

does not publish a statement of findings under section 207(c) [118 Stat. 3519] by December 31, 2007 [published Dec. 14, 2007, see 72 F.R. 71143]—

“(1) except for section 213(i) [118 Stat. 3532], this title [see Short Title of 2004 Amendment note below] is repealed effective January 1, 2008, and any action taken by the Secretary and any contract entered under any provision of this title shall be void;

“(2) any amounts appropriated under paragraphs (1) through (7) of section 214(a) [118 Stat. 3534, 3535], together with any interest on those amounts, shall immediately revert to the general fund of the Treasury;

“(3) any amounts made available under section 214(b) [118 Stat. 3535] that remain unexpended shall immediately revert to the general fund of the Treasury; and

“(4) any amounts paid by the Salt River Project in accordance with the Gila River agreement shall immediately be returned to the Salt River Project.”

SHORT TITLE OF 2004 AMENDMENT

Pub. L. 108-451, §1(a), Dec. 10, 2004, 118 Stat. 3478, provided that: “This Act [amending sections 1524 and 1543 of this title and enacting and repealing provisions set out as notes under this section and section 1543 of this title] may be cited as the ‘Arizona Water Settlements Act.’”

Pub. L. 108-451, title I, §101, Dec. 10, 2004, 118 Stat. 3486, provided that: “This title [amending section 1543 of this title and enacting and repealing provisions set out as notes under this section and section 1543 of this title] may be cited as the ‘Central Arizona Project Settlement Act of 2004.’”

Pub. L. 108-451, title II, §201, Dec. 10, 2004, 118 Stat. 3499, provided that: “This title [amending section 1524 of this title and enacting and repealing provisions set out as notes under this section] may be cited as the ‘Gila River Indian Community Water Rights Settlement Act of 2004.’”

SHORT TITLE

Pub. L. 90-537, title I, §101, Sept. 30, 1968, 82 Stat. 885, provided: “That this Act [enacting this chapter and sections 616aa-1, 620a-1, 620a-2, 620c-1, and 620d-1 of this title, amending sections 616hh, 620, and 620a of this title, and enacting provisions set out as notes under sections 620, 620k, and 1501 of this title] may be cited as the ‘Colorado River Basin Project Act.’”

SUBCHAPTER II—INVESTIGATIONS AND PLANNING

§ 1511. Reconnaissance investigations by Secretary of the Interior; reports; 10-year moratorium on water importation studies

Pursuant to the authority set out in the Reclamation Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto, and the provisions of the Water Resources Planning Act of July 22, 1965, 79 Stat. 244, as amended [42 U.S.C. 1962 et seq.], with respect to the coordination of studies, investigations and assessments, the Secretary of the Interior shall conduct full and complete reconnaissance investigations for the purpose of developing a general plan to meet the future water needs of the Western United States. Such investigations shall include the long-range water supply available and the long-range water requirements in each water resource region of the Western United States. Progress reports in connection with these investigations shall be submitted to the President, the National Water Commission (while it is in existence), the Water Resources Council, and to the Congress every two years. The first of such reports shall be sub-

mitted on or before June 30, 1971, and a final reconnaissance report shall be submitted not later than June 30, 1977: *Provided*, That for a period of ten years from November 2, 1978, any Federal official shall not undertake reconnaissance studies of any plan for the importation of water into the Colorado River Basin from any other natural river drainage basin lying outside the States of Arizona, California, Colorado, New Mexico, and those portions of Nevada, Utah, and Wyoming which are in the natural drainage basin of the Colorado River.

(Pub. L. 90-537, title II, §201, Sept. 30, 1968, 82 Stat. 886; Pub. L. 95-578, §10, Nov. 2, 1978, 92 Stat. 2472; Pub. L. 96-375, §10, Oct. 3, 1980, 94 Stat. 1507.)

REFERENCES IN TEXT

The Reclamation Act of June 17, 1902, 32 Stat. 388, referred to in text, is classified generally to chapter 12 (§371 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 371 of this title and Tables.

The Water Resources Planning Act, as amended, referred to in text, is Pub. L. 89-80, July 22, 1965, 79 Stat. 244, as amended, which is classified generally to chapter 19B (§1962 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1962 of Title 42 and Tables.

AMENDMENTS

1980—Pub. L. 96-375 substituted “any Federal official” for “the Secretary” in proviso.

1978—Pub. L. 95-578 substituted “November 2, 1978” for “September 30, 1968”.

TERMINATION OF NATIONAL WATER COMMISSION

National Water Commission, established by Pub. L. 90-515, Sept. 26, 1968, 82 Stat. 868, terminated Sept. 26, 1973.

§ 1511a. Cooperation and participation by Secretary of the Army with Federal, State, and local agencies

The Secretary of the Army, acting through the Chief of Engineers, is authorized to cooperate and participate with concerned Federal, State, and local agencies in preparing the general plan for the development of the water resources of the western United States authorized by the Colorado River Basin Project Act [43 U.S.C. 1501 et seq.].

(Pub. L. 91-611, title II, §203, Dec. 31, 1970, 84 Stat. 1828.)

REFERENCES IN TEXT

The Colorado River Basin Project Act, referred to in text, is Pub. L. 90-537, Sept. 30, 1968, 82 Stat. 885, as amended, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 1501 of this title and Tables.

CODIFICATION

Section was not enacted as part of the Colorado River Basin Project Act which comprises this chapter.

§ 1512. Mexican Water Treaty

The Congress declares that the satisfaction of the requirements of the Mexican Water Treaty from the Colorado River constitutes a national

obligation which shall be the first obligation of any water augmentation project planned pursuant to section 1511 of this title and authorized by the Congress. Accordingly, the States of the Upper Division (Colorado, New Mexico, Utah, and Wyoming) and the States of the Lower Division (Arizona, California, and Nevada) shall be relieved from all obligations which may have been imposed upon them by article III(c) of the Colorado River Compact so long as the Secretary shall determine and proclaim that means are available and in operation which augment the water supply of the Colorado River system in such quantity as to satisfy the requirements of the Mexican Water Treaty together with any losses of water associated with the performance of that treaty: *Provided*, That the satisfaction of the requirements of the Mexican Water Treaty (Treaty Series 994, 59 Stat. 1219), shall be from the waters of the Colorado River pursuant to the treaties, laws, and compacts presently relating thereto, until such time as a feasibility plan showing the most economical means of augmenting the water supply available in the Colorado River below Lee Ferry by two and one-half million acre-feet shall be authorized by the Congress and is in operation as provided in this chapter.

(Pub. L. 90-537, title II, §202, Sept. 30, 1968, 82 Stat. 887.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", meaning Pub. L. 90-537, Sept. 30, 1968, 82 Stat. 885, as amended, known as the Colorado River Basin Project Act, which enacted this chapter and sections 616aa-1, 620a-1, 620a-2, 620c-1, and 620d-1 of this title, amended sections 616hh, 620, and 620a of this title, and enacted provisions set out as notes under sections 620, 620k, and 1501 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 1501 of this title and Tables.

§ 1513. Importation of water; protection of exporting areas

(a) In the event that the Secretary shall, pursuant to section 1511 of this title, plan works to import water into the Colorado River system from sources outside the natural drainage areas of the system, he shall make provision for adequate and equitable protection of the interests of the States and areas of origin, including assistance from funds specified in this chapter, to the end that water supplies may be available for use in such States and areas of origin adequate to satisfy their ultimate requirements at prices to users not adversely affected by the exportation of water to the Colorado River system.

(b) All requirements, present or future, for water within any State lying wholly or in part within the drainage area of any river basin from which water is exported by works planned pursuant to this chapter shall have a priority of right in perpetuity to the use of the waters of that river basin, for all purposes, as against the uses of the water delivered by means of such exportation works, unless otherwise provided by interstate agreement.

(Pub. L. 90-537, title II, §203, Sept. 30, 1968, 82 Stat. 887.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this Act", meaning Pub. L. 90-537, Sept. 30, 1968, 82 Stat. 885, as amended, known as the Colorado River Basin Project Act, which enacted this chapter and sections 616aa-1, 620a-1, 620a-2, 620c-1, and 620d-1 of this title, amended sections 616hh, 620, and 620a of this title, and enacted provisions set out as notes under sections 620, 620k, and 1501 of this title. For complete classification of this Act to the Code, see Short Title note set out below and Tables.

§ 1514. Authorization of appropriations

There are authorized to be appropriated such sums as are required to carry out the purposes of this subchapter.

(Pub. L. 90-537, title II, §204, Sept. 30, 1968, 82 Stat. 887.)

SUBCHAPTER III—AUTHORIZED UNITS; PROTECTION OF EXISTING USES

§ 1521. Central Arizona Project

(a) Construction and operation; Hayden-Rhodes Aqueduct and pumping plants; Orme Dam and Reservoir; Buttes Dam and Reservoir; Hooker Dam and Reservoir; Charleston Dam and Reservoir; Tucson aqueducts and pumping plants; Fannin-McFarland Aqueduct; related and appurtenant works

For the purposes of furnishing irrigation water and municipal water supplies to the water-deficient areas of Arizona and western New Mexico through direct diversion or exchange of water, control of floods, conservation and development of fish and wildlife resources, enhancement of recreation opportunities, and for other purposes, the Secretary shall construct, operate, and maintain the Central Arizona Project, consisting of the following principal works: (1) a system of main conduits and canals, including a main canal and pumping plants (Hayden-Rhodes Aqueduct and pumping plants), for diverting and carrying water from Lake Havasu to Orme Dam or suitable alternative, which system may have a capacity of 3,000 cubic feet per second or whatever lesser capacity is found to be feasible: *Provided*, That any capacity in the Hayden-Rhodes Aqueduct in excess of 2,500 cubic feet per second shall be utilized for the conveyance of Colorado River water only when Lake Powell is full or releases of water are made from Lake Powell to prevent the reservoir from exceeding elevation 3,700 feet above mean sea level or when releases are made pursuant to the proviso in section 1552(a)(3) of this title: *Provided further*, That the costs of providing any capacity in excess of 2,500 cubic feet per second shall be repaid by those funds available to Arizona pursuant to the provision of section 1543(f) of this title, or by funds from sources other than the development fund; (2) Orme Dam and Reservoir and power pumping plant or suitable alternative; (3) Buttes Dam and Reservoir, which shall be so operated as not to prejudice the rights of any user in and to the waters of the Gila River as those rights are set forth in the decree entered by the United States District Court for the District of Arizona on June 29, 1935, in United States against Gila Valley Irrigation District and others (Globe Equity Numbered 59); (4) Hooker Dam and Reservoir or