contracts executed prior to October 12, 1982, and any decision, rule, or regulation promulgated by the Department of the Interior to the contrary is hereby revoked: *Provided*, That notwithstanding the provisions of subsection (i) of this section, the Secretary shall not seek reimbursement for any amounts due under this subsection or section 390ee(c) of this title which was due prior to December 22, 1987.

(i) Collection of underpayment with interest for irrigation water

When the Secretary finds that any individual or legal entity subject to reclamation law, including this subchapter, has not paid the required amount for irrigation water delivered to a landholding pursuant to reclamation law, including this subchapter, he shall collect the amount of any underpayment with interest accruing from the date the required payment was due until paid. The interest rate shall be determined by the Secretary of the Treasury on the basis of the weighted average yield of all interest bearing marketable issues sold by the Treasury during the period of underpayment.

(Pub. L. 97–293, title II, § 224, Oct. 12, 1982, 96 Stat. 1272; Pub. L. 100–203, title V, § 5302(a), Dec. 22, 1987, 101 Stat. 1330–268; Pub. L. 103–437, § 16(a)(3), Nov. 2, 1994, 108 Stat. 4594; Pub. L. 104–66, title I, § 1081(d), Dec. 21, 1995, 109 Stat. 721.)

REFERENCES IN TEXT

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

This subchapter, referred to in subsecs. (a) to (c) and (e), was in the original ''this title'', meaning title II (§§ 201–230) of Pub. L. 97–293, Oct. 12, 1982, 96 Stat. 1263, known as the Reclamation Reform Act of 1982, which enacted this subchapter, amended sections 373a, 422e, 425b, and 485h of this title, and repealed section 383 of Title 25, Indians. For complete classification of title II to the Code, see Tables.

This subchapter, referred to in subsecs. (g) and (i), was in the original ''this Act'' and was translated as reading ''this title''. See note above.

CODIFICATION

Section is comprised of section 224 of Pub. L. 97–293. Subsec. (d) of section 224 amended section 425 of this title. Subsec. (f) of section 224 repealed section 383 of Title 25, Indians, and amended section 385 of Title 25.

AMENDMENTS

1995—Subsec. (g). Pub. L. 104–66 struck out at end ''The Secretary shall submit an annual written report to the Senate Committee on Energy and Natural Resources and the House Committee on Natural Resources. Such report shall summarize the legal entities and individuals audited, the results of such audits, and the actions taken by the Secretary to correct any instances of noncompliance with the reclamation law.''

1994—Subsec. (g). Pub. L. 103–437 substituted ''Natural Resources'' for ''Interior and Insular Affairs'' after ''House Committee on''.

1987—Subsecs. (g) to (i). Pub. L. 100–203 added subsecs. (g) to (i).

§ 390xx. Validation of contracts entered into prior to October 1, 1981

The provisions of any contract entered into prior to October 1, 1981, by the Secretary with a district, which define project or nonproject water, or describe the delivery of project water through nonproject facilities or nonproject water through project facilities to lands within the district, are hereby authorized and validated on the part of the United States.

(Pub. L. 97–293, title II, § 225, Oct. 12, 1982, 96 Stat. 1273.)

§ 390yy. Leasing requirements

Notwithstanding any other provision of Federal reclamation law, including this subchapter, lands which receive irrigation water may be leased only if the lease instrument is—

(1) written; and

(2) for a term not to exceed ten years, including any exercisable options: *Provided, however*, That leases of lands for the production of perennial crops having an average life of more than ten years may be for periods of time equal to the average life of the perennial crop but in any event not to exceed twenty-five years.

(Pub. L. 97–293, title II, § 227, Oct. 12, 1982, 96 Stat. 1273.)

REFERENCES IN TEXT

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

§ 390zz. Reporting

Any contracting entity subject to the ownership or pricing limitations of Federal reclamation law shall compile and maintain such records and information as the Secretary deems reasonably necessary to implement this subchapter and Federal reclamation law. On a date set by the Secretary following October 12, 1982, and annually thereafter, every such contracting entity shall provide in a form suitable to the Secretary such reports on the above matters as the Secretary may require.

(Pub. L. 97–293, title II, § 228, Oct. 12, 1982, 96 Stat. 1274.)

REFERENCES IN TEXT

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

§ 390zz–1. Severability

If any provision of this subchapter or the applicability thereof to any person or circumstances is held invalid, the remainder of this subchapter and the application of such provision to other persons or circumstances shall not be affected thereby.

(Pub. L. 97–293, title II, § 230, Oct. 12, 1982, 96 Stat. 1274.)

REFERENCES IN TEXT

This subchapter, referred to in text, was in the original ''this title'', meaning title II (§§ 201–230) of Pub. L. 97–293, Oct. 12, 1982, 96 Stat. 1263, known as the Reclamation Reform Act of 1982, which enacted this subchapter, amended sections 373a, 422e, 425b, and 485h of this title, and repealed section 383 of Title 25, Indians. For complete classification of title II to the Code, see Tables.