

## S 2109

### Navajo-Hopi Little Colorado River Water Rights Settlement Act of 2012

**Congress:** 112 (2011–2013, Ended)

**Chamber:** Senate

**Policy Area:** Native Americans

**Introduced:** Feb 14, 2012

**Current Status:** Read twice and referred to the Committee on Indian Affairs. (text of measure as introduced: CR S621-)

**Latest Action:** Read twice and referred to the Committee on Indian Affairs. (text of measure as introduced: CR S621-636) (Feb 14, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/senate-bill/2109>

#### 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		Feb 14, 2012

#### Committee Activity

Committee	Chamber	Activity	Date
Indian Affairs Committee	Senate	Referred To	Feb 14, 2012

#### Subjects & Policy Tags

##### Policy Area:

Native Americans

#### Related Bills

Bill	Relationship	Last Action
112 HR 4067	Identical bill	Mar 1, 2012: Referred to the Subcommittee on Water and Power.

Navajo-Hopi Little Colorado River Water Rights Settlement Act of 2012 - Approves, and directs the Secretary of the Interior to execute, the Navajo-Hopi Little Colorado River Water Rights Settlement Agreement, except to the extent that it conflicts with this Act.

Requires all water rights of the Navajo Nation and the Hopi Tribe to be held in trust for the Nation, the Tribe, and their allottees.

Directs the Bureau of Reclamation, subject to the availability of appropriations, to plan, design, and construct: (1) the Leupp-Dilkon Groundwater Project and the Ganado Groundwater Project for transfer to the Navajo Nation, and (2) the Hopi Groundwater Project for transfer to the Hopi Tribe.

Releases the federal government from any obligation to cover the operation, maintenance, and replacement costs of the projects after title to the projects is transferred and certain amounts are deposited in trust accounts for such costs.

Authorizes the Navajo Nation, Hopi Tribe, and federal government to waive and release specified claims pursuant to the Agreement. States that the parties retain all rights not expressly waived.

Provides that, except as provided in the Agreement, benefits realized by the Navajo Nation, the Hopi Tribe, and their allottees under the Agreement and this Act are in full satisfaction of their claims for water rights, injury to water rights, and injury to water quality with respect to their lands or allotments.

Amends the Navajo-Hopi Land Dispute Settlement Act of 1996 to authorize the Secretary to allow the Hopi Tribe to enter into a service agreement for the temporary delivery, use, or transfer of groundwater from newly acquired trust land within 20 miles of Winslow, Arizona, for use in that city or on nearby Hopi fee land.

Limits the water rights of lands taken into trust for the Navajo Nation or Hopi Tribe after this Act's enactment to those rights provided under the Agreement, the Navajo-Hopi Land Dispute Settlement Act of 1996, and this Act, unless additional rights are established in a subsequent Act.

Designates the Schoens Lake, Schoens Dam, and Schoens Reservoir, located on Show Low Creek in Navajo County, Arizona, as the Pete Shumway Dam and Reservoir.

Prohibits execution of the Agreement from being considered a major federal action necessitating the preparation of a detailed environmental impact statement.

Directs the Secretary, after specified conditions are met, to reallocate to the Navajo Nation certain Central Arizona Project (CAP) water pursuant to a delivery contract that effects the delivery of that water through its diversion and use from the San Juan River. Authorizes the delivery of that water through the Navajo-Gallup water supply project.

Authorizes the Secretary to allow the Navajo Nation to enter into leases and exchanges of that water within Arizona; otherwise the water is to be used on Navajo lands within Arizona.

Directs the Secretary to retain certain water for use in future settlements of the claims of the Navajo Nation and Hopi Tribe to Lower Colorado River water.

Authorizes funding for the completion of feasibility investigations of the Western Navajo Pipeline component of the North Central Arizona Water Supply Study.

## **Actions Timeline**

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- **Feb 14, 2012:** Introduced in Senate
- **Feb 14, 2012:** Sponsor introductory remarks on measure. (CR S620-621)
- **Feb 14, 2012:** Read twice and referred to the Committee on Indian Affairs. (text of measure as introduced: CR S621-636)