

Public Law 88-568

AN ACT

September 2, 1964
[H. R. 3672]

To provide for the construction, operation, and maintenance of the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa participating reclamation projects under the Colorado River Storage Project Act.

Savery-Pot Hook,
Bostwick Park,
and Fruitland
Mesa Federal
reclamation proj-
ects.

43 USC 620a.

43 USC 620k.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to provide for the construction, operation, and maintenance of the Savery-Pot Hook Federal reclamation project, Colorado-Wyoming, the Bostwick Park Federal reclamation project, Colorado, and the Fruitland Mesa Federal reclamation project, Colorado, as participating projects under the Colorado River Storage Project Act (70 Stat. 105; 43 U.S.C. 620), section 1 of said Act is amended by inserting the words "Savery-Pot Hook, Bostwick Park, Fruitland Mesa," between the words "Seeds-kadee" and "Silt"; section 2 of said Act is amended by deleting the words "Savery-Pot Hook," "Bostwick Park," and "Fruitland Mesa,". The amount which section 12 of said Act authorizes to be appropriated is hereby increased by the sum of \$47,000,000 plus or minus such amounts, if any, as may be required by reason of changes in construction costs as indicated by engineering cost indexes applicable to the type of construction involved. This additional sum shall be available solely for the construction of the projects herein authorized.

SEC. 2. The Savery-Pot Hook Federal reclamation project shall be constructed and operated substantially in accordance with the engineering plans set out in the report of the Secretary of the Interior transmitted to the Congress on June 25, 1962, and printed as House Document 461, Eighty-seventh Congress. The Bostwick Park Federal reclamation project shall be constructed and operated substantially in accordance with the engineering plans set out in the report of the Secretary of the Interior submitted to the Congress on July 20, 1962, and printed as House Document 487, Eighty-seventh Congress. The Fruitland Mesa Federal reclamation project shall be constructed and operated substantially in accordance with the engineering plans set out in the report of the Secretary of the Interior transmitted to Congress on April 19, 1963, and printed as House Document 107, Eighty-eighth Congress. Acreage equivalents expressed in those reports may be modified at the discretion of the Secretary of the Interior.

SEC. 3. For the purpose of assisting in the permanent settlement of farm families, protecting project land, facilitating project development, and other beneficial purposes, the provisions of the Act of August 28, 1958 (72 Stat. 963), relating to the Seeds-kadee project in Wyoming, are hereby made equally applicable to the Savery-Pot Hook, Bostwick Park, and Fruitland Mesa projects and all references therein to "Wyoming", "the State of Wyoming", "the laws of the State of Wyoming", or "said State" shall also refer to the State of Colorado to the extent that lands of the said projects are situated therein, except that on the said projects the limitation on lands held in single ownership which may be eligible to receive project water from, through, or by means of project works shall be one hundred and sixty acres of class 1 land as defined for the Bostwick Park project or the equivalent thereof in other land classes as determined by the Secretary of the Interior.

SEC. 4. (a) Costs of the Bostwick Park, Fruitland Mesa, and Savery-Pot Hook projects, incurred pursuant to section 8 of the Act of April 11, 1956 (70 Stat. 105), including an appropriate share of the aggregate of joint costs allocated to recreation and fish and wildlife enhancement shall be nonreimbursable: *Provided*, That in the

43 USC 620g.

case of the Bostwick Park project joint costs allocated to recreation and fish and wildlife enhancement shall in the aggregate be nonreimbursable only to the extent they do not exceed 25 per centum of the cost of joint use land and facilities of that project (joint use land and facilities being defined as land or facilities serving two or more project purposes one of which is recreation or fish and wildlife enhancement) and: *Provided further*, That provision shall be made for the reimbursement, for the contribution by non-Federal interests, or for the reallocation of joint costs of said project allocated to recreation and fish and wildlife enhancement in excess of the foregoing limit under one or a combination of the following methods as may be determined appropriate by the Secretary: (1) provision by non-Federal interests of lands or interests therein, or facilities required for the project; (2) payment, or repayment, with interest at a rate determined in accordance with section 5(f) of the Act of April 11, 1956, as amended, pursuant to agreement with one or more non-Federal public bodies; (3) reallocation to other project functions in the same proportion as joint costs are allocated among such functions.

74 Stat. 227.
43 USC 620d.

(b) In connection with the Bostwick Park and Fruitland Mesa projects the Secretary of the Interior shall transfer lands acquired for the projects within exterior national forest boundaries for administration as national forest, and jurisdiction of national forests lands within the projects shall remain with the Secretary of Agriculture for recreation and other national forest system purposes: *Provided*, That the lands and waters within the flow lines of any reservoir or otherwise needed or used for the operation of the projects for other purposes shall continue to be administered by the Secretary of the Interior to the extent he determines to be necessary for such operation.

(c) Costs of means and measures to prevent loss of and damage to fish and wildlife resources shall be considered as project costs and allocated as may be appropriate among other project functions.

SEC. 5. For a period of ten years from the date of enactment of this Act, no water from the projects authorized by this Act shall be delivered to any water user for the production of newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

63 Stat. 1051.
7 USC 1421
note.

62 Stat. 1251.
7 USC 1301.

Approved September 2, 1964.

Public Law 88-569

AN ACT

To amend the Act of March 10, 1964.

September 2, 1964
[H. R. 12128]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 6 of the Act of March 10, 1964 (78 Stat. 156), is hereby amended by substituting the figures "\$3,200,000" for the figures "\$2,000,000".

Riverton reclamation project.

Approved September 2, 1964.