

(Pub. L. 91-310, §1, July 7, 1970, 84 Stat. 411.)

REFERENCES IN TEXT

Act of June 17, 1902, referred to in text, is 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.

§ 425a. Eligibility of transferred lands owned by States, etc., for receipt of water from a Federal reclamation project, division, or unit; conditions of eligibility; purchase price

Irrigable lands owned by States, political subdivisions, and agencies thereof which do not fall within the provisions of section 425 of this title may receive water from a Federal reclamation project, division, or unit if a valid recordable contract for the sale of such lands within ten years of the date of said contract has been executed under terms and conditions satisfactory to the Secretary of the Interior but without limitation upon selling price.

The purchasers of lands sold under the provisions of this section, or the heirs and devisees of such purchasers, if otherwise eligible under reclamation law to receive project water for the lands purchased, shall not be disqualified for delivery of water by reason of the amount of the purchase price paid for said lands.

(Pub. L. 91-310, §2, July 7, 1970, 84 Stat. 411.)

§ 425b. Receipt of project water by lessees of irrigable lands owned by States, etc.; time limitation; applicability of acreage limitations

Lessees of irrigable lands owned by States, political subdivisions, and agencies thereof which are held to be subject to the acreage limitation provisions of Federal reclamation law and for which recordable contracts to sell have not been made may receive project water from July 7, 1970, subject to the same acreage limitation provisions of Federal reclamation law as private landowners.

(Pub. L. 91-310, §3, July 7, 1970, 84 Stat. 411; Pub. L. 97-293, title II, §224(d), Oct. 12, 1982, 96 Stat. 1272.)

REFERENCES IN TEXT

The Federal reclamation law, referred to in text, probably means act June 17, 1902, ch. 1093, 32 Stat. 388, and Acts amendatory thereof and supplementary thereto. See section 425 of this title. Act June 17, 1902, popularly known as the Reclamation Act, is classified generally to this chapter. For complete classification of act June 17, 1902, to the Code, see Short Title note set out under section 371 of this title and Tables.

AMENDMENTS

1982—Pub. L. 97-293 struck out “for a period not to exceed twenty-five years” after “may receive project water”.

SUBCHAPTER VI—WATER RIGHT APPLICATIONS AND LAND ENTRIES

§ 431. Limitation as to amount of water; qualifications of applicant

No right to the use of water for land in private ownership shall be sold for a tract exceeding one hundred and sixty acres to any one landowner,

and no such sale shall be made to any landowner unless he be an actual bona fide resident on such land, or occupant thereof residing in the neighborhood of said land, and no such right shall permanently attach until all payments therefor are made.

(June 17, 1902, ch. 1093, §5, 32 Stat. 389.)

IMPERIAL IRRIGATION DISTRICT OF CALIFORNIA; NONAPPLICABILITY OF FEDERAL RECLAMATION LAWS

Nonapplicability of Federal reclamation laws to lands within Imperial Irrigation District of California, see section 4 of Pub. L. 96-570, set out as a note under section 423e of this title.

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.

§ 432. Entry under homestead laws generally

Public lands which it is proposed to irrigate by means of any contemplated works shall be subject to entry only under the provisions of the homestead laws, and shall be subject to the limitations, charges, terms, and conditions herein provided: *Provided*, That the commutation provisions of the homestead laws shall not apply to entries made under this Act.

(June 17, 1902, ch. 1093, §3, 32 Stat. 388.)

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.

CODIFICATION

Section is comprised of part of section 3 of act June 17, 1902. Remainder of section 3 is classified to sections 416 and 434 of this title.

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.

§ 433. Character and capital qualification of entrymen

The Secretary is authorized, under regulations to be promulgated by him, to require of each applicant including preference right ex-service men for entry to public lands on a project, such qualifications as to industry, experience, character, and capital, as in his opinion are necessary to give reasonable assurance of success by the prospective settler. The Secretary is authorized to appoint boards in part composed of private citizens, to assist in determining such qualifications.

(Dec. 5, 1924, ch. 4, §4, subsec. C, 43 Stat. 702.)

ADVANCES BY FARM SECURITY ADMINISTRATION AS CAPITAL

Act Aug. 7, 1939, ch. 509, 53 Stat. 1238, as amended June 17, 1940, ch. 390, 54 Stat. 402; May 28, 1941, ch. 136, 55 Stat. 206; Aug. 1, 1942, ch. 540, 56 Stat. 732, authorized Secretary of the Interior during fiscal years 1940 to 1943 to consider money made available to settlers by the former Farm Security Administration to be all or part of the capital required under this section.