1940 SUPPLEMENT

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OF THE

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Subchapter M—Irrigation Projects: Electrification

PART 131—ELECTRIC POWER SYSTEM, FLATHEAD IRRIGATION PROJECT, MONTANA

§ 131.51 *General rate.*

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(d) The monthly minimum charge shall be at the rate of $1 per kilowatt of demand, but in no case less than $1.50 per single phase service in urban areas and $3 for all other services, either single or three phase. [As amended Mar. 9, 1940; 5 F.R. 1198]

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PART 132—ELECTRIC POWER SYSTEM, SAN CARLOS AND COLORADO RIVER IRRIGATION PROJECTS, ARIZONA

§ 132.1 *Purpose of regulations.* The rules and regulations in this part are approved for the conduct of Electric Power Systems of San Carlos and Colorado River Projects, Arizona. The rules and regulations of this part are subject to change by the proper authority and such changes will apply to all contracts then and afterwards in effect. (Sec. 5, 43 Stat. 476, 45 Stat. 211, 46 Stat. 103, 48 Stat. 881, 49 Stat. 1822, 54 Stat. 419) [As amended Aug. 21, 1940; 5 F.R. 3404]

§ 132.4 *Applications; contracts.* In order to become a consumer under the San Carlos and Colorado River Project Electric Power Systems, an application shall be made which becomes a contract upon the approval of the Project Engineer. In general, service will be rendered to all applicants signing valid contracts where service lines exist. The Project Engineer is authorized to reject applications where it does not appear that the rules and regulations in this part will be complied with, or when not to the interest of the United States. Upon 30 days' written notice to the contractor, the Project Engineer may suspend or cancel any contract upon failure to comply with rules and regulations or to make payment under the standard schedule or rates. Negotiations for contracts involving special conditions or service within town sites of record will be subject to approval by the Commissioner of Indian Affairs. (Sec. 5, 43 Stat. 476, 45 Stat. 211, 46 Stat. 103, 48 Stat. 881, 49 Stat. 1822, 54 Stat. 419) [As amended Aug. 21, 1940; 5 F.R. 3404]

§ 132.58 *Rules and regulations made applicable to Colorado River Project.* The sections of this part as amended, except the provisions in §§ 132.51 and 132.53, dealing with the combination rates, are hereby made applicable to the Colorado River irrigation project, Arizona. (Sec. 5, 43 Stat. 476, 45 Stat. 211, 46 Stat. 103, 48 Stat. 881, 49 Stat. 1822, 54 Stat. 419) [As added Aug. 21, 1940; 5 F.R. 3405]

Subchapter Q—Leases and Permits on Restricted Indian Lands

PART 171—LEASING OF INDIAN ALLOTTED AND TRIBAL LANDS FOR FARMING, GRAZING, AND BUSINESS

§ 171.7 *Leases for undetermined heirs and certain heirs and devisees.* Leases of inherited and devised restricted allotments may be made by the superintendent of the reservation within which the lands are located (a) when the heirs or devisees of such decedents have not been determined, in which event leases should be limited, except in unusual cases, to a period of 1 year and (b) when the heirs or devisees of such decedents have been determined and the lands are not in use by any of the heirs or devisees and the heirs or devisees have not been able for a 3-months' period to agree upon a lease of the land by reason of the number of heirs or devisees, their absence from the reservation, or for other cause. The authority under (b) of this section shall be exercised with the greatest degree of care to insure the heirs and devisees their right to lease their inherited and devised restricted allotments. The proceeds derived from leases made pursuant to this section shall be credited to

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the individual Indian money accounts of the estates or other accounts of the individuals entitled thereto in accordance with their respective interests. There is excepted from application of this section leases for oil and gas mining purposes. (26 Stat. 795, sec. 1, 28 Stat. 305, sec. 1, 31 Stat. 229, sec. 4, 36 Stat. 856, sec. 1, 39 Stat. 128, sec. 1, 41 Stat. 1232, 54 Stat. 745; 25 U.S.C. 397, 402, 395, 403, 394, 393) [As amended Sept. 21, 1940; 5 F.R. 4301]

Subchapter R—Leases and Sales of Minerals, Restricted Indian Lands

PART 204—LEASING OF OSAGE RESERVATION LANDS, OKLAHOMA, FOR MINING, EXCEPT OIL AND GAS

§ 204.2 *Sale of leases.* Leases of minerals other than oil and gas may be negotiated with the Tribal Council after permission to do so has been obtained from the officer in charge. Leases, with all papers required, shall be filed with the officer in charge within 30 days from the date of execution by the lessee and the principal chief of the Osage Tribe. The lease will be forwarded to the Commissioner of Indian Affairs for consideration by him and the Secretary of the Interior and will become effective only after approval by the Secretary of the Interior. If any lease should be disapproved through no fault of the lessee, all amounts deposited by him will be promptly refunded. (Sec. 3, 34 Stat. 543) [As amended Apr. 20, 1940; 5 F.R. 1597]

Subchapter S—Moneys, Tribal and Individual

PART 223—JUDGMENT AND LIEU OF ALLOTMENT FUNDS

Subpart B—Shoshone Tribe of the Wind River Reservation, Wyoming

§ 223.52 *Scope of program.* Programs shall contemplate the eventual use of the entire pro-rata share or definitely provide for the conservation of a portion of such share, but in no case, except as hereinafter provided, shall a program provide for the expenditure in the first year, after its approval, of more than $1,350 for each adult or more than $500 for each minor contributing to the program, and the program shall recognize that future use and expenditures for such program after the first year shall depend upon the proper use of the funds initially authorized to be expended: *Provided,* That the program of an adult may, with the approval of the Commissioner of Indian Affairs, provide for the expenditure in the first year after its approval of more than $1,350, but only when such program contemplates an economic enterprise based on the purchase of land or the purchase of livestock and such enterprise, for its most effective development, requires the expenditure of more than $1,350 in the first year after approval of the program. Expenditures of a minor's funds under this subpart shall not exceed a total sum of $500 and the remaining $1,850 of each minor's share shall be held intact until his majority, as required in section 2 of the Act of July 27, 1939. (53 Stat. 1128; 25 U.S.C., Sup., 572) [As amended Apr. 9, 1940; 5 F.R. 1436]

§ 223.59 *Trust status of property.* All personal property purchased, except non-recoverable goods costing $25 or less, shall be covered by a bill of sale in the name of the superintendent in trust for the individual. All real property purchased shall be taken in the name of the United States in trust for the Indian, except that title to real property situated outside the diminished portion of the Wind River Reservation shall not be taken in trust without the prior approval of the Commissioner of Indian Affairs. All livestock purchased and the offspring thereof shall be branded ID and also marked with the individual brand of the Indian. All property, including livestock, whether originally purchased or the income or increase therefrom, shall be held in trust unless released by

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