

district, municipality, or other governmental organization.

“Reclamation law” as used in this subchapter shall be understood to mean that certain Act of Congress of the United States approved June 17, 1902, and the Acts amendatory thereof and supplemental thereto.

“Maintenance” as used herein shall be deemed to include in each instance provision for keeping the works in good operating condition.

“The Federal Power Act,” [16 U.S.C. 791a et seq.] as used in this subchapter, shall be understood to mean that certain Act of Congress of the United States approved June 10, 1920, and the Acts amendatory thereof and supplemental thereto.

“Domestic”, whenever employed in this subchapter, shall include water uses defined as “domestic” in said Colorado River compact.

(Dec. 21, 1928, ch. 42, § 12, 45 Stat. 1064.)

Editorial Notes

REFERENCES IN TEXT

That certain Act of Congress of the United States approved 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 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 Federal Power Act, referred to in text, was in the original the “Federal Water Power Act”, which was redesignated the Federal Power Act by section 791a of Title 16, Conservation. The Federal Power Act is act June 10, 1920, ch. 285, 41 Stat. 1063, as amended, which is classified generally to chapter 12 (§791a et seq.) of Title 16. For complete classification of this Act to the Code, see section 791a of Title 16 and Tables.

§ 617l. Colorado River compact approval

(a) Approval by Congress

The Colorado River compact signed at Santa Fe, New Mexico, November 24, 1922, pursuant to Act of Congress approved August 19, 1921, entitled “An Act to permit a compact or agreement between the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming respecting the disposition and apportionment of the waters of the Colorado River, and for other purposes”, is approved by the Congress of the United States, and the provisions of the first paragraph of article 11 of the said Colorado River compact, making said compact binding and obligatory when it shall have been approved by the legislature of each of the signatory States, are waived, and this approval shall become effective when the State of California and at least five of the other States mentioned, shall have approved or may hereafter approve said compact as aforesaid and shall consent to such waiver, as herein provided.

(b) Rights in waters of Colorado River and tributaries; Colorado River compact as controlling

The rights of the United States in or to waters of the Colorado River and its tributaries howsoever claimed or acquired, as well as the rights of those claiming under the United States, shall be subject to and controlled by said Colorado River compact.

(c) Patents, grants, contracts, concessions, etc.; Colorado River compact as controlling

Also all patents, grants, contracts, concessions, leases, permits, licenses, rights-of-way, or other privileges from the United States or under its authority, necessary or convenient for the use of waters of the Colorado River or its tributaries, or for the generation or transmission of electrical energy generated by means of the waters of said river or its tributaries, whether under this subchapter, the Federal Power Act [16 U.S.C. 791a et seq.], or otherwise, shall be upon the express condition and with the express covenant that the rights of the recipients or holders thereof to waters of the river or its tributaries, for the use of which the same are necessary, convenient, or incidental, and the use of the same shall likewise be subject to and controlled by said Colorado River compact.

(d) Conditions and covenants referred to herein; nature; how and by whom availed of in litigation

The conditions and covenants referred to herein shall be deemed to run with the land and the right, interest, or privilege therein and water right, and shall attach as a matter of law, whether set out or referred to in the instrument evidencing any such patent, grant, contract, concession, lease, permit, license, right-of-way, or other privilege from the United States or under its authority, or not, and shall be deemed to be for the benefit of and be available to the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming, and the users of water therein or thereunder, by way of suit, defense, or otherwise, in any litigation respecting the waters of the Colorado River or its tributaries.

(Dec. 21, 1928, ch. 42, § 13, 45 Stat. 1064.)

Editorial Notes

REFERENCES IN TEXT

Act of Congress approved August 19, 1921, referred to in subsec. (a), is act Aug. 19, 1921, ch. 72, 42 Stat. 171, which is not classified to the Code.

The Federal Power Act, referred to in subsec. (c), which was in the original the “Federal Water Power Act”, is defined in section 617k of this title. For further details, see note set out under section 617k of this title.

Statutory Notes and Related Subsidiaries

UPPER COLORADO RIVER BASIN COMPACT

The Upper Colorado River Basin Compact signed by the States of Arizona, Colorado, New Mexico, Utah, and Wyoming on October 11, 1948, was approved by Congress Apr. 6, 1949, ch. 48, 63 Stat. 31.

§ 617m. Reclamation law applicable

This subchapter shall be deemed a supplement to the reclamation law, which said reclamation law shall govern the construction, operation, and management of the works herein authorized, except as otherwise therein provided.

(Dec. 21, 1928, ch. 42, § 14, 45 Stat. 1065.)

Editorial Notes

REFERENCES IN TEXT

The reclamation law, referred to in text, is defined in section 617k of this title.