

they had not all sold out, you would have needed the provision in the act to bring it into conclusion in 3 years.

Senator ANDERSON. The Government still owns that land.

Mr. LANGLEY. Yes.

Senator ANDERSON. The bill says, if I can find it again—

The Secretary is authorized to continue to deliver water to the lands of the third division during calendar years 1964, 1965, 1966.

Mr. LANGLEY. You need to read the rest of that.

Senator ANDERSON. I will be glad to read it.

Mr. LANGLEY. I believe it refers to section 9(1) (1).

Senator ANDERSON. Does that say to furnish water?

Mr. LANGLEY. Yes, sir. The act of 1939 provides for leasing lands in the public domain, but in section 9(e) the reference there is to when the lands are in private ownership. It provides that we cannot deliver water beyond the development period unless we have a repayment contract. When the lands were all bought out, that provision became null and void.

Senator ANDERSON. Was the land bought out in 1964?

Mr. LANGLEY. Yes, sir.

Senator ANDERSON. Is this all applicable?

Mr. LANGLEY. Except the reference in 9(d) (1).

Senator ANDERSON. How does 9(d) (1) affect the sale of the water?

Mr. LANGLEY. 9(d) (1) provides that as long as the land is in the development period the water can be delivered to privately owned land.

Senator ANDERSON. Privately owned. This is Government land.

Mr. LANGLEY. That is correct.

Senator ANDERSON. How about that?

Mr. LANGLEY. The authority for leasing public lands is in other sections of the 1939 act, which gives broad authority to lease and husband and administer public domain for best conservation.

Mr. DOMINY. At the time that the 1964 act was passed no one assumed that all of the land would be bought.

Senator ANDERSON. You said a while ago that above this part it was.

Mr. DOMINY. This is right.

Senator ANDERSON. It was rather a sweet deal.

Mr. DOMINY. At the time that the act was passed, if you will read some of those provisions in there, they assumed that part of the settlers would stay on the farms and there was a provision made to continue to deliver water to them.

Mr. LANGLEY. This assumption was so great that the amount of moneys provided for the buy-out was not great enough—we had to come back and get additional authority and to amend that amount.

Senator ANDERSON. As I remember, this is what was done. And this is from Senator Simpson:

With this purchase, I would like to see this matter stabilized for a while so that what has been a nightmare and compounding of confusion and confusion up there would greatly assume an orderly process.

And he further stated:

But I do want to say this, and I made it crystal clear, I hope, in my statement, that we did not want to set any precedent here.