(Aug. 13, 1914, ch. 247, §§2, 14, 38 Stat. 687, 690; July 26, 1916, ch. 257, 39 Stat. 390.)

REFERENCES IN TEXT

The reclamation law, referred to in text, is defined in section 472 of this title.

§ 476. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029

Section, act June 17, 1902, ch. 1093, § 5, 32 Stat. 389, provided for payment of construction charges to register and receiver of local land office.

§ 477. Association or irrigation district as fiscal agent of Government

The Secretary of the Interior is authorized, in his discretion, to designate and appoint, under such rules and regulations as he may prescribe, the legally organized water-users' association or irrigation district, under any reclamation project, as the fiscal agent of the United States to collect the annual payments on the construction charge of the project and the annual charges for operation and maintenance and all penalties: *Provided*, That no water-right applicant or entryman shall be entitled to credit for any payment thus made until the same shall have been paid over to an officer designated by the Secretary of the Interior to receive the same.

(Aug. 13, 1914, ch. 247, § 7, 38 Stat. 688.)

§ 478. Pecuniary penalty for nonpayment of installments of construction charges

If any water-right applicant or entryman shall have, prior to December 5, 1924, failed to pay any installment of his construction charges when due, there shall be added to the amount unpaid a penalty of 1 per centum thereof, and there shall be added a like penalty of 1 per centum of the amount unpaid on the first day of each month thereafter so long as such default shall have continued: *Provided*, That the penalty of 1 per centum per month against delinquent accounts, is reduced to one-half of 1 per centum per month, as to all installments which may become due after December 5, 1924.

(Aug. 13, 1914, ch. 247, § 3, 38 Stat. 687; Dec. 5, 1924, ch. 4, § 4, subsec. H, 43 Stat. 703.)

CODIFICATION

Section consolidates first sentence of act Aug. 13, 1914, § 3, with act Dec. 5, 1924, § 4, subsec. H.

§ 479. Shutting off water for nonpayment of construction charge

No water shall be delivered to the lands of any water-right applicant or entryman who shall be in arrears for more than one calendar year for the payment of any annual construction charge and penalties.

(Aug. 13, 1914, ch. 247, § 6, 38 Stat. 688.)

CODIFICATION

Section is comprised of part of first sentence of section 6 of act Aug. 13, 1914. Remainder of first sentence of such section 6 is classified to sections 493, 494, and 495 of this title; second and third sentences of such section 6 are classified to sections 496 and 497 of this title, respectively.

§ 480. Cancellation of water right or entry for nonpayment of construction charge

If any water-right applicant or entryman shall be one year in default in the payment of any installment of the construction charges and penalties, or any part thereof, his water-right application, and if he be a homestead entryman his entry also, shall be subject to cancellation, and all payments made by him forfeited to the reclamation fund, but no homestead entry shall be subject to contest because of such default.

(Aug. 13, 1914, ch. 247, § 3, 38 Stat. 687.)

§ 481. Action to recover construction charges and penalties

If the Secretary of the Interior shall so elect, he may cause suit or action to be brought for the recovery of the amount of the construction charges in default and penalties; but if suit or action be brought, the right to declare a cancellation and forfeiture of the entry or water-right application as provided in section 480 of this title shall be suspended pending such suit or action.

(Aug. 13, 1914, ch. 247, § 3, 38 Stat. 687.)

§ 482. Omitted

CODIFICATION

Section, act May 10, 1926, ch. 277, 44 Stat. 479, authorized Secretary of the Interior, until June 30, 1927, to contract with water-users' associations for payment of charges within such term as may be necessary. See section 485b of this title.

SUBCHAPTER X—PAYMENT OF CONSTRUCTION CHARGES

§ 485. Declaration of policy

For the purpose of providing for United States reclamation projects a feasible and comprehensive plan for an economical and equitable treatment of repayment problems and for variable payments of construction charges which can be met regularly and fully from year to year during periods of decline in agricultural income and unsatisfactory conditions of agriculture as well as during periods of prosperity and good prices for agricultural products, and which will protect adequately the financial interest of the United States in said projects, obligations to pay construction charges may be revised or undertaken pursuant to the provisions of this subchapter.

(Aug. 4, 1939, ch. 418, § 1, 53 Stat. 1187.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original ''this Act'', meaning act Aug. 4, 1939, ch. 418, 53 Stat. 1187, as amended, known as the Reclamation Project Act of 1939, which enacted this subchapter, sections 375a, 380a, and 387 to 389 of this title and section 16d of Title 41, Public Contracts, and enacted provision set out as a note under section 485j of this title. For complete classification of this Act to the Code, see section 485k of this title and Tables.

§ 485a. Definitions

As used in this subchapter—

(a) The term ''Federal reclamation laws'' shall mean the Act of June 17, 1902 (32 Stat. 388), and