

HR 4924

Bill Williams River Water Rights Settlement Act of 2014

Congress: 113 (2013–2015, Ended)

Chamber: House

Policy Area: Native Americans

Introduced: Jun 20, 2014

Current Status: Became Public Law No: 113-223.

Latest Action: Became Public Law No: 113-223. (Dec 16, 2014)

Law: 113-223 (Enacted Dec 16, 2014)

Official Text: <https://www.congress.gov/bill/113th-congress/house-bill/4924>

Sponsor

Name: Rep. Gosar, Paul A. [R-AZ-4]

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

Cosponsors (8 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Barber, Ron [D-AZ-2]	D · AZ		Jun 20, 2014
Rep. Franks, Trent [R-AZ-8]	R · AZ		Jun 20, 2014
Rep. Grijalva, Raúl M. [D-AZ-3]	D · AZ		Jun 20, 2014
Rep. Kirkpatrick, Ann [D-AZ-1]	D · AZ		Jun 20, 2014
Rep. Pastor, Ed [D-AZ-7]	D · AZ		Jun 20, 2014
Rep. Salmon, Matt [R-AZ-5]	R · AZ		Jun 20, 2014
Rep. Schweikert, David [R-AZ-6]	R · AZ		Jun 20, 2014
Rep. Sinema, Kyrsten [D-AZ-9]	D · AZ		Jun 20, 2014

Committee Activity

Committee	Chamber	Activity	Date
Natural Resources Committee	House	Discharged from	Nov 19, 2014

Subjects & Policy Tags

Policy Area:

Native Americans

Related Bills

Bill	Relationship	Last Action
113 S 2503	Identical bill	Jul 9, 2014: Committee on Indian Affairs. Hearings held. Hearings printed: S.Hrg. 113-419.

(This measure has not been amended since it passed the House on December 1, 2014. The summary of that version is repeated here.)

Bill Williams River Water Rights Settlement Act of 2014 - (Sec. 4) Authorizes, ratifies, and confirms: (1) the Big Sandy River-Planet Ranch Water Rights Settlement Agreement (Big Sandy River-Planet Ranch Agreement) entered into by the Hualapai Tribe (Tribe), its members and allottees, the United States as trustee for the Tribe, the Secretary of the Interior (Secretary), the Arizona Department of Water Resources, the Freeport Minerals Corporation (Corporation), and the Arizona Game and Fish Commission; and (2) any amendment to that Agreement that is executed to make it consistent with this Act.

Directs the Secretary of the Interior to execute the Big Sandy River-Planet Ranch Agreement and any amendment to that Agreement that is necessary to make it consistent with this Act.

Requires the Secretary to also execute a conditional withdrawal of the Department of the Interior's objections to specified applications by the Corporation to sever and transfer certain water rights from: (1) Lincoln Ranch and Planet Ranch to the Wikieop Wellfield for use at the Bagdad Mine Complex and Bagdad Townsite, and (2) portions of Planet Ranch to new locations within that Ranch.

(Sec. 5) Authorizes, ratifies, and confirms: (1) the Hualapai Tribe Bill Williams River Water Rights Settlement Agreement (Hualapai Tribe Agreement) entered into by the Tribe, its members and allottees, the United States as trustee for the Tribe, and the Corporation; and (2) any amendment to that Agreement that is executed to make it consistent with this Act.

Directs the Secretary to execute the Hualapai Tribe Agreement and any amendment to that Agreement that is necessary to make it consistent with this Act.

Authorizes the Corporation's contribution to the economic development fund of the Tribe, as provided for in the Hualapai Tribe Agreement, to be used by the Tribe for the limited purpose of facilitating settlement of the Tribe's claims for Colorado River water rights by enabling the Tribe to: (1) acquire Colorado River water rights to increase the security of the Tribe's water rights, and (2) otherwise facilitate the use of water on the Hualapai Reservation.

Requires the Tribe to use those acquired water rights only: (1) to irrigate acquired appurtenant land or for storage in accordance with federal and state law in a permitted recharge facility in Arizona, subject to specified conditions.

Terminates these use limitations on the earlier of: (1) the date the Hualapai Tribe Agreement becomes enforceable, or (2) December 31, 2039.

Provides that if the Hualapai Tribe Agreement does not become enforceable by December 31, 2039, any Colorado River water rights acquired by the Tribe with the Corporation's contribution to its economic development fund is to be counted toward the Tribe's claims for Colorado River water rights in any subsequent settlement or adjudication of those claims.

(Sec. 6) Provides for the waiver, release, and retention of specified water rights claims under both Agreements.

Authorizes the waiver and release of specified claims by the United States and the Tribe against the Corporation, pursuant to the Big Sandy River-Planet Ranch Agreement, for:

- Indian allottees' water rights in excess of 82 acre-feet per year on a specified Parcel;
- Indian allottees' water rights in excess of 312 acre-feet per year on a specified Parcel 2;

- tribal water rights in excess of 300 acre-feet per year on a specified Parcel 3; and
- injuries to federal or Indian water rights resulting from the diversion of water by the Corporation from the Wikieup Wellfield or the Freeport Groundwater Wells, provided such a diversion occurring after the enforceability date of the Big Sandy River-Planet Ranch and Hualapai Tribe Agreements does not violate those Agreements.

Authorizes the Tribe and the United States as trustee for the Tribe to waive and release their claims against the Corporation, pursuant to the Hualapai Tribe Agreement, for past, present, and future injuries to water rights resulting from the Corporation's diversion of water from the Bill Williams River watershed, provided such a diversion occurring after the enforceability date of the Big Sandy River-Planet Ranch and Hualapai Tribe Agreements does not violate those Agreements.

Authorizes the Tribe, in consideration of the benefits provided to it under both Agreements, to waive and release its claims against the United States for:

- all past, present, and future Parcel 3 water rights in excess of 300 acre-feet per year that the United States asserted or could have asserted against any party to either Agreement;
- all past, present, and future water rights associated with Parcel 3 arising from the withdrawal of a protest against the Corporation's application to sever and transfer certain water rights referenced in the Big Sandy River-Planet Ranch Agreement; and
- injuries to water rights arising after the enforceability date associated with Parcel 3 resulting from the Corporation's diversion of water from the Bill Williams River watershed in a manner that does not violate the Hualapai Tribe Agreement.

(Sec. 7) Amends the Omnibus Public Land Management Act of 2009 to allow any party to the Big Sandy River-Planet Ranch Agreement to commence a civil action relating only and directly to the interpretation or enforcement of: (1) the Bill Williams River water rights Settlement Act of 2014, or (2) the Big Sandy River-Planet Ranch Agreement. Requires those actions to be brought in the U.S. District Court for the District of Arizona or in a state court where a pending action has been brought to adjudicate the water rights associated with the Bill Williams River system and source.

Waives the sovereign immunity of the Tribe and the United States acting as trustee for the Tribe, but only for the purpose of interpreting or enforcing the Omnibus Public Land Management Act of 2009, the Big Sandy River-Planet Ranch Agreement, or the Hualapai Tribe Agreement.

(Sec. 8) Requires the Secretary to comply with all applicable federal environmental laws in implementing the Big Sandy River-Planet Ranch Agreement, the Hualapai Tribe Agreement, and this Act.

Provides that the Secretary's execution of those Agreements shall not constitute a major federal action for purposes of the National Environmental Policy Act of 1969.

(Sec. 9) Sets the enforceability date for such Agreements as the date the Secretary publishes specified findings in the Federal Register that certain actions have been taken in compliance with the terms of such Agreements and this Act.

Provides for the repeal of this Act if the Secretary does not publish such findings by: (1) December 31, 2015; or (2) 14 days after a later date agreed to by the Tribe, the Secretary, and the Corporation, after providing reasonable notice to Arizona.

Actions Timeline

- **Dec 16, 2014:** Signed by President.
- **Dec 16, 2014:** Became Public Law No: 113-223.
- **Dec 8, 2014:** Presented to President.
- **Dec 3, 2014:** Message on Senate action sent to the House.
- **Dec 2, 2014:** Passed/agreed to in Senate: Received in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent.(consideration: CR S6272)
- **Dec 2, 2014:** Received in the Senate, read twice, considered, read the third time, and passed without amendment by Unanimous Consent. (consideration: CR S6272)
- **Dec 1, 2014:** Reported (Amended) by the Committee on Natural Resources. H. Rept. 113-638.
- **Dec 1, 2014:** Placed on the Union Calendar, Calendar No. 478.
- **Dec 1, 2014:** Mr. Hastings (WA) moved to suspend the rules and pass the bill, as amended.
- **Dec 1, 2014:** Considered under suspension of the rules. (consideration: CR H8181-8186)
- **Dec 1, 2014:** DEBATE - The House proceeded with forty minutes of debate on H.R. 4924.
- **Dec 1, 2014:** Passed/agreed to in House: On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote.(text: CR H8181-8185)
- **Dec 1, 2014:** On motion to suspend the rules and pass the bill, as amended Agreed to by voice vote. (text: CR H8181-8185)
- **Dec 1, 2014:** Motion to reconsider laid on the table Agreed to without objection.
- **Nov 19, 2014:** Subcommittee on Water and Power Discharged.
- **Nov 19, 2014:** Committee Consideration and Mark-up Session Held.
- **Nov 19, 2014:** Ordered to be Reported (Amended) by Unanimous Consent.
- **Sep 19, 2014:** Subcommittee Hearings Held.
- **Jun 26, 2014:** Referred to the Subcommittee on Water and Power.
- **Jun 20, 2014:** Introduced in House
- **Jun 20, 2014:** Referred to the House Committee on Natural Resources.