

The Agricultural Act of 1949, referred to in text, is act Oct. 31, 1949, ch. 792, 63 Stat. 1051, as amended, which is classified principally to chapter 35A (§1421 et seq.) of Title 7, Agriculture. For complete classification of this Act to the Code, see Short Title note set out under section 1421 of Title 7 and Tables.

§ 620c-1. Laws governing priority of appropriation

In the diversion and storage of water for any project or any parts thereof constructed under the authority of the Colorado River Basin Project Act [43 U.S.C. 1501 et seq.] or the Colorado River Storage Project Act [43 U.S.C. 620 et seq.] within and for the benefit of the State of Colorado only, the Secretary is directed to comply with the constitution and statutes of the State of Colorado relating to priority of appropriation; with State and Federal court decrees entered pursuant thereto; and with operating principles, if any, adopted by the Secretary and approved by the State of Colorado.

(Pub. L. 90-537, title V, §501(e), Sept. 30, 1968, 82 Stat. 898.)

Editorial Notes

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 chapter 32 (§1501 et seq.) 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.

The Colorado River Storage Project Act, referred to in text, is act Apr. 11, 1956, ch. 203, 70 Stat. 105, as amended, which is classified generally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 620 of this title and Tables.

CODIFICATION

Section consists of subsec. (e) of section 501 of Pub. L. 90-537. Subsecs. (a), (b), and (d) of section 501 are classified to sections 620, 620 note, 620a, 620a-1, 620a-2, and 620k note of this title. Subsecs. (c) and (f) of section 501 are not classified to the Code.

Section was enacted as part of the Colorado River Basin Project Act, and not as part of act Apr. 11, 1956, popularly known as the Colorado River Storage Project Act, which comprises this chapter.

§ 620d. Upper Colorado River Basin Fund

(a) Authorization and availability

There is authorized a separate fund in the Treasury of the United States to be known as the Upper Colorado River Basin Fund (hereinafter referred to as the Basin Fund), which shall remain available until expended, as hereafter provided, for carrying out provisions of this chapter other than section 620g of this title.

(b) Crediting of appropriations

All appropriations made for the purpose of carrying out the provisions of this chapter, other than section 620g of this title shall be credited to the Basin Fund as advances from the general fund of the Treasury.

(c) Crediting and availability of revenues

All revenues collected in connection with the operation of the Colorado River storage project and participating projects shall be credited to

the Basin Fund, and shall be available, without further appropriation, for (1) defraying the costs of operation, maintenance, and replacements of, and emergency expenditures for, all facilities of the Colorado River storage project and participating projects, within such separate limitations as may be included in annual appropriation acts; *Provided*, That with respect to each participating project, such costs shall be paid from revenues received from each such project; (2) payment as required by subsection (d) of this section; and (3) payment as required by subsection (e) of this section. Revenues credited to the Basin Fund shall not be available for appropriation for construction of the units and participating projects authorized by or pursuant to this chapter.

(d) Payments of revenues in excess of operating needs to Treasury

Revenues in the Basin Fund in excess of operating needs shall be paid annually to the general fund of the Treasury to return—

(1) the costs of each unit, participating project, or any separable feature thereof which are allocated to power pursuant to section 620e of this title, within a period not exceeding fifty years from the date of completion of such unit, participating project, or separable feature thereof;

(2) the costs of each unit, participating project, or any separable feature thereof which are allocated to municipal water supply pursuant to section 620e of this title, within a period not exceeding fifty years from the date of completion of such unit, participating project, or separable feature thereof;

(3) interest on the unamortized balance of the investment (including interest during construction) in the power and municipal water supply features of each unit, participating project, or any separable feature thereof, at a rate determined by the Secretary of the Treasury as provided in subsection (f), and interest due shall be a first charge;

(4) the costs of each storage unit which are allocated to irrigation pursuant to section 620e of this title within a period not exceeding fifty years; and

(5) the costs of each salinity control unit or separable feature thereof, the costs of measures to replace incidental fish and wildlife values foregone, and the costs of the on-farm measures payable from the Upper Colorado River Basin Fund in accordance with sections 1595(a)(2), 1595(a)(3), and 1595(c) of this title.

(e) Apportionment of excess revenues among States

Revenues in the Basin Fund in excess of the amounts needed to meet the requirements of clause (1) of subsection (c) of this section, and to return to the general fund of the Treasury the costs set out in subsection (d) of this section, shall be apportioned among the States of the Upper Division in the following percentages: Colorado, 46 per centum; Utah, 21.5 per centum; Wyoming, 15.5 per centum; and New Mexico, 17 per centum: *Provided*, That prior to the application of such percentages, all revenues remaining in the Basin Fund from each participating project (or part thereof), herein or hereafter au-