[CHAPTER 778]

AN ACT

August 23, 1950
[H. R. 2121]
[Public Law 727]

To direct the Secretary of the Interior to convey abandoned school properties in the Territory of Alaska to local school officials.

Alaska.
Conveyance of certain school properties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, directed to convey to local town or city officials or to school authorities in the Territory of Alaska, all the right, title, and interest of the United States in and to any parcel or tract of land and the improvements thereon for school or other public purposes whenever he shall determine that such land and improvements are no longer required by the Alaska Native Service for school purposes: *Provided*, That any conveyance made pursuant to this Act shall be subject to all valid existing rights and claims, shall reserve to the United States all mineral deposits in the lands and the right to prospect for and remove the deposits under such rules and regulations as the Secretary of the Interior may prescribe, and shall provide that the lands and improvements conveyed shall be used for school or other public purposes only and that the school facilities maintained thereon or therein shall be available to all of the native children of the town, city, or other school district concerned on the same terms as to other children of such town, city, or district. The Secretary of the Interior, if at any time he determines that the grantee of any such lands and improvements has violated or failed to observe the foregoing provisions and that such violation or failure has continued for a period of at least one year, may declare a forfeiture of the grant. Such determination by the Secretary shall be final, and thereupon the lands and improvements covered thereby shall revert to the United States and become a part of the public domain subject to administration and disposal under the public land laws.

Approved August 23, 1950.

[CHAPTER 780]

AN ACT

August 25, 1950
[H. R. 4584]
[Public Law 728]

To provide for disposition of lands on the Cabazon, Augustine, and Torres-Martinez Indian Reservations in California, and for other purposes.

Designated Indian Reservations, Calif.
Restricted lands for irrigation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior, or his authorized representative, shall designate the restricted Indian lands on the Cabazon, Augustine, and Torres-Martinez Indian Reservations which may be irrigated from facilities of the Coachella Valley County Water District of Riverside County, California, and may enter into an appropriate contract with the said water district whereby the Secretary, acting on behalf of the United States, for the benefit of said restricted Indian lands, may assume an obligation to pay or guarantee payment to said water district of all costs and charges made by said district on account of the construction, operation, and maintenance of the works and facilities required for the delivery of water to such lands to the same extent as other lands of the district shall be charged therefor. There is hereby created a recordable first lien against the Indian lands for the amounts assessed thereagainst but such lien shall not be enforced during the period the lands remain in Indian ownership. The annual appropriation of such amounts as may be necessary to make payment to the said water district of the costs and charges herein provided for is hereby authorized out of any money in the United States Treasury not otherwise appropriated. The payments made to the said water

First lien.

Appropriation authorized.

district hereunder shall be reimbursed to the United States from payments made by lessees holding leases made pursuant to section 8 (c) hereof. Operation and maintenance costs assessed against unleased Indian lands shall, when collected, likewise be applied in reimbursement of the United States. The collection of construction costs shall be subject to the provisions of the Act of July 1, 1932 (47 Stat. 564; 25 U. S. C. 386a), only with respect to those Indian lands not leased.

Cancellation of costs.

SEC. 2. The Secretary of the Interior is authorized and directed to cancel the remaining balance of costs chargeable against Indian lands of the Cabazon, Augustine, and Torres-Martinez Indian Reservations for the drilling and operation of irrigation wells on these reservations. All wells located on any of the lands included in the said water district shall, together with the well sites, become the property of the owners of the lands upon which the wells are located. The cancellation of these charges shall be reported in the reimbursable accounts rendered to the Comptroller General of the United States pursuant to the Act of April 4, 1910 (36 Stat. 269, 270; 25 U. S. C. 145), as deductions from the total indebtedness of the project without regard to the fiscal years in which, or the appropriations from which, the expenditures were made.

Ownership of wells.

Issuance of patent in fee.

SEC. 3. The Secretary of the Interior is authorized upon application therefor filed by any adult Indian owning allotted land who has the necessary training and experience to conduct his affairs without further assistance from the Government, on the Cabazon, Augustine, or Torres-Martinez Indian Reservations, including allotments heretofore made or that may be made after the date of approval of this Act, to issue to such Indian a patent in fee to such lands.

Determination of irrigable area.

SEC. 4. The Secretary of the Interior is authorized and directed to determine, on the basis of available surveys and other information, the total area of the irrigable and potentially irrigable Indian trust land on the Cabazon, Augustine, and Torres-Martinez Reservations, now productive or which can be made productive by leaching, leveling, or water development from sources other than through the use of irrigation facilities of Coachella Valley County Water District.

Membership rolls; allotments.

SEC. 5. The Secretary of the Interior is authorized and directed to prepare membership rolls of the Torres-Martinez, Augustine, and Cabazon Bands of Mission Indians as of June 30, 1949, and to allot not to exceed forty acres of irrigable or potentially irrigable land on the reservations of the respective bands, if available, to all enrolled members who have not heretofore received allotments.

Exchange of allotment.

SEC. 6. When allotments have been made as provided in section 5 hereof, the owner of any trust allotment made prior to the date of approval of this Act may, upon a finding by the Secretary of the Interior that such allotment is nonirrigable or nonproductive, be permitted, upon application therefor, to exchange such allotment for an equal acreage of unallotted, irrigable, or potentially irrigable land, if available.

Sale of surplus lands.

SEC. 7. With the exception of Indian lands located under or adjacent to the Salton Sea, below a contour line of two hundred and twenty feet below sea level and any forty-acre tract any part of which is at an elevation of two hundred and twenty feet below sea level or lower, the Secretary of the Interior is authorized, with the consent of the interested band of Indians (a) to appraise and offer for sale within three years from the date of approval of this Act any surplus, irrigable, or potentially irrigable land remaining after the allotments and exchanges have been made as provided in sections 5 and 6 hereof, such sales to be made at not less than the appraised value of the lands, and no purchaser shall be permitted to acquire more than one hundred and sixty acres of such lands in the aggregate, nor any lesser number

of acres of such lands which, if added to lands then owned or held by the purchaser, would cause said purchaser to become a "large landowner" as defined in the contract dated December 22, 1947, between the United States and the Coachella Valley County Water District entitled "Contract for Construction of Distribution System, Protective Works, and Drainage Works"; and (b) to appraise and offer for sale at not less than the appraised value all surplus, nonirrigable lands of the Torres-Martinez Band, under such conditions as the Secretary may prescribe; and (c) to cause patents in fee to be issued to the purchasers of such lands. The Secretary of the Interior is further authorized to acquire by purchase for and in behalf of the United States, and at such price as may be agreed upon between him and the Indian owners, any Indian lands, whether tribally or individually owned, located under or adjacent to the Salton Sea, below a contour line of two hundred and twenty feet below sea level and any forty-acre tract any part of which is at an elevation of two hundred and twenty feet below sea level or lower. The lands so acquired shall be reserved for the purpose of maintaining a drainage reservoir in said Salton Sea and shall not be exchanged or otherwise disposed of without the consent of the Congress. The amount (not to exceed $5,000) required to complete such purchases is hereby authorized to be appropriated out of moneys in the United States Treasury not otherwise appropriated. The proceeds derived from all sales of lands made under the provisions of this section may, in the discretion of the Secretary of the Interior, be distributed at any time in cash per capita among the enrolled members of the respective bands, such distribution to be completed in any event within five years from the date of approval of this Act.

Acquisition of certain lands.

Appropriation authorized.

Distribution of sales proceeds.

Leases.

25 U. S. C. § 403.

25 U. S. C. § 380.

SEC. 8. (a) That any restricted Indian land, whether individually or tribally owned, may be leased by the Indian owners in accordance with the provisions of section 4 of the Act of June 25, 1910 (36 Stat. 856), and such lands of deceased Indians may be leased for the benefit of their heirs or devisees as provided for by the Act of July 8, 1940 (54 Stat. 745).

(b) All leases of restricted Indian lands designated under section 1 of this Act, whether made under this section or under any other provision of law, shall include a provision that the lessee, in addition to the compensation payable to the lessor under the terms of the lease, shall pay all irrigation charges properly assessed against such lands pursuant to the provisions of section 1 hereof, and which become payable during the term of the lease. All leases to which this subsection applies shall be duly recorded in the office of the county recorder of the county in which the leased lands are located, the cost thereof to be paid by the lessee. A copy of each lease shall also be filed by the lessee with the Coachella Valley County Water District, or such other irrigation or water district within which the leased lands may be located.

Advance payments.

(c) Rent or other payment for the use of land leased under this section shall not be collected or paid more than five years in advance.

Sale of restricted land of deceased allottees.

SEC. 9. The Secretary of the Interior is authorized to sell any restricted land of deceased allottees upon the application of the heirs or devisees owning a majority interest therein: *Provided*, That notice of the proposed sale and its terms shall be mailed to each of the heirs or devisees at his last known address and no valid objection is filed within thirty days from the date of mailing of such notice.

Rules and regulations.

SEC. 10. The Secretary of the Interior is authorized to prescribe such rules and regulations as may be necessary to carry out the purposes of this Act.

Approved August 25, 1950.