

REFERENCES IN TEXT

This Act and the Act, referred to in text, are references to act May 27, 1937, ch. 269, as amended generally by act Mar. 10, 1943, ch. 14, 57 Stat. 14, known as The Columbia Basin Project Act, which enacted this section, sections 835, 835a to 835c-3, and 835c-5 of this title, and provisions set out as a note under section 835 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 835 of this title and Tables.

AMENDMENTS

1962—Pub. L. 87-728 substituted “contracts relating to the Columbia Basin project” for “the contracts hereinbefore provided for”.

TRANSFER OF FUNCTIONS

Power marketing functions of Bureau of Reclamation, including construction, operation, and maintenance of transmission lines and attendant facilities, transferred to Secretary of Energy by section 7152(a)(1)(E), (3) of Title 42, The Public Health and Welfare, and are to be exercised by Secretary through a separate Administration within Department of Energy.

For transfer of functions of other officers, employees, and agencies of Department of the Interior, with certain exceptions, to Secretary of the Interior, with power to delegate, see Reorg. Plan No. 3 of 1950, §§1, 2, eff. May 24, 1950, 15 F.R. 3174, 64 Stat. 1262, set out in the Appendix to Title 5, Government Organization and Employees.

§ 835c-5. Repealed. Pub. L. 87-728, §3, Oct. 1, 1962, 76 Stat. 678

Section, act May 27, 1937, ch. 269, §9, as added Mar. 10, 1943, ch. 14, 57 Stat. 20, related to the consent of the Government to the sale of school and public lands of the State of Washington.

§ 835d. Acquisition of Indian lands, Spokane and Colville Reservations

In aid of the construction, operation and maintenance of the Columbia Basin project (formerly the Grand Coulee Dam project), authorized by the Act of August 30, 1935 (49 Stat. 1028), the Act of August 4, 1939 (53 Stat. 1187), and the Columbia Basin Project Act (Public, Numbered 8, Seventy-eighth Congress, first session, 57 Stat. 14), there is hereby granted to the United States, subject to the provisions of this section and sections 835e to 835h of this title, (a) all the right, title, and interest of the Indians in and to the tribal and allotted lands within the Spokane and Colville Reservations, including sites of agency and school buildings and related structures and unsold lands in the Klaxta town site, as may be designated therefor by the Secretary of the Interior from time to time: *Provided*, That no lands shall be taken for reservoir purposes above the elevation of one thousand three hundred and ten feet above sea level as shown by Bureau of Land Management surveys, except in Klaxta town site and except where in the judgment of the Secretary of the Interior, special circumstances concerning the reservoir or its operation and maintenance require the taking of land above that elevation; and (b) such other interests in or to any such lands and property within these reservations as may be required and as may be designated by the Secretary of the Interior from time to time for the construction of pipe lines, highways, railroads, telegraph, telephone, and electric-transmission lines

in connection with the project, or for the relocation or reconstruction of such facilities made necessary by the construction of the project.

The Secretary of the Interior, in lieu of reserving rights of hunting, fishing, and boating to the Indians in the areas granted under this section and sections 835e to 835h of this title, shall set aside approximately one-quarter of the entire reservoir area for the paramount use of the Indians of the Spokane and Colville Reservations for hunting, fishing, and boating purposes, which rights shall be subject only to such reasonable regulations as the Secretary may prescribe for the protection and conservation of fish and wildlife: *Provided*, That the exercise of the Indians' rights shall not interfere with project operations. The Secretary shall also, where necessary, grant to the Indians reasonable rights of access to such area or areas across any project lands.

(June 29, 1940, ch. 460, §1, 54 Stat. 703; Dec. 16, 1944, ch. 602, 58 Stat. 813; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100.)

REFERENCES IN TEXT

Act of August 30, 1935 (49 Stat. 1028), referred to in text, is act Aug. 30, 1935, ch. 831, 49 Stat. 1028, as amended, which act, by section 2, authorized the construction of the Grand Coulee Dam.

Act of August 4, 1939, referred to in text, is act Aug. 4, 1939, ch. 418, 53 Stat. 1187, as amended, popularly known as the “Reclamation Project Act of 1939”, which is classified to sections 375a, 387 to 389, 485 to 485h, and 485i to 485k of Title 43, Public Lands. For complete classification of this Act to the Code, see section 485k of Title 43 and Tables.

The Columbia Basin Project Act, referred to in text, is act May 27, 1937, ch. 269, as amended generally by act Mar. 10, 1943, ch. 14, 57 Stat. 14, which enacted sections 835 and 835a to 835c-5 of this title and provisions set out as a note under section 835 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 835 of this title and Tables.

AMENDMENTS

1944—Act Dec. 16, 1944, among other changes, inserted reference to the Act of August 4, 1939, and the Columbia Basin Project Act in first par.

TRANSFER OF FUNCTIONS

Functions of General Land Office transferred to Bureau of Land Management by Reorg. Plan No. 3 of 1946. See note set out under section 1 of Title 43, Public Lands.

§ 835e. Payment for lands acquired from Spokane and Colville Reservations

As lands or interests in lands are designated from time to time under sections 835d to 835h of this title, the Secretary of the Interior shall determine the amount of money to be paid to the Indians as just and equitable compensation therefor. As to the tribal lands, the amounts so determined shall be transferred in the Treasury of the United States from the funds now or hereafter made available for the construction of the Columbia Basin project to the credit of the appropriate tribe pursuant to the provisions of section 155 of title 25. The amounts due individual landowners or their heirs or devisees shall be paid from funds now or hereafter made available for the construction of said project to the superintendent of the Colville Indian Agency or such