

newly irrigated lands for a period of ten years from Sept. 30, 1968, was omitted.

#### AMENDMENTS

2004—Subsec. (f)(1). Pub. L. 108-451, § 212(d)(1), added par. (1) and struck out former par. (1) which read as follows: “In the operation of the Central Arizona Project, the Secretary shall offer to contract with water users in New Mexico for water from the Gila River, its tributaries and underground water sources in amounts that will permit consumptive use of water in New Mexico of not to exceed an annual average in any period of ten consecutive years of eighteen thousand acre-feet, including reservoir evaporation, over and above the consumptive uses provided for by article IV of the decree of the Supreme Court of the United States in Arizona against California (376 U.S. 340). Such increased consumptive uses shall not begin until, and shall continue only so long as, delivery of Colorado River water to downstream Gila River users in Arizona is being accomplished in accordance with this chapter, in quantities sufficient to replace any diminution of their supply resulting from such diversion from the Gila River, its tributaries and underground water sources. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved.”

Subsec. (f)(2), (3). Pub. L. 108-451, § 212(d)(2), (3), redesignated par. (3) as (2) and struck out former par. (2) which read as follows: “The Secretary shall further offer to contract with water users in New Mexico for water from the Gila River, its tributaries, and underground water sources in amounts that will permit consumptive uses of water in New Mexico of not to exceed an annual average in any period of ten consecutive years of an additional thirty thousand acre-feet, including reservoir evaporation. Such further increases in consumptive use shall not begin until, and shall continue only so long as, works capable of augmenting the water supply of the Colorado River system have been completed and water sufficiently in excess of two million eight hundred thousand acre-feet per annum is available from the main stream of the Colorado River for consumptive use in Arizona to provide water for the exchanges herein authorized and provided. In determining the amount required for this purpose full consideration shall be given to any differences in the quality of the waters involved.”

1992—Subsec. (c)(3). Pub. L. 102-575 repealed cl. (3) which read as follows: “neither the contractor nor the Secretary shall pump or permit others to pump ground water from within the exterior boundaries of the service area of a contractor receiving water from the Central Arizona Project for any use outside said contractor’s service area unless the Secretary and such contractor shall agree, or shall have previously agreed, that a surplus of ground water exists and that drainage is or was required.”

#### TRANSPORTATION OF WATER PUMPED WITHIN BOUNDARY

Pub. L. 102-575, title XXXVII, § 3710(k), Oct. 30, 1992, 106 Stat. 4751, provided in part that: “This subsection [amending this section] does not authorize transportation of water pumped within the exterior boundary of a Federal reclamation project established prior to September 30, 1968, pursuant to the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 391) [see Short Title note set out under section 371 of this title], as amended and supplemented, across project boundaries.”

#### § 1525. Cost of main stream water of Colorado River

To the extent that the flow of the main stream of the Colorado River is augmented in order to make sufficient water available for release, as determined by the Secretary pursuant to article II(b)(1) of the decree of the Supreme Court of the United States in Arizona against California (376

U.S. 340), to satisfy annual consumptive use of two million eight hundred thousand acre-feet in Arizona, four million four hundred thousand acre-feet in California, and three hundred thousand acre-feet in Nevada, respectively, the Secretary shall make such water available to users of main stream water in those States at the same costs (to the extent that such costs can be made comparable through the nonreimbursable allocation to the replenishment of the deficiencies occasioned by satisfaction of the Mexican Treaty burden as herein provided and financial assistance from the development fund established by section 1543 of this title) and on the same terms as would be applicable if main stream water were available for release in the quantities required to supply such consumptive use.

(Pub. L. 90-537, title III, § 305, Sept. 30, 1968, 82 Stat. 893.)

#### § 1526. Water salvage programs

The Secretary shall undertake programs for water salvage and ground water recovery along and adjacent to the main stream of the Colorado River. Such programs shall be consistent with maintenance of a reasonable degree of undisturbed habitat for fish and wildlife in the area, as determined by the Secretary.

(Pub. L. 90-537, title III, § 306, Sept. 30, 1968, 82 Stat. 893.)

#### § 1527. Fish and wildlife conservation and development

The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the project works authorized pursuant to this subchapter shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213) [16 U.S.C. 4601-12 et seq.], except as provided in section 1522 of this title.

(Pub. L. 90-537, title III, § 308, Sept. 30, 1968, 82 Stat. 893.)

#### REFERENCES IN TEXT

The Federal Water Project Recreation Act, referred to in text, is Pub. L. 89-72, July 9, 1965, 79 Stat. 213, as amended, which is classified principally to part C (§ 4601-12 et seq.) of subchapter LXIX of chapter 1 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title note set out under section 4601-12 of Title 16 and Tables.

#### § 1528. Authorization of appropriations

(a) There is hereby authorized to be appropriated for construction of the Central Arizona Project, including prepayment for power generation and transmission facilities but exclusive of distribution and drainage facilities for non-Indian lands, \$832,180,000 plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indices applicable to the types of construction involved therein and, in addition thereto, such sums as may be required for operation and maintenance of the project.

(b) There is also authorized to be appropriated \$100,000,000 for construction of distribution and