

# Union Calendar No. 278

113<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3189

**[Report No. 113-372, Part I]**

To prohibit the conditioning of any permit, lease, or other use agreement on the transfer, relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior and Agriculture.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2013

Mr. TIPTON (for himself, Mr. BISHOP of Utah, Mr. MCCLINTOCK, Mr. AMODEI, and Mr. POLIS) introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

MARCH 4, 2014

Additional sponsors: Mr. COFFMAN, Mrs. LUMMIS, Mr. SIMPSON, Mr. PEARCE, Mr. MATHESON, Mr. STEWART, Mr. CHAFFETZ, Mr. GOSAR, Mr. CRAMER, Mr. POE of Texas, and Mr. GARDNER

MARCH 4, 2014

Reported from the Committee on Natural Resources with amendments

[Strike out all after the enacting clause and insert the part printed in *italie*]

MARCH 4, 2014

The Committee on Agriculture discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on September 26, 2013]

# **A BILL**

To prohibit the conditioning of any permit, lease, or other use agreement on the transfer, relinquishment, or other impairment of any water right to the United States by the Secretaries of the Interior and Agriculture.

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

3 **SECTION 1. SHORT TITLE.**

4        *This Act may be cited as the “Water Rights Protection*  
5 *Act”.*

6 **SEC. 2. TREATMENT OF WATER RIGHTS.**

7        *The Secretary of the Interior and the Secretary of Ag-*  
8 *riculture—*

9            *(1) shall not condition the issuance, renewal,*  
10 *amendment, or extension of any permit, approval, li-*  
11 *cence, lease, allotment, easement, right-of-way, or*  
12 *other land use or occupancy agreement on the transfer*  
13 *of any water right directly to the United States, or*  
14 *any impairment of title, in whole or in part, granted*  
15 *or otherwise recognized under State law, by Federal*  
16 *or State adjudication, decree, or other judgment, or*  
17 *pursuant to any interstate water compact; and*

18            *(2) shall not require any water user to apply for*  
19 *or acquire a water right in the name of the United*  
20 *States under State law as a condition of the issuance,*  
21 *renewal, amendment, or extension of any permit, ap-*  
22 *proval, license, lease, allotment, easement, right-of-*  
23 *way, or other land use or occupancy agreement.*

1 **SEC. 3. DEFINITION.**

2 *For purposes of this Act, the term “water right” means*  
3 *any surface, groundwater, or storage use filed, permitted,*  
4 *certificated, confirmed, decreed, adjudicated, or otherwise*  
5 *recognized by a judicial proceeding or by the State in which*  
6 *the user acquires possession of the water or puts it to bene-*  
7 *ficial use.*

8 **SEC. 4. IMPACT ON EXISTING AUTHORITY.**

9 *Nothing in this Act limits or expands any existing au-*  
10 *thority of the Secretaries to condition any permit, approval,*  
11 *license, lease, allotment, easement, right-of-way, or other*  
12 *land use or occupancy agreement on Federal lands subject*  
13 *to their respective jurisdictions.*

Amend the title so as to read: “A bill to prohibit the conditioning of any permit, lease, or other use agreement on the transfer of any water right to the United States by the Secretaries of the Interior and Agriculture.”.



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