

S 2743

Zuni Indian Tribe Water Rights Settlement Act of 2002

Congress: 107 (2001–2003, Ended)

Chamber: Senate

Policy Area: Native Americans

Introduced: Jul 17, 2002

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 638.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 638. (Oct 8, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/senate-bill/2743>

Sponsor

Name: Sen. Kyl, Jon [R-AZ]

Party: Republican • **State:** AZ • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. McCain, John [R-AZ]	R · AZ		Jul 17, 2002

Committee Activity

Committee	Chamber	Activity	Date
Indian Affairs Committee	Senate	Reported By	Oct 8, 2002

Subjects & Policy Tags

Policy Area:

Native Americans

Related Bills

Bill	Relationship	Last Action
107 HR 5163	Identical bill	Jul 24, 2002: Referred to the Subcommittee on Water and Power.

Zuni Indian Tribe Water Rights Settlement Act of 2002 - (Sec. 4) Ratifies the Settlement Agreement concerning Zuni Indian Tribe water rights claims in the Little Colorado River basin, Arizona. Authorizes appropriations for: (1) FY 2004 for acquisition of water rights and associated lands, and other activities by the Zuni Tribe to facilitate enforceability of the Settlement Agreement; and (2) FY 2004 through 2006 for actions necessary to restore, rehabilitate, and maintain the Zuni Heaven Reservation, including the Sacred Lake, wetlands, and riparian areas.

Ratifies specified agreements between the Salt River Project Agricultural Improvement and Power District, Tucson Electric Power Company, the Arizona State Land Department, the Zuni tribe and the United States.

(Sec. 5) Requires the Secretary of the Interior to take legal title of specified lands in the Gila and Salt River Base and Meridian into trust for the benefit of the Zuni tribe. Declares that these lands shall not have Federal reserved rights to surface water or groundwater. Requires the Zuni Tribe to make payments in lieu of all current State, county, and local ad valorem taxes that would otherwise apply if those lands were not held in trust.

Prohibits the United States, except in certain instances, from removing jurisdiction to Federal courts for disputes over intergovernmental agreements entered into under these trust land agreements.

(Sec. 6) Establishes and authorizes appropriations to the Zuni Indian Tribe Water Rights Development Fund, to be allocated among specified activities, including the acquisition of water rights and restoration of the Zuni Heaven Reservation. Requires deposit in it of any funds paid to the Tribe as required by the Settlement Agreement. Conditions Zuni expenditures from such Fund upon the Secretary's approval of a tribal management plan and an expenditure plan.

Prohibits any per capita distribution from the Fund to members of the Zuni Tribe.

(Sec. 7) Extinguishes all claims for water rights in Zuni lands.

Declares that nothing in this Act recognizes or establishes any right of a member of the Zuni tribe to water on the Reservation.

Authorizes the Zuni tribe to waive and release past, present, and future claims for injuries to water rights against Arizona, the United States, and others.

Authorizes the Zuni tribe to waive its right to request that the United States bring any current or future claims for injuries to water quality.

Waives and releases all past, present, and future common law and natural resource damage claims of the United States against Arizona or others with respect to Settlement land and water.

(Sec. 8) Disallows any claim of sovereign immunity by the United States or specified tribes in specified kinds of litigation relating to the interpretation or enforcement of this Act, the Settlement Agreement, other specified agreements, or a Pumping Protection Agreement. Requires all water rights used on the Zuni Heaven Reservation to be held in trust by the United States. Specifies water use rights and immunities, subject to certain limitations. Continues existing rights-of-way and requires the Secretary to grant additional rights-of-way under specified conditions.

Actions Timeline

- **Oct 8, 2002:** Committee on Indian Affairs. Reported by Senator Inouye with an amendment in the nature of a substitute. With written report No. 107-301.
- **Oct 8, 2002:** Committee on Indian Affairs. Reported by Senator Inouye with an amendment in the nature of a substitute. With written report No. 107-301.
- **Oct 8, 2002:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 638.
- **Oct 1, 2002:** Committee on Indian Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jul 18, 2002:** Committee on Indian Affairs. Hearings held. Hearings printed: S.Hrg. 107-608.
- **Jul 17, 2002:** Introduced in Senate
- **Jul 17, 2002:** Sponsor introductory remarks on measure. (CR S6953)
- **Jul 17, 2002:** Read twice and referred to the Committee on Indian Affairs.