INTERIOR RECOMMENDS LEGISLATION TO PROVIDE COMPENSATION FOR CANAL RIGHTS-OF-WAY WEST OF 100TH MERIDIAN

Legislation to correct inequities in payments for lands taken for canal rights-of-way under the Federal Reclamation Law has been requested of Congress by the Department of the Interior.

The proposed legislation would nullify the effect of a 73-year-old law under which the Federal Government can take property for canal rights-of-way without compensation. It will permit payment for rights-of-way west of the 100th meridian acquired by the United States in connection with the construction of Reclamation projects started after enactment of the bill.

Bisecting a tier of six States in the Central United States, the 100th meridian passes through North and South Dakota, Nebraska, Kansas, Oklahoma, and Texas. At present, the Government can pay for lands lying east of this line and required for canal rights-of-way, but needs special authorization to pay for land lying west of this line.

Adoption of the proposed legislation would have the effect of revoking an act of 1890, insofar as it pertains to reservation of rights-of-way for federally authorized construction of canals and ditches west of the 100th meridian initiated after the date the bill takes effect. The 1890 act reserves rights-of-way for such construction in all homestead patents issued after that date for public lands west of the 100th meridian. Provisions of the Act have resulted in land acquisition actions for Bureau of Reclamation purposes--especially in areas where large landholdings were bisected by the meridian and where canal projects crossed the meridian--with property-owners on one side of the imaginary line receiving compensation and those on the other side receiving nothing.