

Calendar No. 355109TH CONGRESS
2^D SESSION**S. 1219****[Report No. 109-213]**

To authorize certain tribes in the State of Montana to enter into a lease or other temporary conveyance of water rights to meet the water needs of the Dry Prairie Rural Water Association, Inc.

IN THE SENATE OF THE UNITED STATES

JUNE 9, 2005

Mr. BURNS introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

SEPTEMBER 28, 2005

Committee discharged; referred to the Committee on Indian Affairs

JANUARY 24, 2006

Reported under authority of the order of the Senate of January 18, 2006, by Mr. MCCAIN, without amendment

A BILL

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1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. TEMPORARY CONVEYANCE OF WATER RIGHTS**
2 **TO DRY PRAIRIE RURAL WATER ASSOCIA-**
3 **TION, INC.**

4 (a) IN GENERAL.—The Assiniboine and Sioux Tribes
5 of the Fort Peck Indian Reservation, Montana (referred
6 to in this section as the “Tribes”) may, with the approval
7 of the Secretary, enter into a lease or other temporary con-
8 veyance of water rights recognized under the Fort Peck-
9 Montana Compact (Montana Code Annotated 85–20–201)
10 with the Dry Prairie Rural Water Association, Incor-
11 porated (or any successor non-Federal entity) for the pur-
12 pose of meeting the water needs of that association, in
13 accordance with section 5 of the Fort Peck Reservation
14 Rural Water System Act of 2000 (Public Law 106–382;
15 114 Stat. 1454).

16 (b) CONDITIONS OF LEASE.—With respect to a lease
17 or other temporary conveyance described in subsection
18 (a)—

19 (1) the term of the lease or conveyance shall
20 not exceed 100 years; and

21 (2)(A) the lease or conveyance may be approved
22 by the Secretary without monetary compensation to
23 the Tribes; and

24 (B) the Secretary shall not be subject to liabil-
25 ity for any claim relating to any compensation or

1 consideration received by the Tribes under the lease
2 or conveyance.

3 (c) NO PERMANENT ALIENATION OF WATER.—Noth-
4 ing in this section authorizes a permanent alienation of
5 any water by the Tribes.

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