

HR 4708

To authorize the Secretary of the Interior to convey certain facilities to the Fremont-Madison Irrigation District, and for other purposes.

Congress: 107 (2001–2003, Ended)

Chamber: House

Policy Area: Water Resources Development

Introduced: May 9, 2002

Current Status: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.

Latest Action: Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources. (Sep 25, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/house-bill/4708>

Sponsor

Name: Rep. Simpson, Michael K. [R-ID-2]

Party: Republican • **State:** ID • **Chamber:** House

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Otter, C. L. (Butch) [R-ID-1]	R · ID		May 9, 2002

Committee Activity

Committee	Chamber	Activity	Date
Energy and Natural Resources Committee	Senate	Referred To	Sep 25, 2002
Natural Resources Committee	House	Discharged from	Jul 24, 2002

Subjects & Policy Tags

Policy Area:

Water Resources Development

Related Bills

Bill	Relationship	Last Action
107 S 2556	Related bill	Nov 22, 2002: Held at the desk.
107 HR 5039	Related bill	Sep 9, 2002: Placed on the Union Calendar, Calendar No. 395.
107 HR 3223	Related bill	Sep 4, 2002: Placed on the Union Calendar, Calendar No. 378.

Title I: Fremont-Madison Irrigation Facilities Conveyance - Fremont-Madison Conveyance Act - (Sec. 102) Directs the Secretary of the Interior to: (1) convey certain facilities to the Fremont-Madison Irrigation District in Idaho, including components of the water distribution and drainage system operated or maintained by the District; and (2) condition such conveyance on the District paying the administrative costs of the conveyance and related activities and the lesser of the net present value of the remaining obligations owed to the United States for the facilities conveyed or \$280,000. Provides for amounts received to be deposited into the reclamation fund. Requires a report to Congress if the Secretary has not completed any conveyance required by this Act by September 13, 2003.

(Sec. 104) Requires the Secretary, in conveying the Teton Exchange Wells, to also convey to the District Idaho Department of Water Resources permit number 22-7022, including drilled wells under such permit and all appurtenant equipment.

Extends a specified water service contract between the Secretary and the District until all conditions described in this title are fulfilled.

(Sec. 105) Requires the Secretary to complete all actions as may be required under the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, and all other applicable laws prior to the conveyance.

(Sec. 106) Exempts the United States from liability for damages arising out of any act, omission, or occurrence relating to the conveyed facilities, except for damages caused by acts of negligence committed by the United States, its employees, agents, or contractors prior to the date of conveyance.

(Sec. 107) Directs the Secretary to increase the number of acres within the District that are eligible to receive water from the Minidoka Project and the Teton Basin Projects to reflect the number of acres within the District.

Title II: Humboldt Project Conveyance - Humboldt Project Conveyance Act - (Sec. 203) Requires the Secretary of Interior to convey all right, title, and interest in and to the lands and features of the Humboldt Project, including all water rights for storage and diversion, to the Pershing County Water Conservation District (PCWCD), the State of Nevada, the Pershing County government, and the Lander County government, consistent with the terms and conditions set forth in the Memorandum of Agreement between PCWCD and Lander County dated January 24, 2002, the Conceptual Agreement between PCWCD and the State dated October 28, 2001, the Letter of Agreement between Pershing County and the State dated April 16, 2002, and any agreements between the Bureau of Reclamation and PCWCD.

(Sec. 204) Requires PCWCD to pay the United States the net present value of miscellaneous revenues associated with the lands and facilities to be conveyed.

Requires the entity receiving title under this title to pay the United States the fair market value for any withdrawn land conveyed, as well as the real estate transfer costs for any land or facility conveyed.

Declares that the State of Nevada will not be responsible for any payments for land or facilities under this section.

Declares that any proposal by the State to reconvey to another entity land conveyed by the Secretary must provide fair market value to the United States for the lands and for continued management of the lands for recreation, wildlife habitat, wetlands, or resource conservation.

(Sec. 206) Revokes the Secretarial Orders dated March 16, 1934, and April 6, 1956, that withdrew public lands for the

Rye Patch Reservoir and the Humboldt Sink.

(Sec. 207) Exempts the United States from liability for damages arising out of any act, omission, or occurrence relating to the Humboldt project, except for damages caused by acts of negligence committed by the United States, its employees or agents prior to the date of conveyance.

(Sec. 208) Requires the Secretary to complete, prior to conveyance, all actions required under the National Environment Policy Act of 1969, the Endangered Species Act of 1973, and all other applicable laws.

(Sec. 209) Declares that upon conveyance of the lands and facilities, the Humboldt Project will no longer be a Federal reclamation project and the district shall not be entitled to receive any future reclamation benefits with respect to the project, except those benefits that would be available to other nonreclamation districts.

Title III: Jicarilla Apache Reservation Rural Water System - Jicarilla Apache Reservation Rural Water System Act -

(Sec. 304) Directs the Secretary of the Interior, in consultation and collaboration with the Jicarilla Apache Nation (the Tribe), to plan, design, and construct the Rural Water Supply Project to improve water supply, delivery, and wastewater facilities for the town of Dulce, New Mexico, and surrounding communities. Allocates costs between the Federal government and the Tribe.

Requires the Tribe to assume annual operation, maintenance, and replacement costs of the project.

Requires: (1) the Secretary to prepare a recommended project plan; and (2) the Tribe to develop an operation, maintenance, and replacement plan to assist it in establishing rates and fees for project customers.

(Sec. 306) Requires the Secretary to enter into a memorandum of agreement with the Tribe that commits the Bureaus of Reclamation and of Indian Affairs to a transition plan that addresses project operations and maintenance.

Requires the Secretary to oversee project construction and to incorporate value engineering analysis, as appropriate.

Requires the Secretary to provide necessary technical assistance to the Tribe for planning, development, and construction of the project, including operation and management training.

(Sec. 307) Authorizes appropriations.

(Sec. 308) Prohibits the use of project funds for irrigation.

(Sec. 309) States that no new depletions of existing Tribal water rights, as set forth in the Jicarilla Apache Tribe Water Rights Settlement Act, are associated with this project.

Title IV: Tom Green County Water Control and Improvement District No. 1 Repayment Contract Extension -

Authorizes the Secretary of the Interior to revise a specified repayment contract with the Tom Green County Water Control and Improvement District No. 1 by extending the period for repayment of the San Angelo project's reimbursable construction costs from 40 to 50 years.

Actions Timeline

- **Sep 25, 2002:** Received in the Senate and Read twice and referred to the Committee on Energy and Natural Resources.
- **Sep 24, 2002:** Mr. Hansen moved to suspend the rules and pass the bill, as amended.
- **Sep 24, 2002:** Considered under suspension of the rules. (consideration: CR H6495-6499)
- **Sep 24, 2002:** DEBATE - The House proceeded with forty minutes of debate on H.R. 4708.
- **Sep 24, 2002:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H6495-6497)
- **Sep 24, 2002:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H6495-6497)
- **Sep 24, 2002:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 24, 2002:** The title of the measure was amended. Agreed to without objection.
- **Sep 5, 2002:** Reported (Amended) by the Committee on Resources. H. Rept. 107-641.
- **Sep 5, 2002:** Reported (Amended) by the Committee on Resources. H. Rept. 107-641.
- **Sep 5, 2002:** Placed on the Union Calendar, Calendar No. 389.
- **Jul 24, 2002:** Committee Consideration and Mark-up Session Held.
- **Jul 24, 2002:** Ordered to be Reported (Amended) by Unanimous Consent.
- **Jul 24, 2002:** Subcommittee on Water and Power Discharged.
- **Jul 19, 2002:** Executive Comment Received from Interior.
- **Jul 9, 2002:** Subcommittee Hearings Held.
- **May 16, 2002:** Referred to the Subcommittee on Water and Power.
- **May 16, 2002:** Executive Comment Requested from Interior.
- **May 9, 2002:** Introduced in House
- **May 9, 2002:** Introduced in House
- **May 9, 2002:** Referred to the House Committee on Resources.