

108TH CONGRESS  
1ST SESSION

# H. R. 2941

To correct the south boundary of the Colorado River Indian Reservation  
in Arizona, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JULY 25, 2003

Mr. GRIJALVA (for himself, Mr. FLAKE, Mr. RENZI, Mr. HAYWORTH, and Mr. PASTOR) introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To correct the south boundary of the Colorado River Indian  
Reservation in Arizona, and for other purposes.

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, FINDINGS, PURPOSES.**

4 (a) **SHORT TITLE.**—This Act may be cited as the  
5 “Colorado River Indian Reservation Boundary Correction  
6 Act”.

7 (b) **FINDINGS.**—Congress finds the following:

8 (1) The Act of March 3, 1865, created the Col-  
9 orado River Indian Reservation (hereinafter “Res-  
10 ervation”) along the Colorado River in Arizona and

1 California for the “Indians of said river and its trib-  
2 utaries”.

3 (2) In 1873 and 1874, President Grant issued  
4 Executive Orders to expand the Reservation south-  
5 ward and to secure its southern boundary at a clear-  
6 ly recognizable geographic location in order to fore-  
7 stall non-Indian encroachment and conflicts with the  
8 Indians of the Reservation.

9 (3) In 1875, Mr. Chandler Robbins surveyed  
10 the Reservation (hereinafter “the Robbins Survey”)  
11 and delineated its new southern boundary, which in-  
12 cluded approximately 16,000 additional acres (here-  
13 inafter “the La Paz lands”), as part of the Reserva-  
14 tion.

15 (4) On May 15, 1876, President Grant issued  
16 an Executive Order that established the Reserva-  
17 tion’s boundaries as those delineated by the Robbins  
18 Survey.

19 (5) In 1907, as a result of increasingly frequent  
20 trespasses by miners and cattle and at the request  
21 of the Bureau of Indian Affairs, the General Land  
22 Office of the United States provided for a resurvey  
23 of the southern and southeastern areas of the Res-  
24 ervation.

1           (6) In 1914, the General Land Office accepted  
2 and approved a resurvey of the Reservation con-  
3 ducted by Mr. Guy Harrington in 1912 (hereinafter  
4 the “Harrington Resurvey”) which confirmed the  
5 boundaries that were delineated by the Robbins Sur-  
6 vey and established by Executive Order in 1876.

7           (7) On November 19, 1915, the Secretary of  
8 the Interior reversed the decision of the General  
9 Land Office to accept the Harrington Resurvey, and  
10 upon his recommendation on November 22, 1915,  
11 President Wilson issued Executive Order No. 2273  
12 “. . . to correct the error in location said southern  
13 boundary line . . . ”—and thus effectively excluded  
14 the La Paz from the Reservation.

15           (8) Historical evidence compiled by the Depart-  
16 ment of the Interior supports the conclusion that the  
17 reason given by the Secretary in recommending that  
18 the President issue the 1915 Executive Order—“to  
19 correct an error in locating the southern bound-  
20 ary”—was itself in error and that the La Paz lands  
21 should not have been excluded from the Reservation.

22           (9) The La Paz lands continue to hold cultural  
23 and historical significance, as well as economic devel-  
24 opment potential, for the Colorado River Indian

1 tribes, who have consistently sought to have such  
2 lands restored to their Reservation.

3 (c) PURPOSES.—The purposes of this Act are:

4 (1) To correct the south boundary of the Res-  
5 ervation by reestablishing such boundary as it was  
6 delineated by the Robbins Survey and affirmed by  
7 the Harrington Resurvey.

8 (2) To restore the La Paz lands to the Reserva-  
9 tion, subject to valid existing rights under Federal  
10 law and to provide for continued reasonable public  
11 access for recreational purposes.

12 (3) To provide for the Secretary of the Interior  
13 to review and ensure that the corrected Reservation  
14 boundary is resurveyed and marked in conformance  
15 with the public system of surveys extended over such  
16 lands.

17 **SEC. 2. BOUNDARY CORRECTION, RESTORATION, DESCRIP-**  
18 **TION.**

19 (a) BOUNDARY.—The boundaries of the Colorado  
20 River Indian Reservation are hereby declared to include  
21 those boundaries as were delineated by the Robbins Sur-  
22 vey, affirmed by the Harrington Survey, and described in  
23 section 1.

24 (b) RESTORATION.—Subject to valid existing rights  
25 under Federal law, all right, title, and interest of the

1 United States to those lands within the boundaries de-  
2 clared in subsection (a) that were excluded from the Res-  
3 ervation pursuant to Executive Order No. 2273 (Novem-  
4 ber 22, 1915) are hereby restored to the Reservation and  
5 shall be held in trust by the United States on behalf of  
6 the Colorado River Indian Tribes.

7 (c) DESCRIPTION.—Consistent with the provisions of  
8 this Act, the following described lands are hereby restored  
9 to the boundaries of the Colorado River Indian Reserva-  
10 tion:

11 (1) Beginning at a point at the corner common  
12 to townships 3 and 4 north, ranges 21 and 22 west  
13 of the Gila and Salt River meridian, Arizona, which  
14 is the designated southeast corner of the present res-  
15 ervation pursuant to Executive Order Numbered  
16 2273.

17 (2) Thence easterly along the township and sec-  
18 tion line common to section 6, township and section  
19 line common to section 6, township 3 north, range  
20 21 west of the Gila and Salt river meridian for  
21 79.15 chains to angle point 2 established by G.P.  
22 Harrington in 1912 near the corner common to sec-  
23 tion 5 and 6, township 3 north range 21 west and  
24 sections 31 and 32, township 4 north, range 21 west  
25 of the Gila and Salt River meridian.

1           (3) Thence south 71 degrees 30 minutes east  
2           31.77 chains to angle point 3 established by Har-  
3           rington (1912) and presently located on the line  
4           common to lots 3 and 6 of section 5, township 3  
5           north, range 21 west of the Gila and Salt River me-  
6           ridian.

7           (4) Thence north 88 degrees 15 minutes east  
8           73.23 chains to angle point 4 established by Har-  
9           rington (1912) and presently located at the corner  
10          common to lots 3, 7, and 8 of section 4, township  
11          3 north, range 21 west of the Gila and Salt River  
12          meridian.

13          (5) Thence south 81 degrees 00 minutes east  
14          26.32 chains to angle point 5 established by Har-  
15          rington (1912) and presently located along the line  
16          common to lots 2 and 6 of section 4, township 3  
17          north, range 21 west of the Gila and Salt River me-  
18          ridian.

19          (6) Thence south 63 degrees 30 minutes east  
20          58.83 chains to angle point 6 established by Har-  
21          rington (1912) and presently located along the line  
22          common to lots 2 and 8 of section 3, township 3  
23          north, range 21 west of the Gila and Salt River me-  
24          ridian.

1           (7) Thence north 86 degrees 00 minutes east  
2           24.62 chains to angle point 7 established by Har-  
3           rington (1912) and presently located along the line  
4           common to lots 1 and 6 of section 3, township 3  
5           north, range 21 west of the Gila and Salt River me-  
6           ridian.

7           (8) Thence south 52 degrees 30 minutes east  
8           25.23 chains to angle point 8 established by Har-  
9           rington (1912) and presently located along the line  
10          common to lots 4 and 10 of section 8, township 3  
11          north, range 21 west of the Gila and Salt River me-  
12          ridian.

13          (9) Thence south 22 degrees 00 minutes east  
14          8.80 chains to angle point 9 established by Har-  
15          rington (1912) and presently located along the line  
16          common to lots 5 and 10 of section 3, township 3  
17          north, range 21 west of the Gila and Salt River me-  
18          ridian.

19          (10) Thence south 13 degrees 30 minutes east  
20          12.25 chains to angle point 10 established by Har-  
21          rington (1912) and presently located along the line  
22          common to lot 5 of section 3 and lot 1 of section 10,  
23          township 3 north, range 21 west of the Gila and  
24          Salt River meridian.

1           (11) Thence south 44 degrees 00 minutes east  
2           16.10 chains to angle point 11 established by Har-  
3           rington (1912) and presently located along the line  
4           common to lots 1 and 5 of section 11, township 3  
5           north, range 21 west of the Gila and Salt River me-  
6           ridian.

7           (12) Thence south 17 degrees 00 minutes east  
8           15.00 chains to angle point 12 established by Har-  
9           rington (1912) and presently located along the line  
10          common to lots 1 and 5 and approximately at the  
11          common corner of lots 1, 2, and 5 of section 11,  
12          township 3 north, range 21 west of the Gila and  
13          Salt River meridian.

14          (13) Thence south 53 degrees 30 minutes east  
15          27.25 chains to angle point 13 established by Har-  
16          rington (1912) and presently located along the line  
17          common to lots 2 and 7 of section 11, township 3  
18          north, range 21 west of the Gila and Salt River me-  
19          ridian.

20          (14) Thence south 54 degrees 30 minutes east  
21          14.29 chains to angle point 14 established by Har-  
22          rington (1912) and presently located along the line  
23          common to lots 3 and 7 of section 11, township 3  
24          north, range 21 west of the Gila and Salt River me-  
25          ridian.

1           (15) Thence south 44 degrees 30 minutes east  
2           19.21 chains to angle point 15 established by Har-  
3           rington (1912) and presently located along the line  
4           common to lots 3 and 8 of section 11, township 3  
5           north, range 21 west of the Gila and Salt River me-  
6           ridian.

7           (16) Thence south 53 degrees 30 minutes east  
8           159.60 chains to angle point 16 established by Har-  
9           rington (1912) and presently located along the line  
10          common to lot 5 of section 18 and section 19 of  
11          township 3 north, range 20 west of the Gila and  
12          Salt River meridian.

13          (17) Thence south 65 degrees 00 minutes east  
14          6.05 chains to angle point 17 established by Har-  
15          rington (1912) and as presently located on the line  
16          common to lot 5 of section 18 and section 19 of  
17          township 3 north, range 20 west at the southeast  
18          corner of lot 5, which as reestablished will also serve  
19          as the southeast corner of the Colorado River Indian  
20          Reservation.

21          (18) Thence north 1 degree 33 minutes east  
22          409.64 chains to angle point 18 established by Har-  
23          rington (1912) and on the boundary line of lot 4,  
24          township 4 north, range 20 west of the Gila and  
25          Salt River meridian.

1           (19) Thence north 6 degrees 36 minutes east  
2           66.17 chains to the corner common to the southwest  
3           corner of lot 4, section 18 and the northeast corner  
4           of lot 1, section 19, township 4 north, range 20 west  
5           of the Gila and Salt River meridian which is the  
6           southernmost point along the east boundary of the  
7           reservation as defined in Executive Order Numbered  
8           2273.

9           (20) Thence westerly along the south boundary  
10          line of the reservation as defined in Executive Order  
11          Numbered 2273 to the corner common to sections  
12          18 and 19, townships 4 north, range 21 west and  
13          section 13 and 24, township 4 north, range 22 west  
14          of the Gila and Salt River meridian.

15          (21) Thence southerly along the range line  
16          which constitutes the southeast boundary line as de-  
17          fined in Executive Order Numbered 2273 for ap-  
18          proximately 3 miles to the point of the beginning.

19          (d) EXCLUSION.—Excluded from those lands re-  
20          stored to trust status on behalf of the Colorado River In-  
21          dian Tribes that are described under subsection (c) are  
22          the lands under title to the Arizona State Lands Depart-  
23          ment. These lands are 320 acres in the East half of Sec-  
24          tion 36, Township 4 North, Range 21 West.

1 **SEC. 3. RESURVEY AND MARKING.**

2       The Secretary of the Interior shall ensure that the  
3 boundary for the restored La Paz lands described in sec-  
4 tion 2 is surveyed and clearly marked in conformance with  
5 the public system of surveys extended over such lands.

6 **SEC. 4. WATER RIGHTS.**

7       The correction of the Reservation boundary and the  
8 restoration of the La Paz lands to the Reservation pursu-  
9 ant to this Act shall be deemed not to create any new  
10 Federal reserved water right on behalf of the Colorado  
11 River Indian Tribes, nor to expand or diminish any exist-  
12 ing Federal reserved water right held by the Colorado  
13 River Indian Tribes.

14 **SEC. 5. PUBLIC ACCESS.**

15       Continued access to the lands restored to the Res-  
16 ervation pursuant to this Act for hunting and other exist-  
17 ing recreational purposes shall remain available to the  
18 public under reasonable rules and regulations promulgated  
19 by the Colorado River Indian Tribes.

20 **SEC. 6. ECONOMIC ACTIVITY.**

21       The correction of the Reservation boundary and the  
22 restoration of the La Paz lands to the Reservation as pro-  
23 vided for in this Act shall be deemed not to extinguish  
24 any existing mining leases or commercial leasehold rights  
25 through the terms of the existing contractual obligation.  
26 The Colorado River Indian Tribes shall enjoy the right

- 1 to renew or cancel all and every such lease as the terms
- 2 of each and every lease concludes.

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