

HR 2202

Lower Yellowstone Reclamation Projects Conveyance Act

Congress: 107 (2001–2003, Ended)

Chamber: House

Policy Area: Water Resources Development

Introduced: Jun 14, 2001

Current Status: Placed on the Union Calendar, Calendar No. 475.

Latest Action: Placed on the Union Calendar, Calendar No. 475. (Oct 16, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/house-bill/2202>

Sponsor

Name: Rep. Rehberg, Dennis R. [R-MT-At Large]

Party: Republican • State: MT • Chamber: House

Cosponsors

No cosponsors are listed for this bill.

Committee Activity

Committee	Chamber	Activity	Date
Natural Resources Committee	House	Discharged from	Oct 8, 2002

Subjects & Policy Tags

Policy Area:

Water Resources Development

Related Bills

No related bills are listed.

Lower Yellowstone Reclamation Projects Conveyance Act - (Sec. 3) Directs the Secretary of the Interior to convey the works, facilities, and lands of the Lower Yellowstone Irrigation Project, the Intake Project, and the Savage Unit to the Lower Yellowstone Irrigation Districts One (Montana) and Two (North Dakota), the Intake Irrigation District (Montana), and the Savage Irrigation District (Montana), respectively, pursuant to the terms of the Memorandum of Understanding (the Memorandum) reached between the Districts and the Bureau of Reclamation on November 16, 1999.

States that all lands, easements, and rights-of-way that are to be conveyed under this Act shall be conveyed by quitclaim deed. Subjects such conveyances to permits, licenses, and other arrangements outstanding in third parties on, over, or across such lands, easements, and rights-of-way. States that the United States shall retain the mineral rights on the lands being conveyed, subject to the mineral rights heretofore reserved by or in favor of third parties.

Directs the Secretary to transfer to the respective Districts, in accordance with and subject to the law of the State of Montana, the water rights held in part or wholly in the name of the United States that are used to serve the lands within the Districts.

Requires the Districts to buy Reclamation withdrawn lands as identified in the Memorandum for their value in providing operation and maintenance benefits.

Requires the Secretary to accept from: (1) the Savage Irrigation District, as a condition of transfer, an amount equal to the present value of the remaining water supply repayment obligation of \$60,480, which shall be treated as full payment of such District's share of the construction of the Savage Unit; and (2) the Pick Sloan Missouri Basin Program (Eastern Division) power customers, as a condition of transfer, an amount equal to \$94,727, which shall be considered full payment for the construction aid-to-irrigation associated with the facilities of the Savage Unit.

Revokes certain reclamation withdrawals and orders.

(Sec. 4) Requires the Secretary to submit a status report to Congress if, two years after the enactment of this Act, the conveyance under this Act has not occurred.

(Sec. 5) Directs the Secretary to require as a condition of conveyance that Yellowstone Irrigation Districts One and Two grant a perpetual conservation easement to the State of Montana (as agreed to by the parties), at no cost to the State, for the purposes of: (1) maintaining conservation values; and (2) permitting recreation on Federal lands in part to be conveyed under this Act.

(Sec. 6) Provides for the continued supply by the Secretary to the Districts of Pick-Sloan Missouri River Basin Project Use pumping power service.

(Sec. 7) Requires the Secretary to: (1) provide fish protection devices to prevent fish from entering the main canal of the Lower Yellowstone Irrigation Project and allow bottom dwelling fish species to migrate above the Project's Intake Diversion Dam; and (2) conduct a monitoring plan to measure the effectiveness of such devices for a minimum of two years. Directs that following the two-year monitoring period, the Districts shall assume responsibility for operating the fish protection devices.

(Sec. 8) Declares that upon conveyance of the projects under this Act, the Districts shall not be subject to the Reclamation laws or entitled to Reclamation benefits under those laws except with regards to project pumping power.

(Sec. 9) Exempts the United States from being held liable under any State or Federal law for damages relating to the projects, except for damages caused by acts of negligence by the United States or its employees, agents, or contractors prior to the date of this conveyance.

(Sec. 10) Directs the Secretary, as a condition of the conveyances, to complete appropriate analyses of the transfer in compliance with applicable laws.

Actions Timeline

- **Oct 16, 2002:** Reported (Amended) by the Committee on Resources. H. Rept. 107-760.
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- **Oct 16, 2002:** Placed on the Union Calendar, Calendar No. 475.
- **Oct 8, 2002:** Committee Consideration and Mark-up Session Held.
- **Oct 8, 2002:** Ordered to be Reported (Amended) by Voice Vote.
- **Oct 8, 2002:** Subcommittee on Water and Power Discharged.
- **Sep 4, 2002:** Additional Executive Comments Received from Interior.
- **Jun 24, 2002:** Executive Comment Received from Interior.
- **Jun 5, 2002:** Subcommittee Hearings Held.
- **Jun 20, 2001:** Referred to the Subcommittee on Water and Power.
- **Jun 20, 2001:** Executive Comment Requested from Interior.
- **Jun 14, 2001:** Introduced in House
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- **Jun 14, 2001:** Referred to the House Committee on Resources.