

**§ 695f. Construction, etc., authorized by section 695e as not reimbursable or returnable under reclamation laws**

The cost of investigation, planning, and construction of the works and the delivery of water as authorized in section 695e of this title shall not be reimbursable or returnable under the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and the Acts amendatory thereof and supplementary thereto).

(Aug. 27, 1954, ch. 1012, § 3, 68 Stat. 879.)

**Editorial Notes**

REFERENCES IN TEXT

Act of June 17, 1902, referred to in text, is act June 17, 1902, ch. 1093, 32 Stat. 388, popularly known as the Reclamation Act, which is classified generally to chapter 12 (§371 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 371 of Title 43 and Tables.

**§ 695g. Authorization of appropriations**

There are hereby authorized to be appropriated such funds, not to exceed \$400,000, for construction of necessary works to supply water for State and federally owned and operated waterfowl management areas in the San Joaquin Valley to carry out the purposes of sections 695d to 695j-1 of this title.

(Aug. 27, 1954, ch. 1012, § 4, 68 Stat. 879.)

**§ 695h. Ownership by State of California of works constructed**

Works constructed under the authorization of section 695e of this title, for the purpose of supplying State wildlife management areas with water, shall become the property of the State of California when constructed.

(Aug. 27, 1954, ch. 1012, § 5, 68 Stat. 879.)

**§ 695i. Authorization of Secretary of the Interior to contract for water delivery; nonreimbursable or nonreturnable basis of delivery**

The Secretary of the Interior is authorized to contract for the delivery of water to public organizations or agencies for use within the boundaries of such organizations or agencies for waterfowl purposes in the Grasslands area of the San Joaquin Valley. If and when available, such water shall be delivered from the Central Valley project to the contracting entity, and the cost of furnishing the water shall not be reimbursable or returnable under the Federal reclamation laws: *Provided*, That, in order for the delivery of such water to continue on a nonreimbursable or nonreturnable basis—

**(a) Amount and time of water delivery to Service**

the public organizations or agencies contracting with the Secretary of the Interior, excluding the State of California, shall deliver annually to the United States Fish and Wildlife Service (hereinafter referred to as the "Service"), at no cost to the United States, not less than three thousand five hundred acre-feet of water during the period October 1

through November 30, inclusive, and not less than four thousand acre-feet of water during the period May 1 through September 30, inclusive, if available: *Provided*, That such amounts of water and times of delivery may be changed upon approval of the Secretary of the Interior;

**(b) Construction, operation, and maintenance of water conveyance facilities**

the public organizations or agencies, excluding the State of California, shall construct, operate, and maintain any water conveyance facilities necessary to deliver the water referred to in subsection (a) of this section to a point or points within the boundaries of such public organization or agency as designated by the Service, or to such points as may be mutually agreed upon by the public organization or agency and the Service. The Service shall be responsible for delivering the water from such point or points to appropriate locations within lands under its jurisdiction;

**(c) Reversionary rights of Secretary**

any contract entered into by the Secretary of the Interior and any public organization or agency pursuant to sections 695d to 695j-1 of this title shall provide that in the event the public organization or agency for any reason fails to carry out the obligations imposed upon it by said contract or by sections 695d to 695j-1 of this title, the rights of use of any facilities referred to in subsection (b), and the rights to all water contracted for by the organization or agency pursuant to sections 695d to 695j-1 of this title shall revert to the Secretary of the Interior for migratory waterfowl purposes in accordance with the laws of the State of California; and

**(d) Restrictive covenants**

in accordance with existing or future contracts, the use of lands located within the boundaries of the public organizations or agencies shall be restricted by covenants requiring that such lands be used only for the purpose of waterfowl and wildlife habitat conservation or other uses as may be mutually agreed upon by the public organizations or agencies and the Service.

(Aug. 27, 1954, ch. 1012, § 6, 68 Stat. 879; Pub. L. 95-616, § 10(a), Nov. 8, 1978, 92 Stat. 3115.)

**Editorial Notes**

REFERENCES IN TEXT

The Federal reclamation laws, referred to in introductory text, are identified in section 695f of this title.

AMENDMENTS

1978—Pub. L. 95-616 inserted second sentence, including pars. (a) to (d), and struck out prior second sentence which read as follows: "If and when available, such water shall be delivered from the Central Valley project at a charge not to exceed the prevailing charge for class 2 water."

**§ 695j. Conformity of water use with California laws; construction of sections 695d to 695j-1**

The use of all water furnished by the Secretary of the Interior under sections 695e and 695i of this title shall be subject to and not in-