

## REPEAL OF SECTION

*Section repealed by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976, 90 Stat. 2793, effective on and after Oct. 21, 1976, insofar as applicable to the issuance of rights-of-way over, upon, under, and through the public lands and lands in the National Forest System.*

## REFERENCES IN TEXT

Sections 946 to 949 of this title, referred to in text, were repealed by Pub. L. 94-579, title VII, § 706(a), Oct. 21, 1976, 90 Stat. 2793, effective on and after Oct. 21, 1976, insofar as applicable to the issuance of rights-of-way over, upon, under, and through the public lands and lands in the National Forest System.

## SAVINGS PROVISION

Repeal by Pub. L. 94-579, insofar as applicable to the issuance of rights-of-way, not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

**§ 665. Rights of way over reservoir sites for wagon road, railroad, or other highway**

In the form provided by existing law, the Secretary of the Interior may file and approve surveys and plats of any right of way for a wagon road, railroad, or other highway over and across any reservoir site when in his judgment the public interests will not be injuriously affected thereby.

(Mar. 3, 1899, ch. 427, § 1, 30 Stat. 1233.)

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## SAVINGS PROVISION

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**§ 666. Suits for adjudication of water rights**

**(a) Joinder of United States as defendant; costs**

Consent is given to join the United States as a defendant in any suit (1) for the adjudication of rights to the use of water of a river system or other source, or (2) for the administration of such rights, where it appears that the United States is the owner of or is in the process of acquiring water rights by appropriation under State law, by purchase, by exchange, or otherwise, and the United States is a necessary party to such suit. The United States, when a party to any such suit, shall (1) be deemed to have waived any right to plead that the State laws are inapplicable or that the United States is not amenable thereto by reason of its sovereignty, and (2) shall be subject to the judgments, orders, and decrees of the court having jurisdiction, and may obtain review thereof, in the same manner and to the same extent as a private individual under like circumstances: *Provided*, That no judgment for costs shall be entered against the United States in any such suit.

**(b) Service of summons**

Summons or other process in any such suit shall be served upon the Attorney General or his designated representative.

**(c) Joinder in suits involving use of interstate streams by State**

Nothing in this section shall be construed as authorizing the joinder of the United States in any suit or controversy in the Supreme Court of the United States involving the right of States to the use of the water of any interstate stream.

(July 10, 1952, ch. 651, title II, § 208(a)–(c), 66 Stat. 560.)

## CODIFICATION

Section is comprised of subsections (a) to (c) of section 208 of act July 10, 1952. Subsection (d) of section 208 is omitted as it referred to the limitation on the use of any appropriation in act July 10, 1952 to prepare or prosecute the suit in the U.S. District Court for the Southern Division of California, by the *United States v. Fallbrook Public Utility Corporation*.

**CHAPTER 16—SALE AND DISPOSAL OF PUBLIC LANDS**

## Sec.

671 to 687b-5. Repealed.

687c. Alaskan land leases for fur farming; citizenship; acreage limitation; period; terms and conditions; laws applicable to mineral resources; reservations.

687c-1. Execution of provisions of section 687c; authority of Secretary of the Interior.

688 to 700. Repealed.

**§ 671. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789**

Section, act Mar. 3, 1891, ch. 561, § 9, 26 Stat. 1099, prohibited sale of public lands except under certain conditions.

## EFFECTIVE DATE OF REPEAL

Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789, provided that the repeal made by section 703(a) is effective on and after Oct. 21, 1976.

## SAVINGS PROVISION

Repeal by Pub. L. 94-579 not to be construed as terminating any valid lease, permit, patent, etc., existing on Oct. 21, 1976, see section 701 of Pub. L. 94-579, set out as a note under section 1701 of this title.

**§ 672. Repealed. Dec. 16, 1930, ch. 14, § 1, 46 Stat. 1029**

Section, R.S. § 2353, required public lands, offered at public sale, to be offered in half quarter sections.

**§§ 673 to 676. Repealed. Pub. L. 94-579, title VII, § 703(a), Oct. 21, 1976, 90 Stat. 2789**

Section 673, R.S. § 2354, authorized private sales of all public lands in entire, half, etc., sections.

Section 674, R.S. § 2355; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, required a memorandum in connection with application for purchase of public land at private sale.

Section 675, act May 18, 1898, ch. 344, § 2, 30 Stat. 418, set forth requirements for private sale of public lands in Missouri.

Section 676, R.S. § 2365; 1946 Reorg. Plan No. 3, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, authorized sale of public land to highest bidder at the private sale of land.