility authority
- Joint power agency

### Current Operator

- Is the operator of the requested facility

### Capabilities

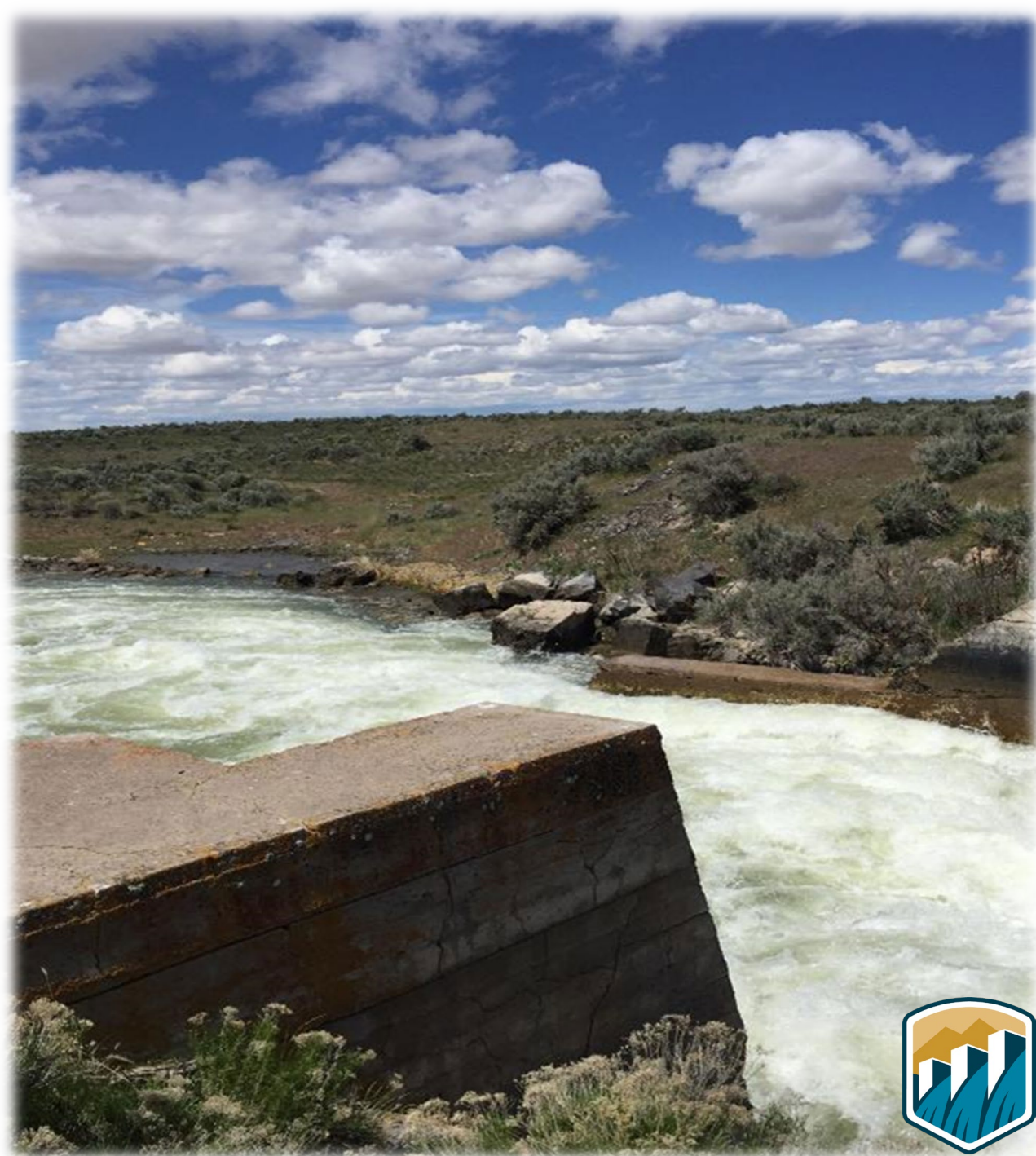
- Is capable of and agrees to continue managing facilities after transfer for the same purposes as before

## Eligible Entity



# Pub. L. 116-9 Title Transfer Authority: Eligibility Criteria

- ✓ Be in the financial interest of the United States
- ✓ Protect public aspects of the facility (e.g., water rights for flood control, fish & wildlife)
- ✓ Comply with all Federal and State laws
- ✓ Ensure there will not be a significant, unmitigated effect on the environment
- ✓ Avoid adverse impacts on existing water/power delivery obligations
- ✓ Align with Secretary of Interior responsibilities:
  - ✓ Trustee for federally recognized tribes
  - ✓ Compliance with international/tribal treaties and interstate compacts



# Considerations for Pursuing Title

- Must comply with all requirements set forth in the Dingell Act or individual legislation
- Reclamation and the requester should define the scope of the title transfer (facilities and lands) – partial Project transfer is an option
- Cost of title transfer (cost to process, net present value, and withdrawn land appraised value, if applicable)
- Ability and opportunities to fund O&M and extraordinary maintenance into the future
- Different partners and relationships



# The Title Transfer Process: Initiation



First steps in this process:

1. Requester sends the initial request for title transfer
2. Reclamation and the requestor complete the Title Transfer Information Sheet (D&S Appendix A), a draft Memorandum of Agreement and draft Contributed Funds Act Agreement (CFA)
3. Request Commissioner's Approval to Proceed
4. Execute the MOA and CFA, the requester advances funds to Reclamation to process the title transfer



# The Title Transfer Process: Analysis

After Reclamation and the requestor both sign the MOA they will:

- ✓ Develop a communications plan and identify all stakeholders
- ✓ Perform the necessary activities to comply with all applicable environmental and cultural resources laws and regulations
- ✓ Review all requested land or interests in land, appraise land if applicable
- ✓ Complete valuation
- ✓ Conduct an onsite pre-transfer review of the facility
- ✓ Draft a title transfer agreement
- ✓ Draft a new or supplemental Project Use Power contract \*if applicable



# The Title Transfer Process: Valuation

- Repayment of facilities within the scope of the title transfer (including aid to irrigation)
- Net present value of facilities
- Withdrawn land appraised value (if applicable)

\*As noted earlier the requester pays the estimated processing costs up front when the MOA and CFA is executed. Final valuation is paid at the time of execution.



# The Title Transfer Process: Land

- ✓ Reclamation staff will review all Reclamation project land or interests in land associated with a requested title transfer to determine the current disposition and eligibility for transfer into three categories:
  - ✓ (1) eligible for title transfer and necessary for operation, maintenance, and replacement of facilities;
  - ✓ (2) to be retained by Reclamation; or
  - ✓ (3) not needed for project purposes and will be disposed
- ✓ Reclamation may also reserve an easement over conveyed property
- ✓ Withdrawn lands will require an appraisal with the Department of Interior's AVSO.



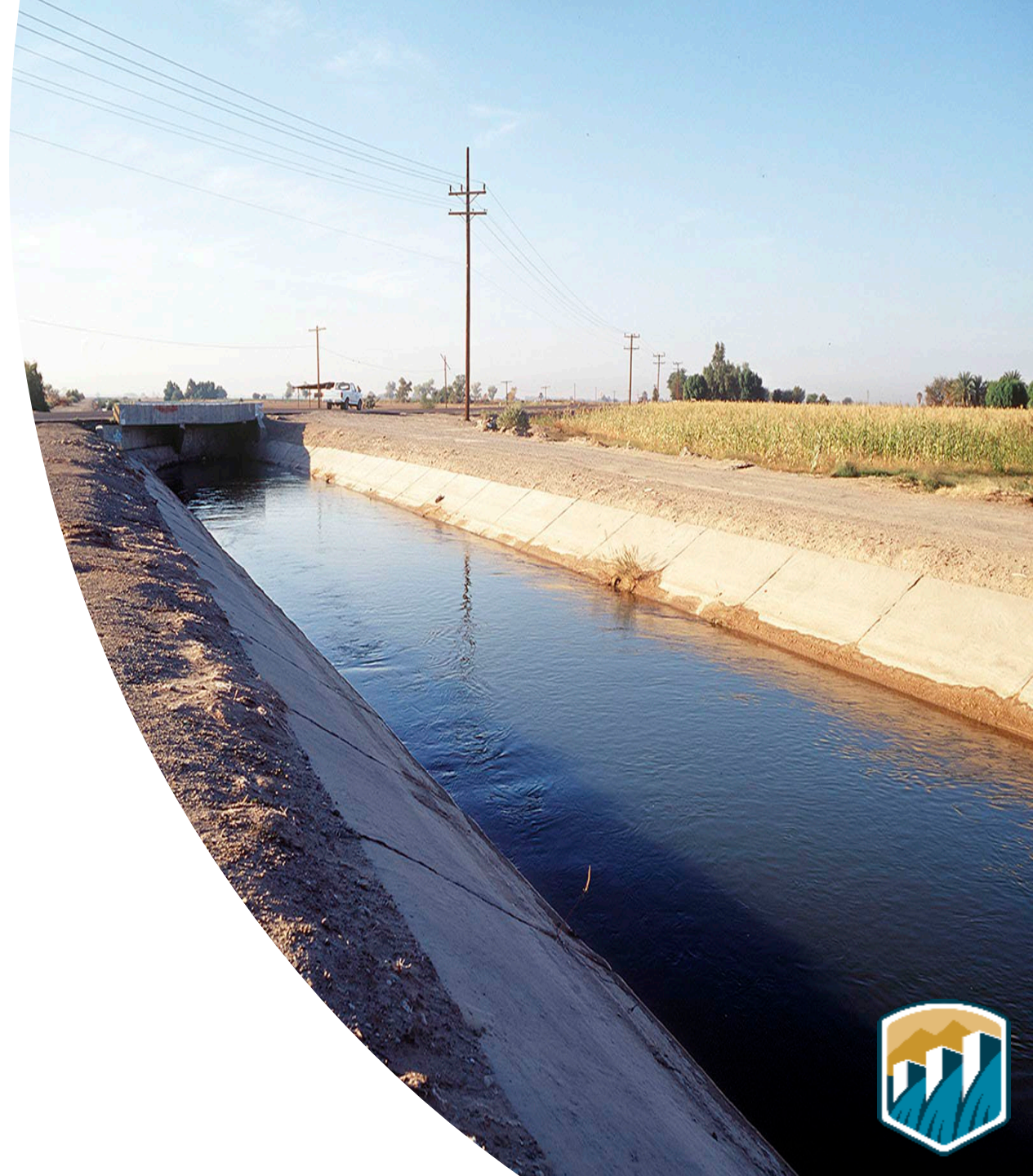
# The Title Transfer Process: Project Use Power

- ✓ Eligibility:
  - (1) the qualifying entity was receiving project use power as of March 12, 2019;
  - (2) the project use power will be used for the delivery of Reclamation project water; and
  - (3) Reclamation and the qualifying entity enter into a new or amended project use power agreement under which the qualifying entity agrees to continue to be responsible for a proportionate share of O&M and capital costs for the Federal facilities that generate and deliver, if applicable, power used for delivery of Reclamation project water after the date of conveyance, in accordance with Reclamation project use power rates.
- ✓ Any continued provision of project use power to the conveyed property will not exceed historic, pre-transfer project use power consumption levels



# The Title Transfer Process: Water Rights

- No interests in water will be conveyed unless the conveyance is provided for in a separate, quantified agreement between Reclamation and the qualifying entity, subject to applicable State and Federal law and public process requirements.



# The Title Transfer Process: Title Transfer Agreement and Legal Documents

- Transfer of title will be made by written agreement, along with appropriate associated legal instruments, such as deeds, between Reclamation and the qualifying entity.
  - The agreement will be developed in consultation with any existing water and power customers and other beneficiaries affected by the conveyance of the eligible facilities

**Instrument # 2021000643**  
BURLEY, CASSIA, IDAHO  
1-29-2021 02:29:39 PM No. of Pages: 253  
Recorded for: BUREAU OF RECLAMATION  
JOSEPH LARSEN Fee: 0.00  
Ex-Officio Recorder Deputy  
Index to: AGREEMENT/BILL OF SALES

Contract No. 21TT102070

AGREEMENT BETWEEN  
THE UNITED STATES OF AMERICA  
DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION  
AND MINIDOKA IRRIGATION DISTRICT  
TO TRANSFER TITLE TO FEDERALLY OWNED PROJECT FACILITIES,  
INTERESTS, AND LANDS ASSOCIATED WITH THE WATER CONVEYANCE  
SYSTEM FOR THE GRAVITY DIVISION

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# The Title Transfer Process: Final Review and Notice to Congress



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## **Congressional Notification**

Conveyance of Title to Project Works of the North Side Pumping Division within the Minidoka Project to A&B Irrigation District Pursuant to the John D. Dingell, Jr. Conservation, Management, and Recreation Act of March 12, 2019

## The final steps:

- Internal review and Commissioner approval of all final reports, the draft title transfer agreement and legal instruments
- Submit written notice of proposed transfer and draft title transfer agreement is sent to Congress for 90-day period
- Public notice of proposed transfer and draft title transfer agreement for concurrent 30-day period



# The Title Transfer Process: Execution

- ✓ Signing of the title transfer agreement and execution of necessary deeds and legal instruments
- ✓ After transferring title to a Reclamation facility or land, Reclamation, on behalf of the United States, divests itself of the property
- ✓ Notification to other Federal, State and local agencies, dam safety regulatory agencies and other stakeholders as necessary



Salem City Councilperson and Chairman of the SUVPS Board of Trustees Kelly Peterson watches Reclamation Upper Colorado Basin Regional Director Wayne Pullan sign documents transferring ownership of 35.5 miles of the Strawberry Valley Project 46-kilovolt power transmission system to Southern Utah Valley Power Systems in March 2025.



# Best Practices

- **Communication and Outreach**
  - Have just one or a couple primary points of contact between Reclamation and the requestor to ensure a clear flow of information.
  - Make the process, scope and schedule of the title transfer very clear to all parties.
- **Scope**
  - Define and agree upon the scope of the title transfer including facilities and lands and/or interest in lands early in the process.
- **Lands**
  - As soon as possible, have a clear and final footprint of what facilities and lands (and what type of land right, e.g. fee title, easement, 1890 Canal Act Easement) will be transferred. This is the key to setting up all the other tasks appropriately, including compliance work, appraisals, and stakeholder outreach.

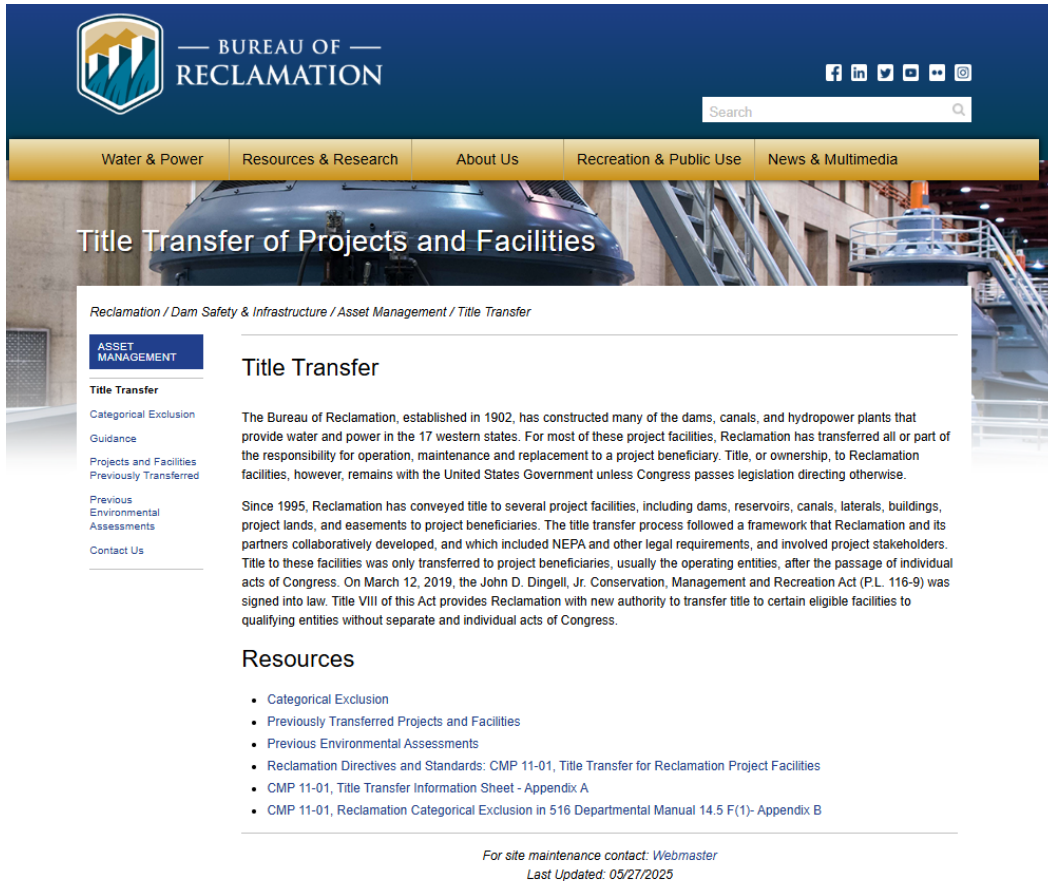


# Best Practices

- **Power**
  - Ensure that the requestor is aware of the potential impacts to power (rights of way, rates, etc.), aid to irrigation, and the necessary next steps.
- **Environmental Compliance**
  - Know the regulations and how they apply to the title transfer (e.g. NHPA, CERCLA, ESA, NEPA).
- **Other**
  - Make sure that both Reclamation and the requestor understand all of the contracts involved and the potential impact of title transfer on current contracts.



# Resources – Relevant Statutes, Directives and Standards (D&S), and Webpages



The screenshot shows the Bureau of Reclamation website. The header includes the logo, navigation menu (Water & Power, Resources & Research, About Us, Recreation & Public Use, News & Multimedia), and a search bar. The main content area is titled "Title Transfer of Projects and Facilities" and includes a breadcrumb trail: "Reclamation / Dam Safety & Infrastructure / Asset Management / Title Transfer". A sidebar on the left lists navigation options: "ASSET MANAGEMENT", "Title Transfer", "Categorical Exclusion", "Guidance", "Projects and Facilities", "Previously Transferred", "Previous Environmental Assessments", and "Contact Us". The main text describes the title transfer process, stating that the Bureau of Reclamation, established in 1902, has transferred all or part of the responsibility for operation, maintenance, and replacement to project beneficiaries. It also mentions that since 1995, Reclamation has conveyed title to several project facilities, including dams, reservoirs, canals, laterals, buildings, project lands, and easements to project beneficiaries. The text further explains that the title transfer process followed a framework that Reclamation and its partners collaboratively developed, and which included NEPA and other legal requirements, and involved project stakeholders. Title to these facilities was only transferred to project beneficiaries, usually the operating entities, after the passage of individual acts of Congress. On March 12, 2019, the John D. Dingell, Jr. Conservation, Management and Recreation Act (P.L. 116-9) was signed into law. Title VIII of this Act provides Reclamation with new authority to transfer title to certain eligible facilities to qualifying entities without separate and individual acts of Congress.

**Resources**

- [Categorical Exclusion](#)
- [Previously Transferred Projects and Facilities](#)
- [Previous Environmental Assessments](#)
- [Reclamation Directives and Standards: CMP 11-01, Title Transfer for Reclamation Project Facilities](#)
- [CMP 11-01, Title Transfer Information Sheet - Appendix A](#)
- [CMP 11-01, Reclamation Categorical Exclusion in 516 Departmental Manual 14.5 F\(1\)- Appendix B](#)

*For site maintenance contact: Webmaster  
Last Updated: 05/27/2025*

- [Title Transfer](#) – Reclamation public webpage for the Title Transfer Program
- [Reclamation Directives and Standards - CMP 11-01 Title Transfer of Reclamation Facilities](#)
- [CMP 11-01 Appendix A - Title Transfer Information Sheet](#)
- [CMP 11-01, Appendix B - Reclamation Categorical Exclusion \(CE\) in 516 Departmental Manual \(DM\) 14.5 F \(1\)](#)
- [Reclamation Title Transfer Contacts](#)
- [Public Law 116-9, Title VIII, Subtitle A \(43 U.S.C. 2902, et seq.\) \(Pub. L. 116-9\)](#)
- [BOR SO Order 3446](#)



# Points of Contact

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# Questions?

- Nicole Carson, Reclamation Title Transfer Coordinator – [ncarson@usbr.gov](mailto:ncarson@usbr.gov)



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