(b) Certification of freedom from ownership and pricing limitations

(1) The Secretary shall provide, upon request of any owner of a landholding for which repayment has occurred, a certificate acknowledging that the landholding is free of the ownership or full cost pricing limitation of Federal reclamation law. Such certificate shall be in a form suitable for entry in the land records of the county in which such landholding is located.

(2) Any certificate issued by the Secretary prior to October 12, 1982, acknowledging that the landholding is free of the acreage limitation of Federal reclamation law is hereby ratified.

(c) Lump sum or accelerated repayment of construction costs

Nothing in this subchapter shall be construed as authorizing or permitting lump sum or accelerated repayment of construction costs, except in the case of a repayment contract which is in effect upon October 12, 1982, and which provides for such lump sum or accelerated repayment by an individual or district.

(Pub. L. 97–293, title II, § 213, Oct. 12, 1982, 96 Stat. 1269.)

REFERENCES IN TEXT

Federal reclamation law, referred to in subsecs. (a) and (b), is defined in section 390aa of this title.

§ 390nn. Trusts

(a) The ownership and full cost pricing limitations of this subchapter and the ownership limitations provided in any other provision of Federal reclamation law shall not apply to lands in a district which are held by an individual or corporate trustee in a fiduciary capacity for a beneficiary or beneficiaries whose interests in the lands served do not exceed the ownership and pricing limitations imposed by Federal reclamation law, including this subchapter.

(b) Lands placed in a revocable trust shall be attributable to the grantor if—

(1) the trust is revocable at the discretion of the grantor and revocation results in the title to such lands reverting either directly or indirectly to the grantor; or

(2) the trust is revoked or terminated by its terms upon the expiration of a specified period of time and the revocation or termination results in the title to such lands reverting either directly or indirectly to the grantor.

(Pub. L. 97–293, title II, § 214, Oct. 12, 1982, 96 Stat. 1270; Pub. L. 100–203, title V, § 5302(b), Dec. 22, 1987, 101 Stat. 1330–269.)

REFERENCES IN TEXT

Federal reclamation law, referred to in subsec. (a), is defined in section 390aa of this title.

AMENDMENTS

1987—Pub. L. 100–203 designated existing provisions as subsec. (a) and added subsec. (b).

§ 390*oo*. Temporary supplies of water

(a) Limitations inapplicable

Neither the ownership limitations of this subchapter nor the ownership limitations of any other provision of Federal reclamation law shall apply to lands which receive only a temporary, not to exceed one year, supply of water made possible as a result of—

(1) an unusually large water supply not otherwise storable for project purposes; or

(2) infrequent and otherwise unmanaged flood flows of short duration.

(b) Waiver of payment for temporary water supplies

The Secretary shall have the authority to waive payments for a supply of water described in subsection (a) of this section.

(Pub. L. 97–293, title II, § 215, Oct. 12, 1982, 96 Stat. 1270.)

REFERENCES IN TEXT

Federal reclamation law, referred to in subsec. (a), is defined in section 390aa of this title.

§ 390pp. Involuntary foreclosure

Neither the ownership limitations of this subchapter nor the ownership limitations of any other provision of Federal reclamation law shall apply to lands when the lands are acquired by involuntary foreclosure, or similar involuntary process of law, by bona fide conveyance in satisfaction of a debt (including, but not limited to, a mortgage, real estate contract, or deed of trust), by inheritance, or by devise: *Provided*, That such lands were eligible to receive irrigation water prior to such transfer of title or the mortgaged lands became ineligible to receive water after the mortgage is recorded but before it is acquired by involuntary foreclosure or similar involuntary process of law or by bona fide conveyance in satisfaction of mortgage: *Provided further*, That if, after acquisition, such lands are not qualified under Federal reclamation law, including this subchapter, they shall be furnished temporarily with an irrigation water supply for a period not exceeding five years from the effective date of such an acquisition, delivery of irrigation water thereafter ceasing until the transfer thereof to a landowner qualified under such laws: *Provided further*, That the provisions of section 390ee of this title shall be applicable separately to each acquisition under this section if the lands are otherwise subject to the provisions of section 390ee of this title.

(Pub. L. 97–293, title II, § 216, Oct. 12, 1982, 96 Stat. 1270.)

REFERENCES IN TEXT

Federal reclamation law, referred to in text, is defined in section 390aa of this title.

§ 390qq. Isolated tracts

Neither the ownership limitations of this subchapter nor the ownership limitations of any other provision of Federal reclamation law shall apply to lands which are isolated tracts found by the Secretary to be economically farmable only if they are included in a larger farming operation but which may, as a result of their inclusion in that operation, cause it to exceed such ownership limitations.

(Pub. L. 97–293, title II, § 217, Oct. 12, 1982, 96 Stat. 1270.)