Mr. SAYLOR. In other words, at the time we draft our report, if we keep this language, the Department will be satisfied with that sort of explanation?

Mr. WEINBERG. Yes.

Mr. UDALL. To make the record clear, that is Arizona's understanding, too.

Mr. SAYLOR. In H.R. 3300, on pages 27 and 28, sections 305 (e) and (f) refer to imported water, first to be made available from the upper basin and second, imported water not delivered into the Colorado River system but diverted from works constructed to import water from that system shall be made available to water users in accordance with Federal reclamation law.

Are those two sections necessary if we consider H.R. 3300?

Mr. WEINBERG. The references apply to water that would be imported but not required to assure 7.5 million acre-feet of Colorado River water for the Lower Basin States. Such water would be for ordinary disposition, and it has been our thought that there is no reason why it should not be provided under the Federal reclamation law because it would be developed through a Federal reclamation project.

Mr. SAYLOR. But in view of the fact that the Senate bill did not contemplate augmentation at this time, the question in my mind is whether or not it should be included as we consider H.R. 3300.

Mr. WEINBERG. If you are going to follow the format of H.R. 3300 and deal with these matters, then we would recommend, as we have in the past, that the reclamation law be applicable in these instances.

Mr. SAYLOR. If it is the wisdom of the committee that we delete the section with regard to augmentation, then these sections should be deleted and we could deal with this matter of augmentation and the use of that water at a time such legislation is considered.

Mr. WEINBERG. Yes, that is the pattern of S. 1004.

Mr. SAYLOR. Thank you, Mr. Chairman.

I think this will help us considerably when we consider the markup of the bill.

Mr. HOSMER. Mr. Chairman, I would like to ask just briefly relative to the Colorado River Indian tribes.

I imagine there are about 2,000 of them, comparable to Hualapai. According to your figures, they have 99,357 net acres down there that can be worked for agriculture. That would take an annual consumptive use of 397,500 acre-feet of water.

I understand further that you are suing the farmers over in Imperial Valley to enforce the 160-acre limitation. Yet the tribes are leasing acreage on their reservation from 1 to 25 years, sometimes up to 65 years, in transactions as large as 5,000 acres and whoever leases them, will get 5 acre-feet of water per year for only $9.

There are about 40,000 acres under lease now. I do not know what the annual rental is, but I would imagine that it would be at the most $40 an acre and probably that is high.

Since the Indians are not farmers, they are just getting money anyway, why does not the Bureau pick up this 390,000 acre-feet of water just by paying the Indians for the land and using the water for CAP, instead of paying $75 or $100 an acre-foot for it? Would that not be a good economic way to handle this and still make the Indians happy?