

1930, whether for homestead, mineral, rights-of-way, or any other purposes whatsoever, or any water rights and/or rights-of-way connected therewith, including reservoirs, conduits, and ditches, as may be recognized by local customs, laws, and decisions of courts, or shall affect the right of any such owner, claimant, locator, or entryman to the full use and enjoyment of his land.

(June 21, 1930, ch. 561, §2, 46 Stat. 792.)

§ 193. Claims and rights under land laws not affected; rights-of-way for irrigation and other purposes

Nothing herein contained shall affect any valid claim, location, or entry under the land laws of the United States, existing on January 26, 1915, whether for homestead, mineral, right-of-way, or any other purpose whatsoever, or shall affect the rights of any such claimant, locator, or entryman to the full use and enjoyment of his land. Whenever consistent with the primary purposes of the park, section 79 of this title shall be applicable to the lands included within the park.

(Jan. 26, 1915, ch. 19, §2, 38 Stat. 800; Jan. 26, 1931, ch. 47, §7, 46 Stat. 1044.)

REFERENCES IN TEXT

Herein, referred to in text, means act Jan. 26, 1915, which is classified to sections 191 and 193 to 195a of this title. For complete classification of this Act to the Code, see Tables.

Section 79 of this title, referred to in text, was in the original a reference to act Feb. 15, 1901, ch. 372, 31 Stat. 790. For further details, see Codification note set out under section 79 of this title.

AMENDMENTS

1931—Act Jan. 26, 1931, repealed provision which authorized granting of easements or rights of way for steam, electric, or similar transportation upon or across the park.

§ 194. Lands held in private, municipal, or State ownership not affected

No lands located within the park boundaries held in private, municipal, or State ownership on January 26, 1915, shall be affected by or subject to the provisions of sections 191, 193, 195, and 195a of this title.

(Jan. 26, 1915, ch. 19, §3, 38 Stat. 800.)

§ 195. Control; regulations; leases; sale and removal of timber

Rocky Mountain National Park shall be under the executive control of the Secretary of the Interior. In addition to the powers and duties enumerated in section 3 of this title and not inconsistent with this section, he shall make and publish such reasonable rules and regulations, not inconsistent with the laws of the United States, as he may deem necessary or proper for the care, protection, management, and improvement of the same, the said regulations being primarily aimed at the freest use of the said park for recreation purposes by the public and for the preservation of the natural conditions and scenic beauties thereof. The said Secretary may, in his discretion, execute leases to parcels of

ground not exceeding twenty acres in extent in any one place to any person or company for not to exceed twenty years whenever such ground is necessary for the erection of establishments for the accommodation of visitors, may grant such other necessary privileges and concessions as he deems wise for the accommodation of visitors, and may likewise arrange for the removal of such mature or dead or down timber as he may deem necessary and advisable for the protection and improvement of the park. The regulations governing the park shall include provisions for the use of automobiles therein. The Secretary of the Interior is authorized to accept patented lands or rights of way over patented lands in the Rocky Mountain National Park, that may be donated for park purposes.

(Jan. 26, 1915, ch. 19, §4, 38 Stat. 800; June 12, 1917, ch. 27, §1, 40 Stat. 152; Mar. 1, 1919, ch. 88, 40 Stat. 1270.)

CODIFICATION

Section, with the exception of the last sentence, was from section 4 of act Jan. 26, 1915.

A provision prohibiting appropriation for the maintenance, supervision, or improvement of the park in excess of \$10,000 annually unless expressly authorized by law was repealed by act Mar. 1, 1919.

The last sentence was from section 1 of act June 12, 1917.

OBLIGATION OF FEES FOR TRANSPORTATION SERVICES AT ZION OR ROCKY MOUNTAIN NATIONAL PARKS

Pub. L. 108-7, div. F, title I, §140, Feb. 20, 2003, 117 Stat. 244, provided that: "In fiscal year 2003 and each fiscal year thereafter, notwithstanding any other provision of law, with respect to a service contract for the provision solely of transportation services at Zion National Park or Rocky Mountain National Park, the Secretary of the Interior may obligate the expenditure of fees expected to be received in that fiscal year before the fees are received, so long as total obligations do not exceed fee collections retained at Zion National Park or Rocky Mountain National Park, respectively, by the end of that fiscal year."

EXPENDITURE OF FUNDS OUTSIDE AUTHORIZED BOUNDARY OF ROCKY MOUNTAIN NATIONAL PARK

Pub. L. 104-333, div. I, title VIII, §810, Nov. 12, 1996, 110 Stat. 4189, provided that: "The Secretary of the Interior is authorized to collect and expend donated funds and expend appropriated funds for the operation and maintenance of a visitor center to be constructed for visitors to and administration of Rocky Mountain National Park with private funds on privately owned lands located outside the boundary of the park."

§ 195a. North St. Vrain Creek and adjacent lands

Neither the Secretary of the Interior nor any other Federal agency or officer may approve or issue any permit for, or provide any assistance for, the construction of any new dam, reservoir, or impoundment on any segment of North St. Vrain Creek or its tributaries within the boundaries of Rocky Mountain National Park or on the main stem of North St. Vrain Creek downstream to the point at which the creek crosses the elevation 6,550 feet above mean sea level. Nothing in this section shall be construed to prevent the issuance of any permit for the construction of a new water gauging station on North St. Vrain Creek at the point of its confluence with Coulson Gulch.