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Rules, Regulations, Orders

TITLE 6—AGRICULTURAL CREDIT

FARM CREDIT ADMINISTRATION

[FCA 144]

COMPUTATION OF FEES ON ADDITIONAL LAND BANK AND LAND BANK COMMISSIONER LOANS

1. Section 19.4009 of Title 6, Code of Federal Regulations, is amended to read as follows:

"§ 19.4009 *Additional-loan fees.* For the purposes of this regulation, the term 'additional loan' shall be construed (1) to apply to any transaction which may, or does, result in additional funds being loaned wholly or partially on property that is security for a loan on which the applicant, at the time his application is filed, is the borrower from the Federal land bank; and (2) to include any new funds, plus any delinquent principal, interest and other items due and unpaid under the outstanding land bank loan which, under the procedure of the bank, are included in the face amount of the new note. This construction shall be applicable whether the transaction is completed by way of a supplemental loan or a rewriting of the outstanding land bank loan and whether the outstanding land bank loan was closed through the association accepting the application or not. Whenever an additional loan is applied for, the provisions of sections 19.4005–19.4007, and the last sentence of 19.4008, shall apply, except that, in such cases, the maximum association application fee which may be collected in accordance with section 19.4005 shall be based on the amount of the additional loan applied for, and the maximum additional association application fee which may be collected in accordance with section 19.4007 shall be based upon the amount of the additional loan tentatively approved by the bank. When an additional loan is closed by the bank, the association may collect a maximum closed loan fee in an amount which, when added to the association application fees already collected, will not exceed 1 percent of the amount of the additional loan closed. (Sec. 6, 47 Stat. 14, 12 U.S.C. 665; Sec. 11 "Third", 39 Stat. 369, as amended, 12 U.S.C. 761 "Third"; Sec. 17 (d), 39 Stat. 375, 12 U.S.C. 831 (d); E.O. 6084, March 27, 1933, 6 CFR 1.1) [Revision No. 86, Manual for Federal Land Banks, September 18, 1939.]"

2. Section 19.4022 of Title 6, Code of Federal Regulations, is amended to read as follows:

"§ 19.4022 *Additional-loan fees.* The definition of an 'additional loan' set forth in section 19.4009, extended to include a borrower from the Land Bank Commissioner, shall apply to the term as used in this section. The application fee in connection with an additional loan shall not exceed an amount computed in accordance with approved schedules on the amount of the additional loan applied for. The balance of the bank's appraisal and title determination fees and the bank's direct-loan closed loan fees in such cases shall not exceed an amount computed in accordance with approved schedules on the amount of the additional loan closed. On Land Bank Commissioner additional loans made by way of a supplemental loan or by rewriting of the old loan the bank should charge the borrowers fees computed on the same basis as that adopted by the bank for computing fees in connection with additional land bank loans. (Sec. 6, 47 Stat. 14, 12 U.S.C. 665; Sec. 11 "Third", 39 Stat. 369, as amended, 12 U.S.C. 761 "Third"; Sec. 13 "Ninth", 39 Stat. 372, 12 U.S.C. 781 "Ninth"; Sec. 17 (d), 39 Stat. 375, 12 U.S.C. 831 (d); E.O. 6084, March 27, 1933, 6 CFR 1.1.) [Revision No. 86, Manual for Federal Land Banks, September 18, 1939]"

[SEAL] A. S. GOSS,
Land Bank Commissioner.

[F. R. Doc. 39-3422; Filed, September 18, 1939; 11:49 a. m.]

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TITLE 25—INDIANS

OFFICE OF INDIAN AFFAIRS

COLLECTION OF IRRIGATION CONSTRUCTION CHARGES ON FLATHEAD AND SAN CARLOS INDIAN IRRIGATION PROJECTS [1]

APRIL 10, 1939.

Whereas the Act of Congress approved June 22, 1936 (49 Stat. 1803) authorized and directed the Secretary of the Interior to make or cause to be made investigations to determine whether certain landowners within Indian irrigation projects are unable to pay irrigation charges, and the reasons therefor, and

Whereas the said act provides in part as follows:

* * * Where the Secretary finds that said landowners are unable to make payment due to the existence of such causes, he may adjust, defer, or cancel such charges, in whole or in part, as the facts and conditions warrant. * * *

and

Whereas the investigations contemplated by the act, now being made on the San Carlos Indian Irrigation Project, Arizona, and on the Flathead Indian Irrigation Project, Montana, indicate that the landowners are unable to make payment of construction charges that will become due and payable under existing law before such investigations are completed;

Now therefore, I Harold L. Ickes, Secretary of the Interior, pursuant to authority vested in me by the said Act of June 22, 1936, hereby order that the collection of irrigation construction charges on the Flathead and San Carlos Indian Irrigation Projects be deferred, subject to confirmation by Congress as provided in Section 6 of said act, until the investigations referred to can be completed.

It is further ordered that all prior departmental authorizations for the collection of construction charges on the said projects in conflict herewith are hereby revoked.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 39-3415; Filed, September 18, 1939; 10:27 a. m.]

TEMPORARY WITHDRAWAL OF LANDS MODIFYING NEW MEXICO GRAZING DISTRICT NO. 2, AND DEPARTMENTAL WITHDRAWAL OF JULY 8, 1931

By virtue of and pursuant to the provisions of the act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976), it is ordered that Departmental order of March 27, 1936, as modified by order of February 23, 1937, establishing New Mexico Grazing District No. 2, be, and it is hereby modified to exclude therefrom all those lands relinquished and reconveyed to the United States in exchanges made pursuant to the act of March 3, 1921 (41 Stat. 1225–1239), within that area in New Mexico embraced within Departmental withdrawal of July 8, 1931. It is further ordered that said Departmental withdrawal of July 8, 1931, made pursuant to authority found in section 4 of the act of March 3, 1927 (44 Stat. 1347), temporarily withdrawing certain public lands in aid of a land consolidation and exchange program for Indian benefit and in aid of proposed legislation, is hereby modified to exclude therefrom the relinquished and reconveyed lands referred to hereinabove, and under authority of section 4 of the act of March 3, 1927, supra, all of the said relinquished and reconveyed lands are hereby temporarily rewithdrawn for Indian use in aid of proposed legislation to adjust Navajo Indian land matters in New Mexico. Pending the enactment of such legislation the Commissioner of Indian Affairs is hereby authorized to administer all lands hereby rewithdrawn.

This order is subject to all valid existing rights.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

SEPTEMBER 1, 1939.

[F. R. Doc. 39-3412; Filed, September 18, 1939; 10:26 a. m.]

MODIFICATION AND ORDER ESTABLISHING GRAZING DISTRICT NO. 7 IN THE STATE OF NEW MEXICO

By virtue of and pursuant to the provisions of the Act of June 28, 1934 (48 Stat. 1269), as amended by the Act of June 26, 1936 (49 Stat. 1976), and subject to the limitations and conditions therein contained, the order establishing New Mexico Grazing District No. 2 is hereby modified to exclude the following described lands which are affected by the Departmental Navajo-Indian withdrawal of July 8, 1931:

TOWNSHIPS NORTH, RANGES WEST, NEW MEXICO PRINCIPAL MERIDIAN, N. M.

Range 5: Townships 2, 18, 19 and 20.
Range 6: All of Township 2 except E½ NW¼ of Section 6, Townships 3 and 17 to 22 inclusive.
Range 7: Townships 2, 3, 4 and 17 to 23 inclusive.
Range 8: Townships 17 to 27 inclusive.
Range 9: Townships 17 to 28 inclusive.
Range 10: Townships 13 to 25 inclusive.
Range 11: Townships 13 to 25 inclusive and all of Township 26 except the E½NW¼ NE¼ and W½NE¼ND¼ of Section 33.
Range 12: Townships 13 to 28 inclusive.
Range 13: Townships 14 to 28 inclusive.
Range 14: N½ of Township 6 and all of Townships 7, 8, 9, 10, 14, 15 and 16.
Range 15: N½ of Township 6 and all of townships 7, 8, 9, 10, fractional Township 15 and all of Township 16.
Range 16: Townships 7 and 8, fractional Townships 9, 10, 15 and all of Township 16.
Range 17: Fractional Townships 13, 14 and 15 and all of Township 16.
Range 18: Townships 12 to 16 inclusive.
Range 19: N½ and Section 24 of Township 11 and all of Townships 12 to 16 inclusive.
Range 20: N½ of Township 11 and all of Townships 12 to 16 inclusive.
Range 21: Fractional Townships 12 to 16 inclusive.

It is further hereby ordered that said Indian withdrawal order of July 8, 1931 is hereby cancelled as to the above described lands, and New Mexico Grazing District No. 7 is hereby established. The exterior boundaries of said district shall include the federally-owned lands within that portion of the Navajo-Indian withdrawal hereinabove described and cancelled, and fractional Township 17 North, Ranges 14 to 21 West, inclusive.

The rules and regulations for the administration of grazing districts issued by the Secretary of the Interior March 2, 1936, and subsequently amended, shall not be effective as to the lands embraced within this recreated district but said lands shall be subject to administration under rules promulgated as of this date.

By virtue of and pursuant to the provisions of the Act approved July 14, 1939 (Public No. 173, 76th Congress), amending the Act of June 26, 1934 (48 Stat. 1269), I hereby declare that misuse of the range, coupled with drought conditions, has created an emergency which necessitates this modification of the boundaries of New Mexico Grazing District No. 2 and the promulgation of grazing rules for New Mexico Grazing District No. 7, hereby established, without prior consultation of the advisory board of said Grazing District No. 2.

[SEAL] HAROLD L. ICKES,
Secretary of the Interior.

SEPTEMBER 1, 1939.

[F. R. Doc. 39-3413; Filed, September 18, 1939; 10:26 a. m.]

RULES FOR THE ADMINISTRATION OF NEW MEXICO GRAZING DISTRICT 7 [1]

§ 1 *Basic policy and plan of administration.*

PAR. a. New Mexico Grazing District 7 will be administered to conserve and protect the Federally owned and Federally controlled lands, to promote the proper use of privately owned or controlled lands and waters and to provide for the orderly use and occupancy of the Federally owned lands within the district by those dependent upon them.

PAR. b. No grazing on Federally owned or controlled lands in the district will be permitted without a license. Temporary licenses will be issued by the regional grazier to applicants who qualify for grazing privileges. Such licenses will be

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[1] This Order affects the regulations for the collection of the irrigation construction costs on the Flathead Indian Irrigation Project, Montana, approved July 16, 1938, Title 25, CFR, Chapter I, Sub-chapter L, Part 130, (F.R. 2009 DI); also affects the regulations for the San Carlos Indian Irrigation Project, Arizona, approved on December 1, 1932, Title 25, CFR, Chapter I, Sub-chapter N, Part 147, Sections 147.1 to 147.8 inclusive.

This order was confirmed by Congress by Joint Resolution of August 5, 1939 (Public Resolution No. 40, 76th Congress).

[1] Act of June 28, 1934 (48 Stat. 1269), as amended by the act of June 26, 1936 (49 Stat. 1976) and the act of July 14, 1939 (Pub. No. 173—76th Congress).

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