

Public Law 86-92

AN ACT

July 17, 1959
[H. R. 2497]

To add certain lands located in Idaho to the Boise and Payette National Forests.

Boise and Payette National Forests, Idaho.
Addition of lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the exterior boundaries of the Boise National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

Lots 4, 5, 6, and 7 of section 6; lots 1, 2, 3, and 4, the east half of the northwest quarter, and the east half of the southwest quarter of section 7; the northwest quarter of the southwest quarter, the south half of the southwest quarter, the southwest quarter of the southeast quarter of section 17; lots 1, 2, 3, and 4, the northwest quarter of the northeast quarter, the southwest quarter of the northeast quarter, the east half of the northwest quarter, the northeast quarter of the southwest quarter, the southeast quarter of the southwest quarter, and the southeast quarter of section 18; the northwest quarter of the northeast quarter, the south half of the northeast quarter, the north half of the northwest quarter, the southwest quarter of the northwest quarter, the southeast quarter of the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the northwest quarter of the southeast quarter, the southwest quarter of the southeast quarter, and the southeast quarter of the southeast quarter of section 20; the northwest quarter of the southwest quarter, and the south half of the southwest quarter of section 21; the southwest quarter of the northeast quarter, the northwest quarter, the west half of the southwest quarter, the east half of the southwest quarter, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 28; the northeast quarter, the west half, the northeast quarter of the southeast quarter, the west half of the southeast quarter, and the southeast quarter of the southeast quarter of section 33; and the west half of the southwest quarter of section 34, all in township 14 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

Lots 3 and 4 of section 31 in township 15 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

Boundaries, extension.

SEC. 2. The exterior boundaries of the Payette National Forest, located in the State of Idaho, are hereby extended to include the following described lands:

The east half of the southeast quarter of the southwest quarter, the east half of the west half of the southeast quarter of the southwest quarter, the west half of the west half of the southeast quarter of the southwest quarter, and lots 13 and 14 of section 18; lots 2, 3, 4, 5, 8, 9, 10, and 11, the east half of the east half of the northeast quarter of the northwest quarter, the west half of the northeast quarter of the northwest quarter, the west half of the east half of the northeast quarter of the northwest quarter, the southeast quarter of the northwest quarter, the east half of the southwest quarter, the northeast quarter of the southwest quarter of the southeast quarter, the west half of the southwest quarter of the southeast quarter, the southeast quarter of the southwest quarter of the southeast quarter, and the southeast quarter of the southeast quarter of section 19; lots 3 and 4 of section 20; and lot 1, the northeast quarter of the northeast quarter, the northwest quarter of the northeast quarter, and the northeast quarter of the northwest quarter of section 30, all in township 16 north, range 3 east of the Boise meridian, in Valley County, State of Idaho.

SEC. 3. Lots 1, 5, and 6 of section 1 in township 14 north, range 2 east of the Boise meridian within the boundaries of the Boise National Forest, in Valley County, State of Idaho, and all of those lands described in sections 1 and 2 hereof owned by the United States are hereby, and any of said lands hereafter acquired by the United States in connection with the Cascade Reservoir reclamation project shall be, added to and made parts of the respective national forests and shall be subject to all laws, rules, and regulations applicable to lands acquired pursuant to the Act of March 1, 1911 (36 Stat. 961), as amended.

16 USC 551, 562.

SEC. 4. (a) It is hereby declared that the sole purpose of sections 1, 2, and 3 of this Act is to subject the lands referred to therein to laws and regulations applicable to national forests, and nothing in this Act shall be construed to authorize the United States to acquire any additional lands or any interest therein, nor to diminish or in anywise affect any valid rights in or to, or in connection with, any such lands which may be in existence on the date of enactment of this Act.

Restriction.

(b) The Secretary of Agriculture shall make available, from the lands referred to in the foregoing sections of this Act, to the Bureau of Reclamation of the Department of the Interior, such lands as the Secretary of the Interior finds are needed in connection with the Cascade Reservoir reclamation project.

Cascade Reservoir project.

(c) The Secretary of the Interior is authorized to enter into such agreements with the Secretary of Agriculture with respect to the relative responsibilities of the aforesaid Secretaries for the administration of, as well as accountings for and use of revenues arising from, lands made available to the Bureau of Reclamation of the Department of the Interior pursuant to subsection (b) as the Secretary of the Interior finds to be proper in carrying out the purpose of this Act.

Agreements.

SEC. 5. (a) The Secretary of the Interior shall prepare lists of lands acquired for the Cascade Reservoir reclamation project which are not described in sections 1, 2, and 3 of this Act and which, in his judgment, are excess to the needs of the project. The lands so listed shall be divided into two classes: those which are now or are likely, within ten years, to become chiefly valuable as home, cabin, recreation, or business sites (hereinafter referred to as class A lands), and all other lands (hereinafter referred to as class B lands). Lands of either class shall hereafter be sold or exchanged only in accordance with the provisions of this section.

Excess lands.

(b) The Secretary may exchange lands of either class for non-Federal lands of not less than approximately equal value situated within three hundred feet of the shoreline established by the normal water surface elevation of four thousand eight hundred and twenty-eight feet of the Cascade Reservoir and outside the exterior boundaries of the Boise and Payette National Forests as extended by this Act.

(c) The Secretary may sell by competitive bidding, at not less than their appraised fair market value, lands of either class. Class A lands shall be sold in tracts of not more than five acres, with such reservations or dedications to public use of rights-of-way for roads, streets and public utilities and upon such terms and conditions as he may deem appropriate. The former owner of lands so offered for sale shall have a personal nontransferable preference right to reacquire, within thirty days after the highest bid is declared, any class B lands which were formerly owned by him and one tract of class A lands which were formerly owned by him at, in either case, a price equal to the highest bid received for such lands. But in no case shall the former owner be required to pay more than three times the ap-

Sale of lands.

Limitation.

praised fair market value of the lands. Where the ownership of lands at the time of their acquisition by the Government was in more than one person, and two or more such former owners assert a preference right for the same tract, the preference right applicants shall be given a period of thirty days in which to file a joint purchase application or otherwise to compose their conflict. If they fail to do so, the Secretary shall determine the order of preference among them by lot. Any lands remaining unsold after competitive bids have been solicited may be sold by the Secretary in such manner as he shall deem proper but at not less than their appraised fair market value. The Secretary may at any time withdraw from sale any unsold lands and reoffer them at a reappraised fair market value.

Definitions.

(d) As used in this section, the term "lands" includes interests in land, and the term "former owner" includes the surviving spouse of a deceased former owner.

Approved July 17, 1959.

Public Law 86-93

AN ACT

July 17, 1959
[S. 42]

To authorize the utilization of a limited amount of storage space in Table Rock Reservoir for the purpose of water supply for a fish hatchery.

Table Rock Res-
ervoir project.
Storage space.
55 Stat. 638.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Table Rock Reservoir project, White River, Missouri, approved by the Flood Control Act approved August 18, 1941, be hereby modified to authorize the Secretary of the Army, acting through the Chief of Engineers, to make available a maximum of twenty-seven thousand acre-feet of storage space in the reservoir to provide a regulated flow not to exceed twenty-two cubic feet per second for operation by the State of Missouri of a fish hatchery without reimbursement on such terms and conditions as the Secretary of the Army may deem reasonable: *Provided*, That nothing herein contained shall affect water rights under State law.

Approved July 17, 1959.

Public Law 86-94

AN ACT

July 17, 1959
[S. 1904]

To authorize the use of funds arising from a judgment in favor of the Citizen Band of Potawatomi Indians of Oklahoma, and the Prairie Band of Potawatomi Indians of Kansas, and for other purposes.

Potawatomi In-
dians.
Use of funds.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the funds on deposit in the Treasury of the United States to the credit of the Citizen Band of Potawatomi Indians of Oklahoma and to the credit of the Prairie Band of Potawatomi Indians of Kansas that were appropriated to pay a judgment by the Indian Claims Commission for inadequate compensation for lands ceded under the treaties of November 15, 1861 (12 Stat. 1191), and February 27, 1867 (15 Stat. 531), and the Act of July 1, 1862 (12 Stat. 489), and the interest thereon, may be advanced or expended for any purpose that is authorized by the respective tribal governing bodies and approved by the Secretary of the Interior. Any part of such funds that may be distributed per capita to the members of the bands shall not be subject to Federal or State income tax.

Approved July 17, 1959.