

“(14) FUND.—The term ‘Fund’ means the Reclamation Waters Settlements Fund established by section 10501(a) [43 U.S.C. 407(a)].

“(15) HYDROLOGIC DETERMINATION.—The term ‘hydrologic determination’ means the hydrologic determination entitled ‘Water Availability from Navajo Reservoir and the Upper Colorado River Basin for Use in New Mexico,’ prepared by the Bureau of Reclamation pursuant to section 11 of the Act of June 13, 1962 (Public Law 87-483; 76 Stat. 99) [former 43 U.S.C. 615ss], and dated May 23, 2007.

“(16) LOWER BASIN.—The term ‘Lower Basin’ has the same meaning given the term in Article II(g) of the Colorado River Compact.

“(17) NATION.—The term ‘Nation’ means the Navajo Nation, a body politic and federally-recognized Indian nation as provided for in section 101(2) [102(2)] of the Federally Recognized Indian Tribe List [Act] of 1994 (25 U.S.C. 497a(2) [479a(2)]), also known variously as the ‘Navajo Tribe,’ the ‘Navajo Tribe of Arizona, New Mexico & Utah,’ and the ‘Navajo Tribe of Indians’ and other similar names, and includes all bands of Navajo Indians and chapters of the Navajo Nation.

“(18) NAVAJO-GALLUP WATER SUPPLY PROJECT; PROJECT.—The term ‘Navajo-Gallup Water Supply Project’ or ‘Project’ means the Navajo-Gallup Water Supply Project authorized under section 10602(a) [123 Stat. 1379], as described as the preferred alternative in the Draft Impact Statement.

“(19) NAVAJO INDIAN IRRIGATION PROJECT.—The term ‘Navajo Indian Irrigation Project’ means the Navajo Indian irrigation project authorized by section 2 of Public Law 87-483 (76 Stat. 96) [former 43 U.S.C. 615j].

“(20) NAVAJO RESERVOIR.—The term ‘Navajo Reservoir’ means the reservoir created by the impoundment of the San Juan River at Navajo Dam, as authorized by the Act of April 11, 1956 (commonly known as the ‘Colorado River Storage Project Act’) (43 U.S.C. 620 et seq.).

“(21) NAVAJO NATION MUNICIPAL PIPELINE; PIPELINE.—The term ‘Navajo Nation Municipal Pipeline’ or ‘Pipeline’ means the pipeline used to convey the water of the Animas-La Plata Project of the Navajo Nation from the City of Farmington, New Mexico, to communities of the Navajo Nation located in close proximity to the San Juan River Valley in the State of New Mexico (including the City of Shiprock), as authorized by section 15(b) of the Colorado Ute Indian Water Rights Settlement Act of 1988 (Public Law 100-585; 102 Stat. 2973; 114 Stat. 2763A-263).

“(22) NON-NAVAJO IRRIGATION DISTRICTS.—The term ‘Non-Navajo Irrigation Districts’ means—

“(A) the Hammond Conservancy District;

“(B) the Bloomfield Irrigation District; and

“(C) any other community ditch organization in the San Juan River basin in the State of New Mexico.

“(23) PARTIAL FINAL DECREE.—The term ‘Partial Final Decree’ means a final and binding judgment and decree entered by a court in the stream adjudication, setting forth the rights of the Nation to use and administer waters of the San Juan River Basin in New Mexico, as set forth in Appendix 1 of the Agreement.

“(24) PROJECT PARTICIPANTS.—The term ‘Project Participants’ means the City, the Nation, and the Jicarilla Apache Nation.

“(25) SAN JUAN RIVER BASIN RECOVERY IMPLEMENTATION PROGRAM.—The term ‘San Juan River Basin Recovery Implementation Program’ means the intergovernmental program established pursuant to the cooperative agreement dated October 21, 1992 (including any amendments to the program).

“(26) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior, acting through the Commissioner of Reclamation or any other designee.

“(27) STREAM ADJUDICATION.—The term ‘stream adjudication’ means the general stream adjudication that is the subject of *New Mexico v. United States*, et al., No. 75-185 (11th Jud. Dist., San Juan County, New

Mexico) (involving claims to waters of the San Juan River and the tributaries of that river).

“(28) SUPPLEMENTAL PARTIAL FINAL DECREE.—The term ‘Supplemental Partial Final Decree’ means a final and binding judgment and decree entered by a court in the stream adjudication, setting forth certain water rights of the Nation, as set forth in Appendix 2 of the Agreement.

“(29) TRUST FUND.—The term ‘Trust Fund’ means the Navajo Nation Water Resources Development Trust Fund established by section 10702(a) [123 Stat. 1402].

“(30) UPPER BASIN.—The term ‘Upper Basin’ has the same meaning given the term in Article II(f) of the Colorado River Compact.”

### SUBCHAPTER III—INSTITUTION AND CONSTRUCTION OF PROJECTS

#### § 411. Surveys for, location, and construction of irrigation works generally

The Secretary of the Interior is authorized and directed to make examinations and surveys for, and to locate and construct, as herein provided, irrigation works for the storage, diversion, and development of waters, including artesian wells.

(June 17, 1902, ch. 1093, §2, 32 Stat. 388; Aug. 7, 1946, ch. 770, §1(7), 60 Stat. 867.)

#### REFERENCES IN TEXT

Herein, referred to in text, means in act June 17, 1902, popularly known as the Reclamation Act, which is classified generally to this chapter. For complete classification of act June 17, 1902, to the Code, see Short Title note set out under section 371 of this title and Tables.

#### PRIOR PROVISIONS

Provisions similar to those in this section were contained in acts Mar. 2, 1889, ch. 411, §1, 25 Stat. 960; Oct. 2, 1888, ch. 1069, §1, 25 Stat. 526.

#### AMENDMENTS

1946—Act Aug. 7, 1946, struck out provisions requiring annual reports to Congress as to results of those examinations and surveys.

#### SECTION AS UNAFFECTED BY SUBMERGED LANDS ACT

Provisions of this section as not amended, modified or repealed by the Submerged Lands Act, see section 1303 of this title.

#### § 411a. Repealed. Feb. 28, 1929, ch. 374, §2, 45 Stat. 1406

Section, act June 28, 1926, ch. 704, 44 Stat. 776, authorized employment of engineers for consultation.

#### § 411a-1. Authorization of appropriations for investigations of feasibility of reclamation projects

The sum of \$125,000 annually is authorized to be appropriated for cooperative and miscellaneous investigations of the feasibility of reclamation projects.

(Feb. 21, 1923, ch. 101, 42 Stat. 1281.)

#### § 411b. Employment of engineers, geologists, appraisers and economists for reclamation consultation work; compensation; retired Army and Navy officers as consulting engineers

The Secretary of the Interior is authorized, in his judgment and discretion, to employ for con-