CODE

OF FEDERAL

REGULATIONS

TITLE 25

Revised as of January 1, 1958

CONTAINING A CODIFICATION OF DOCUMENTS OF GENERAL APPLICABILITY AND FUTURE EFFECT AS OF JANUARY 1, 1958

With Ancillaries and Index

Published by the Federal Register Division, National Archives and Records Service
General Services Administration, as a Special Edition of the Federal Register
Pursuant to Section 11 of the Federal Register Act as Amended

386a) defers the collection of construction costs from Indian owned lands so long as the title to such lands remain in the Indian ownership.

Part 216—Reimbursement of Construction Costs, Ahtanum Unit, Wapato Indian Irrigation Project, Washington

Sec.
216.1 Construction costs and assessable acreage.
216.2 Repayment of construction costs.
216.3 Payments.
216.4 Deferment of assessments on lands remaining in Indian ownership.
216.5 Assessments after the Indian title has been extinguished.

AUTHORITY: §§ 216.1 to 216.5 issued under sec. 4, 36 Stat. 270, 272, as amended; 25 U. S. C. 385.

SOURCE: §§ 216.1 to 216.5 appear at 22 F. R. 10646, Dec. 24, 1957.

§ 216.1 *Construction costs and assessable acreage.* The construction program has been completed on the Ahtanum Unit of the Wapato Indian Irrigation Project and the construction costs have been established as $79,333.64. The area benefited by this development has been established at 4,765.2 acres. Under the requirements of the acts of February 14, 1920 (41 Stat. 409) and March 7, 1928 (45 Stat. 210) these costs are to be repaid to the United States Treasury by the owners of the lands benefited.

§ 216.2 *Repayments of construction costs.* The cost per acre under § 150.1 is, therefore, established at $16.7535. Under the provisions of the acts of February 14, 1920 (41 Stat. 409) and March 7, 1928 (45 Stat. 210) and based on forty equal annual payments, the annual per acre assessment is hereby fixed at $0.42 per acre for the year 1957 and each succeeding year until the entire cost for each tract shall have been repaid to the United States Treasury. On those tracts where payments have been made pursuant to Part 211 of this chapter, annual assessments beginning with the year 1957 at the rate of $0.42 per acre will be made until the entire cost of $16.7535 per acre shall have been repaid to the United States Treasury. Landowners may pay at any time the total of the then remaining indebtedness. Under the act of March 10, 1928 (45 Stat. 210) the unpaid charges stand as a lien against the lands until paid.

§ 216.3 *Payments.* Payments are due on December 31 of each year and shall be made to the official in charge of collections for the project.

§ 216.4 *Deferment of assessments on lands remaining in Indian ownership.* In conformity with the act of July 1, 1932 (47 Stat. 564; 25 U. S. C. 386 (a)) no assessment shall be made on behalf of construction costs against Indian-owned land within the Project until the Indian title thereto has been extinguished.

§ 216.5 *Assessments after the Indian title has been extinguished.* Indian-owned lands passing to non-Indian ownership shall be assessed for construction costs and the first assessment shall be due on December 31 of the year that Indian title is extinguished. Assessments against this land will be at the annual rate of $0.42 per acre and shall be due as provided in § 216.3, and payable promptly thereafter until the total construction cost of $16.7535 per acre chargeable against the land has been paid in full.

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