

Public Law 89-292

AN ACT

October 22, 1965
[S. 32]

To authorize the Secretary of the Interior to construct, operate, and maintain the southern Nevada water project, Nevada, and for other purposes.

Southern
Nevada water
project.

43 USC 371
note.

Project costs,
allocations.

16 USC 460l-12
note.
Repayment; in-
terest rate.

43 USC 390b
note.

Contract.

Construction,
commencement.

53 Stat. 1194.
43 USC 485h.
Transfer of
operation, etc.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is authorized to construct, operate, and maintain the southern Nevada water project, Nevada, in accordance with the Federal reclamation laws (Act of June 17, 1902; 32 Stat. 388, and Acts amendatory thereof or supplementary thereto), except as those laws are inconsistent with this Act, for the principal purpose of delivering water for municipal and industrial use. The principal features of the southern Nevada water project shall consist of intake facilities, pumping plants, aqueduct and laterals, transmission lines, substations, and storage and regulatory facilities required to provide water from Lake Mead on the Colorado River for distribution to municipalities and industrial centers within Clark County, Nevada.

SEC. 2. (a) The Secretary shall make appropriate allocations of project costs to municipal and industrial water supply and, if appropriate, to fish and wildlife and recreation: *Provided*, That all operation and maintenance costs for the southern Nevada water project shall be allocated to municipal and industrial water supply. Construction costs of the River Mountains dam and reservoir allocated to fish and wildlife and recreation shall be nonreimbursable in accordance with the Federal Water Project Recreation Act (79 Stat. 213).

(b) Allocations of project costs made to municipal and industrial water supply shall be repayable to the United States in not more than fifty years under either the provisions of the Federal reclamation laws or under the provisions of Water Supply Act of 1958 (title III of Public Law 85-500, 72 Stat. 319 and Acts amendatory thereof or supplementary thereto): *Provided*, That, in either case, repayment of costs allocated to municipal and industrial water supply shall include interest on the unamortized balance of such allocations at a rate equal to the average rate (which rate shall be certified by the Secretary of the Treasury) paid by the United States on its marketable long-term securities outstanding on the date of this Act and adjusted to the nearest one-eighth of 1 per centum.

SEC. 3. (a) The Secretary is authorized to enter into a contract with the State of Nevada, acting through the Colorado River Commission of Nevada or other duly authorized State agency, for the delivery of water and for repayment of the reimbursable construction costs.

(b) Construction of the project shall not be commenced until a suitable contract has been executed by the Secretary and the Colorado River Commission or other duly authorized State agency.

(c) Such contract may be entered into without regard to the last sentence of section 9, subsection (c), of the Reclamation Project Act of 1939.

(d) Upon execution of the contract referred to in section 3(a) above, and upon completion of construction of the project, the Secretary shall transfer to said Colorado River Commission of Nevada or other duly authorized State agency the care, operation, and maintenance of the intake, pumping plants, aqueducts, reservoirs, and related features of the southern Nevada water project upon the terms and conditions set out in the said contract.

(e) When all of the costs allocable to reimbursable purposes incurred by the United States on constructing, operating, and maintaining the project, together with appropriate interest charges, have been returned to the United States by the State of Nevada, said State

shall have the permanent right to use the intake, pumping plants, aqueducts, reservoirs, and related features of the southern Nevada water supply project in accordance with said contract.

SEC. 4. Such amount of the costs of construction as are allocated to the furnishing of a water supply to Nellis Air Force Base or other defense installations shall be nonreimbursable.

Nonreimbursable costs.

SEC. 5. The use of all water diverted for this project from the Colorado River system shall be subject to and controlled by the Colorado River compact, the Boulder Canyon Project Act (45 Stat. 1057; 43 U.S.C. 617t), and the Mexican Water Treaty (Treaty Series 994) (59 Stat. 1219).

Colorado River system, water diversion.

SEC. 6. In all water supply contracts for the use of water in Nevada under this Act or section 5 of the Boulder Canyon Project Act (45 Stat. 1057) the Secretary shall recognize the intrastate priorities of water rights to the use of water existing on the date of enactment of this Act: *Provided, however,* That nothing in this Act shall be construed as validating any right diminished or lost because of abandonment, nonuse, or lack of due diligence, nor shall anything in this Act be construed as affecting the satisfaction of present perfected rights as defined by the decree of the United States Supreme Court in Arizona against California et al. (376 U.S. 340).

Water rights, intrastate priorities.

SEC. 7. There is hereby authorized to be appropriated for construction of the southern Nevada water project, Nevada, the sum of \$81,003,000 (September 1965 prices) plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in construction costs as indicated by engineering cost indexes applicable to the types of construction involved herein.

Appropriation.

Approved October 22, 1965.

Public Law 89-293

AN ACT

October 22, 1965
[H. R. 7919]

To provide for the establishment of the Roger Williams National Memorial in the city of Providence, Rhode Island, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior may acquire by gift, purchase with appropriated or donated funds, transfer from any Federal agency, exchange, or otherwise, not to exceed five acres of land (together with any buildings or other improvements thereon) and interests in land at the site of the old town spring, traditionally called Roger Williams Spring, in Providence, Rhode Island, for the purpose of establishing thereon a national memorial to Roger Williams in commemoration of his outstanding contributions to the development of the principles of freedom in this country: *Provided,* That property owned by the city of Providence or the Providence Redevelopment Agency may be acquired only with the consent of such owner.

Roger Williams National Memorial, R. I. Establishment.

SEC. 2. The property acquired pursuant to the first section of this Act shall be established as the Roger Williams National Memorial and the Secretary of the Interior shall publish notice of such establishment in the Federal Register. Such national Memorial shall be administered by the Secretary subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes," approved August 25, 1916 (39 Stat. 535), as amended and supplemented, and the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes," approved August 21, 1935 (49 Stat. 666).

Publication in Federal Register.

16 USC 1-4.

16 USC 461-467.