

S 1125

Blackfeet Water Rights Settlement Act of 2015

Congress: 114 (2015–2017, Ended)

Chamber: Senate

Policy Area: Native Americans

Introduced: Apr 28, 2015

Current Status: Committee on Indian Affairs. Ordered to be reported with an amendment in the nature of a substitute

Latest Action: Committee on Indian Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably. (Feb 3, 2016)

Official Text: <https://www.congress.gov/bill/114th-congress/senate-bill/1125>

Sponsor

Name: Sen. Tester, Jon [D-MT]

Party: Democratic • **State:** MT • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Daines, Steve [R-MT]	R · MT		Apr 28, 2015

Committee Activity

Committee	Chamber	Activity	Date
Indian Affairs Committee	Senate	Markup By	Feb 3, 2016

Subjects & Policy Tags

Policy Area:

Native Americans

Related Bills

Bill	Relationship	Last Action
114 S 612	Related bill	Dec 16, 2016: Became Public Law No: 114-322.
114 HR 5633	Related bill	Nov 16, 2016: Ordered to be Reported (Amended) by Unanimous Consent.
114 S 2848	Related bill	Sep 19, 2016: Held at the desk.

Blackfeet Water Rights Settlement Act of 2015

Authorizes, ratifies, and confirms the Blackfeet-Montana water rights Compact to the extent it does not conflict with this Act.

Requires the Blackfeet Tribe of the Blackfeet Indian Reservation of Montana and the Fort Belknap Indian Community to enter into an agreement for the exercise of the respective water rights on the respective reservations of the Tribe and the Community in the Milk River.

Requires the Department of the Interior to contract with the Tribe for the delivery of 5,000 acre-feet per year of the St. Mary River water right through Milk River Project facilities to the Tribe or an entity specified by it.

Requires specified appraisal and feasibility studies regarding the management and development of water supplies in the St. Mary River Basin and Milk River Basin.

Requires the Bureau of Reclamation to implement the Swift Current Creek Bank Stabilization Project and offer to enter into an agreement with the Tribe to resolve all issues regarding federal Milk River Project property interests located on tribal lands.

Gives the Tribe, subject to specified limitations and only if the St. Mary Storage Unit of the Milk River Project is rehabilitated, the exclusive right to develop and market hydroelectric power from the Unit.

Directs Interior to allocate to the Tribe 50,000 acre-feet per year of water stored in Lake Elwell for use by the Tribe for any beneficial purpose on or off the Reservation. Authorizes the Tribe to enter into leases or other agreements for the use of that water, provided its use occurs within the Missouri River Basin and the agreement does not permanently alienate the allocation.

Requires the Bureau of Reclamation, with respect to the Blackfeet Irrigation Project, to carry out: (1) deferred maintenance; (2) Four Horns Dam safety improvements; and (3) rehabilitation and enhancement of the Four Horns Feeder Canal, Dam, and Reservoir in accordance with the Birch Creek Agreement.

Requires the Bureau of Reclamation to construct the water diversion and delivery features of the MR&I System.

Requires the Tribe, upon request by Interior, to grant, at no cost to the United States, such easements and rights-of-way over tribal land necessary for the construction of the irrigation activities related to the Blackfeet Irrigation Project and for the design and construction of the MR&I System.

Prescribes requirements and funding for the Blackfeet Water, Storage, and Development Project.

Requires the tribal water rights to be held in trust by the United States for the Tribe and its allottees.

Requires the Tribe to enact a tribal water code, subject to Interior approval, in accordance with the Compact and this Act.

Establishes the Blackfeet Settlement Trust Fund.

Confirms the instream flow water rights of the Tribe in the Lewis and Clark National Forest and Glacier National Park.

Requires the Tribe to waive and release water rights claims against Montana and the United States in return for recognition of the tribal water rights and other benefits set forth in the Compact and this Act.

Declares this Act repealed if Interior fails to take certain actions by January 22, 2025.

Actions Timeline

- **Feb 3, 2016:** Committee on Indian Affairs. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Apr 28, 2015:** Introduced in Senate
- **Apr 28, 2015:** Read twice and referred to the Committee on Indian Affairs.