



WATER-RIGHT DOCKET

Minidoka National Historic Site

Docket No: 1

DOMESTIC WELL (BOR)

State Water Rights Documentation

01-27-1997: Partial Decree Pursuant to I.R.C.P. 54(b) for Water Right 36-11119; In Re SRBA, Case No. 39576

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-11119

JAN 27 AM 10:46
DISTRICT COURT
TWIN FALLS, IDAHO
FILED

NAME & ADDRESS: UNITED STATES OF AMERICA ACTING THROUGH
REGIONAL DIRECTOR PN REGION
BUREAU OF RECLAMATION
BOX 043-550 WEST FORT STREET
BOISE ID 83724

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000
GALLONS PER DAY.

PRIORITY DATE: 12/31/1947

POINT OF DIVERSION: T08S R19E S33 LOT 6 (SWSESW) Within JEROME County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE DOMESTIC 2 HOMES	PERIOD OF USE 01-01 12-31	QUANTITY 0.04 CFS
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PLACE OF USE: DOMESTIC Within JEROME County
T08S R19E S33 Lot 6 (SESW)

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A
DETERMINATION OF HISTORICAL BENEFICIAL USE.

DATED: JAN 27 1997

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

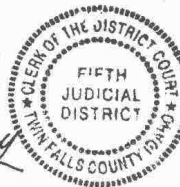
DATED: JAN 27 1997

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-11119

State of Idaho
County of Twin Falls ss.
I hereby certify the foregoing to be a
full, true and correct copy of the
original on file in the office entitled
action.

ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By
DEPUTY CLERK



PAGE 1
JAN-24-1997

United States Department of the Interior
NATIONAL PARK SERVICE

Land's Distribution

of the Interior *Dogner 11/14/100*

VICE *Tabb*

gram Center _____

3 _____ *Holyoke* _____ *Spring* _____

_____ *Officer* _____ *100* _____

MIS _____

FILE _____

Attention: Ms. Yvonne Daniel

RECYCLE

cc w/encl: Superintendent, Minidoka National Historic Site



IN REPLY REFER TO:

PN-3900

LND-3.00

United States Department of the Interior

BUREAU OF RECLAMATION

Pacific Northwest Region

1150 North Curtis Road, Suite 100

Boise, Idaho 83706-1234



SEP 17 2008

MEMORANDUM

To: National Park Service, Land Resources, 168 South Jackson Street, Seattle, WA 98104
Attn: Wayne Hill

Acting for

From: J. William McDonald
Regional Director

Subject: Minidoka National Historic Site – Transfer of Property Form

Attached is the signed Transfer of Property form (DI-104) which will transfer 10.18 acres of Bureau of Reclamation land to the National Park Service for inclusion in the Minidoka National Historic Site. This land transfer was authorized by the Consolidated Natural Resources Act of 2008 (Public Law 110-229, 122 Stat. 754).

If you have any questions concerning this transfer, please contact Ms. Yvonne Daniel, Realty Specialist, at 208-678-0461, extension 31.

Attachment

cc: Ms. Yvonne Daniel, Realty Specialist
Bureau of Reclamation
Snake River Area Office – East
1359 Hansen Avenue
Burley, ID 83318-1821 (w/cy of att.)

DI-104
(Rev. 6/88)

UNITED STATES DEPARTMENT OF THE INTERIOR TRANSFER OF PROPERTY		Page _____ of _____		
		Report No.		
		Date 2008		
Transfer From: (Organization and Complete Address)		Transfer To: (Organization and Complete Address)		
Bureau of Reclamation Pacific Northwest Region 1150 North Curtis Road, Suite 100 Boise, ID 83706-1234		National Park Service Land Resources, Attn: Wayne Hill 168 South Jackson Street Seattle, WA 98104		
Appropriation and Accounting Data:				
ITEM NO.	QUANTITY OR PROPERTY ID NO.	ITEM DESCRIPTION (Include model & serial number)	ORIGINAL ACQUISITION COST (OAC)	CONDITION CODE
	10.18 acres	See attached map of the Minidoka National Historic Site BOR Parcel 1 - 2.31 acres located in: T. 8 S., R. 19 E., B.M., ID Section 33: Tract 38 BOR Parcel 2 - 7.87 acres located in: T. 9 S., R. 19 E., B.M., ID Section 4: Tracts 38 and 39 Authority for Transfer: Consolidated Natural Resources Act of 2008 (Public Law 110-229, 122 Stat. 754), particularly Section 313 Minidoka National Historic Site (c) (4) (A) Transfer from Bureau of Reclamation to the National Park Service.		
SHIPPING AND RECEIVING INFORMATION				
Date Shipped: 9-17-08		Date Received: 10/31/2008		
Authorized Signature: <i>Kathleen Marshall</i>		Authorized Signature: <i>Jonathan G. Spruiell</i>		
Official Title: Pacific Northwest Region Regional Director		Official Title: Regional Director, National Park Service, Pacific West Region		
Adjustment to property records (Property Official Signature):	Date Completed	Financial Official Signature (if Required):	Date Completed	

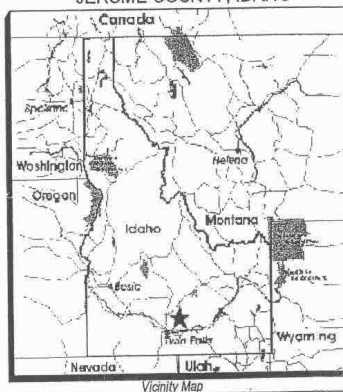
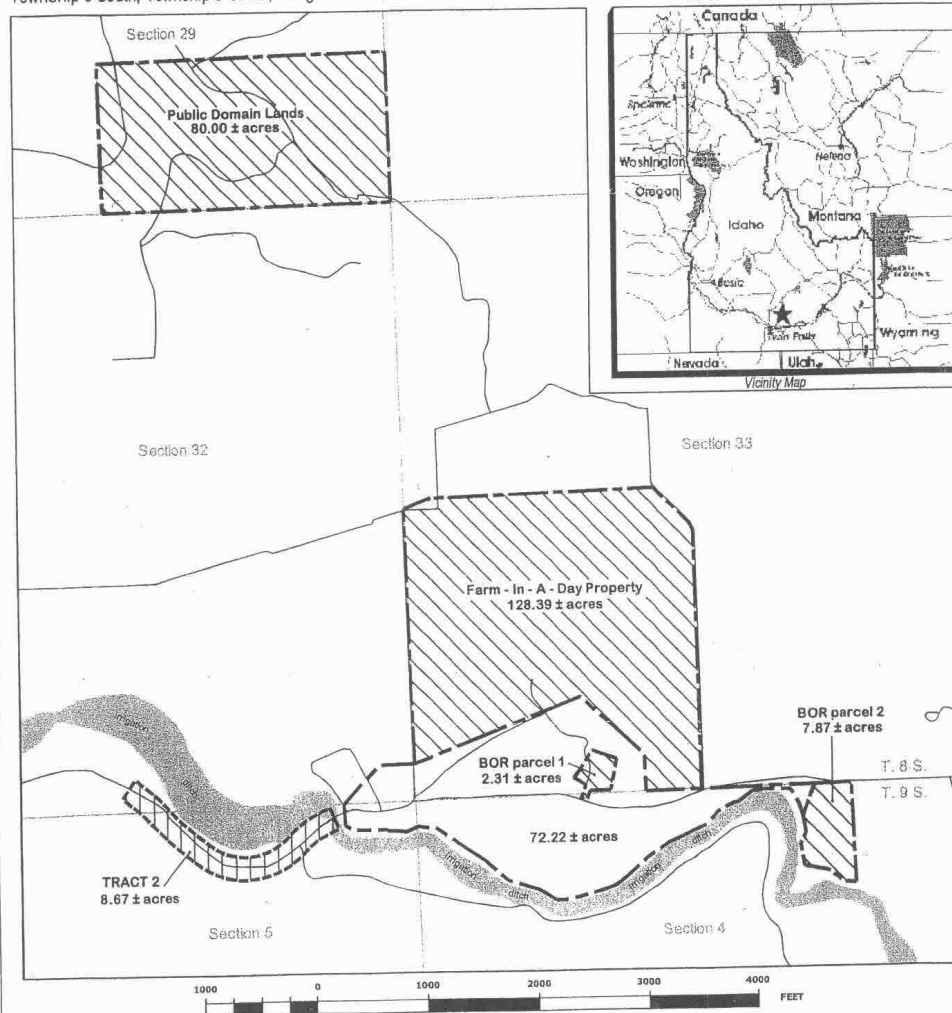
Minidoka National Historic Site Proposed Boundary Map

National Park Service
U.S. Department of the Interior



Township 8 South, Township 9 South, Range 19 East, Boise Meridian

MINIDOKA NATIONAL HISTORIC SITE
JEROME COUNTY, IDAHO



- EXISTING MINIDOKA INTERNMENT NATIONAL MONUMENT
- PROPOSED ADDITION LANDS
- "DISCLAIMER OF INTEREST" LANDS
- ROAD

UNITED STATES
DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE
LAND RESOURCES PROGRAM CENTER
PACIFIC WEST REGION

Minidoka National Historic Site

DATE DRAWN: December 2006
MAP NUMBER: 194 / 80,004





IN REPLY REFER TO:

United States Department of the Interior

NATIONAL PARK SERVICE
Water Resources Division
1201 Oakridge Drive, Suite 250
Fort Collins, Colorado 80525-5596



July 13, 2009

L54 (2389)
MINI/Water Rights

Idaho Department of Water Resources
Southern Region
1341 Fillmore St., Suite 200
Twin Falls, Idaho 83301-3380

RE: Notice of Change in Water-Right Ownership, Water Right No. 36-11119

In 2008, federal property managed by the Bureau of Reclamation was transferred to the National Park Service. The transfer included Water Right No. 36-11119. This letter submits the following items:

1. Notice of Change in Water Right Ownership, completed and signed;
2. A filing fee of \$25.00 (check); and
3. Documents indicating the transfer of property from the Bureau of Reclamation to the National Park Service and showing the legal description of the property.

The transferred property is now part of Minidoka National Historic Site.

If you have any questions or require additional information, please contact Paul Christensen of my staff at 970-225-3534 or paul_christensen@nps.gov.

Sincerely,

Charles W. Pettie
Chief, Water Rights Branch

Enclosures (3)

(All w/ copies of the enclosures)

cc: Wendy Janssen, Superintendent, Hagerman Fossil Beds National Monument,
Hagerman, ID
Wayne Hill, NPS, Seattle, WA
Paul Christensen, NPS, Fort Collins, CO

THIS DOCUMENT HAS AN ARTIFICIAL WATERMARK ON THE BACK. THE FRONT HAS A MICROPRINT SIGNATURE LINE. ABSENCE OF THESE FEATURES WILL INDICATE A COPY. 

	U.S. Department of the Interior National Park Service	JPMorgan  JPMorgan Chase Bank, N.A. Syracuse, NY 13206 50-937 / 213	0026-300029
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WASO - Budget Team

PAY TO THE ORDER OF **IDAHO DEPARTMENT OF WATER RESOURCES**

DATE **29-JUN-2009**
NOT GOOD AFTER 60 DAYS FROM DATE

\$ **25.00**

Twenty-Five and 00/100 DOLLARS

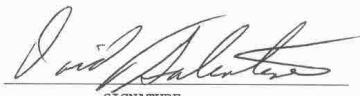
NOT GOOD FOR MORE THAN \$2500 NOT REDEEMABLE FOR CASH BY DRAWER

----- Document -----

TD **2380 K 3069**

----- Account ----- BOC Memo

2380-WRB1-NWZ 252Z


SIGNATURE

⑈0026300029⑈ ⑆021309379⑆ 613221443⑈

Form 42-248/42-1409(6) 12/2006

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
36-11119					

2. The following **REQUIRED** information must be submitted with this form:

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

OR

D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

- | | | |
|----|--|--|
| 3. | Name and Address of Former Owner/Claimant(s) | United States of America, Bureau of Reclamation
Regional Director PN Code – 3100
1150 N. Curtis Rd., Suite 100
Boise, ID 83706-1234 |
| 4. | New Owner/Claimant(s) | United States of America, National Park Service
Water Rights Branch |
| | New Mailing Address | Name Connector (Check one): [] and, [] or, [] and/or
1201 Oakridge Dr, Ste 250 |
| | City, State and ZIP Code | Fort Collins, CO 80525 |
| | New Telephone Number | (970) 225-3506 |

Form 42-248/42-1409(6) 12/2006

5. Date you acquired the property was transferred October 31, 2008

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number _____		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims

7. Signature(s) of New Owner(s) or Claimant(s) , Chief, Water Rights Branch
(title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____	Date _____	Receipt Amt. _____
Receipted by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____ Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 1341 Fillmore Street, Suite 200 • Twin Falls, Idaho 83301-3380
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

July 20, 2009

US NATIONAL PARK SERVICE
1201 OAKRIDGE DR STE 250
FORT COLLINS CO 80525

RE: Change of Ownership for Water Right 36-11119

Dear Water Right Holders:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carrie Hahn', is written over a horizontal line.

Carrie Hahn
Clerk

Enclosure

Page 1

07/20/2009

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 36-11119

WATER RIGHT NUMBER: 36-11119

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	US NATIONAL PARK SERVICE 1201 OAKRIDGE DR STE 250 FORT COLLINS, CO 80525 (970)225-3505

Priority Date: 12/31/1947

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
	<u>Total Diversion:</u>	0.040 CFS	

Location of Point(s) of Diversion

GROUND WATER	L6 (SW1/4SE1/4SW1/4)	Sec. 33, Twp 08S, Rge 19E, B.M.
JEROME County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
08S	19E	33																	

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Remarks:

Page 2

07/20/2009

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 36-11119

Dates and Other Information:

Licensed Date:
Decreed Date: 1/27/1997
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Water Supply Bank:

Idaho Department of Water Resources Receipt

Receipt ID: S031007

Payment Amount \$25.00 Date Received 7/20/09 9:04 Region SOUTHERN
Payment Type Check Check Number 0026-300029
Payer US DEPARTMENT OF THE INTERIOR

Comments OWNERSHIP CHANGE 36-11119

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	64140	1155


Signature Line (Department Representative)



IN REPLY REFER TO:
PN-3900
LND-3.00

United States Department of the Interior

BUREAU OF RECLAMATION
Pacific Northwest Region
1150 North Curtis Road, Suite 100
Boise, Idaho 83706-1234



SEP 17 2008

MEMORANDUM

To: National Park Service, Land Resources, 168 South Jackson Street, Seattle, WA 98104
Attn: Wayne Hill

Acting for

From: J. William McDonald
Regional Director

Subject: Minidoka National Historic Site – Transfer of Property Form

Attached is the signed Transfer of Property form (DI-104) which will transfer 10.18 acres of Bureau of Reclamation land to the National Park Service for inclusion in the Minidoka National Historic Site. This land transfer was authorized by the Consolidated Natural Resources Act of 2008 (Public Law 110-229, 122 Stat. 754).

If you have any questions concerning this transfer, please contact Ms. Yvonne Daniel, Realty Specialist, at 208-678-0461, extension 31.

Attachment

cc: Ms. Yvonne Daniel, Realty Specialist
Bureau of Reclamation
Snake River Area Office – East
1359 Hansen Avenue
Burley, ID 83318-1821 (w/cy of att.)

United States Department of the Interior
NATIONAL PARK SERVICE

Land's Distribution

of the Interior *Dogner 11/14/00*

VICE _____ Secretary _____

Tolson _____ Director _____

am Center _____

or _____

3 _____

_____ Holysky _____ Secretary _____

_____ Ofiana _____ Managing _____

MIS _____

FILE _____

attention: Ms. Yvonne Daniel

Recycle _____

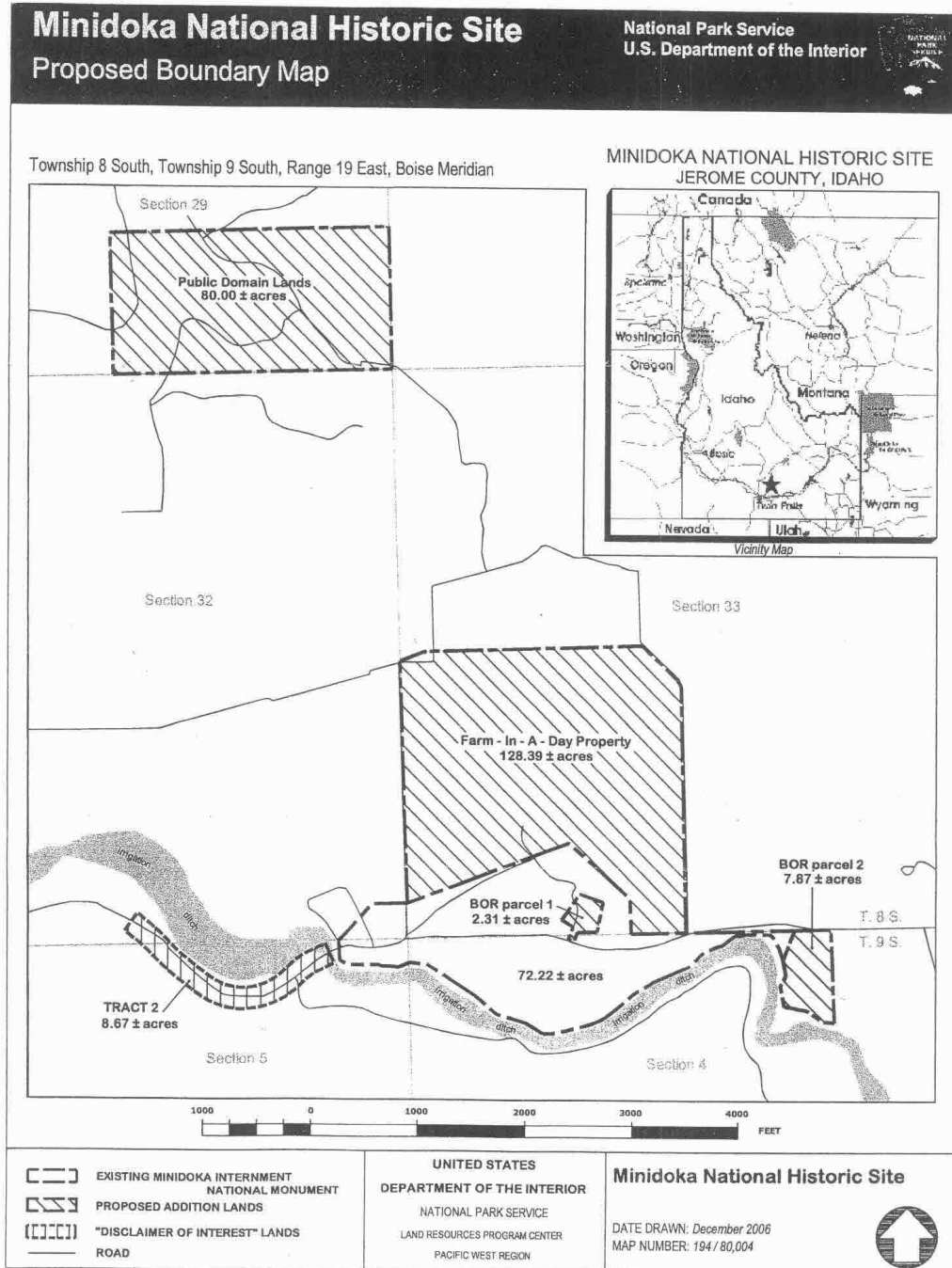
Center _____

RECYCLE _____

cc w/encl: Superintendent, Minidoka National Historic Site

DI-104
(Rev. 6/88)

UNITED STATES DEPARTMENT OF THE INTERIOR		Page _____ of _____		
TRANSFER OF PROPERTY		Report No. _____		
		Date <u>2008</u>		
Transfer From: (Organization and Complete Address) Bureau of Reclamation Pacific Northwest Region 1150 North Curtis Road, Suite 100 Boise, ID 83706-1234		Transfer To: (Organization and Complete Address) National Park Service Land Resources, Attn: Wayne Hill 168 South Jackson Street Seattle, WA 98104		
Appropriation and Accounting Data:				
ITEM NO.	QUANTITY OR PROPERTY ID NO.	ITEM DESCRIPTION (Include model & serial number)	ORIGINAL ACQUISITION COST (OAC)	CONDITION CODE
	10.18 acres	See attached map of the Minidoka National Historic Site BOR Parcel 1 - 2.31 acres located in: T. 8 S., R. 19 E., B.M., ID Section 33: Tract 38 BOR Parcel 2 - 7.87 acres located in: T. 9 S., R. 19 E., B.M., ID Section 4: Tracts 38 and 39 Authority for Transfer: Consolidated Natural Resources Act of 2008 (Public Law 110-229, 122 Stat. 754), particularly Section 313 Minidoka National Historic Site (c) (4) (A) Transfer from Bureau of Reclamation to the National Park Service.		
SHIPPING AND RECEIVING INFORMATION				
Date Shipped: <u>4-17-08</u>		Date Received: <u>10/31/2008</u>		
Authorized Signature: <u>Kathleen A. Marshall</u>		Authorized Signature: <u>Jonathan S. Spruiell</u>		
Official Title: Pacific Northwest Region Regional Director		Official Title: Regional Director, National Park Service, Pacific West Region		
Adjustment to property records (Property Official Signature):		Date Completed	Financial Official Signature (if Required):	Date Completed



122 STAT. 770

PUBLIC LAW 110-229—MAY 8, 2008

- “(i) 91 Pevey Street.
- “(ii) The portion of 607 Middlesex Place.
- “(iii) Eagle Court.
- “(iv) The portion of 50 Payne Street.
- “(v) 726 Broadway.”.

Idaho.
Washington.
16 USC 431 note,
461 note.

SEC. 313. MINIDOKA NATIONAL HISTORIC SITE.

(a) DEFINITIONS.—In this section:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(2) STATE.—The term “State” means the State of Idaho.

(b) BAINBRIDGE ISLAND JAPANESE AMERICAN MEMORIAL.—

(1) BOUNDARY ADJUSTMENT.—

(A) IN GENERAL.—The boundary of the Minidoka Internment National Monument, located in the State and established by Presidential Proclamation 7395 of January 17, 2001, is adjusted to include the Nidoto Nai Yoni (“Let it not happen again”) memorial (referred to in this subsection as the “memorial”), which—

(i) commemorates the Japanese Americans of Bainbridge Island, Washington, who were the first to be forcibly removed from their homes and relocated to internment camps during World War II under Executive Order No. 9066; and

(ii) consists of approximately 8 acres of land owned by the City of Bainbridge Island, Washington, as depicted on the map entitled “Bainbridge Island Japanese American Memorial”, numbered 194/80,003, and dated September, 2006.

(B) MAP.—The map referred to in subparagraph (A) shall be kept on file and made available for public inspection in the appropriate offices of the National Park Service.

(2) ADMINISTRATION OF MEMORIAL.—

(A) IN GENERAL.—The memorial shall be administered as part of the Minidoka Internment National Monument.

(B) AGREEMENTS.—To carry out this subsection, the Secretary may enter into agreements with—

(i) the City of Bainbridge Island, Washington;

(ii) the Bainbridge Island Metropolitan Park and Recreational District;

(iii) the Bainbridge Island Japanese American Community Memorial Committee;

(iv) the Bainbridge Island Historical Society; and

(v) other appropriate individuals or entities.

(C) IMPLEMENTATION.—To implement an agreement entered into under this paragraph, the Secretary may—

(i) enter into a cooperative management agreement relating to the operation and maintenance of the memorial with the City of Bainbridge Island, Washington, in accordance with section 3(d) of Public law 91-383 (16 U.S.C. 1a-2(1)); and

(ii) enter into cooperative agreements with, or make grants to, the City of Bainbridge Island, Washington, and other non-Federal entities for the development of facilities, infrastructure, and interpretive media at the memorial, if any Federal funds provided

by a grant or through a cooperative agreement are matched with non-Federal funds.

(D) ADMINISTRATION AND VISITOR USE SITE.—The Secretary may operate and maintain a site in the State of Washington for administrative and visitor use purposes associated with the Minidoka Internment National Monument.

(c) ESTABLISHMENT OF MINIDOKA NATIONAL HISTORIC SITE.—

(1) DEFINITIONS.—In this section:

(A) HISTORIC SITE.—The term “Historic Site” means the Minidoka National Historic Site established by paragraph (2)(A).

(B) MINIDOKA MAP.—The term “Minidoka Map” means the map entitled “Minidoka National Historic Site, Proposed Boundary Map”, numbered 194/80,004, and dated December 2006.

(2) ESTABLISHMENT.—

(A) NATIONAL HISTORIC SITE.—In order to protect, preserve, and interpret the resources associated with the former Minidoka Relocation Center where Japanese Americans were incarcerated during World War II, there is established the Minidoka National Historic Site.

(B) MINIDOKA INTERNMENT NATIONAL MONUMENT.—

(i) IN GENERAL.—The Minidoka Internment National Monument (referred to in this subsection as the “Monument”), as described in Presidential Proclamation 7395 of January 17, 2001, is abolished. Abolished.

(ii) INCORPORATION.—The land and any interests in the land at the Monument are incorporated within, and made part of, the Historic Site.

(iii) FUNDS.—Any funds available for purposes of the Monument shall be available for the Historic Site.

(C) REFERENCES.—Any reference in a law (other than in this title), map, regulation, document, record, or other paper of the United States to the “Minidoka Internment National Monument” shall be considered to be a reference to the “Minidoka National Historic Site”.

(3) BOUNDARY OF HISTORIC SITE.—

(A) BOUNDARY.—The boundary of the Historic Site shall include—

(i) approximately 292 acres of land, as depicted on the Minidoka Map; and

(ii) approximately 8 acres of land, as described in subsection (b)(1)(A)(ii).

(B) AVAILABILITY OF MAP.—The Minidoka Map shall be on file and available for public inspection in the appropriate offices of the National Park Service.

(4) LAND TRANSFERS AND ACQUISITION.—

(A) TRANSFER FROM BUREAU OF RECLAMATION.—Administrative jurisdiction over the land identified on the Minidoka Map as “BOR parcel 1” and “BOR parcel 2”, including any improvements on, and appurtenances to, the parcels, is transferred from the Bureau of Reclamation to the National Park Service for inclusion in the Historic Site.

(B) TRANSFER FROM BUREAU OF LAND MANAGEMENT.—Administrative jurisdiction over the land identified on the

122 STAT. 772

PUBLIC LAW 110-229—MAY 8, 2008

Minidoka Map as “Public Domain Lands” is transferred from the Bureau of Land Management to the National Park Service for inclusion in the Historic Site, and the portions of any prior Secretarial orders withdrawing the land are revoked.

(C) ACQUISITION AUTHORITY.—The Secretary may acquire any land or interest in land located within the boundary of the Historic Site, as depicted on the Minidoka Map, by—

- (i) donation;
- (ii) purchase with donated or appropriated funds from a willing seller; or
- (iii) exchange.

(5) ADMINISTRATION.—

(A) IN GENERAL.—The Historic Site shall be administered in accordance with—

- (i) this Act; and
- (ii) laws (including regulations) generally applicable to units of the National Park System, including—

(I) the National Park Service Organic Act (16 U.S.C. 1 et seq.); and

(II) the Act of August 21, 1935 (16 U.S.C. 461 et seq.).

(B) INTERPRETATION AND EDUCATION.—

(i) IN GENERAL.—The Secretary shall interpret—

(I) the story of the relocation of Japanese Americans during World War II to the Minidoka Relocation Center and other centers across the United States;

(II) the living conditions of the relocation centers;

(III) the work performed by the internees at the relocation centers; and

(IV) the contributions to the United States military made by Japanese Americans who had been interned.

(ii) ORAL HISTORIES.—To the extent feasible, the collection of oral histories and testimonials from Japanese Americans who were confined shall be a part of the interpretive program at the Historic Site.

(iii) COORDINATION.—The Secretary shall coordinate the development of interpretive and educational materials and programs for the Historic Site with the Manzanar National Historic Site in the State of California.

(C) BAINBRIDGE ISLAND JAPANESE AMERICAN MEMORIAL.—The Bainbridge Island Japanese American Memorial shall be administered in accordance with subsection (b)(2).

(D) CONTINUED AGRICULTURAL USE.—In keeping with the historical use of the land following the decommission of the Minidoka Relocation Center, the Secretary may issue a special use permit or enter into a lease to allow agricultural uses within the Historic Site under appropriate terms and conditions as determined by the Secretary.

(6) DISCLAIMER OF INTEREST IN LAND.—

(A) IN GENERAL.—The Secretary may issue to Jerome County, Idaho, a document of disclaimer of interest in land for the parcel identified as “Tract No. 2”—

- (i) in the final order of condemnation, for the case numbered 2479, filed on January 31, 1947, in the District Court of the United States, in and for the District of Idaho, Southern Division; and
- (ii) on the Minidoka Map.

(B) PROCESS.—The Secretary shall issue the document of disclaimer of interest in land under subsection (a) in accordance with section 315(b) of Federal Land Policy and Management Act of 1976 (43 U.S.C. 1745(b)).

(C) EFFECT.—The issuance by the Secretary of the document of disclaimer of interest in land under subsection (a) shall have the same effect as a quit-claim deed issued by the United States.

(d) CONVEYANCE OF AMERICAN FALLS RESERVOIR DISTRICT NUMBER 2.—

(1) DEFINITIONS.—In this subsection:

(A) AGREEMENT.—The term “Agreement” means Agreement No. 5-07-10-L1688 between the United States and the District, entitled “Agreement Between the United States and the American Falls Reservoir District No. 2 to Transfer Title to the Federally Owned Milner-Gooding Canal and Certain Property Rights, Title and Interest to the American Falls Reservoir District No. 2”.

(B) DISTRICT.—The term “District” means the American Falls Reservoir District No. 2, located in Jerome, Lincoln, and Gooding Counties, of the State.

(2) AUTHORITY TO CONVEY TITLE.—

(A) IN GENERAL.—In accordance with all applicable law and the terms and conditions set forth in the Agreement, the Secretary may convey—

- (i) to the District all right, title, and interest in and to the land and improvements described in Appendix A of the Agreement, subject to valid existing rights;
- (ii) to the city of Gooding, located in Gooding County, of the State, all right, title, and interest in and to the 5.0 acres of land and improvements described in Appendix D of the Agreement; and
- (iii) to the Idaho Department of Fish and Game all right, title, and interest in and to the 39.72 acres of land and improvements described in Appendix D of the Agreement.

(B) COMPLIANCE WITH AGREEMENT.—All parties to the conveyance under subparagraph (A) shall comply with the terms and conditions of the Agreement, to the extent consistent with this section.

(3) COMPLIANCE WITH OTHER LAWS.—

(A) IN GENERAL.—On conveyance of the land and improvements under paragraph (2)(A)(i), the District shall comply with all applicable Federal, State, and local laws (including regulations) in the operation of each facility transferred.

(B) APPLICABLE AUTHORITY.—Nothing in this subsection modifies or otherwise affects the applicability of

Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.)) to project water provided to the District.

(4) REVOCATION OF WITHDRAWALS.—

(A) IN GENERAL.—The portions of the Secretarial Orders dated March 18, 1908, October 7, 1908, September 29, 1919, October 22, 1925, March 29, 1927, July 23, 1927, and May 7, 1963, withdrawing the approximately 6,900 acres described in Appendix E of the Agreement for the purpose of the Gooding Division of the Minidoka Project, are revoked.

(B) MANAGEMENT OF WITHDRAWN LAND.—The Secretary, acting through the Director of the Bureau of Land Management, shall manage the withdrawn land described in subparagraph (A) subject to valid existing rights.

(5) LIABILITY.—

(A) IN GENERAL.—Subject to subparagraph (B), upon completion of a conveyance under paragraph (2), the United States shall not be liable for damages of any kind for any injury arising out of an act, omission, or occurrence relating to the land (including any improvements to the land) conveyed under the conveyance.

(B) EXCEPTION.—Subparagraph (A) shall not apply to liability for damages resulting from an injury caused by any act of negligence committed by the United States (or by any officer, employee, or agent of the United States) before the date of completion of the conveyance.

(C) FEDERAL TORT CLAIMS ACT.—Nothing in this paragraph increases the liability of the United States beyond that provided in chapter 171 of title 28, United States Code.

(6) FUTURE BENEFITS.—

(A) RESPONSIBILITY OF THE DISTRICT.—After completion of the conveyance of land and improvements to the District under paragraph (2)(A)(i), and consistent with the Agreement, the District shall assume responsibility for all duties and costs associated with the operation, replacement, maintenance, enhancement, and betterment of the transferred land (including any improvements to the land).

(B) ELIGIBILITY FOR FEDERAL FUNDING.—

(i) IN GENERAL.—Except as provided in clause (ii), the District shall not be eligible to receive Federal funding to assist in any activity described in subparagraph (A) relating to land and improvements transferred under paragraph (2)(A)(i).

(ii) EXCEPTION.—Clause (i) shall not apply to any funding that would be available to a similarly situated nonreclamation district, as determined by the Secretary.

(7) NATIONAL ENVIRONMENTAL POLICY ACT.—Before completing any conveyance under this subsection, the Secretary shall complete all actions required under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

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(C) the National Historic Preservation Act (16 U.S.C. 470 et seq.); and

(D) all other applicable laws (including regulations).

(8) PAYMENT.—

(A) FAIR MARKET VALUE REQUIREMENT.—As a condition of the conveyance under paragraph (2)(A)(i), the District shall pay the fair market value for the withdrawn lands to be acquired by the District, in accordance with the terms of the Agreement.

(B) GRANT FOR BUILDING REPLACEMENT.—As soon as practicable after the date of enactment of this Act, and in full satisfaction of the Federal obligation to the District for the replacement of the structure in existence on that date of enactment that is to be transferred to the National Park Service for inclusion in the Minidoka National Historic Site, the Secretary, acting through the Commissioner of Reclamation, shall provide to the District a grant in the amount of \$52,996, in accordance with the terms of the Agreement.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

SEC. 314. ACADIA NATIONAL PARK IMPROVEMENT.

(a) EXTENSION OF LAND CONVEYANCE AUTHORITY.—Section 102(d) of Public Law 99-420 (16 U.S.C. 341 note) is amended by striking paragraph (2) and inserting the following:

“(2) Federally owned property under jurisdiction of the Secretary referred to in paragraph (1) of this subsection shall be conveyed to the towns in which the property is located without encumbrance and without monetary consideration, except that no town shall be eligible to receive such lands unless lands within the Park boundary and owned by the town have been conveyed to the Secretary.”

(b) EXTENSION OF ACADIA NATIONAL PARK ADVISORY COMMISSION.—

(1) IN GENERAL.—Section 103(f) of Public Law 99-420 (16 U.S.C. 341 note) is amended by striking “20” and inserting “40”.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on September 25, 2006.

16 USC 341 note.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 106 of Public Law 99-420 (16 U.S.C. 341 note) is amended by adding the following:

“(c) ADDITIONAL FUNDING.—In addition to such sums as have been heretofore appropriated, there is hereby authorized \$10,000,000 for acquisition of lands and interests therein.”

(d) INTERMODAL TRANSPORTATION CENTER.—Title I of Public Law 99-420 (16 U.S.C. 341 note) is amended by adding at the end the following new section:

“SEC. 108. INTERMODAL TRANSPORTATION CENTER.

“(a) IN GENERAL.—The Secretary may provide assistance in the planning, construction, and operation of an intermodal transportation center located outside of the boundary of the Park in the town of Trenton, Maine to improve the management, interpretation, and visitor enjoyment of the Park.

Docket Information

Number of Documents in Docket 23

Documents Dated from 1/27/1997 to 7/20/2009

Docket Compiled: 5/16/2011