

## REFERENCES IN TEXT

Section 438 of this title, referred to in text, was repealed by act Aug. 13, 1953, ch. 428, §10, 67 Stat. 568.

Sections 463, 473, and 474 of this title, referred to in text, were repealed by act May 25, 1926, ch. 383, §47, 44 Stat. 650.

## TRANSFER OF FUNCTIONS

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out under section 1451 of this title.

“Bureau of Land Management” substituted for “General Land Office” on authority of section 403 of Reorg. Plan No. 3 of 1946, set out as a note under section 1 of this title.

## DEFINITIONS

The definitions in section 371 of this title apply to this section.

**§ 418. Private lands within project; agreement as to disposal of excess over farm unit**

Before any contract is let or work begun for the construction of any reclamation project adopted after August 13, 1914, the Secretary of the Interior shall require the owners of private lands thereunder to agree to dispose of all lands in excess of the area which he shall deem sufficient for the support of a family upon the land in question, upon such terms and at not to exceed such price as the Secretary of the Interior may designate; and if any landowner shall refuse to agree to the requirements fixed by the Secretary of the Interior, his land shall not be included within the project if adopted for construction.

(Aug. 13, 1914, ch. 247, §12, 38 Stat. 689.)

**§ 419. Contract for irrigation project; notice as to lands irrigable, unit of entry, and construction charges**

Upon the determination that any irrigation project is practicable, the Secretary of the Interior may cause to be let contracts for the construction of the same, in such portions or sections as it may be practicable to construct and complete as parts of the whole project, providing the necessary funds for such portions or sections are available, and thereupon he shall give public notice of the lands irrigable under such project, and limit of area per entry, which limit shall represent the acreage which, in the opinion of the Secretary, may be reasonably required for the support of a family upon the lands in question; also of the charges which shall be made per acre upon the said entries, and upon lands in private ownership which may be irrigated by the waters of the said irrigation project, and the number of annual installments in which such charges shall be paid and the time when such payments shall commence: *Provided*, That in all construction work eight hours shall constitute a day's work.

(June 17, 1902, ch. 1093, §4, 32 Stat. 389; May 10, 1956, ch. 256, 70 Stat. 151.)

## CODIFICATION

Section is comprised of part of section 4 of act June 17, 1902. Remainder of such section 4 is classified to section 461 of this title.

## AMENDMENTS

1956—Act May 10, 1956, substituted a period for the comma after “work” in proviso, and struck out “and no Mongolian labor shall be employed thereon.”

## 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.

**§ 420. Use of earth, timber, etc., from other public lands**

In carrying out the provisions of the national irrigation law approved June 17, 1902, and in constructing works thereunder, the Secretary of the Interior is authorized to use and to permit the use by those engaged in the construction of works under said law, under rules and regulations to be prescribed by him, such earth, stone, and timber from the public lands of the United States as may be required in the construction of such works, and the Secretary of Agriculture is authorized to permit the use of earth, stone, and timber from the national forests of the United States for the same purpose, under rules and regulations to be prescribed by him.

(Feb. 8, 1905, ch. 552, 33 Stat. 706; Mar. 4, 1907, ch. 2907, 34 Stat. 1269.)

## REFERENCES IN TEXT

The national irrigation law approved June 17, 1902, referred to in text, is act June 17, 1902, ch. 1093, 32 Stat. 388, as amended, popularly known as the Reclamation Act, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 371 of this title and Tables.

## CODIFICATION

Act Mar. 4, 1907 redesignated “forest reserves” as “national forests”.

**§ 421. Acquisition of lands for irrigation project; eminent domain**

Where, in carrying out the provisions of this Act, it becomes necessary to acquire any rights or property, the Secretary of the Interior is authorized to acquire the same for the United States by purchase or by condemnation under judicial process, and to pay from the reclamation fund the sums which may be needed for that purpose, and it shall be the duty of the Attorney General of the United States upon every application of the Secretary of the Interior, under this Act, to cause proceedings to be commenced for condemnation within thirty days from the receipt of the application at the Department of Justice.

(June 17, 1902, ch. 1093, §7, 32 Stat. 389.)

## REFERENCES IN TEXT

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

## SECTION AS UNAFFECTED BY SUBMERGED LANDS ACT

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