

**§ 600a. Arch Hurley Conservancy District project, New Mexico**

The Secretary of the Interior is authorized to construct a Federal reclamation project for the irrigation of the lands of the Arch Hurley Conservancy District in New Mexico under the Federal reclamation laws: *Provided*, That construction work is not to be initiated on said irrigation project until (a) the project shall have been found to be feasible under section 412 of this title, but the project may be found to be financially feasible if the Secretary of the Interior finds that the amount to be expended from the reclamation fund can be repaid by the District, and further that the amount of money to be expended from the reclamation fund, plus the amount of money which has been made available from other sources (for the estimated period of construction), equals the estimated cost of construction; (b) a contract shall have been executed with an irrigation or conservation district embracing the land to be irrigated under said project, which contract shall obligate the contracting district to repay the cost of construction of said project met by expenditure of moneys from the reclamation fund in forty equal annual installments, without interest; (c) contracts shall have been made with each owner of more than one hundred and sixty irrigable acres under said project, by which he, his successors, and assigns shall be obligated to sell all of his land in excess of one hundred and sixty irrigable acres at or below prices fixed by the Secretary of the Interior and within the time to be fixed by said Secretary, no water to be furnished to the land of any such large landowner refusing or failing to execute such contract.

(Aug. 2, 1937, ch. 557, 50 Stat. 557; Apr. 9, 1938, ch. 134, 52 Stat. 211; Aug. 9, 1955, ch. 637, §1, 69 Stat. 556.)

AMENDMENTS

1955—Act Aug. 9, 1955, struck out cl. (d) which required landowners to contract to pay to the United States one-half of the price above the appraised value received for the sale of land.

1938—Act Apr. 9, 1938, inserted “but the project may be found feasible if the Secretary of the Interior finds that the amount to be expended from the reclamation fund can be repaid by the District, and further that the amount of money to be expended from the reclamation fund, plus the amount of money which has been made available from other sources (for the estimated period of construction), equals the estimated cost of construction” after “section 412 of this title”.

AMENDMENT OF CONTRACTS

Act Aug. 9, 1955, ch. 637, §2, 69 Stat. 557, provided that: “The Secretary of the Interior is authorized to amend any contract, which has been entered into prior to the date of enactment of this Act [Aug. 9, 1955], to conform with the provisions of the first section of this Act [amending this section]. The consent of the United States is hereby given to the recording, at the expense of the party benefited thereby, of any such amendment contract and to the simultaneous discharge of record of the original contract. The consent of the United States is likewise given to the discharge of record, at the expense of the party benefited thereby, of any contract which the Secretary of the Interior or his duly authorized agent finds is rendered nugatory by the enactment of this Act [amending this section].”

ENFORCEMENT OF CONTRACT PROVISIONS; COMPLETED TRANSACTIONS AND PAYMENTS

Act Aug. 9, 1955, ch. 637, §1, 69 Stat. 556, provided in part that: “No provision with respect to the matters covered in said clause (d) [former cl. (d) of this section] which is contained in any contract entered into prior to the date of enactment of this Act [Aug. 9, 1955] shall, except as is otherwise provided by this Act [amending this section], be enforced by the United States. Nothing contained in this section shall affect (1) the retention and application by the United States of any payments which have been made prior to the date of enactment of this Act [Aug. 9, 1955] in accordance with any such provision of a contract, (2) the obligation of any party to the United States with respect to any payment which is due to the United States under any such provision but not paid upon the date of enactment of this Act [Aug. 9, 1955], and the application by the United States of any such payment in accordance with the terms of such contract, or (3) the enforcement of any such obligation by refusal to deliver water to lands covered by contractual provisions executed in accordance with said clause (d), except in those cases, if any, in which a sale or transfer consummated between December 27, 1938, and the date of enactment of this Act [Aug. 9, 1955] is only discovered after such date of enactment to have been made contrary to such contractual provisions or to said clause (d).”

**§ 600b. Canadian River project, Texas**

For the purposes of irrigating land, delivering water for industrial and municipal use, controlling floods, providing recreation and fish and wildlife benefits, and controlling and catching silt, the Secretary of the Interior, acting pursuant to the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), is authorized to construct, operate, and maintain the Canadian River reclamation project, Texas, described in the report of the Commissioner of Reclamation approved by the Secretary May 3, 1950, entitled “Plan for Development, Canadian River Project, Texas”, Project Planning Report Number 5-12.22-1, at an estimated cost of \$86,656,000, the impounding works whereof shall be located at a suitable site on the Canadian River in that area known as the Panhandle of Texas. In addition to the impounding works, the project shall include such main canals, pumping plants, distribution and drainage systems, and other works as are necessary to accomplish the purposes of sections 600b and 600c of this title. The use by the project of waters arising in Ute and Pajarito Creeks, New Mexico, shall be only such use as does not conflict with use, present or potential, of such waters for beneficial consumptive purposes in New Mexico.

(Dec. 29, 1950, ch. 1183, §1, 64 Stat. 1124.)

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.

AUTHORIZATION OF APPROPRIATIONS

Act Dec. 29, 1950, ch. 1183, §3, 64 Stat. 1125, provided that: “There are hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be required to carry out the purposes of this Act [enacting this section and section 600c of this title].”