

THE NATIONAL ARCHIVES
LITTEA
SCRIPTA
MANET

FEDERAL REGISTER

OF THE UNITED STATES
1934

VOLUME 23NUMBER 247

Washington, Friday, December 19, 1958

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

[FHA Instruction 428.1]

PART 331—POLICIES AND AUTHORITIES

AVERAGE VALUES OF FARMS; PENNSYLVANIA

On December 5, 1958, for the purposes of Title I of the Bankhead-Jones Farm Tenant Act, as amended, average values of efficient family-type farm-management units for the counties identified below were determined to be as herein set forth. The average values heretofore established for said counties, which appear in the tabulations of average values under § 331.17, Chapter III, Title 6 of the Code of Federal Regulations, are hereby superseded by the average values set forth below for said counties.

County	Average value
Adams	\$30,000
Allegheny	25,000
Armstrong	30,000
Beaver	24,000
Bedford	25,000
Berks	30,000
Blair	30,000
Bradford	20,000
Bucks	30,000
Butler	25,000
Cambria	25,000
Carbon	25,000
Centre	30,000
Chester	37,500
Clarion	20,000
Clearfield	25,000
Clinton	22,000
Columbia	20,000
Crawford	25,000
Cumberland	30,000
Dauphin	30,000
Erie	27,500
Fayette	25,000
Forest	15,000
Franklin	30,000
Fulton	25,000
Greene	20,000
Huntingdon	25,000
Indiana	25,000
Jefferson	25,000
Juniata	30,000
Lackawanna	22,000
Lancaster	40,000
Lawrence	22,000
Lebanon	40,000
Lehigh	30,000
Luzerne	21,000

PENNSYLVANIA—Continued

County	Average value
Lycoming	\$22,000
McKean	20,000
Mercer	25,000
Mifflin	30,000
Monroe	25,000
Montgomery	30,000
Montour	22,000
Northampton	28,000
Northumberland	20,000
Perry	30,000
Pike	25,000
Potter	18,000
Schuylkill	24,000
Snyder	20,000
Somerset	25,000
Sullivan	18,000
Susquehanna	17,000
Tioga	20,000
Union	23,000
Venango	20,000
Warren	20,000
Washington	25,000
Wayne	18,000
Westmoreland	25,000
York	20,000
York	30,000

(Sec. 41, 50 Stat. 528, as amended; 7 U. S. C. 1015)

Dated: December 12, 1958.

[SEAL] K. H. HANSEN,
Administrator,
Farmers Home Administration.

[F. R. Doc. 58-10468; Filed, Dec. 18, 1958; 8:51 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 989—RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

SUBPART—ADMINISTRATIVE RULES AND REGULATIONS

HOLDING AND DISPOSITION OF OFF-GRADE RAISINS

Pursuant to Marketing Agreement No. 109, as amended, and Order No. 89, as amended (7 CFR Part 989), regulating the handling of raisins produced from raisin variety grapes grown in California, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), the

(Continued on p. 9771)

CONTENTS

Agricultural Marketing Service	Page
Rules and regulations:	
Raisins produced from raisin variety grapes grown in California; holding and disposition of off-grade raisins.....	9769
Agriculture Department	
See also Agricultural Marketing Service; Farmers Home Administration.	
Notices:	
Oregon; designation of portions of tribal lands of Klamath Tribe of Indians as Klamath Indian Forest and Klamath Marsh; cross reference.....	9796
American Battle Monuments Commission	
Notices:	
Statement of organization.....	9797
Rules and regulations:	
Miscellaneous amendments to chapter.....	9780
Civil Aeronautics Administration	
Proposed rule making:	
Aircraft materials, parts, processes, and appliances; technical standard orders.....	9782
Rules and regulations:	
Minimum en route IFR altitudes; miscellaneous amendments.....	9773
Restricted areas; miscellaneous amendments (2 documents) ..	9772, 9773
Civil Aeronautics Board	
Notices:	
Western Air Lines, Inc., v. Frontier Airlines, Inc.; postponement of hearing.....	9797
Proposed rule making:	
Transatlantic charter trips.....	9784
Rules and regulations:	
Certificated air carriers, uniform system of accounts and reports.....	9771
Commerce Department	
See Civil Aeronautics Administration; Federal Maritime Board.	
Farmers Home Administration	
Rules and regulations:	
Farm ownership loans; average values of farms; Pennsylvania.....	9769



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Federal Register Division, National Archives and Records Service, General Services Administration, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.

**SEMIANNUAL
CFR SUPPLEMENT
(As of July 1, 1958)**

The following semiannual cumulative pocket supplement is now available:

**Title 46, Parts 146-149,
1958 Supplement 1 (\$1.00)**

Order from Superintendent of Documents,
Government Printing Office, Washington
25, D. C.

CONTENTS—Continued

Federal Communications Commission	Page
Notices:	
Hearings, etc.:	
Harvard Radio Broadcasting Co., Inc. (WHRB-FM), and WKOX, Inc.	9798
Santa Monica Broadcasting Co.	9797
Tobacco Valley Broadcasting Co.	9798
Tomah-Mauston Broadcasting Co., Inc. (WTMB)	9798
Federal Housing Administration	
Rules and regulations:	
Revocation of various parts	9780
Federal Maritime Board	
Notices:	
Commonwealth of Massachusetts et al.; agreement filed for approval	9796

RULES AND REGULATIONS

CONTENTS—Continued

Federal Power Commission	Page
Notices:	
Hearings, etc.:	
Alabama-Tennessee Natural Gas Co.	9801
Cities Service Production Co. and Pan American Petroleum Corp. et al.	9798
Coastal Transmission Corp.	9799
Hope Natural Gas Co.	9801
Lea County Gas Co. and Southwestern Public Service Co.	9799
Northwest Production Corp.	9800
Phillips Petroleum Co. et al.	9802
Power Authority of State of New York	9802
Southland Royalty Co. et al.	9798
Tennessee Gas Transmission Co.	9800

Fish and Wildlife Service

Rules and regulations:	
National wildlife refuges; list of areas; cross reference	9782

Food and Drug Administration

Proposed rule making:	
Certain orange juice products; definitions and standards of identity	9784

Health, Education, and Welfare Department

See Food and Drug Administration.

Housing and Home Finance Agency

See Federal Housing Administration.

Indian Affairs Bureau

Proposed rule making:	
Monse Unit, Colville Indian Irrigation Project, Washington; reimbursement of construction costs	9782

Interior Department

See also Fish and Wildlife Service; Indian Affairs Bureau; Land Management Bureau.

Notices:	
Commissioner of Reclamation; delegation of authority	9789
Marketing of electric power and energy by Bonneville Power Administration	9789
Oregon; designation of portions of tribal lands of Klamath Tribe of Indians as Klamath Indian Forest and Klamath Marsh	9789

Interstate Commerce Commission

Notices:	
Motor carrier transfer proceedings	9804
Rules and regulations:	
Commercial zones and terminal areas; Tucson, Ariz.	9781

Land Management Bureau

Notices:	
Proposed withdrawal and reservation of lands; Arizona (2 documents)	9788, 9789

CONTENTS—Continued

Land Management Bureau—Continued	Page
Rules and regulations:	
Public land orders:	
Alaska	9781
Arizona	9781
Washington	9780

Securities and Exchange Commission

Notices:	
Hearings, etc.:	
Chesapeake Industries, Inc., and Theta Enterprises, Inc.	9803
Great Atlantic & Pacific Tea Co., Inc. (2 documents)	9804
Managed Funds, Inc.	9803
Rules and regulations:	
Interpretative release relating to accounting matters; independence of certifying accountants	9777

Tariff Commission

Notices:	
Stainless steel table flatware; hearing	9804

Treasury Department

Notices:	
Aluminum mill products from Belgium; determination of no sales at less than fair value	9788

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 6	Page
Chapter III:	
Part 331	9769
Title 7	
Chapter IX:	
Part 989	9769
Title 14	
Chapter I:	
Part 241	9771
Part 295 (proposed)	9784
Chapter II:	
Part 514 (proposed)	9782
Part 608 (2 documents)	9772, 9773
Part 610	9773
Title 17	
Chapter II:	
Part 211	9777
Title 21	
Chapter I:	
Part 27 (proposed)	9784
Title 24	
Chapter II:	
Part 236	9780
Part 276	9780
Part 278	9780
Part 280	9780
Part 283	9780
Part 285	9780
Part 286	9780
Part 288	9780
Part 292	9780
Part 294	9780
Part 296	9780
Title 25	
Chapter I:	
Part 217 (proposed)	9782

CODIFICATION GUIDE—Con.

Title 36	Page
Chapter IV:	
Part 401-----	9780
Part 402-----	9780
Part 403-----	9780
Title 43	
Chapter I:	
Appendix (Public land orders):	
243 (see PLO 1766)-----	9780
1766-----	9780
1767-----	9781
1768-----	9781
Title 49	
Chapter I:	
Part 170-----	9781
Title 50	
Chapter I:	
Part 17-----	9782

Raisin Administrative Committee unanimously recommended an amendment of the provisions of § 989.162 (b) of the Administrative Rules and Regulations (Subpart—Administrative Rules and Regulations, 23 F. R. 2444, 2568, 6971) to authorize a handler to recondition off-grade raisins he is holding pursuant to said § 989.162 (b). Upon the basis of information supplied by the committee, and other available information, it is hereby found that amendment of the said Administrative Rules and Regulations as hereinafter set forth, will tend to effectuate the declared policy of the aforesaid act, and this action is not for the purpose of maintaining prices to farmers above the level which it is declared to be the policy of Congress to establish thereunder.

Section 989.162 (b) provides, in part, that a handler who receives an off-grade lot of raisins which he does not return to the tenderer or accept for reconditioning shall, pursuant to said § 989.162 (b), dispose of such raisins for distillation, animal feed, or uses other than for human consumption.

During the current crop year, handlers are receiving raisins which are off-grade because of damage resulting from rain. The damage to some of these raisins is such that handlers have not been in a position to determine promptly after receipt whether they could recondition them successfully. In some cases, the handlers have agreed with the producers tendering the raisins to act as their agents in disposing of the raisins in the low-order outlets prescribed in § 989.162 (b).

The agreements executed by the handlers and the producers provide, in effect, that, whenever permitted by the administrative rules and regulations, the handler and producer of any such raisins may subsequently negotiate with respect to reconditioning the raisins. Handlers anticipate that with more time to try various reconditioning techniques, including those for separating damaged raisins from sound raisins, they can recondition a portion of the raisins they accept for disposition in the low-order outlets. This would be true of similar situations in the future. The amendment hereinafter set forth would make it clear that the status of off-grade raisins

held pursuant to § 989.162 (b) by handlers for disposition in the low-order outlets may, under prescribed conditions, be changed so as to permit handlers to recondition them. Where the reconditioning is successful, the sound raisins would be available for human consumption as raisins. Thus, the available supply of such raisins would be increased, and consumers as well as producers benefited.

After consideration of all relevant information, including the committee's recommendation, it is concluded that the aforesaid amendment should be approved and, for the reasons hereinafter set forth, should become effective at the time hereinafter provided.

Therefore, it is hereby ordered, That paragraph (b) of § 989.162 of the Administrative Rules and Regulations (Subpart—Administrative Rules and Regulations, 23 F. R. 2444, 2568, 6971) be amended to read as follows:

(b) *Holding and disposition of off-grade raisins.* (1) During any period when, pursuant to paragraph (a) of this section, the provisions of this part which pertain to the storing, pooling, and disposition of off-grade raisins for the account of the committee are not effective or when any of these provisions are effective only insofar as may be necessary for the liquidation of any raisins in the off-grade pool, any handler (other than a processor) who receives an off-grade lot of raisins which he accepts for disposition in accordance with this subparagraph, or which he does not return to the tenderer or accept for reconditioning within the times provided in § 989.158 (c) (3) and (5), shall mark them as off-grade raisins and hold them separate and apart from raisins of any other category. Except as otherwise provided in subparagraph (2) of this paragraph, each handler shall dispose of any such off-grade raisins for distillation, animal feed, or uses other than for human consumption, and any shipment of such raisins shall be pursuant to § 989.159 (g) (2). The provisions of § 989.159 (g) (1) with respect to recovery of raisins do not apply to such off-grade raisins.

(2) Any handler may, as provided in § 989.58 (e) (3), recondition any quantities of the off-grade raisins marked and held by him pursuant to the preceding subparagraph if prior to the commencement of such reconditioning such raisins are, pursuant to § 989.58 (e) (3), turned over to him for reconditioning under the terms of a written agreement, or agreements, with the respective tenderers of such raisins and, in the event a detailed inspection of the raisins had not been made previously by the inspection agency, the handler has the inspection agency make the detailed inspection of the raisins. The handler shall furnish to the committee prior to the commencement of such reconditioning, two copies of each of the reconditioning agreements and this may be accomplished by submitting the respective copies of the agreements to the inspection agency.

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice and engage in public rule-making

procedure, and that good cause exists for making the provisions of this amendment effective upon publication in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.), in that:

(1) This amendment action will permit certain off-grade lots of raisins to be reconditioned so that the sound raisins in the lots may be recovered; (2) it is necessary that the amendment become effective promptly in order to maximize the quantity of sound raisins which can be recovered; (3) handlers are aware that this action was unanimously recommended by the committee and they need no additional advance notice; and (4) this amendatory action relieves restrictions on the handling of raisins.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: December 16, 1958, to become effective upon publication in the FEDERAL REGISTER.

[SEAL]

S. R. SMITH,
Director,

Fruit and Vegetable Division.

[F. R. Doc. 58-10480; Filed, Dec. 18, 1958;
8:53 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter B—Economic Regulations

[Reg. ER-240]

PART 241—UNIFORM SYSTEM OF ACCOUNTS
AND REPORTS FOR CERTIFICATED AIR
CARRIERS

CERTIFICATION OF FORM 41 REPORTS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 16th day of December 1959.

A notice of proposed rule-making to amend the reporting requirements of Part 241 of the Economic Regulations (14 CFR Part 241) was published in the FEDERAL REGISTER on July 15, 1958 (23 F. R. 5358) and circulated to the industry as Economic Regulations Draft Release No. 96, dated July 10, 1958.

Draft Release No. 96 proposed to require the carriers at the time of filing a Form 41 report to identify and explain any difference between the accounting methods and methods of computing and reporting traffic statistics used in such report and those methods used in prior reports which would have an impact on financial data. The carriers would be required to certify that except as specifically identified the methods used in such reports were consistent with methods used in prior reports.

In commenting on Draft Release No. 96, one carrier indicated that the requirement that the carriers certify to the effect that the financial data contained in a Form 41 report is reported on a basis consistent with "prior reports" is too broad and would apply to the differences between that report and all reports issued over the many years of filing. It was suggested that the certification should cover consistency as regarding the "preceding" year only. The Board agrees that reference to "prior reports" could be misleading particularly since the Board is only concerned with

consistency for each successive report regardless of whether such reports are filed monthly, quarterly, or annually. Therefore, the Board believes that it would be more appropriate to require a certification as to the consistency of a report with "the preceding report" rather than with the reports of "the preceding year" as suggested by the industry.

Another comment received suggested that only those changes in accounting methods and methods of computing and reporting traffic and capacity statistics having a "significant" impact upon financial and statistical data would be required. It is argued that an undue burden would be placed on the airline accountants otherwise. It is pointed out that, if the requirements were confined to those changes that have a "significant" impact, the regulation would be in conformance with sound accounting practice and would minimize the work of the airline accountant and analyst. Since the Board is only interested in being advised concerning those changes necessary to a proper understanding of the particular report, it agrees with the substance of this suggestion. However, it believes that the word "material" would more clearly define the Board's needs in this respect. Furthermore, the Board believes that the changes reported should relate to particular financial and statistical data. Therefore, the attached rule requires the reporting of all changes in accounting methods and methods of computing and reporting traffic and capacity having a material impact upon the particular financial element and statistical data involved.

Finally, it was suggested that the provision in the proposed rule exempting the carriers from reporting changes "resulting from an overall substitution in regulations" should be deleted. ATA pointed out that good accounting practices require that changes in accounting methods that have a significant impact on financial data be reflected in comparing reports regardless of whether they result from changes in the Uniform System of Accounts or otherwise and that since the airline reports will adhere to this principle, such reports would differ from the CAB Form 41 reports filed under the proposed regulation. Since it is and apparently will continue to be the practice of carriers to report such changes in their company reports and the elimination of the proposed exemption would result in the receipt by the Board of more complete information, the attached rule has been modified in accordance with this suggestion.

The implementation of the attached regulation requires the reprinting of Schedule A of Form 41. Therefore, it will be necessary for the carriers to type the additional certification required herein in the currently effective Schedule A for reporting purposes, until a supply of the modified schedule becomes available.

Interested persons have been afforded an opportunity to participate in the making of this amendment, and due consideration has been given to all relevant matter presented.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 241 of the Economic Regulations (14 CFR Part 241) effective January 17, 1959, as follows:

1. By adding a new paragraph (i) to § 241.22 to read as follows:

(i) All changes in accounting methods having a material impact upon the particular financial elements involved, including but not limited to changes in methods of or basis for reserve accruals, depreciation, allocations between operating divisions or nontransport activities, and all changes in methods of computing and reporting traffic and capacity statistics having a material impact upon the particular statistic involved shall be adequately explained and identified in the report first reflecting such changes. Such explanations related to financial position or financial results, shall be made on Schedules B-2 and P-2, Notes to Balance Sheet and Notes to Income Statement, respectively. Changes in methods for computing or reporting traffic and capacity statistics shall be identified and explained on a separate sheet attached to the first report affected. (See section 2, item 16.) The requirements herein shall not be construed, in any sense, as relieving the air carrier of the responsibility for conforming its procedures to those otherwise prescribed in this system of accounts and reports.

2. By amending the title to § 241.23 to read "Certification and Balance Sheet Elements" and by inserting immediately thereafter the following:

SCHEDULE A—CERTIFICATION

The certification of the Form 41 reports, embodied in Schedule A thereof, shall read as follows:

I, the undersigned _____ of the (Title of officer in charge of accounts)

(Full name of the reporting company) do certify that this report and all schedules and supporting documents which are submitted herewith or have been submitted heretofore as parts of this report filed for the above indicated period have been prepared under my direction; that I have carefully examined them and declare that they correctly reflect the accounts and records of the company, and to the best of my knowledge and belief are a complete and accurate statement, after adjustments to reflect full accruals, of the operating revenues and expenses, income items, assets, liabilities, capital, surplus, and operating statistics for the periods reported in the several schedules; that the various items herein reported were determined in accordance with the Uniform System of Accounts for Air Carriers prescribed by the Civil Aeronautics Board; and that the data contained herein is reported on a basis consistent with that of the preceding report except as specifically noted in explanations accompanying the financial and statistical statements.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 407, 52 Stat. 1000; 49 U. S. C. 487)

By the Civil Aeronautics Board.

[SEAL]

MABEL McCART,
Acting Secretary.

[F. R. Doc. 58-10482; Filed, Dec. 18, 1958; 8:54 a. m.]

¹ Section 241.2-16.

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 2]

PART 608—RESTRICTED AREAS

MISCELLANEOUS AMENDMENTS

The restricted areas and the restricted area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Division, and are adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 published as a "Revision of the Part" on November 4, 1958 in 23 F. R. 8575 is amended as follows:

1. In § 608.12, the Yuma, Arizona, area (R-557) is added to read:

Description by geographical coordinates. Beginning at latitude 33°00'00", longitude 114°31'00"; thence to latitude 33°30'25", longitude 114°32'20"; thence to latitude 33°25'30", longitude 113°30'00"; thence to latitude 33°00'00", longitude 113°30'00"; thence to latitude 33°00'00", longitude 113°37'20"; thence to latitude 33°02'00", longitude 113°37'20"; thence to latitude 33°02'00", longitude 113°56'30"; thence to latitude 33°00'00", longitude 114°11'00"; thence to latitude 33°00'00", longitude 114°31'00".

Designated altitudes. 20,000 feet to 45,000 feet.

Time of designation. Monday thru Friday from 1300Z to 2400Z (0600-1700 m. s. t.).

Controlling agency. Commander, 4750th Air Defense Wing, Vincent AFB, Arizona.

This amendment shall become effective December 18, 1958, through March 31, 1959.

2. In § 608.12, the Yuma, Arizona, area (R-382) is amended by changing the "Description by Geographical Coordinates" to read:

Description by geographical coordinates. Beginning at latitude 32°52'00", longitude 114°00'00"; thence to latitude 32°52'50", longitude 113°50'10"; thence to latitude 32°58'00", longitude 113°37'20"; thence to latitude 33°02'00", longitude 113°37'20"; thence to latitude 33°02'00", longitude 113°56'30"; thence to latitude 33°00'00", longitude 114°11'00"; thence to latitude 33°00'00", longitude 114°31'00"; thence to latitude 32°51'15", longitude 114°31'00"; thence to latitude 32°52'30", longitude 114°21'00"; thence to latitude 32°51'15", longitude 114°21'00"; to point of beginning;

and the "Designated Altitudes" to read:

Designated altitudes. Surface to unlimited.

This amendment shall become effective on December 18, 1958.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL]

WILLIAM B. DAVIS,
Acting Administrator
of Civil Aeronautics.

DECEMBER 12, 1958.

[F. R. Doc. 58-10440; Filed, Dec. 18, 1958; 8:45 a. m.]

[Amdt. 3]

PART 608—RESTRICTED AREAS

MISCELLANEOUS AMENDMENTS

The restricted areas and the restricted area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy and the Air Force, through the Air Coordinating Committee, Airspace Division, and are adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. In § 608.15, the Camp Hale, Colorado, Temporary Area (R-482) amended on October 13, 1955 in 20 F. R. 7645 is rescinded.

Part 608 published as a "Revision of the Part" on November 4, 1958, in 23 F. R. 8575 is amended as follows:

1. In § 608.14, the Point Mugu, California, area #2 (R-551) (Los Angeles Chart) is added to read:

Description by geographical coordinates. Beginning at latitude 34°08'30", longitude 119°06'10"; thence to latitude 34°07'00", longitude 119°05'00"; thence to latitude 34°06'15", longitude 119°05'25"; thence northwesterly along the present northeastern and northern boundaries of R-100 to latitude 34°07'15", longitude 119°09'00"; thence to latitude 34°08'30", longitude 119°07'40"; thence along the southern boundary of OXNARD AFB Control Zone to the point of beginning.

Designated altitudes. Surface to 3,000 feet MSL.

Time of designation. Continuous.

Controlling agency. Commander, Naval Air Missile Test Center, Point Mugu.

2. In § 608.14, the Camp San Luis Obispo, California, area (R-416) is amended by changing the "Time of Designation" to read: "from 0600 to 1800 daily".

3. In § 608.14, the San Pedro, California, area (R-292) was inadvertently reprinted due to clerical error. This restricted area was rescinded October 9, 1954, in 19 F. R. 6513 amendment 92 effective October 17, 1954. Accordingly delete R-292 San Pedro, California, from § 608.14.

4. In § 608.14, the Vernalis, California, area (R-280) is amended by changing the "Designated Altitudes" to read: "Surface to unlimited"; "Time of Designation" to read: "1300-0800Z Monday through Friday"; "Controlling Agency" to read: "COMNABS 12 (Contact ALF Crows Landing Tower for clearance from surface thru 15,000 feet MSL)."

5. In § 608.17, the Bethany Beach, Delaware, area (R-67) is amended by changing the "Controlling Agency" to read: "Commanding Officer, Naval Air Station, Patuxent River, Maryland."

6. In § 608.18, the Tyndall AFB, Panama City, Florida, area (R-336) is amended by changing the "Designated Altitudes" to read: "35,000 feet MSL to unlimited"; "Time of Designation" to read: "Sunset to Sunrise"; "Controlling Agency" to read: "Tyndall AFB, Florida, Attn: Wing Operations Officer".

7. In § 608.22, the Madison, Indiana, area (R-110) is rescinded.

8. In § 608.25, the Camp Breckinridge, Kentucky, area (R-51) is amended by changing the "Designated Altitudes" to read: "Surface to 20,000 feet MSL" and "Time of Designation" to read: "April 1 through September 30, annually."

9. In § 608.26, the Camp Villere (Sildell), Louisiana, area (R-440) is amended by changing the "Designated Altitudes" to read: "from surface to 3,000 feet MSL."

10. In § 608.30, the Betsie Point, Michigan, area (R-77) is rescinded.

11. In § 608.30, the "Description by Geographical Coordinates" for Hammond Bay, Michigan area (R-424) is corrected to read as follows: Beginning at latitude 45°54'30", longitude 84°13'00"; SE to latitude 45°35'40", longitude 83°20'00"; SSW to latitude 45°22'00", longitude 83°29'00"; NW to latitude 45°41'00", longitude 84°22'20"; NNE to latitude 45°54'30", longitude 84°13'00" point of beginning.

12. In § 608.30, the Lake Margrethe, Michigan, area (R-362) is amended by changing the "Time of Designation" to read: "April 1 through October 30 annually."

13. In § 608.30, the Oscoda (Wurtsmith AFB), Michigan, Restricted Area/Military Climb Corridor R-550 (RF-31W) is added to read:

Description by geographical coordinates. The airspace based on the 266° T radial of the Wurtsmith TVOR, extending from a point five miles West of the airport to a point 32 miles West of the airport, having a width of one mile on the North side and 2.3 miles on the South side of the 266° T radial at a point five miles West of the airport and expanding to a width of 4.6 miles at a point 32 miles from the airport.

Designated altitudes. 2,600' to 10,600' MSL from a point five miles West of the airport to a point six miles West of the airport. 2,600' to 17,600' MSL from a point six miles West of the airport to a point eight miles West of the airport. 2,600' to 23,600' MSL from a point eight miles West of the airport to a point ten miles West of the airport. 6,600' to 27,000' MSL from a point ten miles West of the airport to a point fifteen miles West of the airport. 10,600' to 27,000' MSL from a point fifteen miles West of the airport to a point twenty miles West of the airport. 15,600' to 27,000' MSL from a point twenty miles West of the airport to a point twenty-five miles West of the airport. 19,600' to 27,000' MSL from a point twenty-five miles West of the airport to a point thirty-two miles West of the airport.

Time of designation. Continuous.

Controlling agency. United States Air Force Airport Traffic Control Tower, Wurtsmith AFB, Michigan, Approach Control.

14. In § 608.31, the Camp Ripley, Minnesota, area (R-191) amended on November 26, 1958 in 23 F. R. 9134 is hereby corrected to read: " * * * May 1 thru November 1 annually," instead of "April 1 through October 30 annually."

15. In § 608.36, the Tonopah, Nevada, area (R-271) is amended by changing the "Description by Geographical Coordinates" to read in part: "Western boundary beginning at latitude 37°53'00", longitude 117°01'00"; thence South to latitude 37°26'30", longitude 117°04'30"; thence Southwest to latitude 36°51'00", longitude 116°34'00"."

16. In § 608.39, the Albuquerque, New Mexico, area (R-313) is amended by changing the "Designated Altitudes" to read: "Surface to 50,000 feet MSL".

17. In § 608.42, the McHenry, North Dakota, area (R-202) amended on November 26, 1958 in 23 F. R. 9134 is further amended by changing the "Designated Altitudes" to read: "to 24,000 feet MSL".

18. In § 608.46, the Indiantown Gap, Pennsylvania, area (R-69) is amended by changing the "Time of Designation" to read: "March 1 through November 30, annually".

19. In § 608.58, the Casper, Wyoming, area (R-461) is rescinded.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on January 15, 1959.

[SEAL]

WILLIAM B. DAVIS,
Acting Administrator
of Civil Aeronautics.

DECEMBER 12, 1958.

[F. R. Doc. 58-10441; Filed, Dec. 18, 1958; 8:45 a. m.]

[Amdt. 40]

PART 610—MINIMUM EN ROUTE IFR ALTITUDES

MISCELLANEOUS AMENDMENTS

The minimum en route IFR altitudes appearing hereinafter have been coordinated with interested members of the industry in the regions concerned insofar as practicable. The altitudes are adopted without delay in order to provide for safety in air commerce. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 610 is amended as follows: (Listed items to be placed in appropriate sequence in the sections indicated.)

Section 610.15 *Green civil airway 5* is amended to read in part:

From Abilene, Tex., LFR; to Pala Pinto INT, Tex.; MEA 3,200.

Section 610.230 *Red civil airway 30* is amended by adding:

From Converse INT, La.; to Alexandria, La., LFR; MEA 1,600.

Section 610.245 *Red civil airway 45* is amended to read in part:

From Baltimore, Md., LFR; to Int. N crs Baltimore LFR and SW crs Allentown, Pa., LFR; MEA 2,000.

Section 610.601 *Blue civil airway 1* is amended to read:

From Miami, Fla., LF/RBN; to La Belle INT, Fla.; MEA 1,200.

From La Belle INT, Fla., to Tampa, Fla., LFR; MEA 1,400.

Section 610.630 *Blue civil airway 30* is amended to delete:

From Converse INT, La., to Alexandria, La., LFR; MEA 1,600.

Section 610.687 *Blue civil airway 37* is amended to delete:

From Knoxville, Tenn., LFR; to Corbin, Ky., VAR; MEA 4,700.
From Corbin, Ky., VAR; to Lexington, Ky., LF/RBN; MEA 3,600.

Section 610.6003 *VOR civil airway 3* is amended to read in part:

From Jacksonville, Fla., VOR via W alter.; to Brunswick, Ga., VOR via W alter.; MEA 1,200.

From Westminster, Md., VOR; to West Chester, Pa.; MEA 2,000.

Section 610.6005 *VOR civil airway 5* is amended to read in part:

From Louisville, Ky., VOR; to Cincinnati, Ohio, VOR; MEA 2,400.

Section 610.6006 *VOR civil airway 6* is amended to delete:

From Iowa City, Iowa, VOR via S alter.; to Buffalo INT, Iowa, via S alter.; MEA 2,100.
From Buffalo INT, Iowa, via S alter.; to Cordova, Ill., VOR via S alter.; MEA 2,300.

Section 610.6006 *VOR civil airway 6* is amended to read in part:

From North Platte, Nebr., VOR; to *Eddyville INT, Nebr.; MEA **4,800, *4,800—MRA. **4,100—MOCA.

From Eddyville INT, Nebr.; to Grand Island, Nebr., VOR; MEA 3,500.

From North Platte, Nebr., VOR via N alter.; to Berwyn INT, Nebr., via N alter.; MEA *5,400, *4,300—MOCA.

From Berwyn INT, Nebr., via N alter.; to Grand Island, Nebr., VOR via N alter.; MEA *5,400, *4,100—MOCA.

Section 610.6007 *VOR civil airway 7* is amended to read in part:

From Montgomery, Ala., VOR; to *Jones INT, Ala.; MEA **2,000, *4,000—MRA. **1,700—MOCA.

From Jones INT, Ala.; to Wilton INT, Ala.; MEA *4,000, *2,600—MOCA.

From Wilton INT, Ala.; to Birmingham, Ala., VOR; MEA 2,600.

Section 610.6007 *VOR civil airway 7* is amended to delete:

From Montgomery, Ala., VOR via W alter.; to Birmingham, Ala., VOR via W alter.; MEA 2,600.

Section 610.6008 *VOR civil airway 8* is amended to delete:

From Denver, Colo., VOR via N alter.; to Wiggins INT, Colo., via N alter.; MEA 6,600.

From Wiggins INT, Colo., via N alter.; to Imperial, Nebr., VOR via N alter.; MEA *9,500, *7,000—MOCA.

From Iowa City, Iowa, VOR via S alter.; to Buffalo INT, Iowa, via S alter.; MEA 2,100.
From Buffalo INT, Iowa, via S alter.; to Cordova, Ill., VOR via S alter.; MEA 2,300.

Section 610.6008 *VOR civil airway 8* is amended to read in part:

From Akron, Colo., VOR; to Hayes Center, Nebr., VOR; MEA 5,600.

From Hayes Center, Nebr., VOR; to Grand Island, Nev., VOR; MEA *4,600, *4,000—MOCA.

From Akron, Colo., VOR via S alter.; to Hayes Center, Nebr., VOR via S alter.; MEA 5,800.

From Hayes Center, Nev., VOR via S alter.; to Grand Island, Nebr., VOR via S alter.; MEA *5,000, *4,000—MOCA.

Section 610.6008 *VOR civil airway 8* is amended by adding:

From Akron, Colo., VOR via N alter.; to Holyoke INT, Colo., via N alter.; MEA 5,600.

From Holyoke INT, Colo., via N alter.; to Hayes Center, Nebr., VOR via N alter.; MEA *7,000, *4,600—MOCA.

From Hayes Center, Nebr., VOR via N alter.; to *Eddyville INT, Nebr., via N alter.; MEA **4,600, *4,800—MRA. **4,100—MOCA.

From Eddyville INT, Nebr., via N alter.; to Grand Island, Nebr., VOR via N alter.; MEA 3,500.

Section 610.6009 *VOR civil airway 9* is amended to read in part:

From New Orleans, La., VOR; to Folsom INT, La.; MEA 1,400.

From Folsom INT, La.; to McComb, Miss., VOR; MEA 1,700.

From New Orleans, La., VOR via E alter.; to Picayune, Miss., VOR via E alter.; MEA 1,400.

From New Orleans, La., VOR via W alter.; to *Albany INT, La., via W alter.; MEA **1,500, *1,500—MRA. **1,400—MOCA.

Section 610.6010 *VOR civil airway 10* is amended to read in part:

From South Bend, Ind., VOR; to Long Lake INT, Mich.; MEA 2,000.

From Long Lake INT, Mich.; to Litchfield, Mich., VOR; MEA 2,400.

From Stroudsburg, Pa., VOR; to Somerset INT, N. J.; MEA 2,500.

From Somerset INT, N. J., to Coney Island INT, N. Y.; MEA 2,000.

Section 610.6012 *VOR civil airway 12* is amended to read in part:

From Prescott, Ariz., VOR via S alter.; to *Winslow, Ariz., VOR via S alter.; MEA **12,000, *8,500—MCA Winslow VOR, west-bound. **11,000—MOCA.

From Winslow, Ariz., VOR via S alter.; to Milky INT, Ariz., via S alter.; MEA 8,000.

From Milky INT, Ariz., via S alter.; to Zuni, N. Mex., VOR via S alter.; MEA 9,000.

Section 610.6012 *VOR civil airway 12* is amended by adding:

From Dayton, Ohio, VOR via N alter.; to Grindell INT, Ohio, via N alter.; MEA 2,500.

From Grindell INT, Ohio, via N alter.; to Appleton, Ohio, VOR via N alter.; MEA 2,400.

Section 610.6013 *VOR civil airway 13* is amended to read in part:

From Lufkin, Tex., VOR via E alter.; to *Logansport INT, La., via E alter.; MEA **3,500, *2,500—MRA. **1,700—MOCA.

From Logansport INT, La., via E alter.; to Shreveport, La., VOR via E alter.; MEA *2,500, *2,400—MOCA.

Section 610.6014 *VOR civil airway 14* is amended to read in part:

From Vandalia, Ill., VOR; to Terre Haute, Ind., VOR; MEA 2,000.

From Florida INT, Ind.; to Coldwater INT, Ind.; MEA *4,500, *2,200—MOCA.

From Oklahoma City, Okla., VOR via N alter.; to Stillwater INT, Okla., via N alter.; MEA 3,100.

From Stillwater INT, Okla., via N alter.; to Yale INT, Okla., via N alter.; MEA *3,500, *2,400—MOCA.

From Yale INT, Okla., via N alter.; to Tulsa, Okla., VOR via N alter.; MEA 3,100.

From Findlay, Ohio, VOR; to Attica, Ohio, VOR; MEA 2,100.

From Attica, Ohio, VOR; to Cleveland, Ohio, VOR; MEA 2,000.

Section 610.6016 *VOR civil airway 16* is amended to read in part:

From Knoxville, Tenn., VOR; to *Piedmont INT, Tenn.; MEA 3,000, *8,000—MRA.

From Piedmont INT, Tenn.; to *Ottway INT, Tenn.; MEA 4,000, *7,200—MRA.

From Abilene, Tex., VOR via S alter.; to Mineral Wells, Tex., VOR via S alter.; MEA 3,200.

Section 610.6017 *VOR civil airway 17* is amended to read in part:

From Austin, Tex., VOR via E alter.; to *Jonah INT, Tex., via E alter.; MEA **2,700, *3,000—MRA. **2,100—MOCA.

From Calumet INT, Okla.; to *Omega INT, Okla.; MEA 2,600, *3,500—MRA.

Section 610.6020 *VOR civil airway 20* is amended to read in part:

From Lafayette, La., VOR; to *La Place INT, La.; MEA 1,500, *2,000—MRA.

From La Place INT, La.; to New Orleans, La., VOR; MEA 1,500.

From Hathaway INT, La., via N alter.; to *Rayne INT, La., via N alter.; MEA 1,500, *2,000—MRA.

From Rayne INT, La., via N alter.; to Lafayette, La., VOR via N alter.; MEA 1,500.

From Lafayette, La., VOR via S alter.; to *Raceland INT, La., via S alter.; MEA **6,700, *6,700—MRA. **1,500—MOCA.

From Raceland INT, La., via S alter.; to New Orleans, La., VOR via S alter.; MEA 1,500.

From New Orleans, La., VOR; to Gulfport, Miss., VOR; MEA 1,400.

Section 610.6021 *VOR civil airway 21* is amended to read in part:

From Delta, Utah, VOR via W alter.; to Provo, Utah, VOR via W alter.; MEA 11,000.

Section 610.6022 *VOR civil airway 22* is amended to read in part:

From Taylor INT, Fla., via N alter.; to Swamp INT, Fla., via N alter.; MEA *4,500, *1,200—MOCA.

From Swamp INT, Fla., via N alter.; to Jacksonville, Fla., VOR via N alter.; MEA *1,600, *1,200—MOCA.

From *Daphne INT, Ala.; to **Robertsdale INT, Ala.; MEA **2,000, *2,600—MRA. **2,500—MRA. ***1,700—MOCA.

From Robertsdale INT; to *Elberta INT, Fla.; MEA **2,000, *3,000—MRA. **1,700—MOCA.

From Elberta INT, Fla.; to Pensacola (NAS), Fla., VOR; MEA *2,000, *1,700—MOCA.

From *Harold INT, Fla., to **Baker INT, Fla.; MEA ***2,000, *2,200—MRA. **2,200—MRA. ***1,700—MOCA.

From Baker INT, Fla., to Crestview, Fla., VOR; MEA *2,000, *1,700—MOCA.

From New Orleans, La., VOR; to Dog INT, Miss.; MEA *3,000, *2,000—MOCA.

From Dog INT, Miss.; to Brookley, Ala., VOR; MEA *3,000, *1,400—MOCA.

Section 610.6023 *VOR civil airway 23* is amended to read in part:

From Newberg, Oreg., VOR via W alter.; to Portland, Oreg., VOR via W alter.; MEA 4,000.

Section 610.6025 *VOR civil airway 25* is amended by adding:

From Santa Barbara, Calif., VOR via W alter.; to Gaviota, Calif., VOR via W alter.; MEA 6,000.

From Gaviota, Calif., VOR via W alter.; to San Luis Obispo, Calif., VOR via W alter.; MEA 6,000.

From San Luis Obispo, Calif., VOR via W alter.; to Paso Robles, Calif., VOR via W alter.; MEA 5,000.

Section 610.6026 *VOR civil airway 26* is amended to read in part:

From Green Bay, Wis., VOR; to White Cloud, Mich., VOR; MEA 3,800.

Section 610.6027 *VOR civil airway 27* is amended to read in part:

From Oxnard, Calif., VOR; to Gaviota, Calif., VOR; MEA 6,000.

From Gaviota, Calif., VOR; to San Luis Obispo, Calif., VOR; MEA 6,000.

From San Luis Obispo, Calif., VOR; to Paso Robles, Calif., VOR; MEA 5,000.

Section 610.6027 VOR civil airway 27 is amended to delete:

From *Santa Barbara, Calif., VOR via W alter.; to Paso Robles, Calif., VOR via W alter.; MEA 7,000. *8,000—MCA Santa Barbara VOR, northwestbound.

Section 610.6030 VOR civil airway 30 is amended to read in part:

From Selinsgrove, Pa., VOR; to East Texas, Pa., VOR; MEA 4,000.

From East Texas, Pa., VOR; to Ringoes INT, N. J.; MEA 2,500.

From Ringoes INT, N. J.; to Colts Neck, N. J., VOR; MEA 2,000.

Section 610.6037 VOR civil airway 37 is amended to read in part:

From Mooresville INT, N. C.; to Statesville INT, N. C.; MEA *3,000. *2,000—MOCA.

From Columbia, S. C., VOR via W alter.; to *White Rock INT, S. C., via W alter.; MEA **2,300. *2,500—MRA. **2,000—MOCA.

From White Rock INT, S. C., via W alter.; to Charlotte, N. C., VOR via W alter.; MEA *2,300. *2,000—MOCA.

Section 610.6038 VOR civil airway 38 is amended to read in part:

From Iowa City, Iowa, VOR; to Moline, Ill., VOR; MEA 2,000.

From Moline, Ill., VOR; to Annawan INT, Ill., MEA 2,800.

From Annawan INT, Ill.; to Triumph INT, Ill.; MEA *2,500. *2,000—MOCA.

Section 610.6039 VOR civil airway 39 is amended to read in part:

From Westminster, Md., VOR; to Lancaster, Pa., VOR; MEA 2,500.

From Lancaster, Pa., VOR; to *Fleetwood INT, Pa.; MEA 2,500. *4,000—MRA.

Section 610.6044 VOR civil airway 44 is amended by adding:

From Nabb, Ind., VOR; to Palmouth, Ky., VOR; MEA 2,500.

From Palmouth, Ky., VOR; to York, Ky., VOR; MEA 2,500.

Section 610.6053 VOR civil airway 53 is amended to read in part:

From Columbia, S. C., VOR; to *White Rock INT, S. C.; MEA **2,300. *2,500—MRA. **2,000—MOCA.

From White Rock INT, S. C.; to Monticello INT, S. C.; MEA *2,300. *2,000—MOCA.

Section 610.6055 VOR civil airway 55 is amended to read in part:

From Dayton, Ohio, VOR; to Dawn INT, Ohio; MEA 2,200.

From Dawn INT, Ohio; to Coldwater INT, Ohio; MEA *2,600. *2,200—MOCA.

From Pentwater INT, Mich.; to Green Bay, Wis., VOR; MEA 3,800.

Section 610.6057 VOR civil airway 57 is amended to read in part:

From *Jones INT, Ala.; to Wilton INT, Ala.; MEA **4,000. *4,000—MRA. **2,600—MOCA.

From Wilton INT, Ala.; to Birmingham, Ala., VOR; MEA 2,600.

Section 610.6062 VOR civil airway 62 is amended by adding:

From *Prescott, Ariz., VOR; to Chevelon INT, Ariz.; MEA **12,000. *8,500—MCA Prescott VOR, eastbound. **11,000—MOCA.

From Chevelon INT, Ariz.; to Milky INT, Ariz.; MEA *12,000. *8,000—MOCA.

From Milky INT, Ariz.; to Zuni, N. Mex., VOR; MEA 9,000.

From Zuni, N. Mex., VOR; to Cabezon INT, N. Mex.; 12,000.

From Cabezon INT, N. Mex.; to Santa Fe, N. Mex., VOR; MEA 10,000.

Section 610.6063 VOR civil airway 63 is amended to read in part:

From Burlington, Iowa, VOR; to *Buffalo INT, Iowa; MEA 2,300. *4,500—MCA Buffalo INT, northbound.

From Buffalo INT, Iowa; to Big Rock INT, Iowa; MEA 4,500.

From Big Rock INT, Iowa; to Charlotte INT, Iowa; MEA 4,500.

Section 610.6066 VOR civil airway 66 is amended to read in part:

From Culberson, Tex., VOR; to *Pyote INT, Tex.; MEA **8,000. *8,000—MRA. **6,300—MOCA.

From Pyote INT, Tex.; to Penwell INT, Tex.; MEA *8,000. *4,400—MOCA.

From Penwell INT, Tex.; to Midland, Tex., VOR; MEA *5,000. *4,900—MOCA.

Section 610.6072 VOR civil airway 72 is amended to read in part:

From Findlay, Ohio, VOR; to Attica, Ohio, VOR; MEA 2,100.

From Attica, Ohio, VOR; to Cleveland, Ohio, VOR; MEA 2,000.

Section 610.6077 VOR civil airway 77 is amended to read in part:

From Oklahoma City, Okla., VOR; to Ponca City, Okla., VOR; MEA 2,500.

Section 610.6079 VOR civil airway 79 is amended to read in part:

From Fort Stockton, Tex., VOR; to *Pyote INT, Tex.; MEA 4,000. *8,000—MRA.

Section 610.6080 VOR civil airway 80 is deleted.

Section 610.6080 VOR civil airway 80 is added to read:

From Akron, Colo., VOR; to Holyoke INT, Colo.; MEA 5,600.

From Holyoke INT, Colo.; to North Platte, Nebr., VOR; MEA *7,000. *4,600—MOCA.

Section 610.6092 VOR civil airway 92 is amended to read in part:

From Waterville, Ohio, VOR; to Attica, Ohio, VOR; MEA 2,000.

From Attica, Ohio, VOR; to Mansfield, Ohio, VOR; MEA 2,500.

Section 610.6093 VOR civil airway 93 is amended to read in part:

From Baltimore, Md., VOR; to Lancaster, Pa., VOR; MEA 2,000.

From Lancaster, Pa., VOR; to *Fleetwood INT, Pa.; MEA 2,500. *4,000—MRA.

Section 610.6094 VOR civil airway 94 is amended to read in part:

From Abilene, Tex., VOR; to Cisco INT, Tex.; MEA 3,200.

From Cisco INT, Tex.; to *Mill INT, Tex.; MEA 6,500. *3,500—MRA.

Section 610.6097 VOR civil airway 97 is amended to read in part:

From Diamond Bluff INT, Minn.; to Minneapolis, Minn., ILS loc.; MEA 2,200.

Section 610.6114 VOR civil airway 114 is amended to read in part:

From *Carthage INT, La.; to **Logansport INT, La.; MEA ***2,500. *2,500—MRA. **2,500—MRA. ***1,600—MOCA.

From Logansport INT, La.; to *Converse INT, La.; MEA **2,500. *3,000—MRA. **1,600—MOCA.

From *Converse INT, La., via N alter.; to **Montrose INT, La., via N alter.; MEA ***3,400. *3,000—MRA. **5,500—MRA. ***1,700—MOCA.

From Montrose INT, La., via N alter.; to *Boyce INT, La., via N alter.; MEA **3,400. *5,000—MRA. **1,700—MOCA.

From *Bunkle INT, La.; to **Dupont INT, La.; MEA 1,300. *2,000—MRA. **1,800—MRA.

From Dupont INT, La.; to *Woodside INT, La.; MEA 1,300. *4,600—MRA.

From Baton Rouge, La., VOR; to *Vincent INT, La.; MEA 2,000. *3,000—MRA.

From Vincent INT, La.; to *French Settlement INT, La.; MEA 2,000. *2,500—MRA.

From *Clinton INT, La., via N alter.; to **Albany INT, La., via N alter.; MEA ***2,200. *2,200—MRA. **1,500—MRA. ***1,400—MOCA.

From Albany INT, La., via N alter.; to New Orleans, La., VOR via N alter.; MEA *1,500. *1,400—MOCA.

Section 610.6115 VOR civil airway 115 is amended to read in part:

From Montgomery, Ala., VOR; to Central INT, Ala., VOR; MEA 2,000.

From Central INT, Ala., to Birmingham, Ala., VOR; MEA 2,600.

Section 610.6140 VOR civil airway 140 is amended to read in part:

From Sayre, Okla., VOR; to *Omega INT, Okla.; MEA **3,500. *3,500—MRA. **3,300—MOCA.

From Omega INT, Okla.; to Kingfisher, Okla., VOR; MEA *3,500. *3,300—MOCA.

From Kingfisher, Okla., VOR; to Stillwater INT, Okla.; MEA 3,500.

Section 610.6141 VOR civil airway 141 is amended to read in part:

From Boston, Mass., VOR; to Ipswich INT, Mass.; MEA 1,700.

From Ipswich INT, Mass., to Manchester, N. H., VOR; MEA 2,000.

From Manchester, N. H., VOR; to Concord, N. H., VOR; MEA 2,000.

Section 610.6148 VOR civil airway 148 is amended to read in part:

From Thurman, Colo., VOR; to Laird INT, Colo.; MEA 5,900.

From Laird INT, Colo.; to Hayes Center, Nebr., VOR; MEA 5,600.

From Hayes Center, Nebr., VOR; to North Platte, Nebr., VOR; MEA 4,100.

Section 610.6148 VOR civil airway 148 is amended by adding:

From Sioux Falls, S. Dak., VOR via S alter.; to Redwood Falls, Minn., VOR via S alter.; MEA *3,000. *2,800—MOCA.

Section 610.6155 VOR civil airway 155 is amended by adding:

From Augusta, Ga., VOR; to *White Rock INT, S. C.; MEA **2,500. *2,500—MRA. **1,800—MOCA.

From White Rock INT, S. C.; to *Blythe-wood INT, S. C.; MEA **2,500. *2,500—MRA. **1,800—MOCA.

From Blythe-wood INT, S. C.; to Chesterfield, S. C., VOR; MEA *2,500. *1,800—MOCA.

From Chesterfield, S. C., VOR; to Pinehurst INT, N. C.; MEA 2,000.

From Pinehurst INT, N. C.; to Raleigh, N. C., VOR; MEA *2,600. *2,000—MOCA.

Section 610.6159 VOR civil airway 159 is amended to read in part:

From Orlando, Fla., VOR via W alter.; to *Leesburg INT, Fla., via W alter.; MEA 1,700. *2,500—MRA.

Section 610.6162 VOR civil airway 162 is amended to read in part:

From Harrisburg, Pa., VOR via S alter.; to Reynolds INT, Pa., via S alter.; MEA *4,500. *2,500—MOCA.

From Reinholds INT, Pa., via S alter.; to Fleetwood INT, Pa., via S alter.; MEA 2,500. *4,000—MRA.

Section 610.6165 *VOR civil airway 165* is amended to delete:

From *Long Beach, Calif., VOR; to Berry INT, Calif.; MEA 8,000. *6,500—MCA Long Beach VOR, northbound.

From Alhambra INT, Calif.; to Long Beach, Calif., VOR southbound only; MEA 3,000.

From *Berry INT, Calif.; to *Palmdale, Calif., VOR; MEA 9,000. *9,000—MCA Berry INT, northbound. *9,000—MCA Palmdale VOR, southbound.

From *Palmdale, Calif., VOR; to White Oaks INT, Calif.; MEA 10,000. *8,000—MCA Palmdale VOR, northbound.

From White Oaks INT, Calif.; to *Whitman INT, Calif.; MEA 9,000. *9,000—MCA Whitman INT, southeastbound.

From Whitman INT, Calif.; to *Bakersfield, Calif., VOR northwestbound, MEA 6,000; southeastbound, MEA 9,000. *7,000—MCA Bakersfield VOR, southbound.

Section 610.6166 *VOR civil airway 166* is amended to delete:

From Martinsburg, W. Va., VOR; to Parkton INT, Md.; MEA 4,000.

From Parkton INT, Md.; to West Chester, Pa., VOR; MEA 2,000.

Section 610.6166 *VOR civil airway 166* is amended by adding:

From Martinsburg, W. Va., VOR; to Westminster, Md., VOR; MEA 4,000.

From Westminster, Md., VOR; to Norris INT, Pa.; MEA 2,000.

Section 610.6170 *VOR civil airway 170* is amended to read in part:

From Tower City, Pa., VOR; to Reinholds INT, Pa.; MEA 3,500.

From Reinholds INT, Pa.; to West Chester, Pa., VOR; MEA 3,000.

Section 610.6172 *VOR civil airway 172* is amended to read in part:

From Denver, Colo., VOR; to Holyoke INT, Colo.; MEA *9,400. *7,000—MOCA.

From Holyoke INT, Colo.; to North Platte, Nebr., VOR; MEA *7,000. *4,600—MOCA.

From North Platte, Nebr., VOR; to Wolbach, Nebr., VOR; MEA *5,400. *4,300—MOCA.

Section 610.6185 *VOR civil airway 185* is amended to read in part:

From *Ottway INT, Tenn., via E alter.; to *Piedmont INT, Tenn., via E alter.; MEA 4,000. *7,200—MRA. *8,000—MRA.

From Piedmont INT, Tenn., via E alter.; to Knoxville, Tenn., VOR via E alter.; MEA 3,000.

From *Piedmont INT, Tenn.; to Knoxville, Tenn., VOR; MEA 3,000. *8,000—MRA.

Section 610.6194 *VOR civil airway 194* is amended to read in part:

From Baton Rouge, La., VOR; to *Clinton INT, La.; MEA 1,600. *2,200—MRA.

Section 610.6201 *VOR civil airway 201* is amended to read:

From Carp INT, Calif.; to *Los Angeles, Calif., VOR; MEA 3,500. *6,000—MCA Los Angeles VOR, northeastbound.

From Los Angeles, Calif., VOR; to Berry INT, Calif.; MEA 6,000.

From *Berry INT, Calif.; to Soledad INT, Calif.; MEA 9,000. *8,000—MCA Berry INT, northeastbound.

From Soledad INT, Calif.; to *Palmdale, Calif., VOR northeastbound, MEA 7,000; southwestbound, MEA 9,000. *7,000—MCA Palmdale VOR, southwestbound.

Section 610.6208 *VOR civil airway 208* is amended to read in part:

From *Thermal, Calif., VOR; to Twentynine Palms, Calif., VOR; MEA 8,000. *6,000—MCA Thermal VOR, northeastbound. *11,000—MCA Thermal VOR, southwestbound.

From Twentynine Palms, Calif., VOR; to *Needles, Calif., VOR; MEA 8,000. *7,500—MCA Needles VOR, northeastbound.

Section 610.6210 *VOR civil airway 210* is amended to read in part:

From *Cowan INT, Ind.; to Dawn INT, Ohio; MEA 2,400. *3,000—MRA.

From Vandala, Ill., VOR; to Terre Haute, Ind., VOR; MEA 2,000.

Section 610.6219 *VOR civil airway 219* is deleted.

Section 610.6219 *VOR civil airway 219* is added to read:

From Hayes Center, Nebr., VOR; to *Eddyville INT, Nebr.; MEA **4,600. *4,800—MRA. **4,100—MOCA.

From Eddyville INT, Nebr.; to Wolbach, Nebr., VOR; MEA *5,400. *3,500—MOCA.

Section 610.6220 *VOR civil airway 220* is amended by adding:

From Akron, Colo., VOR; to Hayes Center, Nebr., VOR; MEA 5,600.

Section 610.6220 *VOR civil airway 220* is amended to delete:

From Akron, Colo., VOR; to Imperial, Nebr., VOR; MEA 5,600.

From Imperial, Nebr., VOR; to Lexington INT, Nebr.; MEA *7,000. *4,800—MOCA.

From Lexington INT, Nebr.; to Loup INT, Nebr., MEA *7,000. *4,100—MOCA.

From Loup INT, Nebr.; to Wolbach, Nebr., VOR; MEA *5,400. *3,500—MOCA.

Section 610.6233 *VOR civil airway 233* is amended to read in part:

From Bradford, Ill., VOR; to Cordova, Ill., VOR; MEA 2,000.

Section 610.6238 *VOR civil airway 238* is amended to read in part:

From Tower City, Pa., VOR; to Reinholds INT, Pa.; MEA 3,500.

From Reinholds INT, Pa.; to West Chester, Pa., VOR; MEA 3,000.

Section 610.6240 *VOR civil airway 240* is amended to read in part:

From New Orleans, La., VOR; to *Harbor INT, Miss.; MEA 2,000. *5,000—MRA.

Section 610.6246 *VOR civil airway 246* is amended to read:

From Sidney, Ohio, VOR; to Marion INT, Ohio; MEA 2,700.

From Marion INT, Ohio; to Mansfield, Ohio, VOR; MEA 2,300.

Section 610.6251 *VOR civil airway 251* is amended to read:

From Martinsburg, W. Va., VOR; to Hanover INT, Pa.; MEA 4,000.

From Hanover INT, Pa.; to Lancaster, Pa., VOR; MEA 3,000.

From Lancaster, Pa., VOR; to Pottstown, Pa., VOR; MEA 2,100.

Section 610.6254 *VOR civil airway 254* is amended to read in part:

From Reinholds, INT, Pa.; to Pottstown, Pa., VOR; MEA 2,000.

Section 610.6255 *VOR civil airway 255* is amended to read in part:

From Burlington, Iowa, VOR; to Moline, Ill., VOR; MEA 2,000.

From Moline, Ill., VOR; to Cordova, Ill., VOR; MEA 2,300.

Section 610.6256 *VOR civil airway 256* is amended to read in part:

From Reinholds INT, Pa.; to Pottstown, Pa., VOR; MEA 2,000.

Section 610.6264 *VOR civil airway 264* is amended to read in part:

From *Palm Springs INT, Calif.; to Twentynine Palms, Calif., VOR; MEA 9,000. *13,000—MCA Palm Springs INT, westbound.

From Twentynine Palms, Calif., VOR; to Rice, Calif., VOR; MEA 6,000.

Section 610.6271 *VOR civil airway 271* is deleted.

Section 610.6277 *VOR civil airway 277* is amended to delete:

From Plain City INT, Ohio; to Sidney, Ohio, VOR; MEA 2,400.

Section 610.6283 *VOR civil airway 283* is amended by adding:

From *Fresno, Calif., VOR; to Reno, Nev., VOR; MEA 15,000. *8,000—MCA Fresno VOR, northbound.

From Reno, Nev., VOR; to Lakeview, Ore., VOR; MEA 14,000.

From Lakeview, Ore., VOR; to Redmond, Ore., VOR; MEA 10,000.

Section 610.6287 *VOR civil airway 287* is amended by adding:

From Newberg, Ore., VOR; to Portland, Ore., VOR; MEA 4,000.

Section 610.6298 *VOR civil airway 298* is amended to read in part:

From *Dubois, Idaho, VOR; to **Lamont INT, Idaho; westbound, MEA 9,000; eastbound, MEA 13,000. *11,000—MCA Dubois VOR, eastbound. **13,000—MCA Lamont INT, eastbound.

Section 610.6300 *VOR civil airway 300* is amended to read in part:

From Sault Ste. Marie, Mich., VOR via N alter.; to U. S.-Canadian Border via N alter.; MEA *6,000. *2,500—MOCA.

Section 610.6408 *Hawaii VOR civil airway 8* is amended to read in part:

From *Blue Fin INT, T. H.; to Tuna INT, T. H.; MEA 3,000. *4,000—MCA Blue Fin INT, southwestbound.

Section 610.6423 *VOR civil airway 423* is amended to read in part:

From Delta, Utah, VOR; to Vernon INT, Utah; MEA 11,000.

From *Vernon INT, Utah; to **Stansbury INT, Utah; MEA 13,000. *12,000—MCA Vernon INT, northbound. **11,000—MCA Stansbury INT, southbound.

Section 610.6432 *VOR civil airway 432* is added to read:

From Thermal, Calif., VOR; to Rice, Calif., VOR; MEA 7,500.

Section 610.6433 *VOR civil airway 433* is deleted.

Section 610.6434 *VOR civil airway 434* is added to read:

From Ottumwa, Iowa, VOR; to Moline, Ill., VOR; MEA 2,200.

From Moline, Ill., VOR; to Peoria, Ill., VOR; MEA 2,200.

Section 610.6435 *VOR civil airway 435* is added to read:

From Sidney, Ohio, VOR; to Attica, Ohio, VOR; MEA 2,500.

Section 610.6600 VOR civil airway 1500 is amended to read in part:

From Selingsgrove, Pa., VOR; to East Texas, Pa., VOR; MEA 4,000.
From East Texas, Pa., VOR; to Ringoes INT, N. J.; MEA 2,500.
From Ringoes INT, N. J.; to Colts Neck, N. J., VOR; MEA 2,000.
From Green Bay, Wis., VOR; to White Cloud, Mich., VOR; MEA 3,800.

Section 610.6602 VOR civil airway 1502 is amended to read in part:

From Selingsgrove, Pa., VOR; to East Texas, Pa., VOR; MEA 4,000.
From East Texas, Pa., VOR; to Ringoes INT, N. J.; MEA 2,500.
From Ringoes INT, N. J.; to Colts Neck, N. J., VOR; MEA 2,000.

Section 610.6608 VOR civil airway 1508 is amended to read in part:

From Selingsgrove, Pa., VOR; to East Texas, Pa., VOR; MEA 4,000.
From East Texas, Pa., VOR; to Ringoes INT, N. J.; MEA 2,500.
From Ringoes INT, N. J.; to Colts Neck, N. J., VOR; MEA 2,000.

Section 610.6610 VOR civil airway 1510 is amended to read in part:

From Akron, Colo., VOR; to Hayes Center, Nebr., VOR; MEA 5,600.
From Hayes Center, Nebr., VOR; to Grand Island, Nebr., VOR; MEA *4,600. *4000—MOCA.
From Iowa City, Iowa, VOR; to Moline, Ill., VOR; MEA 2,000.
From Moline, Ill., VOR; to Annawan INT, Ill.; MEA 2,800.
From Annawan INT, Ill.; to Triumph INT, Ill.; MEA *2,500. *2,000—MOCA.
From Selingsgrove, Pa., VOR; to East Texas, Pa., VOR; MEA 4,000.
From East Texas, Pa., VOR; to Ringoes INT, N. J.; MEA 2,500.
From Ringoes INT, N. J.; to Colts Neck, N. J., VOR; MEA 2,000.

Section 610.6612 VOR civil airway 1512 is amended to read in part:

From Selingsgrove, Pa., VOR; to East Texas, Pa., VOR; MEA 4,000.
From East Texas, Pa., VOR; to Ringoes INT, N. J.; MEA 2,500.
From Ringoes INT, N. J.; to Colts Neck, N. J., VOR; MEA 2,000.
From Vandalia, Ill., VOR via S alter.; to Terre Haute, Ind., VOR via S alter.; MEA 2,000.

Section 610.6614 VOR civil airway 1514 is amended to read in part:

From Vandalia, Ill., VOR via S alter.; to Terre Haute, Ind., VOR via S alter.; MEA 2,000.
From Harrisburg, Pa., VOR; to Reinholds INT, Pa.; MEA *4,500. *2,500—MOCA.
From Reinholds INT, Pa.; to Pottstown, Pa., VOR; MEA 2,000.

Section 610.6618 VOR civil airway 1518 is amended to read in part:

From Sayre, Okla., VOR; to *Omega INT, Okla.; MEA *3,500. *3,500—MRA. *3,300—MOCA.
From Omega INT, Okla., to Kingfisher, Okla., VOR; *3,500. *3,300—MOCA.
From Kingfisher, Okla., VOR; to Stillwater INT, Okla.; MEA 3,500.

Section 610.6620 VOR civil airway 1520 is amended to read in part:

From Knoxville, Tenn., VOR; to *Piedmont INT, Tenn.; MEA 3,000. *8,000—MRA.

Section 610.6622 VOR civil airway 1522 is amended to read in part:

From Greensboro, N. C., VOR; to South Boston, Va., VOR; MEA 2,300.
(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

These rules shall become effective January 15, 1959.

[SEAL] WILLIAM B. DAVIS,
Acting Administrator
of Civil Aeronautics.

DECEMBER 12, 1958.

[F. R. Doc. 58-10442; Filed, Dec. 18, 1958; 8:46 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 211—INTERPRETATIVE RELEASES RELATING TO ACCOUNTING MATTERS (ACCOUNTING SERIES RELEASES)

INDEPENDENCE OF CERTIFYING ACCOUNTS, COMPILATION OF REPRESENTATIVE ADMINISTRATIVE RULINGS IN CASES INVOLVING THE INDEPENDENCE OF ACCOUNTANTS

The Securities and Exchange Commission today announced the publication of an additional release in its Accounting Series dealing with independence of accountants. This release, which summarizes cases in the Commission's experience under the independence rule¹ since the publication of Accounting Series Release No. 47 on January 25, 1944, together with prior releases and Commission decisions reflects the development of policy regarding the practice of accountants before the Commission over a period of some twenty-five years. See Appendix.²

§ 211.81 *Independence of certifying accountants; compilation of representative administrative rulings in cases involving the independence of accountants.* The various laws administered by the Commission either require or give the Commission power to require that financial statements filed with it be certified by independent accountants, and with minor exceptions the Commission's rules require that such statements be so certified. The concept of independence was well developed and the value of a review by independent accountants who are in no way connected with the business was established before the passage of the first Act now administered by the Commission—the Securities Act of 1933.

¹ § 210.2-01 of this chapter (Rule 2-01 of Regulation S-X).

² Filed with the original document. Statement of Col. A. H. Carter, President of the New York State Society of Certified Public Accountants, before the Committee on Banking and Currency, United States Senate, 73d Congress, 1st Sess., on S. 875, p. 55.

The passage of the Securities Act, however, is an important landmark in the development of the concept of the responsibility of the independent accountant to the investor and the public. The original draft of the Securities Act did not require certification by independent accountants. A representative of the accounting profession appeared at the hearings on the bill before the Committee on Banking and Currency of the United States Senate to suggest revisions of the bill.³ He pointed out that the bill as drafted imposed "highly technical responsibilities upon the Commission as to accounting principles, their proper application and their clear expression in financial statements," and suggested the bill be revised to require that "the accounts pertaining to such balance sheet, statement of income and surplus shall have been examined by an independent accountant and his report shall present his certificate wherein he shall express his opinion as to the correctness of the assets, liabilities, reserves, capital and surplus as of the balance sheet date and also the income statement for the period indicated."

The committee considered at length the value to investors and to the public of an audit by accountants not connected with the company or management and whether the additional expense to industry of an audit by independent accountants was justified by the expected benefits to the public. The committee also considered the advisability and feasibility of requiring the audit to be made by accountants on the staff of the agency administering the Act.

In the report on the bill the Senate committee stated that it was intended that those responsible for the administration and enforcement of the law should have full and adequate authority to procure whatever information might be necessary in carrying out the provisions of the bill, but it was deemed essential to refrain from placing upon any Federal agency the duty of passing judgment upon the soundness of any security.⁴ The proposal to require certification by independent public accountants was incorporated in the bill as passed.

The requirement that industry furnish financial statements certified by independent accountants imposes upon the Commission the responsibility of ascertaining whether audits pursuant to its requirements are made by qualified independent accountants. Section 201.2 (e) (Rule II (e) of the Commission's Rules of Practice) and § 210.2-01 of this chapter (Rule 2-01 of Regulation S-X) reflect this concern. Under Rule II (e) the Commission may disqualify, and deny, temporarily or permanently, the privilege of appearing or practicing before it to any accountant who is found by the Commission after hearing in the matter not to possess the requisite qualifications to represent others; or to be lacking in character or integrity; or to have engaged in unethical or improper professional conduct. These

³ Senate Report No. 47, 73d Congress, 1st Sess., p. 2.

proceedings are conducted privately and may or may not result in a published opinion. They have been rare. Day-to-day problems arising under Rule 2-01 of Regulation S-X are largely concerned with determining whether particular relationships are of a nature which would prejudice the independent status of an accountant with respect to a particular client.

In administering Rule 2-01 the Commission has not attempted to set up objective standards for measuring the qualifications of accountants other than requiring that they be in good standing and entitled to practice as independent accountants in their place of residence or principal office. However, it is expected that they will have adequate technical training and proficiency and will conduct their audit in a workmanlike manner in accordance with generally accepted auditing standards.⁴ Rule II (e) of the Rules of Practice recognizes that ethical and professional responsibility is founded upon character and integrity.

As stated in Accounting Series Release No. 47, the Commission has consistently held that the question of independence is one of fact, to be determined in the light of all the pertinent circumstances in a particular case, but it has not been practicable to identify all of the circumstances which might prevent an accountant from being independent. However, in Rule 2-01 (b) of Regulation S-X, as recently revised⁵ to recognize the increasing complexities in the business world, the Commission has stated that "... an accountant will be considered not independent with respect to any person or any of its parents or subsidiaries in whom he has, or had during the period of report, any direct financial interest or any material indirect financial interest; or with whom he is, or was during such period, connected as a promoter, underwriter, voting trustee, director, officer, or employee." In connection with this revision practicing accountants indicated that an interpretive release similar to Accounting Series Release No. 47 would be a helpful guide to the profession. This release therefore summarizes previously unpublished rulings on independence which have arisen under the several Acts administered by the Commission. A finding in a particular case that an accountant is not independent under our rules does not necessarily reflect on his professional standing or qualification to serve other registrants with the Commission.

In Accounting Series Release No. 47 it was said that it was not feasible to present adequately in summarized form the circumstances existing in particular cases in which it was determined not to question an accountant's independence. The growth of the accounting profession since 1944 and the number of inquiries received from public accountants unfamiliar with the rules suggest the need for publication of rulings in this category.

⁴ See § 210.2-02 of this chapter (Rule 2-02 of Regulation S-X).

⁵ Accounting Series Release No. 79, April 8, 1958.

Administrative rulings in this area have been reviewed and there are stated briefly herein the relationships which existed in select cases where an accountant was not denied the right to certify the financial statements because under the circumstances it was concluded that the independence of the accountant was not prejudiced. It is emphasized that these rulings were made after taking into consideration all known relevant circumstances and under changed circumstances the relationships stated in some of these examples could be disqualifying. Appropriate procedure in all cases where any doubt exists is to discuss the facts with the staff.

The following examples have been selected as representative of administrative rulings in specific cases:

NOT INDEPENDENT

Representative situations in which accountants have been held to be not independent with respect to a particular client:

I. Relationships specified in Rule 2-01 (b) of Regulation S-X

1. An accountant took an option for shares of his client's common stock in settlement of his fee. The option subsequently appreciated in value. The question of independence arose in connection with a proposed merger and application for listing on a national securities exchange.
2. Chartered accountants for a proposed registrant, a foreign corporation, owned a stock interest in the company.
3. Company A proposed filing a registration statement for a securities issue, part of the proceeds of which were to be used to acquire the assets of Company B. The certificate of the accountants of Company B could not be accepted for inclusion in the registration statement because a partner of the firm owned stock of Company B.
4. Using their own funds, the wives of partners in an accounting firm purchased stock in a client of the firm immediately prior to registration.
5. Shares of stock in a proposed registrant held by an accountant's wife had originally been received by him in settlement of his audit fee.
6. Partners and staff members of a small accounting firm which had certified the financial statements included in a registration statement subsequently acquired shares of stock of the registrant. They were denied the privilege of certifying subsequent financial statements to be included in a post-effective amendment to the registration statement.
7. An interpretation was given that the S. E. C. does not recognize a difference between a corporation and a registered investment company which would permit the ownership of shares in the latter by the accountant certifying its financial statements filed with the Commission.
8. After the issuance of an offering circular, some partners of the accounting firm which had certified the financial statements acquired shares of the company. In connection with a subsequent listing application the registrant was advised that the accountants had lost their independent status.
9. From the time of organization of a proposed registrant in November 1952 until July 1954, an accountant served as assistant treasurer, comptroller and director with the responsibility of keeping the accounts of the company and also acted as co-signer of checks. He also owned shares of the registrant's common stock. In July 1954 arrangements were made for an issue of securities.

Even though the accountant severed his affiliation with the company as officer and director and made a gift of his shares of stock to his daughter, his certificate was not acceptable.

10. A partner in the firm of certifying accountants was a director of a proposed registrant, a stockholder, and a trustee of a testamentary trust which controlled a substantial portion of the registrant's stock. Even though he were to resign as director and trustee and dispose of his stock interest, the accounting firm could not be considered independent in connection with the proposed registration. It was also held that another partner of the accounting firm acting individually and apart from the firm could not be considered independent.

11. A partner in an accounting firm acted as controller and exercised some supervisory powers with respect to the proposed registrant's accounting procedures.

12. Financial statements for the first two years of the three-year period required to be included in a registration statement had been certified by an individual practitioner who gave up his practice to become an executive of the registrant.

II. Other relationships and conditions resulting in lack of independence.

13. An accountant who certified the financial statements of a registrant was the father of the secretary-treasurer of the registrant who was employed by the registrant on a half-time basis. Prior thereto, the secretary-treasurer had been employed by the registrant as its full-time principal accounting officer.

14. The wife of a partner of the accounting firm certifying the financial statements of an investment company was secretary-treasurer of the company.

15. A partner of an accounting firm was the brother of the holder of 50 percent of the stock of proposed registrant. *The accountant was also counsel for the company, and his wife held \$35,000 of its preferred stock. The audit of the registrant's accounts was to be made by a branch office of the accounting firm in which the partner had only a financial interest.

16. The wife of the accountant who had certified the financial statements of a proposed registrant was the sister of the widow of the founder of the company. The widow had inherited 60 percent of the company's stock from her husband and her son 10 percent.

17. An accounting firm which certified the financial statements of a registered investment company had exclusive custody of the key to the company's safe deposit box. Under these conditions the accountants were acting as custodian of the securities portfolio and were in the position of auditing their own work.

18. An accountant and five persons who were the sole stockholders of the proposed registrant acquired a parcel of real estate for the purpose of selling or leasing it to the company. The total purchase price was \$85,000, of which \$26,000 was paid in cash and the balance by a note secured by a mortgage. In addition to providing his portion of the cash payment, the accountant loaned the others \$21,000 on interest bearing notes to cover their share of the down payment. It was also provided that the accountant would receive 25 percent of any profit arising from sale of the property to an outsider.

19. A certifying accountant, together with certain officers of the registrant, organized a corporation which purchased property from the registrant for \$100,000, giving the registrant \$25,000 cash and a purchase money mortgage for \$75,000.

20. Accountants were advised that they would lose their independent status if a trust created by partners and their wives purchased a building occupied by a client under

a 21-year lease. The building was owned by an unrelated person and the transaction would have involved a substantial sum of money.

21. The partners of an accounting firm were considering investing in a finance company which operated a wholly-owned insurance agency to arrange insurance on the property financed. It was contemplated that a substantial part of such insurance would be placed with an insurance company client of the accounting firm. They were advised that if the insurance was so placed they would not be considered independent with respect to their client.

22. Two of the partners of the accounting firm certifying the financial statements of a registrant were also partners of a law firm engaged by the registrant to pass upon the legality of the securities which were being registered.

23. A certified public accountant who was also a lawyer practiced both professions as a partner in separate accounting and law firms. Both firms were approached by an investment company to accept engagements in their respective fields.

24. The wife of an accountant had a 47½ percent interest in one of the three principal underwriters of a proposed issue by the registrant.

25. A partner of an accounting firm acted as one of three executors of the will of a principal officer of a registrant and as one of three trustees of a trust established under the will. The principal asset of the trust was a substantial proportion of the voting stock of the registrant.

26. A partner in an accounting firm which audited registrant's accounts was appointed agent in control of certain buildings by the trustee for the children of the controlling stockholder of the registrant. In such capacity the accountant negotiated a lease with the registrant which occupied office space in one of the buildings. The partner in the accounting firm also acted as trustee of a trust for the benefit of the wife and children of the controlling stockholder.

NO ACTION

Representative situations in which accountants have not been held to be not independent with respect to a particular client:

I. Relationships specified in Rule 2-01 (b) of Regulation S-X

A. Financial interest.

27. A large national accounting firm had certified the financial statements covering the first eight years of a ten-year summary of earnings to be included in a registration statement. Another firm of accountants certified the last two years. At the time of their last certificate, two years earlier, there was no indication that the former firm was not in full compliance with the independence rule. It was deemed unnecessary for the firm to circularize the partners to determine whether any had subsequently acquired stock in the registrant.

28. Members of an accounting firm acquired shares of stock of a company controlled by one of their clients, an individual. The accounting firm had never done any work for the company. Upon being engaged to certify financial statements of the company in connection with a proposed registration, they immediately sold their holdings.

29. An accounting firm was held to be not independent because the wife of a partner owned stock in the registrant which had been acquired out of community earnings, and another accounting firm was engaged to audit the years in question. The wife disposed of the stock, and the firm was told that no objection would be raised to their certifying in subsequent years.

30. An accounting firm and the individual practitioner who preceded it had audited the accounts of proposed registrant since 1949. At various times between 1954 and 1957 a

partner and an employee on the audit each acquired small amounts of issues of debenture bonds and subordinated notes. The securities held by these persons were redeemed by the company in August 1957 prior to certification of financial statements to be used in a proposed registration statement.

31. The following interpretations of the independence rule were given to an accounting firm which submitted two hypothetical situations:

(a) Company A proposed to file a registration statement and merge with or acquire Company X, which has been entirely independent of Company A. Financial statements of each company certified by different accounting firms were to be included in the registration statement.

In this situation if partners of the firm of accountants for Company X had a financial interest in Company A, that accounting firm could be considered independent for the purpose of certifying the statements of Company X to be included in a registration statement filed by Company A. This conclusion assumes that Company A's shares are widely held and the partners' interest is similar to any public investor's. A different conclusion would be indicated if the partners of the accounting firm were in a position to influence the action of Company A.

If Company X were to continue as a subsidiary of Company A, the accounting firm would not be considered independent for subsequent audits unless the partners of the firm promptly disposed of their financial interest in Company A.

(b) In a situation similar to that described above, the accounting firm which had certified the statements of Company A generally would have no knowledge of the investments of its partners in non-client corporations such as Company X. In some large national accounting firms the determination of such holdings can be a time-consuming and burdensome task. Under these circumstances Item 24 of the requirements of a registration statement under the Securities Act of 1933 (disclosure of relationships between registrant and experts whose opinions are included in the registration statement) may be answered in the negative with a disclaimer of knowledge as to whether or not the certifying accountants of Company A had any interest in Company X.

B. Director, officer, employee.

32. A partner of an accounting firm was a director and member of the executive committee of a company for six years. In the year following his resignation the firm was engaged to certify the company's financial statements, but the audit did not cover any of the time during which the accountant served as a director.

33. A partner of an accounting firm who held shares of a registrant's stock was elected a director. Eight days later he was notified of his firm's appointment as accountants for the current year. He never attended any meetings of the Board of Directors and did not participate in the selection of his firm. Upon being notified of the appointment of his firm as accountants he immediately resigned his directorship and sold his stock.

34. Company A acquired Company B in January 1955. Financial statements of Company A for years ended June 30, 1954 and prior and financial statements of Company B for the year ended July 31, 1952 had been certified by accounting firm X. Financial statements of both companies for subsequent years were certified by accounting firm Y. After completion of the last audits of the respective companies by accounting firm X, a partner of that firm became a director of each company. The statements certified by accounting firm X were accepted for inclusion in a registration statement of Company A because the accountants were independent at the time of their certification and more

recent audits were made by accounting firm Y.

35. An accountant had certified the financial statements of a prospective registrant for twelve years prior to its consolidation with another company in February 1957. After completion of the 1956 audit his services were terminated. At the time of certification he was independent in all respects. In May 1957 the accountant was elected to the Board of Directors and thereafter purchased shares of the common stock of the company. Late in 1957 the company proposed filing a registration statement which would include certified financial statements of the last three years examined by the accountant and a subsequent period to be certified by another accountant.

36. An accounting firm took into its partnership an individual who had been vice president and comptroller of one of their clients. The individual's resignation from the registrant and affiliation with the accounting firm would occur subsequent to the filing of the registrant's annual report on Form 10-K but before the designation of auditors for the current fiscal year. Although he would be a general partner, sharing in income from all sources, he would have no part in any work done for the client-registrant and would not be located in the same city as the client's head office.

II. Other relationships and conditions prompting inquiries as to independence.

37. Registrants A and B each own 50% of the outstanding stock of Company C, but are otherwise not related. The accounting firm which audits Registrant A would not be disqualified because of ownership of a small number of shares of stock of Registrant B. However, the accounting firm which audits Company C would not be considered independent if any of its partners had an interest in either Registrant A or B.

38. Partners in an accounting firm owned stock in a company in which a substantial minority interest was owned by a client. Both companies were large and their securities were listed on a national securities exchange.

39. One of two partners of an accounting firm formed in February 1955 and dissolved in February 1956 became secretary-treasurer of a company in July 1955. He retained no interest in the partnership. The accounting practice was continued by the other partner who was engaged to make a first audit of the company in June 1956.

40. An accountant was co-executor of an estate which held approximately 15% of the outstanding shares of stock of a registrant. He had audited registrant's accounts for several years prior to the latest fiscal year. Another accountant had been engaged to certify the financial statements of the latest year for inclusion in a registration statement. The estate was being terminated and the registrant proposed engaging the accountant as auditor for subsequent years.

41. A staff member who had prepared financial statements for a mining company in the development stage and had participated in the audit was offered a position as an officer prior to the filing of a registration statement. Acceptance of the position by the staff member would not of itself destroy the independence of the accounting firm in connection with the proposed registration statement.

42. Accountants had installed an accounting system and prepared tax returns for a registrant prior to being engaged to certify financial statements to be included in a registration statement.

43. In addition to certifying the financial statements of a registrant, the accountant reviewed certain transactions of prior years, prepared fixed asset subsidiary ledgers, prepared the annual report to the state of incorporation, made recommendations for adjustments, and when consulted gave his

professional opinion on the accounting treatment of particular transactions.

44. Due to the unexpected resignation of registrant's comptroller at the end of the year, the accountant was called upon to provide assistance in closing the books for the year. The work performed did not involve making decisions on a managerial level.

45. Following the death of the registrant's bookkeeper, an accounting firm posted the general ledger from the books of original entry and prepared periodic financial statements for the last eight months of the fiscal year. Registrant's bookkeeping staff had full charge of accounting journals and subsidiary ledgers and recorded all transactions. Financial statements certified by the accounting firm were accepted, but the accountants were advised to discontinue the bookkeeping services immediately.

46. A company operating hotels requested an accounting firm to assign to a hotel one of their senior accountants, experienced in hotel auditing, to make a continuous audit of transactions from day to day. The individual assigned to this work was not to administer the accounting office or to sign checks of the company, and he would not be required to make any entries in the books of account. The hotel had on its staff another person with the title of chief accountant whose duty it would be to administer the accounting office and to maintain the books of account.

BROKER-DEALER REPORTS

The revision of the broker-dealer reporting requirements effective November 15, 1957,⁶ requires that all but a limited number of these reports be certified by independent accountants. Certification is required primarily in the interest of safeguarding the funds and securities of customers and consequently a more detailed audit is required than that ordinarily made in a regular annual audit of a commercial or industrial company for preparation of the annual report to security holders.

The following are examples of representative situations in which an accountant has been held to be not independent with respect to a broker-dealer client:

47. A partner of the accounting firm which certified the financial statements of a registered broker-dealer was a partner in the registrant.

48. An accountant certified the financial statements of a brokerage firm in which his father and uncle were officers and owners of substantially all the outstanding stock.

49. An accountant certified the financial statements of a small brokerage firm in which his brother was a partner.

50. An accounting firm which had certified the financial statements of a registered broker-dealer for several years took the son-in-law of an officer of the registrant into their partnership.

51. A partner of the accounting firm which had certified the financial statements of a registered broker-dealer loaned securities to a partner of the registrant. The latter was the brother-in-law of the accountant. The securities were put in the firm's capital account and were used as part of the collateral securing a bank loan.

52. An accountant certified financial statements filed with the Commission by securities dealers. While considering an offer to serve as salesman for one of the securities dealers he inquired as to whether this would affect his independence with respect to dealers other than his prospective employer as to whom he acknowledged his lack of independence. He was advised that accepting such employment would place him in the position of engaging in a line of endeavor

incompatible with that of an independent public accountant.

53. An accountant certifying the financial statements of a registered broker-dealer was a co-signer on the broker's indemnity bond.

54. An accounting firm was advised that the effecting of cash transactions in securities with a broker-dealer client ordinarily would not be cause for questioning its independence with respect to such client. However, if as a result of such transactions a partner becomes indebted to the broker-dealer or becomes a creditor of the broker-dealer by leaving funds or securities on deposit, then the independent status of the accounting firm becomes questionable.

By the Commission.

ORVAL L. DUBOIS,
Secretary.

DECEMBER 11, 1958.

[P. R. Doc. 58-10462; Filed, Dec. 18, 1958; 8:50 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter II—Federal Housing Administration, Housing and Home Finance Agency

PART 236—ECONOMIC SOUNDNESS OF PROJECT

PART 276—WAR HOUSING INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE COVERING ONE- TO FOUR-FAMILY DWELLINGS

PART 278—WAR HOUSING INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE UNDER SECTION 603 PURSUANT TO SECTION 610 OF THE NATIONAL HOUSING ACT

PART 280—MULTIFAMILY WAR HOUSING INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE COVERING MULTIFAMILY RENTAL HOUSING

PART 283—MULTIFAMILY WAR HOUSING INSURANCE; ELIGIBILITY REQUIREMENTS OF MORTGAGE UNDER SECTION 608 PURSUANT TO SECTION 610 OF THE NATIONAL HOUSING ACT

PART 285—ELIGIBILITY REQUIREMENTS OF LOANS FOR MANUFACTURE OF HOUSES

PART 286—RIGHTS AND OBLIGATIONS OF LENDER UNDER INSURANCE CONTRACT COVERING LOANS FOR MANUFACTURE OF HOUSES

PART 287—ELIGIBILITY REQUIREMENTS OF PROJECT MORTGAGE COVERING GROUP OF SINGLE-FAMILY DWELLINGS

PART 288—ELIGIBILITY REQUIREMENTS OF INDIVIDUAL MORTGAGE COVERING PROPERTY RELEASED FROM LIEN OF PROJECT MORTGAGE

PART 292—ELIGIBILITY REQUIREMENTS FOR MILITARY HOUSING INSURANCE

PART 294—ELIGIBILITY REQUIREMENTS FOR NATIONAL DEFENSE HOUSING INSURANCE

PART 296—ELIGIBILITY REQUIREMENTS FOR NATIONAL DEFENSE RENTAL HOUSING INSURANCE

REVOCATION OF PARTS

Parts 236, 276, 278, 280, 283, 285, 286, 287, 288, 294 and 296 are hereby revoked.

(Sec. 807, 55 Stat. 61; sec. 807, 63 Stat. 570, as amended; sec. 907, 65 Stat. 301; 12 U. S. C. 1742, 1746f, 1750f)

Issued at Washington, D. C., December 15, 1958.

NORMAN P. MASON,
Federal Housing Commissioner.

[P. R. Doc. 58-10470; Filed, Dec. 18, 1958; 8:51 a. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter IV—American Battle Monuments Commission

PART 401—PROCEDURES

PART 402—ERECTION OF WAR MEMORIALS IN FOREIGN COUNTRIES BY AMERICAN CITIZENS, STATES, MUNICIPALITIES, OR ASSOCIATIONS

PART 403—ERECTION OF MEMORIAL MONUMENTS, BUILDINGS, AND HEADSTONES IN AMERICAN CEMETERIES LOCATED OUTSIDE THE UNITED STATES AND ITS TERRITORIES AND POSSESSIONS

MISCELLANEOUS AMENDMENTS TO CHAPTER

1. The citations of authority for §§ 401.1, 402.1, and 403.1 are changed to read:

(Sec. 3, 70 Stat. 641, 36 U. S. C. 123, E. O. 6614, 5 U. S. C. 132 note, E. O. 9704, 11 F. R. 2675, 3 CFR, 1946 Supp., E. O. 10057, 10087, 14 F. R. 2585, 7287, 3 CFR, 1949 Supp.)

2. Section 401.2 is hereby revoked.

Dated: December 15, 1958.

AMERICAN BATTLE MONUMENTS
COMMISSION,
THOMAS C. KINKAID,
Vice Chairman.

[P. R. Doc. 58-10437; Filed, Dec. 18, 1958; 8:45 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 1766]

[Washington 02374]

WASHINGTON

ENLARGING THE COLUMBIA NATIONAL WILDLIFE REFUGE

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Washington are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining but not the mineral leasing laws nor disposal of materials under the Act of July 31, 1947 (61 Stat. 681; 30 U. S. C. 601-604) as amended, and reserved for use of the United States Fish and Wildlife Service, Department of the Interior, as an addition to the Columbia National Wildlife Refuge, established by Public Land Order No. 243 of September 6, 1944:

⁶ Securities Exchange Act of 1934 Release No. 5560.

WILLAMETTE MERIDIAN

T. 15 N., R. 27 E.,
 Sec. 12, N $\frac{1}{2}$ N $\frac{1}{2}$.
 T. 15 N., R. 28 E.,
 Sec. 6, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$.
 T. 16 N., R. 28 E.,
 Sec. 2, lots 1, 2, 3, and 4, E $\frac{1}{2}$ SW $\frac{1}{4}$,
 SW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 10, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, and
 SW $\frac{1}{4}$;
 Sec. 12, S $\frac{1}{2}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 14, N $\frac{1}{2}$.
 T. 16 N., R. 29 E.,
 Sec. 4, lots 1, 2, 3, and 4, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$,
 N $\frac{1}{2}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 6, E $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 17 N., R. 28 E.,
 Sec. 10, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
 Sec. 12, SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 14, W $\frac{1}{2}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$;
 Sec. 22, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$,
 and SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 24, NW $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$,
 NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$
 SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$.
 T. 17 N., R. 29 E.,
 Sec. 30, lots 1 and 2, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$,
 and E $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 32, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$.

The areas described aggregate 4,359.09 acres.

ROGER ERNST,

Assistant Secretary of the Interior.

DECEMBER 12, 1958.

[F. R. Doc. 58-10444; Filed, Dec. 18, 1958;
 8:46 a. m.]

[Public Land Order 1767]

[Arizona 019097]

ARIZONA

WITHDRAWING LANDS FOR USE OF BUREAU OF PRISONS AS PRISON CAMP SITE

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Arizona are hereby withdrawn from all forms of appropriation under the public land laws, including the mining but not the mineral leasing laws nor disposals of materials under the act of July 31, 1947 (61 Stat. 681; 30 U. S. C. 601-604) as amended, and reserved for use of the Bureau of Prisons, Department of Justice, as a prison camp site:

GILA AND SALT RIVER MERIDIAN

T. 8 S., R. 26 E.,
 Sec. 19, W $\frac{1}{2}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$.

The areas described aggregate 160 acres.

Grazing use of the lands will be administered by the Bureau of Land Management under the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269; 43 U. S. C. 315-315r), consistent with the primary purpose for which the lands are withdrawn by this order.

ROGER ERNST,

Assistant Secretary of the Interior.

DECEMBER 15, 1958.

[F. R. Doc. 58-10445; Filed, Dec. 18, 1958;
 8:46 a. m.]

[Public Land Order 1768]

[Fairbanks 019744]

ALASKA

WITHDRAWING PUBLIC LANDS FOR USE OF BUREAU OF LAND MANAGEMENT AS ADMINISTRATIVE SITE

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Alaska are hereby withdrawn from all forms of appropriation under the public land laws, including the mining but not the mineral leasing laws nor the disposals of material under the Act of July 31, 1947 (61 Stat. 681; 69 Stat. 367; 30 U. S. C. 601-604) as amended, and reserved for use of the Bureau of Land Management as an administrative site:

TANACROSS AREA

Beginning at a point marked by a brass monument, "Mile 2, Line 7-8, U. S. S. 2631", from which point corner No. 7 U. S. S. 2631 bears S. 32°48' E., 10,560 feet, thence N. 32°48' W., 3,168.00 feet to the intersection of Line 7-8 of U. S. S. 2631 and the centerline of the Alaska Highway;
 S. 81°12' E., 2,647.78 feet along said centerline;
 S. 32°48' E., 1,409.46 feet;
 S. 57°11' W., 1,980.00 feet to the point of beginning.

The tract described contains approximately 108 acres.

This order shall take precedence over but not otherwise affect Air Navigation Site Withdrawal No. 170 created by departmental order of January 5, 1942, provided that no structure shall be erected upon that portion of the land within the approach zone of Runway 12-30, in excess of 54 feet above the elevation of that Runway.

ROGER ERNST,

Assistant Secretary of the Interior.

DECEMBER 15, 1958.

[F. R. Doc. 58-10446; Filed, Dec. 18, 1958;
 8:47 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

[Ex Parte No. MC-37]

PART 170—COMMERCIAL ZONES

TUCSON, ARIZ., COMMERCIAL ZONE

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 9th day of December A. D. 1958.

It appearing that on November 26, 1946, the Commission, division 5, made and filed its first report, 46 M. C. C. 665, and order in the above-numbered proceeding establishing a mileage-population formula for the definition of the limits of the zone adjacent to and commercially a part of every municipality in the United States, with certain exceptions which did not include Tucson, Ariz.,

It further appearing that by petition filed April 25, 1957, Denver-Chicago Trucking, Inc., T. I. M. E., Incorporated, and Watson Bros. Transportation Co., Inc., each seek redefinition and extension of the Tucson, Ariz., commercial zone limits;

It further appearing that a Notice of Proposed Rule Making affecting the Tucson, Ariz., commercial zone limits was issued on January 20, 1958, and published in the FEDERAL REGISTER at 23 F. R. 659.

And it further appearing that section 203 (b) (8) of the Interstate Commerce Act (49 U. S. C. 303 (b) (8)) and the transportation of passengers and property by motor vehicle, in interstate or foreign commerce, wholly within a municipality or between contiguous municipalities, or within a zone adjacent to and commercially a part of such municipality being under consideration, and good cause appearing therefor:

It is ordered, That said proceeding insofar as it relates to the zone adjacent to and commercially a part of Tucson, Ariz., be, and it is hereby, reopened for further consideration;

It is further ordered, That Part 170 be, and it is hereby, amended by adding thereto the following section:

§ 170.13 Tucson, Ariz. That zone adjacent to and commercially a part of Tucson, Ariz., within which transportation by motor vehicle, in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, is partially exempt, under section 203 (b) (8) of the Interstate Commerce Act (49 U. S. C. 303 (b) (8)) from regulation, includes, and is comprised of, all points as follows:

(a) The municipality of Tucson, Ariz., itself.

(b) All points within a line drawn 5 miles beyond the corporate limits of Tucson, Ariz.

(c) All points in that area south of the line described in paragraph (b) of this section, bounded by a line as follows: beginning at the point where the line described in paragraph (b) of this section, intersects Wilmot Road, thence south along Wilmot Road to junction Nogales Old Vail Connection, thence west along Nogales Old Vail Connection, actual or extended, to the Santa Cruz River, thence north along the east bank of the Santa Cruz River to its joinder with the line described in paragraph (b) of this section.

(d) All of any municipality any part of which is within the limits of the combined areas defined in paragraphs (b) and (c) of this section.

(e) All of any municipality wholly surrounded, or so surrounded except for a water boundary, by the city of Tucson or by any municipality included under the terms of paragraph (d) of this section.

And it is further ordered, That this order shall become effective on January 26, 1959, and shall continue in effect until the further order of the Commission.

(49 Stat. 546, as amended; 49 U. S. C. 304. Interprets or applies 49 Stat. 543, as amended, 544, as amended; 49 U. S. C. 302, 303)

By the Commission, Division 1.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 58-10472; Filed, Dec. 18, 1958;
8:52 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

Subchapter C—Management of Wildlife Conservation Areas

PART 17—LIST OF AREAS

NATIONAL WILDLIFE REFUGES

CROSS REFERENCE: For order reserving certain lands as an addition to the Columbia National Wildlife Refuge, established by Public Land Order No. 243 of September 6, 1944 (§ 17.3) see Public Land Order 1766 in the Appendix to Chapter I, Title 43, *supra*.

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 217]

MONSE UNIT, COLVILLE INDIAN IRRIGATION PROJECT, WASHINGTON

REIMBURSEMENT OF CONSTRUCTION COSTS

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the acts of August 1, 1914 (38 Stat. 583), February 14, 1920 (41 Stat. 409) and March 7, 1928 (45 Stat. 210), it is proposed to adopt a new regulation designated as Part 217 of Title 25 of the Code of Federal Regulation as set forth below. The purpose of this new regulation is to establish the total construction cost and the cost per acre, and to designate the acreage benefited by the development of the Monse Unit. It is also to prescribe regulations for the collection of costs due the Federal Government.

The proposed regulation relates to matters which are subject to the rule making requirements of the Administrative Procedure Act (5 U. S. C. 1003). Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed regulations to the Commissioner, Bureau of Indian Affairs, Washington 25, D. C., within 30 (thirty) days of the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,
Assistant Secretary of the Interior.

DECEMBER 15, 1958.

§ 217.1 Construction costs and assessable acreage. The construction pro-

gram has been completed on the Monse Unit of the Colville Indian Irrigation Project, and the construction costs have been established as \$141,405.59. The area benefited by this development is hereby established at 1036.40 acres. Under the requirements of the acts of February 14, 1920 (41 Stat. 409) and March 7, 1928 (45 Stat. 210), these costs are to be repaid to the United States Treasury by the owners of the lands benefited.

§ 217.2 Repayments of construction costs. The cost per acre under § 217.1 is, therefore, established at \$136.44. Under the provisions of the acts of February 14, 1920 (41 Stat. 409) and March 7, 1928 (45 Stat. 210), and based on forty equal annual payments, the annual per acre assessment is hereby fixed at \$3.41 per acre for the year 1959 and each succeeding year until the entire cost for each tract shall have been repaid to the United States Treasury. Landowners may pay at any time the total of the then remaining indebtedness. Under the act of March 10, 1928 (45 Stat. 210) the unpaid charges stand as a lien against the lands until paid.

§ 217.3 Payments. Payments are due on December 31 of each year and shall be made to the official in charge of collections for the project.

§ 217.4 Deferment of assessments on lands remaining in Indian ownership. In conformity with the Act of July 1, 1932 (47 Stat. 564; 25 U. S. C. 386 (a)), construction assessments shall be made against irrigable land in Indian ownership only after the Indian title thereto shall have been extinguished.

§ 217.5 Assessments after the Indian title has been extinguished. Irrigable land on the project, title to which has passed out of Indian ownership, shall be assessed the per acre construction cost at the annual rate fixed in § 217.2 on December 31, of the year in which the Indian title to such irrigable land was extinguished. And each year thereafter on December 31 the annual per acre construction rate fixed in said § 217.2 shall be assessed and collected as provided for in § 217.3. All payments shall be made promptly on or before the annual due date until the total per acre construction cost of \$136.44 against such irrigable lands has been paid in full.

[F. R. Doc. 58-10443; Filed, Dec. 18, 1958;
8:46 a. m.]

DEPARTMENT OF COMMERCE

Civil Aeronautics Administration

[14 CFR Part 514]

TECHNICAL STANDARD ORDERS FOR AIRCRAFT MATERIALS PARTS, PROCESSES, AND AP- PLIANCES

DIRECT CURRENT ELECTRIC GENERATORS, ENGINE-DRIVEN, FOR AIRCRAFT CERTIFI- CATED UNDER CAR 4B

The proposed regulation § 514.55 establishes minimum performance standards for direct current electric generators,

engine-driven, for use on civil aircraft of the United States certificated under Part 4b of the Civil Air Regulations.

All interested persons who desire to submit comments and suggestions for consideration by the Administrator of Civil Aeronautics in connection with the proposed rule should send them to the Civil Aeronautics Administration, Washington 25, D. C., within 30 days after publication of this notice in the FEDERAL REGISTER.

Section 514.55 is added under Subpart B of this part to read as follows:

§ 514.55 Engine-driven direct current generators for aircraft certificated under CAR 4b—TSO-C56—(a) Applicability—(1) Minimum performance standards. Minimum performance standards are hereby established for engine-driven direct current generators which are to be used on civil aircraft of the United States certificated under CAR 4b. New models of engine-driven direct current generators manufactured for use on civil aircraft on or after the effective date of this section shall meet the minimum performance standards as set forth below.

(i) Test conditions. Unless otherwise specified in this section, each test shall be made under the following conditions:

(a) Mounting. The generator shall be mounted on a suitable drive stand capable of driving the generator continuously within the speed range. The longitudinal axis of the generator shall be horizontal.

(b) Excitation. The generator shall be self-excited and controlled by a suitable variable resistance in series with the shunt field. The shunt field current shall not be considered as part of the generator load current.

(c) Ambient temperature. The ambient temperature shall be $95^{\circ} \pm 9^{\circ}$ F.

(d) Altitude. The tests shall be run at approximately sea level altitude.

(e) Location of load. The load for the generator shall be so located that it will not appreciably affect the ambient temperature or the blast-cooling air temperature (if blast cooling is used).

(f) Warm-up. Prior to the test, the generator shall be operated at continuous operating speed delivering rated load at rated voltage for sufficient time to reach a substantially constant temperature.

(ii) Test methods—(a) Manufacturer's declaration. The manufacturer shall declare the following generator ratings and characteristics. (These values are the "rated" and "declared" quantities referred to in subsequent paragraphs describing test methods.)

- (1) Rated terminal voltage.
- (2) Rated load current.
- (3) Minimum blast cooling requirement (if blast cooling is to be used).
- (4) Rated speed range.
- (5) Continuous operating speed.
- (6) Minimum speed for regulation.
- (7) Maximum speed for regulation.
- (8) Maximum overspeed.
- (9) Minimum and maximum external field resistance in series with the shunt field.
- (10) Maximum operating altitude.

(11) Allowable brush and commutator wear.

(12) Maximum static torque.

(13) Equalizing voltage (if provided) at rated load current.

(14) Overhang moment, with respect to the drive pad.

(b) *Maximum speed for regulation.* The generator shall not be given an operational warm-up prior to this test. The generator shall be operated at the maximum speed for regulation and it shall deliver the rated terminal voltage at no load with no more than the declared maximum external field resistance in series with the shunt field.

(c) *Heating, commutation, minimum speed and equalizing voltage.* Provision shall be made for determining speed, terminal voltage, load current, field voltage, field current and the resistance in series with the shunt field. The declared minimum blast cooling requirement shall be supplied to the generator air inlet. The temperature of the cooling air shall be determined by means of a suitable temperature indicating device whose responsive element is located within the cooling air duct. While the generator is cold, the resistance and temperature of the shunt field shall be determined for use in calculating the field temperature rise (average) during continuous operation at the declared full load current. The generator shall be considered to have reached a continuous operating condition when the rate of rise of the shunt field temperature, above the then existing ambient temperature, does not exceed 2° F. in five minutes.

(1) *Heating.* The ability of the generator to deliver the rated load current at rated terminal voltage at the declared continuous operating speed shall be demonstrated. Immediately following the above run, the ability of the generator to deliver rated load current at rated terminal voltage for both the minimum speed for regulation and the maximum rated speed shall be demonstrated. Following this test, the generator shall demonstrate its ability to deliver rated load current at minimum rated speed, at a terminal voltage not less than 85 percent of the rated terminal voltage.

(2) *Commutation.* Immediately following the above heat runs, with the generator hot, the commutation of the generator shall be observed over the rated speed range for no load, half load, and rated load current. There shall be no more than fine, pin-point sparking of the brushes during this test.

(3) *Minimum speed.* At no time during the above heat runs shall the required resistance external to the shunt field be less than the declared minimum external field resistance.

(4) *Equalizing voltage.* Where an equalizing voltage is provided, it shall be within 5 percent of the declared equalizing voltage when the generator is stabilized in temperature and operating at rated load current at the declared continuous operating speed. The declared minimum blast cooling requirement shall be supplied at the generator air inlet.

(d) *Overspeed.* This test shall be made while the generator is hot as a re-

sult of testing and shall be made at no load with the field circuit open and at the declared maximum overspeed. The generator shall demonstrate its ability to operate under overspeed conditions for five minutes without mechanical failure, throwing of varnish, or impairing electrical performance.

(e) *Dielectric strength.* While the generator is hot as a result of testing, it shall withstand the following test voltage at commercial frequency, applied between windings, and between each winding and frame, for the specified time:

500 volts (rms) for one minute, or
600 volts (rms) for one second.

(f) *Ripple voltage.* Ripple voltage shall be determined by means of a peak reading vacuum tube voltmeter in series with a 4.0 microfarad capacitor. The generator shall be operated at 120 percent of minimum rated speed at 50 percent of rated load current, with a manually operated field rheostat, and without a battery in parallel. Peak voltage readings shall be taken with the voltmeter successively connected for each of the two polarities and the higher of the two readings shall not exceed 1.5 volts.

(g) *Humidity.* The relative humidity for this test shall be 95±5 percent. Subject equipment to test condition at 160°±4° F. for six hours. The heat source shall be turned off for 16 hours without changing total moisture content in the test space. During the 16-hour period, the temperature shall drop to 100° F. or less. The test shall be repeated ten times, allowing a two-hour period to stabilize to 160° F. Check for corrosion, distortion, and general deterioration. At the end of this test, the generator shall deliver rated load current at the declared continuous operating speed for two hours.

(h) *Flexible drive.* The flexible drive test shall be conducted on a universal joint torsional vibration machine which has a fly-wheel of at least 20 times the amount of inertia of the generator armature being tested. Testing procedure shall be as follows:

(1) 100 hours with ±1 degree torsional amplitude input to drive shaft at critical frequencies. The flexible drive shall limit the armature amplitude within ±5 degrees.

(2) 50 hours with ±2 degrees torsional amplitude input to drive shaft at frequencies of 20 to 24 cps. The flexible drive shall limit the armature amplitude within ±7 degrees.

(3) 15 minutes with ±2 degrees torsional amplitude input to drive shaft at critical frequencies. The flexible drive shall limit the armature amplitude within ±7 degrees.

(i) *Performance of commutator, bearings, and brushes.* The generator shall be operated under the following conditions. New brushes may be installed for this test.

(1) 100 hours at the declared continuous operating speed, at rated load current with the test conditions specified in subdivision (i) of this subparagraph.

(2) Four continuous cycles consisting of the following: 24 hours at the declared

continuous operating speed and rated load current, at altitude conditions approximating 115 percent of the declared maximum operating altitude. The ambient temperature (and cooling air temperature, if blast cooling is used) shall be related to the test altitude by the formula $T=104-(0.005)h$, (where T is the temperature in degrees F. and h is the test altitude in feet) except that the lower temperature limit, regardless of altitude, shall be -67° F.; at least one hour at the declared continuous operating speed and rated load current, with the test conditions specified in subdivision (i) of this subparagraph. The time interval between successive 24-hour runs at altitude shall not exceed two hours. The rate of change of altitude need not be controlled, but the temperature at any transition altitude shall be within 18° F. of that obtained from the temperature-altitude formula above.

(3) Two continuous cycles consisting of the following: Nine hours at the declared continuous operating speed and 75 percent rated load current, at altitude conditions approximating 115 percent of the declared maximum operating altitude. The ambient temperature (and cooling air temperature, if blast cooling is used) shall be related to the test altitude by the formula $T=160-(0.004)h$ (where T is the temperature in degrees F. and h is the test altitude in feet); at least one hour at the declared continuous operating speed and 75 percent rated load current, with the test conditions specified in subdivision (i) of this subparagraph. The time interval prior to each nine-hour run at altitude shall not exceed two hours. The rate of change of altitude need not be controlled, but the temperature at any transition altitude shall be within 18° F. of that obtained from the temperature-altitude formula above.

(4) Evaluation of results of tests (1), (2), and (3) above: Cumulative brush or commutator wear shall not exceed 20 percent of the declared allowable wear after tests (1) and (2) and shall not exceed 4 percent of the declared allowable wear after test (3). No mechanical failure or electrical malfunction shall occur during this test.

(j) *Drive shear section.* Sufficient torsional force shall be applied to the drive shear section (or to the armature shaft itself, if no shear section is provided) to result in its failure. The necessary torque indicating instrumentation shall be provided. Failure shall occur at an applied torque of less than the declared maximum static torque.

(k) *Marking.* In addition to the marking required in §514.3, the nameplate shall contain the following information:

(1) Rated terminal voltage.

(2) Rated load current.

(3) Rated speed range.

(c) *Data requirements.* The manufacturer shall submit a tabulation of the declared generator ratings and characteristics (called for in paragraph (a) (1) (ii) (a) of this section to the Chief, Aircraft Engineering Division, Civil Aeronautics Administration, Washington 25, D. C., with the statement of conformance.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

[SEAL] WILLIAM B. DAVIS,
Acting Administrator
of Civil Aeronautics.

DECEMBER 12, 1958.

[F. R. Doc. 58-10439; Filed, Dec. 18, 1958;
8:45 a. m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 27]

CERTAIN ORANGE JUICE PRODUCTS

PROPOSALS TO ESTABLISH DEFINITIONS AND STANDARDS OF IDENTITY

By notices published in the FEDERAL REGISTER of November 6, 1956 (21 F. R. 8511), and June 4, 1957 (22 F. R. 3893), all interested persons were invited to file comments on proposed definitions and standards of identity for orange juice products designated as follows:

Orange juice, fresh orange juice.
Stabilized orange juice, processed orange juice.
Reconstituted orange juice.
Canned orange juice.
Industrial orange juice, orange juice for processing.
Frozen concentrated orange juice.
Frozen sweetened concentrated orange juice.

Requests for extension of time for filing comments were granted, and within the extended time numerous comments were submitted. These comments have been studied; also, the grounds set forth in the petitions transmitting the proposals have been reviewed. Neither the comments nor the petitions furnish information on the use of orange constituents obtained by water extraction of pressed orange pulp.

To afford further opportunity for submission of comments, the record is hereby reopened and all interested persons are invited to file their written comments, in quintuplicate, with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, Health, Education, and Welfare Building, 330 Independence Avenue SW., Washington 25, D. C., prior to the thirtieth day following the date of publication of this notice in the FEDERAL REGISTER.

This action is taken pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 701, 52 Stat. 1055, as amended, 70 Stat. 919, 72 Stat. 948; 21 U. S. C. 371), and authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (23 F. R. 9500).

Dated: December 12, 1958.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F. R. Doc. 58-10469; Filed, Dec. 18, 1958;
8:51 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 295]

[Economic Regs. Draft Release No. 102]

TRANSATLANTIC CHARTER TRIPS

NOTICE OF PROPOSED RULE MAKING

DECEMBER 16, 1958.

Notice is hereby given that the Civil Aeronautics Board has under consideration the conversion of its Transatlantic Charter Policy (§399.29 of Part 399, Statements of Policy) to regulatory form by adoption of a new Part 295 of the Economic Regulations. The new part would set forth the rules and regulations relating to specific exemptions which may be granted by the Board pursuant to section 416 (b) of the Civil Aeronautics Act of 1938, as amended, to permit certain direct air carriers to engage in transatlantic passenger charter operations.

The principal features of this proposal are more fully set forth in the Explanatory Statement which accompanies the proposed rule set forth below.

Interested persons may participate in the proposed rule making through submission of written data, views, or arguments pertaining thereto, in quadruplicate, addressed to the Secretary, Civil Aeronautics Board, Washington 25, D. C. All relevant matter in communications received on or before January 6, 1959 will be considered by the Board before taking final action on the proposed rule.

This regulation is proposed under authority of sections 205 (a) and 416 (b) of the Civil Aeronautics Act of 1938, as amended, (52 Stat. 984, 1004; 49 U. S. C. 425, 496).

By the Civil Aeronautics Board.¹

[SEAL] MABEL McCART,
Acting Secretary.

Explanatory statement. Previously this year the Board published its 1958 Transatlantic Charter Policy (Statement No. 3) prescribing the conditions under which it would issue individual exemptions permitting the conduct of transatlantic passenger charters by otherwise unauthorized United States carriers. The operations thus conducted by these carriers have been carried on for such time and have increased to such volume that it now appears in the public interest to issue a governing regulation. Such regulation would generally lend more stability to this area of air transportation, provide a more convenient administrative form for resolving the problems involved, and serve as a more effective basis for such compliance action as might be necessary.

The proposed regulation continues the Board's policy of encouraging supplemental transatlantic charter operations to the extent consistent with the development of, and sound economic conditions in, the regularly scheduled transatlantic

operations which are a basic part of an adequate air transportation system. The rule retains those restrictions on the transatlantic charter business which guard against the entry into the field of indirect air carriers and which prevent solicitation for charter flights of the public or segments of the public. In addition, the Board's policy of protecting the participants in charter flights from inequitable burdens and charges has been enhanced. In so continuing its policies, furthermore, the Board has also been mindful of the ultimate objective of promulgating, insofar as appropriate, uniform standards for charter operations by all carriers subject to its jurisdiction.²

Thus, the proposed rule adapts the meaning of a charter trip set forth in Parts 207 and 212 and in prior enunciation of policy, by including a preliminary definition of "charter flight" which is supplemented by certain substantive provisions following thereafter.

With regard to the prohibition against obtaining participants for a charter group by soliciting the general public, the rule restrains the forming of a group by (1) a general advertising or (2) an unlimited soliciting of charter participants from an organization easy to join, and of uncertain or large and scattered membership. The rule thus provides the general framework within which to judge the charterworthiness of the cases on their own facts. The criteria are similar to those heretofore used by the Board and there presently appears no reason why determinations hereunder would not be similar to those of the past. For example, in the absence of overriding factors, the Board could approve (as it has previously) charters solicited from universities and employee groups situated in localized areas having a membership of more than 20,000 but deny charters to statewide organizations with memberships in excess of 10,000 and organizations having more than 5,000 members distributed throughout the nation. However, if the solicitation of charter participants should be limited to a group of selected delegates who are members of a large nationwide or statewide association, the size and geographic scope of the association would not appear to bar the charter.

Further, in the case of a corporation whose total employment and whose geographic area would apparently render it ineligible for approval, a valid charter might be solicited from the employees of two or more plants of such corporation, provided the total number of employees in such plants and the geographic area in which they work would be sufficiently limited as to meet the tests applied by the Board in the case of a single organization. Also, the decision to limit the charter solicitation to the plants involved would necessarily have to be made prior to solicitation for the charter, and

¹The Board's Economic Regulations include Part 207 (governing charters by the U. S. certificated carriers) and Part 212 (governing off-route charters by foreign air carriers).

²Statement of member Minetti with respect to concurrence and dissent, filed as part of original document.

each such charter (if there were more than one) would have to be administered independently of the others. It would be inappropriate to make a general solicitation of the entire corporation and subsequently limit the charter group in an attempt to conform with the criteria of the regulation.

In those cases, furthermore, where federations of groups are the organizations from which charter groups are sought to be derived, several issues under the solicitation criteria herein adopted from past policy would necessarily arise. In such cases, the Board would consider, among other things, whether the federation provides services directly to employees of several separate organizations in a given locality, or is merely a superstructure tying several individual associations together. Factors to be weighed would include the relationship of employees represented by such federation to the total population of the area covered by the federation, past history of joint activities sponsored by the federation, and whether the federation normally exists only as a means of exchanging information, with participation limited to meetings of representatives of each member group and individual membership therein being merely a matter of record or form at the most.

In adopting other provisions of the 1958 Policy in this proposed rule, the Board has made several changes to correct certain difficulties encountered this past season in administering the policy and to clarify the requirements where experience has indicated some confusion has existed.

The principal changes include the following: A clearer guide as to when the Board might waive its prohibition against one-way passengers on round-trip flights has been included. The proposed rule provides that up to five percent of the charter party may be thus carried if special or unusual circumstances are shown. Experience of the past has also shown the advisability of more exact provisions governing expenses appropriately related to the charter and chargeable to the participants. Hence, charges for charitable contributions have been expressly excluded from any charter trip assessment. In addition, the proposed rule requires the submission of supporting vouchers where expenses (exclusive of expenditures for air transportation or land tours) exceed \$750 per round trip and prescribes that charges for labor and personal expenses of charter organizers are not to exceed a total of \$300.

During the course of the past charter season it was found that many charter groups had not recognized the fact that the 1958 charter policy had specifically changed prior concepts as to family participation in a charter. Accordingly, many charters were organized to include any relatives living in the household of the member of the charter group. To avoid possible hardship not only to these people but to others in the charter group, the Board granted a number of waivers. With the broader circulation of the changed requirements, which this notice added to last year's circulation of the

1958 Charter Policy will bring, charter groups should now be able to organize satisfactorily without broader family participation. Accordingly, the Board proposes to adhere to a family participation requirement similar to that in the 1958 Charter Policy. This means that charter participation would be limited to the spouse, parent, and dependent children living in the same household as the member participant.

The Board has found that submission of a charterer's membership list has often aided in the determination of the legitimate nature of the chartering organization. Hence a more explicit provision is here included requiring that such a list be submitted: (1) Automatically, by charter organizations having less than 1,000 members and (2) upon request, for entities having more members. Employees and college campus groups are specifically excluded from this requirement.

The provisions relating to travel agents have been amended in the proposed rule for purposes of clarification. Thus, an express provision distinctly prohibits travel agents who are members of the chartering organization from receiving any commission or compensation whatsoever, regarding the charter flight or land tour and, additionally, subjects them to the limitations placed on non-member travel agents.

The proposed rule adopts the provisions of the 1958 Policy requiring the submission of a completed questionnaire in support of each application for exemption authority and the submission of a post flight financial report. Only minor changes have been thought necessary to clarify the meaning of some questions, provide for more direct answers, and eliminate information requirements which, on the basis of experience, do not appear to contribute substantially to the resolution of the question of charter eligibility.

- Sec.
295.1 Applicability.
295.2 Definitions.
295.3 Waiver.
295.4 Separability.

Subpart A—Provisions Relating to Pro Rata Charters

REQUIREMENTS RELATING TO AIR CARRIER APPLICANTS

- 295.11 Solicitation and formation of a chartering group.
295.12 Pre-trip notification.
295.13 Application for exemption authority.
295.14 Tariffs to be on file.
295.15 Terms of service.
295.16 Agent's commission.
295.17 Post flight reporting.
295.18 Prohibition against payments or gratuities.

REQUIREMENTS RELATING TO TRAVEL AGENTS

- 295.20 Limited activities.
295.21 Permissible solicitation, sale or ticketing of individual participants for land tours.
295.22 Agents who are members of the chartering organization.
295.23 Prohibition against double compensation.
295.24 Prohibition against incurring obligations.
295.25 Prohibition against payments or gratuities.

REQUIREMENTS RELATING TO THE CHARTERING ORGANIZATION

- Sec.
295.30 Solicitation of charter participants.
295.31 Passengers on charter flights.
295.32 Participation of immediate families in charter flights.
295.33 Charter costs.
295.34 Statements of charges.
295.35 Passenger manifests.

Subpart B—Provisions Relating to Single Entity Charters

- 295.40 Application.
295.41 Tariff to be on file.
295.42 Terms of service.
295.43 Commissions paid to travel agents.

Subpart C—Provisions Relating to Mixed Charters

- 295.50 Applicable rules.

Subpart D—Procedure for Advisory Opinion on the Eligibility of a Charterer

- 295.60 Advisory opinion.

Subpart E—Provisions Relating to Certificated Transatlantic Passenger Carriers

- 295.70 Right of first refusal.

§ 295.1 *Applicability.* This part establishes the requirements governing applications for, and operations under, individual exemption orders authorizing the performance of charter flights for transatlantic passengers by United States air carriers other than carriers certificated to provide unlimited passenger service over designated routes. Each application will be considered and passed upon by the Board in accordance with the statutory standards of section 416 (b) of the Act. No such application shall be processed unless filed and submitted in compliance with the applicable provisions of this part, and operations under any such individual exemption authorizing the performance of any transatlantic passenger charter flight(s) shall be conducted in conformity with the pertinent requirements of this part unless otherwise specifically authorized by the Board. The provisions of this part shall not be construed as limiting any other authority to engage in air transportation issued by the Board.

§ 295.2 *Definitions.* As used in this part, unless the context otherwise requires:

(a) "Charter flight" means transatlantic air transportation performed by a direct air carrier where the entire capacity of one or more aircraft has been engaged for the movement of persons and their baggage; on a time, mileage or trip basis:

(1) By a person for his own use (including a direct air carrier or surface carrier when such aircraft is engaged solely for the transportation of company personnel or commercial passenger traffic in cases of emergency); or

(2) By a representative (or representatives acting jointly) of a group for the use of such group (provided said representative(s) is not professionally engaged in the formation of groups for transportation or in the solicitation or sale of transportation services).

(b) "Pro rata charter" means one for which the cost thereof is divided among the passengers transported.

(c) "Single entity charter" means one for which the cost thereof is borne by the charterer and not by individual passengers.

(d) "Mixed charter" means one for which the cost thereof is borne partly by the charter participants and partly by the charterer.

(e) "Person" means any individual, firm, association, partnership, or corporation.

(f) "Travel agent" means any person engaged in the formation of groups for transportation or in the solicitation or sale of transportation services.

(g) "Charter group" means that body of individuals who shall actually participate in the charter flight.

(h) "Charter organization" means that organization, group, or other entity from whose members (and their immediate families) a charter group is derived.

(i) "Immediate family" means only the following persons who are living in the household of a member of a charter organization, namely, the spouse, dependent children, and parents of such member.

(j) "Bona fide members" means those members of a charter organization who have not joined the organization merely to participate in the charter as the result of a solicitation directed to the general public. Presumptively, persons are not bona fide members of a charter organization who are not members at the time an application for exemption authority is filed and will not actually have been members for a minimum period of six months prior to the starting flight date. This presumption may be rebutted by a proper showing in connection with the charter application by the carrier involved.

(k) "Solicitation of the general public" means (1) a solicitation going beyond the bona fide members of an organization (and their immediate families), such as advertising directed to the general public by radio, television, newspaper, or magazine, or (2) the solicitation, without limitation, of the members of an organization so constituted as to ease of admission to membership, nature of membership, area of residence of members, and size of membership, as to be in substance more in the nature of a segment of the public than a private entity.

§ 295.3 *Waiver.* A waiver of any of the provisions of this part may be granted by the Board upon its own initiative, or upon the submission by an air carrier of a written request therefor to be submitted in conjunction with its charter application: *Provided*, That such a waiver is in the public interest and it appears to the Board that special or unusual circumstances warrant a departure from the provisions set forth in this part.

§ 295.4 *Separability.* If any provision of this part or the application thereof to any air transportation, person, class of person, or circumstance is held invalid, neither the remainder of the part nor the application of such provision to other air transportation, persons, classes of

persons, or circumstances shall be affected thereby.

SUBPART A—PROVISIONS RELATING TO PRO RATA CHARTERS

REQUIREMENTS RELATING TO AIR CARRIER APPLICANTS

§ 295.11 *Solicitation and formation of a chartering group.* (a) A carrier shall not engage, directly or indirectly, in any solicitation of individuals (through personal contact, advertising, or otherwise) as distinguished from the solicitation of an organization for a charter trip.

(b) A carrier shall not employ, directly or indirectly, any person for the purpose of organizing and assembling members of any organization, club, or other entity into a group to make the charter flight.

§ 295.12 *Pre-trip notification.* (a) When a charter flight date is tentatively reserved, the carrier or its agent shall inform the prospective charterer that the latter may obtain an advisory opinion from the Board's staff as to its eligibility for charter service.

(b) Within five days after a charter flight date is reserved by the carrier or its agent, the carrier shall advise the Board in writing of the name and address of the prospective charterer.

(c) Within seven days after a charter contract has been executed a copy thereof shall be submitted to the Board. Such contract shall include a provision that the charterer, and any agent thereof, shall only act with regard to the charter in a manner consistent with this part and that the charterer shall within due time submit to the carrier such information as specified in §§ 295.34 and 295.35 and submit to each charter participant that information identified in § 295.34.

§ 295.13 *Application for exemption authority.* At least sixty days before conducting any pro rata charter flight, the carrier shall file with the Board an application for exemption authority pursuant to section 416 (b) of the Act to engage in such operations. The application shall be submitted pursuant to the appropriate provisions of § 302.3 of this chapter. The application, furthermore, shall incorporate an attachment in the form of, and setting forth the information specified by, the "Statement of Supporting Information".

§ 295.14 *Tariffs to be on file.* At the time an exemption application is submitted the carrier shall have on file with the Board a tariff showing all its rates, fares, and charges for the use of the entire capacity of one or more aircraft in air transportation and all its rules, regulations, practices and services in connection with the transatlantic pro rata charter transportation which it offers to perform. Tariffs shall be filed, posted and published in such form and manner and shall contain such information as is consistent with the provisions expressly set forth in this part and, in all other respects, with Part 221 of this chapter. Any tariff so filed which is not thus consistent with Part 221 of this chapter may

* Filed as part of the original document.

be rejected. Any tariff so rejected shall be void. Tariffs filed pursuant hereto shall expressly recite that the transportation may not be furnished unless the Civil Aeronautics Board specifically exempts the air carrier from the requirements of section 401 of the Federal Aviation Act of 1958.

§ 295.15 *Terms of service.* (a) The total charter price and other terms of service set forth in the application shall conform to those set forth in the applicable tariff on file with the Board at the time the exemption application is filed and the contract must be for the entire capacity of one or more aircraft. Where a carrier's charter charge computed according to a mileage tariff includes a charge for ferry mileage, the carrier shall refund to the charterer any sum charged for ferry mileage which is not in fact flown in the performance of the charter provided that the carrier shall not charge the charterer for ferry mileage flown in addition to that stated in the contract unless such mileage is flown for the convenience of and at the express direction of the charterer.

(b) The carrier shall require full payment of the total charter price or the posting of a satisfactory bond for full payment prior to the commencement of the air transportation.

(c) In the case of a round-trip charter, one-way passengers shall not be carried except that up to five percent of the charter group may be transported one way where special or unusual circumstances are shown (for each individual involved) in the application for exemption authority to conduct the charter and the Board approves of such transportation. In the case of a charter contract calling for two or more round trips, there shall be no intermingling of passengers and each plane-load group shall move as a unit in both directions unless special or unusual circumstances are shown in the application for exemption authority and the Board approves thereof.

§ 295.16 *Agent's commission.* The carrier shall not pay its agent a commission or any other benefits, directly or indirectly, in excess of five percent of the total charter price as set forth in the carrier's charter tariff on file with the Board, nor shall the carrier pay any commission whatsoever to an agent if the agent receives a commission from the charterer for the same service.

§ 295.17 *Post flight reporting.* (a) Within ten days after the completion of each one-way or round-trip flight, whichever is authorized, manifests shall be filed by the carrier with the Board showing the names and addresses of the persons actually transported in accord with the carrier's records and the relationship of each such person to the charterer as reported to the carrier pursuant to § 295.35. In the case of a round-trip flight, the above information must be shown for each leg of the flight and any variations between the eastbound and westbound trips must be explained on the manifest. Any deviation from the Board's order of authorization with respect to any one-way or

round-trip flight shall also be explained on this manifest.

(b) Within thirty days after completion of each one-way or round-trip flight, whichever is authorized, a report completed by the charterer pursuant to § 295.34 shall be filed by the carrier with the Board showing the charge per passenger transported, and the charterer's total receipts and expenditures. This report shall be submitted in the form of and contain the above information as more fully specified by, the "Transatlantic Charter—Post Flight Report".

(c) The carrier shall promptly notify the Board regarding any flights authorized by the Board that are later cancelled.

§ 295.18 *Prohibition against payments or gratuities.* A carrier shall make no payments nor extend gratuities of any kind, directly or indirectly, to any member of a chartering organization in relation either to air transportation or land tours or otherwise.

REQUIREMENTS RELATING TO TRAVEL AGENTS

§ 295.20 *Limited activities.* A travel agent may not assist in the organization or assembly of a charter group, handle the sale of the air transportation to any individual members of a group, or otherwise engage in the administration of the charter flight (including signing the charter agreement for the charterer or collecting or disbursing pro rata shares of participants). The agent may arrange land tours for a charter group provided he deals with the group as a whole. He may deal with individual members of a group regarding land tours only under the circumstances indicated in § 295.21. While his services may be utilized to prepare brochures or other literature describing all aspects of the charter trip, the distribution of such material to individual participants must be confined to the hands of the charterer. Nothing in this section, however, shall prohibit the carrier from having a travel agent make distribution to the charter flight participants of boarding passes pursuant to Warsaw Convention practices.

§ 295.21 *Permissible solicitation, sale or ticketing of individual participants for land tours.* (a) If a travel agent does not assist in the engaging of aircraft for the charterer and does not receive any remuneration from the carrier in connection with the charter, such agent may accept employment by the charterer concerning the land tour portion of a charter trip, solicit for the land tour individual members of the charter group and receive deposits and conduct ticketing of such individual members with respect to the land tour.

(b) Otherwise, a travel agent may only deal with individuals for land tours if such persons on an individual basis after arranging for charter participation request of him land tour arrangements different from those available to the charter group.

§ 295.22 *Agents who are members of the chartering organization.* If a travel

agent, or officer, director, or employee of such an agent, is a member of the chartering organization, such agent, or officer, director, or employee, may not receive, directly or indirectly, any commission or other compensation with respect either to the charter flight or the land tour. Subject to this prohibition, he may participate in those activities, and only those, permitted to other travel agents.

§ 295.23 *Prohibition against double compensation.* A travel agent may not receive a commission from both the direct air carrier and the charterer for the same service.

§ 295.24 *Prohibition against incurring obligations.* A travel agent shall not incur any obligation on behalf of a chartering organization relating to the expenses of solicitation or organization of the individual participants in the chartering organization, whether or not it is intended for the organization to assume ultimately the obligation incurred.

§ 295.25 *Prohibition against payments or gratuities.* A travel agent shall make no payments nor extend gratuities of any kind, directly or indirectly, to any member of a chartering organization whether in relation to air transportation or otherwise.

REQUIREMENTS RELATING TO THE CHARTERING ORGANIZATIONS

§ 295.30 *Solicitation of charter participants.* As the following terms are defined in § 295.2, members of the charter group may be solicited only from among the bona fide members of an organization, club or other entity, and their immediate families, and may not be brought together by means of a solicitation of the general public.

§ 295.31 *Passengers on charter flights.* Only bona fide members of the charterer, and their immediate families, may participate as passengers on a charter flight. Where the charterer is engaging round-trip transportation, one-way passengers shall not participate in the charter flight except as provided in § 295.15 (c). When more than one round trip is contracted for, intermingling between flights or reforming of plane-load groups shall not be permitted and each plane-load group must move as a unit in both directions except as provided in § 295.15 (c).

§ 295.32 *Participation of immediate families in charter flights.* The immediate family of any member of a charter organization may participate in a charter flight if such member also participates as a passenger on the charter flight. The immediate family of such member shall be construed to include only the following persons who are living in his household, namely, the spouse, dependent children, and parents of such member.

§ 295.33 *Charter costs.* (a) The costs of charter flights shall be pro rated equally among all charter passengers, except to the extent that the charter application may indicate a lesser charge for children under twelve years old. In the event there is any other unequal division of charges, good cause therefor must

be shown at the time the charter application is filed to obtain a waiver of the preceding provision. No charter passengers shall be allowed free transportation except children under two years of age.

(b) The charterer shall not make charges to the charter participants which exceed the actual costs incurred in consummating the charter flight arrangements, nor include as a part of the assessment for the charter flight any charge for purposes of charitable donations. All charges related to the charter flight arrangements collected from the charter participants which exceed the actual costs thereof shall be refunded to the participants in the same ratio as the charges were collected.

(c) Reasonable administrative costs of organizing the charter may be divided among the charter participants. Such costs may include a reasonable charge not to exceed a total of \$300.00 per round-trip flight for compensation to members of the charter organization for actual labor and personal expenses incurred by them. Neither the organizers of the charter, nor any member of the chartering organization, may receive any gratuities or compensation, direct or indirect, from the carrier, the travel agent, or any organization which provides any service to the chartering organization whether of an air transportation nature or otherwise.

(d) If the total expenditures, exclusive of expenses for air transportation or land tours, exceed \$750 per round-trip flight, such expenditures shall be supported by properly authenticated vouchers to be filed with the "Post Flight Report" required pursuant to § 295.34.

§ 295.34 *Statements of charges.* Any announcements or statements by the charterer to prospective charter participants of the anticipated individual charge for the charter shall clearly identify the portion of the charges to be separately paid for the air transportation, for the land tour, and for the administrative expenses of the charterer. Within fifteen days after completion of each one-way or round-trip flight, whichever is authorized, the charterer shall complete and supply to each charter participant and the air carrier involved a detailed report showing the charge per passenger transported and the charterer's total receipts and expenditures. This report shall be submitted in the form of, and contain such information including the above as more fully specified by, the "Transatlantic Charter—Post Flight Reports".

§ 295.35 *Passenger manifests.* Within five days after the completion of each one-way or round-trip flight whichever is authorized, manifests shall be filed by the charterer with the air carrier showing the names and addresses of the persons actually transported and the relationship of each such person to the charterer. In the case of a round-trip flight, the above information must be shown for each leg of the flight and any variations between the eastbound and westbound trips must be explained on the manifest.

² Filed as part of the original document.

SUBPART B—PROVISIONS RELATING TO SINGLE ENTITY CHARTERS

§ 295.40 *Application.* An application by a direct air carrier to conduct a single entity charter shall be filed with the Board at least thirty days prior to commencement of the charter flight, unless good cause for a later filing is shown in the application. The application shall be submitted pursuant to § 302.3 of this chapter. The application, furthermore, shall incorporate an attachment in the form of, and which sets forth the information specified by, the "Statement of Supporting Information".

§ 295.41 *Tariff to be on file.* The direct air carrier shall have a currently effective tariff on file with the Board prior to flight which discloses all the rates, fares and charges for the use of the entire capacity of one or more aircraft in air transportation and all its rules, regulations, practices and services in connection with the transatlantic single entity charter transportation which it offers to perform. Tariffs shall be filed, posted and published in such form and manner and shall contain such information as is consistent with the provisions expressly set forth in this part and, in all other respects, with Part 221 of this chapter. Any tariff so filed which is not thus consistent with the Part 221 of this chapter may be rejected. Any tariffs so rejected shall be void. Tariffs filed pursuant hereto shall expressly recite that the transportation may not be furnished unless the Civil Aeronautics Board specifically exempts the air carrier from the requirements of

section 401 of the Federal Aviation Act of 1958.

§ 295.42 *Terms of service.* The total charter price and other terms of service set forth in the application shall conform to those set forth in the applicable tariff filed in accordance herewith and the contract shall be for the entire capacity of one or more aircraft.

§ 295.43 *Commissions paid to travel agents.* No direct air carrier shall pay a travel agent any commission in excess of five percent of the total charter price.

SUBPART C—PROVISIONS RELATING TO MIXED CHARTERS

§ 295.50 *Applicable rules.* The rules set forth in Subpart A of this part shall apply in the case of mixed charters.

SUBPART D—PROCEDURE FOR ADVISORY OPINION ON THE ELIGIBILITY OF A CHARTERER

§ 295.60 *Advisory opinion.* At any time prior to the filing of an application pursuant to this part, an air carrier or prospective charterer may request an advisory opinion from the Bureau of Air Operations, Civil Aeronautics Board, Washington 25, D. C., regarding the eligibility of the prospective charterer to obtain charter service in accordance with this regulation. Such opinion will be based on the representations submitted and shall not be binding upon the Board.

SUBPART E—PROVISIONS RELATING TO CERTIFICATED TRANSATLANTIC PASSENGER CARRIERS

§ 295.70 *Right of first refusal.* Any direct air carrier certificated to carry

passengers, property and mail, serving the route over which a pro rata or mixed charter is proposed to be flown within the period from October 1 through May 31 may apprise the Board, in writing, within ten days after the filing of an application for an exemption pursuant to § 295.13, that it is willing to adequately perform such charter service at reasonable rates. Where the Board finds the offer of the certificated carrier to be sufficient it shall deny the pending application for the exemption. In evaluating the sufficiency of any offer made by the certificated passenger carrier, the Board will consider the disparity between the individual passenger rate resulting from the charter rate respectively proposed by the applicant and the certificated carrier serving the route. Where the applicant's offer is based on a plane-mile rate which is not unreasonably low and a seating density which is not so high as to render the service inadequate, an alternative offer by the certificated carrier serving the route will serve to justify preemption only if its applicable rate does not exceed that of the applicant by more than 5 per cent in the case of similar equipment or by more than 10 per cent in the case of superior equipment. An offer to perform the charter with pressurized aircraft will be regarded as providing superior equipment when the applicant proposes to fly unpressurized aircraft.

[F. R. Doc. 58-10481; Filed, Dec. 18, 1958; 8:54 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Office of the Secretary

[AA 643.3]

ALUMINUM MILL PRODUCTS FROM BELGIUM

DETERMINATION OF NO SALES AT LESS THAN FAIR VALUE

DECEMBER 11, 1958.

A complaint was received that aluminum mill products from Belgium, such as sheets, rods, coils, circles, and plates, were being sold in the United States at less than fair value within the meaning of the Antidumping Act, 1921.

I hereby determine that aluminum mill products from Belgium, such as sheets, rods, coils, circles, and plates, are not being, nor are likely to be, sold in the United States at less than fair value within the meaning of section 201 (a) of the Antidumping Act, 1921, as amended (19 U. S. C. 160 (a)).

Statement of reasons. Fair value in this case was determined by comparing purchase price with the price for home consumption in Belgium. It was found that purchase price was not less than home market price after making adjust-

ments for the difference in cost of packing and home market taxes.

This determination and the statement of reasons therefore are published pursuant to section 201 (c) of the Antidumping Act, 1921, as amended (19 U. S. C. 160 (c)).

[SEAL] A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F. R. Doc. 58-10475; Filed, Dec. 18, 1958; 8:53 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Document No. 196]

ARIZONA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

The Bureau of Sport Fisheries and Wildlife, Department of the Interior, has filed an application, Serial No. 020018, for the withdrawal of lands as described below from all forms of appropriation under the Public Land Laws, including the Mining and Mineral Leasing Laws.

The applicant desires the land for the use of the Department of the Interior, Bureau of Sport Fisheries and Wildlife,

as a site for the Willow Beach Fish Cultural Station.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Post Office Box 148, Phoenix, Arizona.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

GILA AND SALT RIVER MERIDIAN
T. 29 N., R. 22 W.

In unsurveyed sections 20 and 29, those portions which are included within the metes and bounds described as follows:

Beginning at a U. S. National Park Service Monument Number 6, which bears N. 13°48' W. 2,025.9 feet distant from mining monument 2948B and which also bears N. 09°51' W. 7,469.18 feet distant from the southeast corner of Section 32;

Thence S. 21°25' W., 51 feet to a point;
Thence with 5 courses lying all or partly within the high water shore line of Lake Mohave;

* Filed as part of the original document.

N. 28°20' W., 468 feet to a point;
 N. 19°0' W., 868 feet to a point;
 N. 87°10' W., 874 feet to a point;
 S. 87°34' W., 904 feet to a point;
 N. 18°56' W., 642.83 feet to a point;
 Thence continuing N. 09°55' E., 1289.91
 feet to a point;
 N. 85°09' E., 900 feet to a point;
 S. 03°11' W., 977.16 feet to a point;
 S. 48°08' E., 1,848.08 feet to a point;
 S. 07°02' E., 907.88 feet to a point;
 S. 21°25' W., 469.79 feet to the place of
 beginning.

The area described contains 74.58 acres
 more or less of which approximately 13
 acres lie within the shore line of Lake
 Mohave at high water.

Dated: December 11, 1958.

E. I. ROWLAND,
 State Supervisor.

[F. R. Doc. 58-10447; Filed, Dec. 18, 1958;
 8:47 a. m.]

[Document No. 197]

ARIZONA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

The United States Forest Service has
 filed an application, Serial No. 019742,
 for the Withdrawal of Lands as described
 below from location and entry under the
 General Mining Laws, subject to exist-
 ing valid claims.

The applicant desires the land as
 watershed research and study areas.

For a period of 30 days from the date
 of publication of this notice, persons
 having cause may present their objec-
 tions in writing to the undersigned offi-
 cial of the Bureau of Land Manage-
 ment, Department of the Interior, Post
 Office Box 148, Phoenix, Arizona.

If circumstances warrant it, a public
 hearing will be held at a convenient time
 and place, which will be announced.

The determination of the Secretary
 on the application will be published in
 the FEDERAL REGISTER. A separate notice
 will be sent to each interested party of
 record.

The lands involved in the application
 are:

GILA AND SALT RIVER BASE AND MERIDIAN PRESCOTT NATIONAL FOREST White Spar Watersheds

T. 13 N., R. 3 W.,
 Sec. 23: $E\frac{1}{2}$ of lots 5, 12;
 24: Lots 3, 4, $W\frac{1}{2}SE\frac{1}{4}$, $SW\frac{1}{4}$
 25: Lots 1, 2, $W\frac{1}{2}NE\frac{1}{4}$, $W\frac{1}{2}$, $W\frac{1}{2}SE\frac{1}{4}$
 26: $E\frac{1}{2}E\frac{1}{2}E\frac{1}{4}$
 36: $N\frac{1}{2}NW\frac{1}{4}$.

Total area: 1,029.69 acres.

Mingus Watersheds

T. 15 N., R. 2 E., unsurveyed—expected to be
 legally described, when surveyed, as fol-
 lows:

Sec. 20: $S\frac{1}{2}SW\frac{1}{4}SE\frac{1}{4}$;
 Sec. 29: All (excepting existing mineral
 patents totalling 13 acres, more or less).

Total area: 647 acres.

Dated: December 11, 1958.

E. I. ROWLAND,
 State Supervisor.

[F. R. Doc. 58-10448; Filed, Dec. 18, 1958;
 8:47 a. m.]

Office of the Secretary

[Order 2765, Amdt. 4]

COMMISSIONER OF RECLAMATION

DELEGATION OF AUTHORITY

DECEMBER 12, 1958.

Order No. 2765, as amended (19 F. R.
 5004, 7417; 22 F. R. 1090; 23 F. R. 2650)
 is amended to authorize the Commis-
 sioner of Reclamation to perform certain
 functions and exercise certain authority
 of the Secretary of the Interior under
 the Coulee Dam Community Act of 1957
 (71 Stat. 524):

1. Paragraph (a) of section 1 is
 amended by the addition of a new sub-
 paragraph numbered (12), reading as
 follows:

(12) Coulee Dam Community Act of
 1947 (71 Stat. 524).

2. Paragraph (a) of section 2 is
 amended by the addition of a new sub-
 paragraph numbered (13), reading as
 follows:

(13) Section 7 (c) of the Coulee Dam
 Community Act of 1957 (71 Stat. 524).

Order No. 2765, Amendment No. 3
 (23 F. R. 2650) is hereby revoked.

FRED G. AANDAHL,
 Acting Secretary of the Interior.

[F. R. Doc. 58-10449; Filed, Dec. 18, 1958;
 8:47 a. m.]

[Order 2753, Amdt. 4]

BONNEVILLE POWER ADMINISTRATION

MARKETING OF ELECTRIC POWER AND ENERGY

DECEMBER 12, 1958.

This amendment supersedes Amend-
 ment No. 3 of Order No. 2753 (22 F. R.
 9196) and is issued for the purpose of
 including in the list appearing in section
 1 an additional source of electric power
 and energy—such of the reserved power
 and energy from Grand Coulee Dam as
 is made available pursuant to section 7
 (c) of the Coulee Dam Community Act
 of 1957. The order as amended reads as
 follows:

SECTION 1. *Designation as marketing
 agency.* The Bonneville Power Admin-
 istration is designated as the agency to
 market available surplus electric power
 and energy generated at the sources spe-
 cified in this section pursuant to the spe-
 cific statutory authority as to each
 project.

(a) Bonneville Project, pursuant to
 the Act of August 20, 1937 (50 Stat. 731),
 as amended;

(b) McNary Dam and Ice Harbor Dam,
 pursuant to the Act of March 2, 1945
 (59 Stat. 10);

(c) Hungry Horse Dam, pursuant to
 the Act of June 5, 1944 (58 Stat. 270);

(d) The following sources, pursuant to
 the Act of December 22, 1944 (58 Stat.
 887):

Albeni Falls Dam.
 Big Cliff Dam.
 Chief Joseph Dam.
 Detroit Dam.
 Dexter Dam.
 Lookout Point Dam.

The Dalles Dam.
 Hills Creek Dam.
 Cougar Dam.
 John Day Dam.

(e) The following sources, pursuant to
 the Federal Reclamation laws (Act of
 June 17, 1902, 32 Stat. 383, and acts
 amendatory thereof or supplementary
 thereto):

Grand Coulee Dam, including the marketing
 at wholesale of such of the reserved power
 and energy as is made available pursuant
 to section 7 (c) of the Coulee Dam Com-
 munity Act of 1957 (71 Stat. 524).
 Chandler Power Plant, Kennewick Division,
 Yakima Project.
 Roza Power Plant, Roza Division, Yakima
 Project.

Sec. 2. *Contracts.* The Bonneville
 Power Administrator may, subject to the
 applicable statutes, enter into contracts
 for the sale or interchange of electric
 power and energy in the performance of
 the functions assigned by section 1 of
 this order. The Bonneville Power Ad-
 ministrator may, in writing, redelegate
 to officers and employees of the Admin-
 istration the authority granted in this
 section, and he may authorize written
 redelegations of such authority.

Sec. 3. *Revocation.* Orders Nos. 1994
 (9 F. R. 11966) and 2115 as amended (10
 F. R. 14211; 11 F. R. 8830; 17 F. R. 5197;
 18 F. R. 2831) are revoked.

(Sec. 2, Reorg. Plan No. 3 of 1950; U. S. C.
 1952 ed., sec. 113z-15, note)

FRED G. AANDAHL,
 Acting Secretary of the Interior.

[F. R. Doc. 58-10450; Filed, Dec. 18, 1958;
 8:47 a. m.]

OREGON

DESIGNATING PORTIONS OF THE TRIBAL LANDS OF THE KLAMATH TRIBE OF INDIANS AS THE KLAMATH INDIAN FOREST AND THE KLAMATH MARSH

By virtue of the authority vested in
 the Secretary of the Interior and the
 Secretary of Agriculture by the Act of
 August 13, 1954 (68 Stat. 718), as
 amended by the Act of August 23, 1958
 (72 Stat. 816), the following-described
 tribal lands of the Klamath Tribe of
 Indians are hereby designated as the
 Klamath Indian Forest and the Klamath
 Marsh, respectively, as indicated:

KLAMATH INDIAN FOREST

TOWNSHIP 29 SOUTH, RANGE 7 EAST,
 WILLAMETTE MERIDIAN

Sec. 9, All;
 Sec. 10, All;
 Sec. 11, All;
 Sec. 12, $W\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$, $NW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$,
 $W\frac{1}{2}$, and $SE\frac{1}{4}$;
 Sec. 13, All;
 Sec. 14, All;
 Sec. 15, All;
 Sec. 16, All;
 Sec. 21, All;
 Sec. 22, All;
 Sec. 23, All;
 Sec. 24, All;
 Sec. 25, All;
 Sec. 26, All;
 Sec. 27, All;
 Sec. 28, All;
 Sec. 33, All;
 Sec. 34, All;

Sec. 35, All;
Sec. 36, All.

Subject to Right of Way for U. S. Highway No. 97, and State Highway No. 232.

TOWNSHIP 30 SOUTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN

Sec. 1, All;
Sec. 2, All;
Sec. 3, All;
Sec. 4, All;
Sec. 9, All;
Sec. 10, All;
Sec. 11, All;
Sec. 12, All;
Sec. 13, All;
Sec. 14, All;
Sec. 15, All;
Sec. 16, All;
Sec. 21, All;
Sec. 22, All;
Sec. 23, All;
Sec. 24, All;
Sec. 25, All;
Sec. 26, All;
Sec. 27, All;
Sec. 28, All;
Sec. 33, All;
Sec. 34, All;
Sec. 35, All;
Sec. 36, All.

Subject to Right of Way for U. S. Highway No. 97, and State Highway No. 232.

TOWNSHIP 31 SOUTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN

Sec. 1, W $\frac{1}{2}$;
Sec. 2, All;
Sec. 3, All;
Sec. 4, All;
Sec. 5, All;
Sec. 6, Lots 1, 2, 3 and 4;
Sec. 7, Lots 1, 2, 3 and 4;
Sec. 8, All;
Sec. 9, All;
Sec. 10, All;
Sec. 11, All;
Sec. 12, W $\frac{1}{2}$;
Sec. 13, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 14, All;
Sec. 15, All;
Sec. 16, E $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 17, N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, and SE $\frac{1}{4}$;
Sec. 18, Lots 1, 2, 3 and 4;
Sec. 19, Lots 1, 2, 3 and 4;
Sec. 20, All;
Sec. 21, All;
Sec. 22, All;
Sec. 23, All;
Sec. 24, W $\frac{1}{2}$ W $\frac{1}{2}$ and SE $\frac{1}{4}$;
Sec. 25, All;
Sec. 26, All;
Sec. 27, All;
Sec. 28, NE $\frac{1}{4}$ and S $\frac{1}{2}$;
Sec. 29, W $\frac{1}{2}$;
Sec. 30, Lots 1, 2, 3 and 4;
Sec. 31, Lots 1, 2, 3 and 4;
Sec. 32, All;
Sec. 33, All;
Sec. 34, All;
Sec. 35, All;
Sec. 36, All.

Subject to Right of Way for U. S. Highway No. 97 and State Highway No. 232.

TOWNSHIP 32 SOUTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN

Sec. 1, N $\frac{1}{2}$ and SW $\frac{1}{4}$;
Sec. 2, All;
Sec. 3, All;
Sec. 4, All;
Sec. 5, All;
Sec. 6, Lots 1, 2, 3 and 4;
Sec. 7, Lots 1, 2, 3 and 4;
Sec. 8, All;
Sec. 9, All;
Sec. 10, All;
Sec. 11, All;

Sec. 12, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
Sec. 13, All;
Sec. 14, All;
Sec. 15, All;
Sec. 16, All;
Sec. 17, All;
Sec. 18, Lots 1, 2, 3 and 4;
Sec. 19, Lots 1, 2, 3 and 4;
Sec. 20, All;
Sec. 21, All;
Sec. 22, All;
Sec. 23, All;
Sec. 24, N $\frac{1}{2}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 25, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 26, All;
Sec. 27, All;
Sec. 28, All;
Sec. 29, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 30, Lots 1 and 2;
Sec. 32, NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 33, All;
Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 35, N $\frac{1}{2}$ and SE $\frac{1}{4}$;
Sec. 36, All.

Subject to Right of Way for U. S. Highway No. 97, State Highway No. 232, and Southern Pacific Railroad.

TOWNSHIP 33 SOUTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN

Sec. 1, NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
Sec. 2, E $\frac{1}{2}$;
Sec. 3, NW $\frac{1}{4}$;
Sec. 4, N $\frac{1}{2}$ and SE $\frac{1}{4}$;
Sec. 6, That portion within Klamath Indian Reservation as per GLO plat of October 20, 1926;
Sec. 7, That portion within Klamath Indian Reservation as per GLO plat of October 20, 1926;
Sec. 10, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$;
Sec. 11, N $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 12, All;
Sec. 13, All;
Sec. 14, All;
Sec. 15, NW $\frac{1}{4}$ and S $\frac{1}{2}$;
Sec. 16, NE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
Sec. 18, That portion within the Klamath Indian Reservation in the N $\frac{1}{2}$ and the SW $\frac{1}{4}$ as per GLO plat of October 20, 1926;
Sec. 19, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$;
Sec. 20, N $\frac{1}{2}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$;
Sec. 21, All;
Sec. 22, All;
Sec. 23, All;
Sec. 24, All;
Sec. 25, All;
Sec. 26, N $\frac{1}{2}$ and SE $\frac{1}{4}$;
Sec. 27, All;
Sec. 28, All;
Sec. 29, S $\frac{1}{2}$;
Sec. 30, NW $\frac{1}{4}$ and S $\frac{1}{2}$;
Sec. 31, All;
Sec. 32, All;
Sec. 33, N $\frac{1}{2}$ and SW $\frac{1}{4}$;
Sec. 34, N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 35, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 36, All.

Subject to Right of Way for U. S. Highway No. 97 and Southern Pacific Railroad.

TOWNSHIP 34 SOUTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN

Sec. 1, All;
Sec. 2, N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 3, All;
Sec. 4, S $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 5, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 6, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 7, All;
Sec. 8, All;
Sec. 9, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 10, Lots 1, 2, 5, 6, and 7, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 11, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 12, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 13, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 14, E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 16, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 17, W $\frac{1}{2}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$;
Sec. 18, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 19, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 20, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 21, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 23, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 24, All;
Sec. 25, All;
Sec. 26, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 28, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 29, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 31, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 32, N $\frac{1}{2}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 33, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and W $\frac{1}{2}$;
Sec. 35, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 36, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$.
Subject to Right of Way for U. S. Highway No. 97, State Highway No. 62 and 427, and Southern Pacific Railroad.

TOWNSHIP 35 SOUTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN

Sec. 1, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 2, W $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 3, S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 10, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 11, All;
Sec. 12, All;
Sec. 13, All;
Sec. 14, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 15, W $\frac{1}{2}$ E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 22, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 23, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 24, N $\frac{1}{2}$;
Sec. 25, NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
Sec. 26, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
Sec. 27, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 34, W $\frac{1}{2}$ E $\frac{1}{2}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 35, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 36, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$.

TOWNSHIP 36 SOUTH, RANGE 7 EAST,
WILLAMETTE MERIDIAN

Sec. 1, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 2, SW $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
Sec. 3, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$;
Sec. 10, E $\frac{1}{2}$;
Sec. 11, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
Sec. 12, NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
Sec. 13, All;
Sec. 14, All;
Sec. 15, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22, Lots 1, 2 and 3, E $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 23, Lot 1, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 24, All;

Sec. 25, All;
 Sec. 26, Lots 1, 2, 3, 4, 5, 6 and 7, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 36, Lots 1, 2, 3, 4 and 5, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

TOWNSHIP 33 SOUTH, RANGE 7 $\frac{1}{2}$ EAST, WILLAMETTE MERIDIAN

Sec. 13, That portion of the S $\frac{1}{2}$ lying south of the Reservation boundary;
 Sec. 14, That portion of the S $\frac{1}{2}$ lying south of the Reservation boundary;

Sec. 15, That portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$ lying south of the Reservation boundary;

(a) The portion lying between the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 3;

(b) The portion lying between the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 2;

(c) That portion of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15 and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22 bounded on the West by Wood River and on the East by the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15 and NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22;

(d) That parcel bounded on the north by Lot 4, on the west by Wood River, on the east by the land described in (a) above, and on the south by the parcel described in (c) above;

Sec. 22, E $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 23, N $\frac{1}{2}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 24, All;
 Sec. 25, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
 Sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 35, NE $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;
 Sec. 36, NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, and N $\frac{1}{2}$ SE $\frac{1}{4}$.

TOWNSHIP 34 SOUTH, RANGE 7 $\frac{1}{2}$ EAST, WILLAMETTE MERIDIAN

Sec. 1, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$, and W $\frac{1}{2}$ E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 12, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$.

TOWNSHIP 29 SOUTH, RANGE 8 EAST, WILLAMETTE MERIDIAN

Sec. 7, All, (excepting the W $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$ of Lot 1, containing 5.30 acres and 3.36 acres described by M&B belonging to Delford Lang);

Sec. 8, All;
 Sec. 9, All;
 Sec. 10, All;
 Sec. 11, All;
 Sec. 12, All;
 Sec. 13, All;
 Sec. 14, All;
 Sec. 15, All;
 Sec. 16, All;
 Sec. 17, All;
 Sec. 18, All;
 Sec. 19, All;
 Sec. 20, All;
 Sec. 21, All;
 Sec. 22, All;

Sec. 23, All;
 Sec. 24, All;
 Sec. 25, All;
 Sec. 26, All;
 Sec. 27, All;
 Sec. 28, All;
 Sec. 29, All;
 Sec. 30, All;
 Sec. 31, All;
 Sec. 32, All;
 Sec. 33, All;
 Sec. 34, All;
 Sec. 35, All;
 Sec. 36, All.

Subject to Right of Way for Southern Pacific Railroad.

TOWNSHIP 30 SOUTH, RANGE 8 EAST, WILLAMETTE MERIDIAN

Sec. 1, All;
 Sec. 2, All;
 Sec. 3, All;
 Sec. 4, All;
 Sec. 5, All;
 Sec. 6, All;
 Sec. 7, All;
 Sec. 8, All;
 Sec. 9, All;
 Sec. 10, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
 Sec. 11, All;
 Sec. 12, All;
 Sec. 13, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 14, NE $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 15, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$;

Sec. 16, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 17, All;
 Sec. 18, All;
 Sec. 19, All;
 Sec. 20, N $\frac{1}{2}$, SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 21, N $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 29, W $\frac{1}{2}$;
 Sec. 30, All;
 Sec. 31, NE $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 32, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$.

TOWNSHIP 31 SOUTH, RANGE 8 EAST, WILLAMETTE MERIDIAN

Sec. 30, W $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 31, NW $\frac{1}{4}$ and W $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 34, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 35, S $\frac{1}{2}$ SW $\frac{1}{4}$.

TOWNSHIP 32 SOUTH, RANGE 8 EAST, WILLAMETTE MERIDIAN

Sec. 1, Lots 4, 5, 6, and 14, SE $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 2, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ and SE $\frac{1}{4}$;
 Sec. 3, All;
 Sec. 4, NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 5, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 8, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 9, All;
 Sec. 10, All;
 Sec. 11, All;
 Sec. 12, All;
 Sec. 13, All;
 Sec. 14, All;
 Sec. 15, All;
 Sec. 16, All;
 Sec. 18, W $\frac{1}{2}$;
 Sec. 21, N $\frac{1}{2}$;
 Sec. 22, All;
 Sec. 23, All;
 Sec. 24, All;
 Sec. 25, All;
 Sec. 26, All;
 Sec. 27, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 31, All;
 Sec. 32, NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 33, NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 34, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 35, NE $\frac{1}{4}$, SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 36, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$.

TOWNSHIP 33 SOUTH, RANGE 8 EAST, WILLAMETTE MERIDIAN

Sec. 1, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 2, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 3, All;
 Sec. 4, All;
 Sec. 5, All;
 Sec. 6, All;
 Sec. 7, All;
 Sec. 8, All;
 Sec. 9, All;
 Sec. 10, All;
 Sec. 11, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 12, W $\frac{1}{2}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 13, W $\frac{1}{2}$;
 Sec. 14, All;
 Sec. 15, All;
 Sec. 16, All;
 Sec. 17, All;
 Sec. 18, All;
 Sec. 19, All;
 Sec. 20, All;
 Sec. 21, All;
 Sec. 22, All;
 Sec. 23, All;
 Sec. 24, All;
 Sec. 25, All;
 Sec. 26, All;
 Sec. 27, All;
 Sec. 28, All;
 Sec. 29, All;
 Sec. 30, All;
 Sec. 31, All;
 Sec. 32, All;

Sec. 33, All;
 Sec. 34, All;
 Sec. 35, All;
 Sec. 36, All.

TOWNSHIP 34 SOUTH, RANGE 8 EAST, WILLAMETTE MERIDIAN

Sec. 1, All;
 Sec. 2, All;
 Sec. 3, N $\frac{1}{2}$ and SE $\frac{1}{4}$;
 Sec. 4, N $\frac{1}{2}$ and SW $\frac{1}{4}$;
 Sec. 5, All;
 Sec. 6, All;
 Sec. 7, All;
 Sec. 8, All;
 Sec. 9, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 10, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$;
 Sec. 11, All;
 Sec. 12, All;
 Sec. 13, All;
 Sec. 14, All;
 Sec. 15, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and N $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 16, All;
 Sec. 17, All;
 Sec. 18, All;
 Sec. 19, N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$, and S $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 20, N $\frac{1}{2}$;
 Sec. 21, NW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$;
 Sec. 24, N $\frac{1}{2}$ N $\frac{1}{2}$;
 Sec. 28, W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 29, All;
 Sec. 30, NW $\frac{1}{4}$ and SE $\frac{1}{4}$;
 Sec. 31, NE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 32, All;
 Sec. 33, N $\frac{1}{2}$, SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 34, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

TOWNSHIP 35 SOUTH, RANGE 8 EAST, WILLAMETTE MERIDIAN

Sec. 1, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;
 Sec. 2, W $\frac{1}{2}$ W $\frac{1}{2}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 3, NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ and SE $\frac{1}{4}$;
 Sec. 4, NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 5, All;
 Sec. 6, All;
 Sec. 7, All;
 Sec. 8, All;
 Sec. 9, W $\frac{1}{2}$ and W $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 10, E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 11, All;
 Sec. 12, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 13, N $\frac{1}{2}$ and SW $\frac{1}{4}$;
 Sec. 14, All;
 Sec. 15, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and S $\frac{1}{2}$;
 Sec. 16, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 17, All;
 Sec. 18, All;
 Sec. 19, Lots 1, 2 and 6, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 20, All;
 Sec. 21, All;
 Sec. 22, All;
 Sec. 23, All;
 Sec. 24, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 25, All;
 Sec. 26, All;
 Sec. 27, N $\frac{1}{2}$ and SW $\frac{1}{4}$;
 Sec. 28, All;
 Sec. 29, All;
 Sec. 30, All;
 Sec. 31, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 32, All;
 Sec. 33, All;
 Sec. 34, E $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 35, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 36, All.

TOWNSHIP 36 SOUTH, RANGE 8 EAST, WILLAMETTE MERIDIAN

Sec. 1, All;
 Sec. 2, All;

Sec. 33, All;
Sec. 34, NE 1/4, E 1/2 NW 1/4, SW 1/4 NW 1/4, S 1/2;
Sec. 35, All;
Sec. 36, All.

TOWNSHIP 35 SOUTH, RANGE 9 EAST,
WILLAMETTE MERIDIAN

Sec. 1, All;
Sec. 2, All;
Sec. 3, All;
Sec. 4, All;
Sec. 5, N 1/2, N 1/2 SW 1/4 and SE 1/4;
Sec. 6, S 1/2 NE 1/4, E 1/2 SW 1/4, and W 1/2 SE 1/4;
Sec. 7, N 1/2 NE 1/4, SW 1/4 NE 1/4, W 1/2 SE 1/4 NE 1/4,
NE 1/4 NW 1/4, S 1/2 NW 1/4, W 1/2 NE 1/4 SW 1/4, and
W 1/2 SW 1/4;
Sec. 8, NE 1/4, SE 1/4 NW 1/4, W 1/2 NW 1/4 NW 1/4, E 1/2
SW 1/4, E 1/2 SW 1/4 SW 1/4, and SE 1/4;
Sec. 9, All;
Sec. 10, W 1/2;
Sec. 11, N 1/2 N 1/2, SE 1/4 NE 1/4, and E 1/2 SE 1/4;
Sec. 12, N 1/2 N 1/2, SE 1/4 NE 1/4, and E 1/2 SE 1/4;
Sec. 13, NE 1/4 NE 1/4;
Sec. 14, W 1/2;
Sec. 15, All;
Sec. 16, All;
Sec. 17, All;
Sec. 18, E 1/2 NE 1/4 NE 1/4, NW 1/4 NE 1/4, E 1/2 SW 1/4
NE 1/4, SE 1/4 NE 1/4, SE 1/4 SW 1/4, NE 1/4 SE 1/4,
and S 1/2 SE 1/4;
Sec. 19, All;
Sec. 20, All;
Sec. 21, All;
Sec. 22, All;
Sec. 23, N 1/2 NE 1/4, SW 1/4 NE 1/4, NW 1/4, and
W 1/2 SW 1/4;
Sec. 26, W 1/2 W 1/2 and W 1/2 SE 1/4 SW 1/4;
Sec. 27, All;
Sec. 28, All;
Sec. 29, All;
Sec. 30, All;
Sec. 31, All;
Sec. 32, All;
Sec. 33, All;
Sec. 34, N 1/2, SW 1/4, N 1/2 SE 1/4, and SW 1/4
SE 1/4;
Sec. 35, W 1/2 E 1/2 NE 1/4, W 1/2 NE 1/4, W 1/2, W 1/2
SE 1/4, S 1/2 NE 1/4 SE 1/4 and SE 1/4 SE 1/4;
Sec. 36, SW 1/4.

TOWNSHIP 36 SOUTH, RANGE 9 EAST,
WILLAMETTE MERIDIAN

Sec. 1, W 1/2 NW 1/4, SW 1/4, W 1/2 SE 1/4, and N 1/2
NE 1/4 SE 1/4;
Sec. 2, NE 1/4, E 1/2 NW 1/4, SW 1/4 NW 1/4 and S 1/2;
Sec. 3, W 1/2 NE 1/4, SE 1/4 NE 1/4, NW 1/4 and S 1/2;
Sec. 4, NW 1/4 NE 1/4, NW 1/4 and S 1/2;
Sec. 5, All;
Sec. 6, All;
Sec. 7, All;
Sec. 8, All;
Sec. 9, N 1/2, SW 1/4, N 1/2 SE 1/4 and N 1/2 SW 1/4
SE 1/4;
Sec. 10, N 1/2, NW 1/4 SW 1/4 and E 1/2 SE 1/4;
Sec. 11, All;
Sec. 12, All;
Sec. 13, All;
Sec. 14, All;
Sec. 15, NE 1/4, E 1/2 NW 1/4, N 1/2 SW 1/4, and SE 1/4;
Sec. 16, S 1/2 NW 1/4 NE 1/4, W 1/2 SW 1/4 NE 1/4, W 1/2,
S 1/2 NE 1/4 SE 1/4, W 1/2 SE 1/4 and SE 1/4 SE 1/4;
Sec. 17, All;
Sec. 18, All;
Sec. 19, All;
Sec. 20, All;
Sec. 21, NE 1/4, E 1/2 NW 1/4, and NE 1/4 SW 1/4;
Sec. 22, NE 1/4, S 1/2 NW 1/4, N 1/2 SW 1/4 and SE 1/4;
Sec. 23, All;
Sec. 24, All;
Sec. 25, All;
Sec. 26, N 1/2 NE 1/4, W 1/2 and S 1/2 SE 1/4;
Sec. 27, N 1/2 and N 1/2 S 1/2;
Sec. 28, W 1/2 and W 1/2 SE 1/4;
Sec. 29, All;
Sec. 30, All;
Sec. 31, All;
Sec. 32, All;
Sec. 33, All;
Sec. 34, W 1/2 NW 1/4, SE 1/4 NW 1/4, W 1/2 SW 1/4,
SE 1/4 SW 1/4, W 1/2 NE 1/4 SW 1/4 and W 1/2 E 1/2 NE 1/4
SW 1/4;

Sec. 35, N 1/2 NE 1/4, SE 1/4 NE 1/4, N 1/2 NE 1/4 SW 1/4
and N 1/2 SE 1/4;
Sec. 36, All.

TOWNSHIP 37 SOUTH, RANGE 9 EAST,
WILLAMETTE MERIDIAN

Sec. 6, Lots 8, 9, 10 and 11.

TOWNSHIP 29 SOUTH, RANGE 10 EAST,
WILLAMETTE MERIDIAN

Sec. 7, All;
Sec. 8, All;
Sec. 9, All;
Sec. 10, All;
Sec. 11, All;
Sec. 12, All;
Sec. 13, All;
Sec. 14, All;
Sec. 15, All;
Sec. 16, All;
Sec. 17, All;
Sec. 18, All;
Sec. 19, All;
Sec. 20, All;
Sec. 21, All;
Sec. 22, All;
Sec. 23, All;
Sec. 24, All;
Sec. 25, All;
Sec. 26, All;
Sec. 27, All;
Sec. 28, All;
Sec. 29, All;
Sec. 30, All;
Sec. 31, All;
Sec. 32, All;
Sec. 33, All;
Sec. 34, All;
Sec. 35, All;
Sec. 36, All;

TOWNSHIP 30 SOUTH, RANGE 10 EAST,
WILLAMETTE MERIDIAN

Sec. 1, All;
Sec. 2, All;
Sec. 3, All;
Sec. 4, All;
Sec. 5, All;
Sec. 6, All;
Sec. 7, All;
Sec. 8, N 1/2 and N 1/2 S 1/2;
Sec. 9, NW 1/4;
Sec. 11, NE 1/4;
Sec. 12, All;
Sec. 15, S 1/2 NW 1/4 and S 1/2;
Sec. 16, SE 1/4;
Sec. 18, W 1/2 NE 1/4, NW 1/4 and NW 1/4 SW 1/4;
Sec. 19, SW 1/4 SE 1/4 and S 1/2 SE 1/4 SE 1/4;
Sec. 20, SW 1/4, W 1/2 SE 1/4 and W 1/2 E 1/2 SE 1/4;
Sec. 21, NE 1/4, NE 1/4 SW 1/4 and SE 1/4;
Sec. 22, All;
Sec. 23, W 1/2 SW 1/4 NE 1/4, NW 1/4, SW 1/4, S 1/2
NE 1/4 SE 1/4, NW 1/4 SE 1/4 and S 1/2 SE 1/4;
Sec. 26, All;
Sec. 27, All;
Sec. 28, All;
Sec. 29, N 1/2, N 1/2 SW 1/4 and SE 1/4;
Sec. 30, NE 1/4, S 1/2 SW 1/4, NE 1/4 SE 1/4, E 1/2 NW 1/4
SE 1/4;
Sec. 31, W 1/2, W 1/2 SE 1/4 and E 1/2 SE 1/4 SE 1/4;
Sec. 32, E 1/2 NE 1/4, E 1/2 E 1/2 W 1/2 NE 1/4 and S 1/2;
Sec. 33, All;
Sec. 34, All;
Sec. 35, All.

TOWNSHIP 31 SOUTH, RANGE 10 EAST,
WILLAMETTE MERIDIAN

Sec. 2, N 1/2 and SW 1/4;
Sec. 3, All;
Sec. 4, All;
Sec. 5, All;
Sec. 6, E 1/2 NE 1/4, SW 1/4 NE 1/4, E 1/2 NW 1/4 NE 1/4,
NE 1/4 NW 1/4, W 1/2 NW 1/4, S 1/2 SE 1/4 NW 1/4, and
S 1/2;
Sec. 7, All;
Sec. 8, N 1/2, N 1/2 N 1/2 S 1/2, and S 1/2 S 1/2 S 1/2;
Sec. 9, All;
Sec. 10, All;
Sec. 11, All;
Sec. 12, All;
Sec. 13, All;

Sec. 14, All;
Sec. 15, N 1/2, N 1/2 SW 1/4, SE 1/4 SW 1/4, and
SE 1/4;
Sec. 16, N 1/2 NE 1/4, SW 1/4 NE 1/4, W 1/2, and W 1/2
SE 1/4;
Sec. 17, All;
Sec. 18, NE 1/4, N 1/2 N 1/2 NW 1/4, S 1/2 S 1/2 NW 1/4,
and S 1/2;
Sec. 19, All;
Sec. 20, All;
Sec. 21, All;
Sec. 22, All;
Sec. 23, All;
Sec. 24, W 1/2 NE 1/4, W 1/2, and SE 1/4;
Sec. 25, All;
Sec. 26, All;
Sec. 27, All;
Sec. 28, All;
Sec. 29, All;
Sec. 30, All;
Sec. 31, All;
Sec. 32, All;
Sec. 33, All;
Sec. 34, All;
Sec. 35, All;
Sec. 36, All.

TOWNSHIP 32 SOUTH, RANGE 10 EAST,
WILLAMETTE MERIDIAN

Sec. 1, All;
Sec. 2, All;
Sec. 3, All;
Sec. 4, All;
Sec. 5, All;
Sec. 6, All;
Sec. 7, All;
Sec. 8, All;
Sec. 9, All;
Sec. 10, All;
Sec. 11, All;
Sec. 12, All;
Sec. 13, All;
Sec. 14, All;
Sec. 15, All;
Sec. 16, All;
Sec. 17, All;
Sec. 18, All;
Sec. 19, All;
Sec. 20, All;
Sec. 21, All;
Sec. 22, All;
Sec. 23, N 1/2 NE 1/4, SW 1/4 NE 1/4, N 1/2 N 1/2 SE 1/4
NE 1/4, SE 1/4 NE 1/4 SE 1/4 NE 1/4, SW 1/4 NW 1/4 SE 1/4
NE 1/4, NW 1/4 SW 1/4 SE 1/4 NE 1/4, E 1/2 SE 1/4 SE 1/4
NE 1/4, SW 1/4 SE 1/4 SE 1/4 NE 1/4, W 1/2, S 1/2 NE 1/4
SE 1/4, NE 1/2 NE 1/4 SE 1/4, S 1/2 NW 1/4 NE 1/4 SE 1/4,
N 1/2 N 1/2 NW 1/4 SE 1/4, S 1/2 SW 1/4 SE 1/4, S 1/2 N 1/2
SW 1/4 SE 1/4, and SE 1/4 SE 1/4;
Sec. 24, All;
Sec. 25, All;
Sec. 26, N 1/2, N 1/2 SW 1/4, SW 1/4 SW 1/4, N 1/2 SE 1/4
SW 1/4, and SE 1/4;
Sec. 27, All;
Sec. 28, All;
Sec. 29, All;
Sec. 30, All;
Sec. 31, All;
Sec. 32, All;
Sec. 33, All;
Sec. 34, W 1/2 NE 1/4, SE 1/4 NE 1/4, W 1/2, and SE 1/4;
Sec. 35, S 1/2 S 1/2 NE 1/4, S 1/2 NE 1/4 NW 1/4, S 1/2
NW 1/4, and S 1/2;
Sec. 36, N 1/2 NE 1/4, N 1/2 SE 1/4 NE 1/4, NW 1/4 NW 1/4,
S 1/2 NE 1/4 SW 1/4, S 1/2 SW 1/4, S 1/2 N 1/2 SE 1/4, and
S 1/2 SE 1/4.

TOWNSHIP 33 SOUTH, RANGE 10 EAST,
WILLAMETTE MERIDIAN

Sec. 1, All;
Sec. 2, All;
Sec. 3, All;
Sec. 4, All;
Sec. 5, All;
Sec. 6, All;
Sec. 7, All;
Sec. 8, All;
Sec. 9, All;
Sec. 10, All;
Sec. 11, All;
Sec. 12, All;
Sec. 13, All;

NOTICES

Sec. 14, All;
Sec. 15, All;
Sec. 16, All;
Sec. 17, All;
Sec. 18, All;
Sec. 19, All;
Sec. 20, All;
Sec. 21, All;
Sec. 22, All;
Sec. 23, NE 1/4;
Sec. 24, All;
Sec. 25, All;
Sec. 26, S 1/2;
Sec. 27, All;
Sec. 28, All;
Sec. 29, All;
Sec. 30, All;
Sec. 31, All;
Sec. 32, All;
Sec. 33, All;
Sec. 34, All;
Sec. 35, All;
Sec. 36, All.

TOWNSHIP 34 SOUTH, RANGE 10 EAST,
WILLAMETTE MERIDIAN

Sec. 1, All;
Sec. 2, All;
Sec. 3, All;
Sec. 4, All;
Sec. 5, All;
Sec. 6, All;
Sec. 7, All;
Sec. 8, All;
Sec. 9, All;
Sec. 10, All;
Sec. 11, All;
Sec. 12, All;
Sec. 13, All;
Sec. 14, All;
Sec. 15, All;
Sec. 16, All;
Sec. 17, All;
Sec. 18, All;
Sec. 19, All;
Sec. 20, All;
Sec. 21, All;
Sec. 22, All;
Sec. 23, All;
Sec. 24, All;
Sec. 25, All;
Sec. 26, All;
Sec. 27, All;
Sec. 28, All;
Sec. 29, All;
Sec. 30, All;
Sec. 31, All;
Sec. 32, All;
Sec. 33, All;
Sec. 34, All;
Sec. 35, All;
Sec. 36, All.

TOWNSHIP 35 SOUTH, RANGE 10 EAST,
WILLAMETTE MERIDIAN

Sec. 1, All;
Sec. 2, All;
Sec. 3, All;
Sec. 4, All;
Sec. 5, All;
Sec. 6, All;
Sec. 7, All;
Sec. 8, All;
Sec. 9, All;
Sec. 10, All;
Sec. 11, N 1/2, SW 1/4, NW 1/4 SE 1/4;
Sec. 12, N 1/2, NE 1/4 SE 1/4, and S 1/2 SE 1/4;
Sec. 16, N 1/2 and N 1/2 SE 1/4;
Sec. 17, N 1/2 N 1/2.

TOWNSHIP 36 SOUTH, RANGE 10 EAST,
WILLAMETTE MERIDIAN

Sec. 7, W 1/2 E 1/2 and W 1/2;
Sec. 18, All;
Sec. 19, All;
Sec. 21, SE 1/4 NE 1/4 and E 1/2 SE 1/4;
Sec. 25, NE 1/4 and S 1/2;
Sec. 26, E 1/2 NW 1/4 and S 1/2;
Sec. 27, SE 1/4 NE 1/4, W 1/2 E 1/2 NW 1/4, SW 1/4 NW 1/4 and S 1/2;

Sec. 28, W 1/2 E 1/2 NE 1/4, SW 1/4 NE 1/4, S 1/2 NW 1/4 and S 1/2;
Sec. 29, NE 1/4 NE 1/4, S 1/2 NE 1/4, NW 1/4 and S 1/2;
Sec. 30, All;
Sec. 31, All;
Sec. 32, N 1/2 NE 1/4, W 1/2 and W 1/2 SE 1/4;
Sec. 33, N 1/2, E 1/2 W 1/2 SW 1/4, E 1/2 SW 1/4 and SE 1/4;
Sec. 34, All;
Sec. 35, All;
Sec. 36, All.

TOWNSHIP 29 SOUTH, RANGE 11 EAST,
WILLAMETTE MERIDIAN

Sec. 7, All;
Sec. 8, All;
Sec. 9, All;
Sec. 10, All;
Sec. 11, All;
Sec. 12, All;
Sec. 13, All;
Sec. 14, All;
Sec. 15, All;
Sec. 16, All;
Sec. 17, All;
Sec. 18, All;
Sec. 19, All;
Sec. 20, All;
Sec. 21, All;
Sec. 22, All;
Sec. 23, All;
Sec. 24, All;
Sec. 25, All;
Sec. 26, All;
Sec. 27, All;
Sec. 28, All;
Sec. 29, All;
Sec. 30, All;
Sec. 31, All;
Sec. 32, All;
Sec. 33, All;
Sec. 34, All;
Sec. 35, All;
Sec. 36, All.

TOWNSHIP 30 SOUTH, RANGE 11 EAST,
WILLAMETTE MERIDIAN

Sec. 1, All;
Sec. 2, All;
Sec. 3, All;
Sec. 4, All;
Sec. 5, All;
Sec. 6, All;
Sec. 7, N 1/2, SE 1/4;
Sec. 8, All;
Sec. 9, All;
Sec. 10, All;
Sec. 11, All;
Sec. 12, All;
Sec. 13, All;
Sec. 14, All;
Sec. 15, All;
Sec. 16, All;
Sec. 17, All;
Sec. 18, NE 1/4;
Sec. 19, NE 1/4, SE 1/4 SW 1/4, SE 1/4;
Sec. 20, All;
Sec. 21, All;
Sec. 22, All;
Sec. 23, All;
Sec. 24, All;
Sec. 25, All;
Sec. 26, All;
Sec. 27, All;
Sec. 28, All;
Sec. 29, All;
Sec. 30, N 1/2, E 1/2 SW 1/4, SE 1/4;
Sec. 31, All;
Sec. 32, All;
Sec. 33, All;
Sec. 34, All;
Sec. 35, All;
Sec. 36, All.

TOWNSHIP 31 SOUTH, RANGE 11 EAST,
WILLAMETTE MERIDIAN

Sec. 1, All;
Sec. 2, All;
Sec. 3, N 1/2;
Sec. 6, W 1/2;
Sec. 7, E 1/2 NW 1/4 NE 1/4, S 1/2;

Sec. 8, W 1/2 SW 1/4, SE 1/4 SW 1/4;
Sec. 17, W 1/2;
Sec. 18, W 1/2;
Sec. 19, W 1/2, SE 1/4;
Sec. 20, NW 1/4, N 1/2 SW 1/4, W 1/2 SW 1/4 SW 1/4, W 1/2 SE 1/4;
Sec. 29, W 1/2 NE 1/4, E 1/2 SW 1/4, SE 1/4 SW 1/4 SW 1/4, W 1/2 SE 1/4;
Sec. 30, N 1/2, N 1/2 SE 1/4, N 1/2 S 1/2 SE 1/4, SE 1/4 SW 1/4 SE 1/4, S 1/2 SE 1/4 SE 1/4;
Sec. 31, S 1/2 N 1/2, SW 1/4, S 1/2 SE 1/4;
Sec. 32, W 1/2 NE 1/4, SE 1/4 NW 1/4, SW 1/4, W 1/2 SE 1/4.

TOWNSHIP 32 SOUTH, RANGE 11 EAST,
WILLAMETTE MERIDIAN

Sec. 5, W 1/2 NE 1/4, NW 1/4, N 1/2 SW 1/4, N 1/2 SW 1/4 SW 1/4, W 1/2 SE 1/4;
Sec. 6, W 1/2, W 1/2 NW 1/4 SE 1/4, SW 1/4 SE 1/4;
Sec. 7, S 1/2 NE 1/4 NE 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4, W 1/2, N 1/2 SE 1/4, SW 1/4 SE 1/4, W 1/2 SE 1/4 SE 1/4;
Sec. 8, W 1/2 E 1/2, W 1/2 SW 1/4;
Sec. 18, NW 1/4 NE 1/4, W 1/2 SW 1/4 NE 1/4, E 1/2 SE 1/4 NE 1/4, NW 1/4, N 1/2 SW 1/4, SW 1/4 SW 1/4, E 1/2 SE 1/4 SW 1/4, E 1/2 SE 1/4;
Sec. 19, NE 1/4 NE 1/4, S 1/2 NE 1/4, E 1/2 NE 1/4 NW 1/4, NW 1/4 NW 1/4, S 1/2 NW 1/4, S 1/2;
Sec. 30, All;
Sec. 31, N 1/2 NW 1/4 NE 1/4, SE 1/4 NE 1/4, N 1/2 N 1/2 NW 1/4, S 1/2 NW 1/4 NW 1/4, S 1/2.

TOWNSHIP 33 SOUTH, RANGE 11 EAST,
WILLAMETTE MERIDIAN

Sec. 1, All;
Sec. 2, All;
Sec. 3, All;
Sec. 4, N 1/2, E 1/2 SW 1/4 and SE 1/4;
Sec. 5, SW 1/4 NW 1/4 and SW 1/4;
Sec. 6, All;
Sec. 7, All;
Sec. 8, NW 1/4 and S 1/2 S 1/2;
Sec. 9, NE 1/4, E 1/2 NW 1/4, NE 1/4 SW 1/4, S 1/2 NW 1/4 SW 1/4, S 1/2 SW 1/4, N 1/2 SE 1/4;
Sec. 10, All;
Sec. 11, All;
Sec. 12, All;
Sec. 13, All;
Sec. 14, All;
Sec. 15, All;
Sec. 16, SW 1/4 and S 1/2 SE 1/4;
Sec. 17, All;
Sec. 18, All;
Sec. 19, All;
Sec. 20, All;
Sec. 21, All;
Sec. 22, All;
Sec. 23, All;
Sec. 24, All;
Sec. 25, All;
Sec. 26, All;
Sec. 27, All;
Sec. 28, All;
Sec. 29, All;
Sec. 30, All;
Sec. 31, All;
Sec. 32, All;
Sec. 33, All;
Sec. 34, All;
Sec. 35, All;
Sec. 36, All.

TOWNSHIP 34 SOUTH, RANGE 11 EAST,
WILLAMETTE MERIDIAN

Sec. 1, E 1/2 NE 1/4 NE 1/4, W 1/2 NW 1/4 NE 1/4, SE 1/4 NE 1/4, N 1/2 NW 1/4, SW 1/4 NW 1/4, W 1/2 SW 1/4, SE 1/4 SW 1/4, NE 1/4 SE 1/4;
Sec. 2, All;
Sec. 3, All;
Sec. 4, All;
Sec. 5, All;
Sec. 6, All;
Sec. 7, All;
Sec. 8, All;
Sec. 9, All;
Sec. 10, All;
Sec. 11, All;
Sec. 12, SE 1/4 NE 1/4, W 1/2 NW 1/4, S 1/2;
Sec. 13, All;
Sec. 14, All;
Sec. 15, All;
Sec. 16, All;

Sec. 17, All;
 Sec. 18, All;
 Sec. 19, All;
 Sec. 20, All;
 Sec. 21, All;
 Sec. 22, All;
 Sec. 23, All;
 Sec. 24, All;
 Sec. 25, All;
 Sec. 26, All;
 Sec. 27, All;
 Sec. 28, All;
 Sec. 29, All;
 Sec. 30, All;
 Sec. 31, All;
 Sec. 32, All;
 Sec. 33, All;
 Sec. 34, All;
 Sec. 35, All;
 Sec. 36, All.

TOWNSHIP 35 SOUTH, RANGE 11 EAST,
 WILLAMETTE MERIDIAN

Sec. 3, W $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 4, All;
 Sec. 5, All;
 Sec. 6, All;
 Sec. 7, All;
 Sec. 8, NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 9, NE $\frac{1}{4}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 10, W $\frac{1}{2}$ NW $\frac{1}{4}$.

TOWNSHIP 36 SOUTH, RANGE 11 EAST,
 WILLAMETTE MERIDIAN

Sec. 10, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 27, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 28, All;
 Sec. 29, All;
 Sec. 30, All;
 Sec. 31, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 32, All;
 Sec. 33, All;
 Sec. 34, E $\frac{1}{2}$;
 Sec. 35, W $\frac{1}{2}$ W $\frac{1}{2}$.

TOWNSHIP 37 SOUTH, RANGE 11 EAST,
 WILLAMETTE MERIDIAN

Sec. 1, NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$,
 N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$
 SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 2, NE $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 3, All;
 Sec. 4, N $\frac{1}{2}$, SW $\frac{1}{4}$;
 Sec. 5, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 6, N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$,
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$;
 Sec. 7, NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 8, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 9, NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 10, All;
 Sec. 11, All;
 Sec. 12, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$,
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
 NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 13, All;
 Sec. 24, All.

TOWNSHIP 37 SOUTH, RANGE 11 $\frac{1}{2}$ EAST,
 WILLAMETTE MERIDIAN

Sec. 1, All;
 Sec. 2, All;
 Sec. 3, All;
 Sec. 4, All;
 Sec. 5, S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$,
 W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 6, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 12, All.

TOWNSHIP 31 SOUTH, RANGE 12 EAST,
 WILLAMETTE MERIDIAN

Sec. 1, All;
 Sec. 2, All;
 Sec. 3, All;
 Sec. 4, All;
 Sec. 5, All;
 Sec. 6, All.

TOWNSHIP 33 SOUTH, RANGE 12 EAST,
 WILLAMETTE MERIDIAN

Sec. 1, All;
 Sec. 2, All;
 Sec. 3, All;
 Sec. 4, All;
 Sec. 5, All;
 Sec. 6, All;
 Sec. 7, All;
 Sec. 8, All;
 Sec. 9, All;
 Sec. 10, All;
 Sec. 11, All;
 Sec. 12, All;
 Sec. 13, All;
 Sec. 14, All;
 Sec. 15, All;
 Sec. 16, All;
 Sec. 17, All;
 Sec. 18, All;
 Sec. 19, All;
 Sec. 20, All;
 Sec. 21, All;
 Sec. 22, All;
 Sec. 23, All;
 Sec. 24, All;
 Sec. 25, All;
 Sec. 26, All;
 Sec. 27, All;
 Sec. 28, All;
 Sec. 29, All;
 Sec. 30, All;
 Sec. 31, All;
 Sec. 32, All;
 Sec. 33, All;
 Sec. 34, All;
 Sec. 35, All;
 Sec. 36, N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$.

TOWNSHIP 34 SOUTH, RANGE 12 EAST,
 WILLAMETTE MERIDIAN

Sec. 1, N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 2, All;
 Sec. 3, All;
 Sec. 4, All;
 Sec. 5, N $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 SW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
 SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 6, N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 7, N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$,
 W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 8, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 9, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 10, N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$;
 Sec. 11, N $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 12, All;
 Sec. 13, All;
 Sec. 14, All;
 Sec. 15, All;
 Sec. 16, All;
 Sec. 17, NE $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 18, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ W $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$,
 S $\frac{1}{2}$;
 Sec. 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$
 NW $\frac{1}{4}$;
 Sec. 20, All;
 Sec. 21, All;
 Sec. 22, All;
 Sec. 23, All;
 Sec. 24, All;
 Sec. 25, All;
 Sec. 26, All;
 Sec. 27, All;
 Sec. 28, N $\frac{1}{2}$, SE $\frac{1}{4}$;
 Sec. 29, All;
 Sec. 30, All;
 Sec. 31, All;
 Sec. 32, W $\frac{1}{2}$;
 Sec. 33, NE $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 34, All;
 Sec. 35, All;
 Sec. 36, All.

TOWNSHIP 35 SOUTH, RANGE 12 EAST,
 WILLAMETTE MERIDIAN

Sec. 3, All.

TOWNSHIP 37 SOUTH, RANGE 12 EAST,
 WILLAMETTE MERIDIAN

Sec. 1, NE $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 2, NE $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$.

Sec. 4, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 6, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 7, All;
 Sec. 8, All;
 Sec. 9, All;
 Sec. 10, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
 W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$
 SW $\frac{1}{4}$;
 Sec. 11, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$
 SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 12, All;
 Sec. 13, N $\frac{1}{2}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 14, N $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 15, NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 16, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 17, All;
 Sec. 18, All;
 Sec. 19, All;
 Sec. 20, All;
 Sec. 21, All;
 Sec. 22, All;
 Sec. 23, All;
 Sec. 24, All.

TOWNSHIP 31 SOUTH, RANGE 13 EAST,
 WILLAMETTE MERIDIAN

Sec. 1, All;
 Sec. 2, All;
 Sec. 3, All;
 Sec. 4, All;
 Sec. 9, All;
 Sec. 10, All;
 Sec. 11, N $\frac{1}{2}$;
 Sec. 12, All;
 Sec. 13, All;
 Sec. 14, S $\frac{1}{2}$ N $\frac{1}{2}$ and S $\frac{1}{2}$;
 Sec. 15, All;
 Sec. 16, All;
 Sec. 21, All;
 Sec. 22, All;
 Sec. 23, NW $\frac{1}{4}$ and W $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 24, NE $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 27, N $\frac{1}{2}$;
 Sec. 28, All;
 Sec. 33, All;
 Sec. 34, NW $\frac{1}{4}$.

TOWNSHIP 32 SOUTH, RANGE 13 EAST,
 WILLAMETTE MERIDIAN

Sec. 4, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 9, All;
 Sec. 16, All;
 Sec. 21, All;
 Sec. 28, W $\frac{1}{2}$;
 Sec. 29, All;
 Sec. 30, All;
 Sec. 31, All;
 Sec. 32, All;
 Sec. 33, W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$.

TOWNSHIP 33 SOUTH, RANGE 13 EAST,
 WILLAMETTE MERIDIAN

Sec. 1, S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 2, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 4, W $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 5, All;
 Sec. 6, All;
 Sec. 7, All;
 Sec. 8, All;
 Sec. 9, All;
 Sec. 10, SW $\frac{1}{4}$;
 Sec. 11, NE $\frac{1}{4}$ and S $\frac{1}{2}$;
 Sec. 12, W $\frac{1}{2}$;
 Sec. 14, W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$;
 Sec. 15, All;
 Sec. 16, All;
 Sec. 17, All;
 Sec. 18, All;
 Sec. 19, All;
 Sec. 20, All;
 Sec. 21, N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 22, N $\frac{1}{2}$ and N $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 23, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$;
 Sec. 25, E $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ and
 S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 26, S $\frac{1}{2}$ S $\frac{1}{2}$;
 Sec. 34, E $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 35, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{2}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 36, W $\frac{1}{2}$.

TOWNSHIP 34 SOUTH, RANGE 13 EAST,
WILLAMETTE MERIDIAN

Sec. 1, N $\frac{1}{2}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 2, NE $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 3, E $\frac{1}{2}$ W $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 4, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$
 SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 5, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
 Sec. 6, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
 Sec. 7, All;
 Sec. 8, All;
 Sec. 9, W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
 SE $\frac{1}{4}$;
 Sec. 10, All;
 Sec. 11, N $\frac{1}{2}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 12, All;
 Sec. 13, All;
 Sec. 14, S $\frac{1}{2}$;
 Sec. 15, All;
 Sec. 16, All;
 Sec. 17, All;
 Sec. 18, All;
 Sec. 19, All;
 Sec. 20, All;
 Sec. 21, N $\frac{1}{2}$;
 Sec. 22, N $\frac{1}{2}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 23, All;
 Sec. 24, All;
 Sec. 25, All;
 Sec. 26, NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 28, E $\frac{1}{2}$;
 Sec. 29, All;
 Sec. 30, All;
 Sec. 31, All;
 Sec. 32, All;
 Sec. 33, All;
 Sec. 34, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
 Sec. 35, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 36, N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$.

TOWNSHIP 35 SOUTH, RANGE 13 EAST,
WILLAMETTE MERIDIAN

Sec. 1, NW $\frac{1}{4}$;
 Sec. 2, All;
 Sec. 3, All;
 Sec. 4, All;
 Sec. 5, All;
 Sec. 6, All;
 Sec. 7, All;
 Sec. 8, All;
 Sec. 9, All;
 Sec. 10, N $\frac{1}{2}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;
 Sec. 11, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$;
 Sec. 12, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$
 SE $\frac{1}{4}$;
 Sec. 13, E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$;
 Sec. 14, All;
 Sec. 15, All;
 Sec. 16, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 17, W $\frac{1}{2}$;
 Sec. 18, E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$;
 Sec. 20, N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
 N $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$
 SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 21, All;
 Sec. 22, All;
 Sec. 23, All;
 Sec. 24, All.

TOWNSHIP 36 SOUTH, RANGE 13 EAST,
WILLAMETTE MERIDIAN

Sec. 19, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 20, S $\frac{1}{2}$ N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 E $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 21, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$;
 Sec. 22, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 23, S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 24, SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 25, All;
 Sec. 26, All;
 Sec. 27, All;
 Sec. 28, All;
 Sec. 29, All;
 Sec. 30, All;
 Sec. 31, All;
 Sec. 32, All;
 Sec. 33, All;
 Sec. 34, All;

Sec. 35, All;
 Sec. 36, All.

TOWNSHIP 37 SOUTH, RANGE 13 EAST,
WILLAMETTE MERIDIAN

Sec. 1, That portion lying northwesterly of
 the Klamath Indian Reservation Boundary
 according to G. L. O. Plat Gated February
 1, 1888;
 Sec. 2, That portion lying northwesterly of
 the Klamath Indian Reservation Boundary
 according to G. L. O. Plat dated February
 1, 1888;
 Sec. 3, All;
 Sec. 4, All;
 Sec. 5, NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$;
 Sec. 6, All;
 Sec. 7, All;
 Sec. 8, All;
 Sec. 9, All;
 Sec. 10, All;
 Sec. 11, That portion lying northwesterly of
 the Klamath Indian Reservation Boundary
 according to G. L. O. Plat dated February
 1, 1888;
 Sec. 18, All;
 Sec. 19, All.

TOWNSHIP 38 SOUTH, RANGE 8 EAST,
WILLAMETTE MERIDIAN

Sec. 25, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 30, Lot 4 and NE $\frac{1}{4}$ SE $\frac{1}{4}$.

TOWNSHIP 31 SOUTH, RANGE 8 EAST,
WILLAMETTE MERIDIAN

Sec. 2, S $\frac{1}{2}$ N $\frac{1}{2}$ NE $\frac{1}{4}$;
 Sec. 11, Lots 2, 3, 4 and 5, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 12, All;
 Sec. 13, All;
 Sec. 14, Lots 1, 3, 4, 5, 6, 7 and 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$,
 SE $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;
 Sec. 15, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 22, Lots 3, 4, 6 and 7, and E $\frac{1}{2}$ SE $\frac{1}{4}$;
 Sec. 23, All;
 Sec. 24, All;
 Sec. 25, Lots 3 and 4, NE $\frac{1}{4}$, W $\frac{1}{2}$ and NW $\frac{1}{4}$
 SE $\frac{1}{4}$;
 Sec. 26, All;
 Sec. 27, All;
 Sec. 28, Lots 2, 3, 4, 5 and 6, and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 33, Lots 1, 2, 3 and 4;
 Sec. 34, Lots 1, 2, 3, 4, 5, 6, 7 and 8;
 Sec. 35, Lots 1, 3, 7, 8, 9, 10, 11 and 12, NE $\frac{1}{4}$,
 NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 36, Lots 5, 6, 7 and 8, and W $\frac{1}{2}$.

KLAMATH MARSH

TOWNSHIP 32 SOUTH, RANGE 8 EAST,
WILLAMETTE MERIDIAN

Sec. 1, Lots 7, 8, 9, 10, 11 and 12, N $\frac{1}{2}$ NW $\frac{1}{4}$,
 and SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 Sec. 2, Lots 6 and 7.

TOWNSHIP 30 SOUTH, RANGE 9 EAST,
WILLAMETTE MERIDIAN

Sec. 28, Lots 1, 3 and 4;
 Sec. 29, Lots 1, 3 and 5, That portion of Lot
 4 within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 31, All;
 Sec. 32, All;
 Sec. 33, Lots 9 and 10.

TOWNSHIP 31 SOUTH, RANGE 9 EAST,
WILLAMETTE MERIDIAN

Sec. 4, Lots 9, 10, 11, 12 and 13, SW $\frac{1}{4}$ NW $\frac{1}{4}$,
 SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Sec. 5, All;
 Sec. 6, All;
 Sec. 7, All;
 Sec. 8, Lots 2, 3, 4 and 5, W $\frac{1}{2}$ E $\frac{1}{2}$ and W $\frac{1}{2}$;
 Sec. 9, Lots 16, 17, 18, 19, 20 and 21, NW $\frac{1}{4}$
 NE $\frac{1}{4}$, and N $\frac{1}{2}$ NW $\frac{1}{4}$;
 Sec. 17, Lots 5, 6, 7 and 8, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and
 W $\frac{1}{2}$;
 Sec. 18, All;
 Sec. 19, All;
 Sec. 20, Lots 5, 6, 7 and 8, and W $\frac{1}{2}$;
 Sec. 29, Lots 9 and 10, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and NW $\frac{1}{4}$;

Sec. 30, Lots 7, 8, 9 and 10, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$
 NE $\frac{1}{4}$, and NE $\frac{1}{4}$ NW $\frac{1}{4}$.

FRED A. SEATON,
 Secretary of the Interior.

DECEMBER 2, 1958.

E. T. BENSON,
 Secretary of Agriculture.

DECEMBER 12, 1958.

[P. R. Doc. 58-10424; Filed, Dec. 18, 1958;
 10:37 a. m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

OREGON

DESIGNATING PORTIONS OF TRIBAL LANDS OF
 THE KLAMATH TRIBE OF INDIANS AS KLAMATH
 INDIAN FOREST AND KLAMATH MARSH

CROSS REFERENCE: For document designating portions of the tribal lands of the Klamath Tribe of Indians as the Klamath Indian Forest and the Klamath Marsh, see F. R. Document 58-10424, Department of the Interior, Office of the Secretary, *supra*.

DEPARTMENT OF COMMERCE

Federal Maritime Board

COMMONWEALTH OF MASSACHUSETTS ET AL.

NOTICE OF AGREEMENT FILED FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U. S. C. 814):

Agreement No. 8365, between The Commonwealth of Massachusetts acting through the Port of Boston Commission; The New York Central Railroad (Boston & Albany Division); The Mystic Terminal Company; Terminal Operators, Inc. and Wiggins Terminals, Inc., provides for a cooperative working arrangement between the parties relative to dockage and wharfage charges at their respective piers in Boston, Massachusetts. This agreement, when approved, will cancel Agreements Nos. 7275 and 7675, covering wharfage and dockage, respectively, at Boston.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: December 16, 1958.

By order of the Federal Maritime Board.

GEO. A. VIEHMANN,
 Assistant Secretary.

[P. R. Doc. 58-10474; Filed, Dec. 18, 1958;
 8:52 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 9300 et al.]

WESTERN AIR LINES, INC. v. FRONTIER AIRLINES, INC.

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the complaint of Western Air Lines, Inc., v. Frontier Airlines, Inc.

Notice is hereby given, pursuant to the provisions of the Civil Aeronautics Act of 1938, as amended, that the hearing in the above-entitled matter now assigned for December 22, 1958, is postponed to January 13, 1959, 10:00 a. m., e. s. t., Room E-224, Temporary Building No. 5 16th Street and Constitution Avenue NW., Washington, D. C., before Examiner John A. Cannon.

Dated at Washington, D. C., December 15, 1958.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 58-10483; Filed, Dec. 18, 1958; 8:54 a. m.]

AMERICAN BATTLE MONUMENTS COMMISSION

STATEMENT OF ORGANIZATION

The Statement of Organization for the American Battle Monuments Commission is revised to read as follows:

SECTION 1. Creation and authority. The American Battle Monuments Commission was created by act of Congress approved March 4, 1923 (42 Stat. 1509, as amended; 36 U. S. C. and Sup. 121-138). It derives its authority from this and subsequent acts and Executive Orders 6614 of February 26, 1934, 6690 of April 25, 1934, 9704 of March 14, 1948, 10057 of May 14, 1949, and 10087 of December 3, 1949 (Title 3, supra).

SEC. 2. Functions. The principal functions of the Commission are to:

(a) Administer and maintain American national cemeteries and memorials in foreign countries and memorials erected by it at the Presidio of San Francisco, Calif., and in Battery Park, New York, N. Y.

(b) Prepare plans and estimates for the erection of suitable memorials to mark and commemorate the services of the American armed forces and to erect and maintain memorials in the United States and at such places outside the United States where the American armed forces have served since April 6, 1917 or shall hereafter serve as the Commission shall determine.

(c) Erect and maintain works of architecture and art in such American cemeteries located outside the United States, its Territories and possessions, as have been or may hereafter be declared to be permanent cemeteries.

(d) Control as to materials and design, provide regulations for, and supervise the erection of, all memorial monuments and buildings in American cemeteries located outside of the United States and its Territories and possessions.

(e) Control as to materials and design, provide regulations for, and supervise the

erection of, all memorial monuments and buildings commemorating the services of the American armed forces erected in any foreign country of political division thereof which may authorize the Commission to perform such functions.

(f) Cooperate with American citizens, States, municipalities, or associations desiring to erect war memorials outside the continental limits of the United States in such manner as may be determined by the Commission.

(g) Receive funds from any State, municipal, or private source to be used in carrying out the Commission's program.

(h) When, as a result of combat operations, the Armed Forces shall establish military cemeteries in zones of operations outside the United States and its Territories and possessions, the Commission and the Secretary of the Army immediately upon the cessation of hostilities shall determine which of the cemeteries so established, if any, shall become permanent cemeteries or, as they may deem desirable, select new sites at any other location for such cemeteries. The Commission shall be solely responsible for the design and construction of such permanent cemeteries, and of all buildings, planting, headstones, and other permanent improvements thereto.

SEC. 3. Organization. The American Battle Monuments Commission organization is composed of:

(a) *The Commissioners.* Final authority in all matters pertaining to the construction and maintenance of permanent American military cemeteries outside the continental limits of the United States and its Territories and possessions, the erection and maintenance of memorial monuments and buildings therein, the erection and maintenance of national memorials within and without the United States to commemorate the services of the American armed forces since April 6, 1917, and the erection of war memorials in foreign countries by American citizens, States, municipalities, and associations, rests in the Commission. Inquiries and proposals regarding such matters should be addressed to the Commission at the Central Office.

(b) *The Secretary.* The Secretary acts for the Commission in all administrative matters; formulates for the consideration of the Commission plans and estimates for the carrying out of its duties; carries out the plans adopted by the Commission; and otherwise gives effect to its decisions and policies.

(c) *Central Office.* The Central Office is located in the Main Navy Building, Washington 25, D. C. It is responsible for the conduct of the general administrative work of the organization and for the administration and maintenance of the Mexico City (Mexico) National Cemetery, the Santiago (Cuba) Surrender Tree Site, and memorials at the Presidio of San Francisco, Calif., and in Battery Park, New York, N. Y.

(d) *Field Offices.* Field Offices are located at 20 Rue Quentin Bauchart, Paris, France, 119 Via Veneto, Rome, Italy, and care of the American Embassy, Manila, Philippine Islands. The Paris office is

responsible for the administration and maintenance of the World War I and World War II cemeteries and memorials in Europe, except Italy. The Rome office is responsible for the World War II cemeteries and memorials in Italy and Tunisia, and the Manila office, for the World War II cemetery and memorial in the Philippines. Information regarding these cemeteries and memorials and individual graves in the cemeteries may be had by addressing the field offices. The field offices will, upon request and upon receipt of funds, arrange for the placing of flowers on individual graves. Information regarding this service may be had from the central office or the field offices.

Dated: December 15, 1958.

AMERICAN BATTLE MONUMENTS
COMMISSION,
THOMAS C. KINKAID,
Vice Chairman.

[F. R. Doc. 58-10438; Filed, Dec. 18, 1958; 8:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 12564; FCC 58M-1430]

SANTA MONICA BROADCASTING Co.

ORDER CONTINUING HEARING

In re application of J. D. Funk and C. D. Funk, d/b as Santa Monica Broadcasting Company, Santa Monica, California, Docket No. 12564, File No. BPH-2401; for construction permit.

The Hearing Examiner having under consideration a motion filed December 12, 1958, on behalf of the above-entitled applicant requesting that the date for the evidentiary hearing be continued from December 15, 1958, to January 26, 1959, and that the date for the final exchange of engineering material be specified as January 22, 1959; and

It appearing that the reason for the requested continuance is the fact that after an informal exchange of the engineering exhibits on November 24, 1958, Commission counsel requested additional engineering information which will require a substantial revision of the applicant's engineering exhibits and that the additional time is necessary for this purpose; and

It further appearing that there are no objections to the granting of the requested motion or for immediate consideration thereof, and good cause for the requested continuance having been shown;

It is ordered, This the 12th day of December 1958, that the motion for extension of time is granted and the date of the evidentiary hearing is continued from December 15, 1958, to January 26, 1959, and the date for the final exchange of the engineering exhibits to be offered in evidence is specified as January 22, 1959.

Released: December 12, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-10476; Filed, Dec. 18, 1958; 8:53 a. m.]

[Docket Nos. 12674, 12675; FCC 58M-1436]

HARVARD RADIO BROADCASTING CO., INC.
(WHRB-FM) AND WKOX, INC.

ORDER CONTINUING HEARING CONFERENCE

In re applications of Harvard Radio Broadcasting Co., Inc. (WHRB-FM), Cambridge, Massachusetts, Docket No. 12674, File No. BPH-2343; WKOX, Inc., Framingham, Massachusetts, Docket No. 12675, File No. BPH-2493; for construction permits.

On the oral request of counsel for Harvard Radio Broadcasting Co., Inc. (WHRB-FM), and without objection by counsel for the other parties: *It is ordered*, This 15th day of December 1958, that the prehearing conference now scheduled for December 18, 1958, is continued to Monday, December 29, 1958, at 10:15 a. m., in the offices of the Commission, Washington, D. C.

Released: December 15, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F. R. Doc. 58-10477; Filed, Dec. 18, 1958;
8:53 a. m.]

[Docket No. 12693; FCC 58M-1432]

TOBACCO VALLEY BROADCASTING CO.

ORDER SCHEDULING PREHEARING
CONFERENCE

In re application of The Tobacco Valley Broadcasting Company, Windsor, Connecticut, Docket No. 12693, File No. BP-11339; for construction permit.

On the Examiner's own motion: *It is ordered*, This 12th day of December 1958, that all parties, or their counsel, in the above-entitled proceeding are directed to appear for a prehearing conference pursuant to the provisions of § 1.111 of the Commission's rules, at 9:00 o'clock a. m., on Monday, January 5, 1959, in the offices of the Commission, Washington, D. C.

Released: December 15, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F. R. Doc. 58-10478; Filed, Dec. 18, 1958;
8:53 a. m.]

[Docket Nos. 12701, 12702; FCC 58M-1431]

TOMAH-MAUSTON BROADCASTING CO., INC.
(WTMB)

ORDER SCHEDULING HEARING

In re applications of Tomah-Mauston Broadcasting Company, Incorporated (WTMB), Tomah, Wisconsin, Docket No. 12701, File No. BP-11615, for construction permit; Docket No. 12702, File No. BMP-8306, for modification of permit.

It is ordered, This 15th day of December 1958, that Herbert Sharfman will preside at the hearing in the above-entitled proceeding which is hereby

scheduled to commence on January 19, 1959, in Washington, D. C.

Released: December 15, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F. R. Doc. 58-10479; Filed, Dec. 18, 1958;
8:53 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-8475 etc.]

SOUTHLAND ROYALTY CO. ET AL.

NOTICE OF APPLICATIONS AND DATE OF
HEARING

DECEMBER 12, 1958.

In the matter of Southland Royalty Company, Docket No. G-8475; Sun Oil Company, Docket No. G-8591; Burdette Graham & H. C. Heldenfels, Trustee, Docket No. G-9214; Gulf Oil Corporation, Docket No. G-9872.

Take notice that each of the above designated parties, hereinafter collectively referred to as Applicants, has filed an application for a certificate of public convenience and necessity, pursuant to section 7 (c) of the Natural Gas Act, authorizing the sale of natural gas in interstate commerce as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the applications which are on file with the Commission and open to public inspection.

Applicants propose to sell natural gas to various purchasers as indicated below.

Docket No. G-8475. Southland Royalty Company filed an application on February 14, 1955, for a certificate of public convenience and necessity authorizing the sale of natural gas produced from the Parks fee lease, Headlee Field, Midland County, Texas, to El Paso Natural Gas Company for transportation in interstate commerce for resale. The gas sales contract, which is an instrument dated December 17, 1954, adopting the terms of a contract dated June 1, 1954, between Texas Gulf Producing Company and El Paso Natural Gas Company, is on file with the Commission as Applicant's FPC Gas Rate Schedule No. 11.

Docket No. G-8591. Sun Oil Company filed on March 16, 1955, an application for a certificate of public convenience and necessity authorizing the sale of natural gas produced from the Noelke Field, Crockett County, Texas, to El Paso Natural Gas Company for transportation in interstate commerce for resale. The gas sales contract, dated March 1, 1955, is on file with the Commission as Sun Oil Company FPC Gas Rate Schedule No. 65.

Docket No. G-9214. Burdette Graham and H. C. Heldenfels, Trustee, filed on August 9, 1955, an application for a certificate of public convenience and necessity authorizing the sale of natural gas produced from the Fox Field, Refugio County, Texas, to United Gas Pipe Line Company for transportation in interstate commerce for resale. The gas sales contract, dated July 25, 1955, is on file with the Commission as Burdette

Graham, et al., FPC Gas Rate Schedule No. 2 and two amendatory letter agreements to said contract, each dated July 25, 1955, have been designated Supplements Nos. 1 and 2 to said rate schedule.

Docket No. G-9872. Gulf Oil Corporation filed on January 16, 1956, an application for a certificate of public convenience and necessity authorizing the sale made on and since June 7, 1954, of natural gas produced from the Big Hill Field, Jefferson County, Texas, to Texas Gas Pipe Line Corporation for transportation in interstate commerce. The gas sales contract dated June 1, 1954, is on file with the Commission as Gulf Oil Corporation FPC Gas Rate Schedule No. 41.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 15, 1959, at 9:30 a. m. (e. s. t.) in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 8, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrent in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.[F. R. Doc. 58-10451; Filed, Dec. 18, 1958;
8:48 a. m.]

[Docket No. G-15330 etc.]

CITIES SERVICE PRODUCTION CO. ET AL.

NOTICE OF SEVERANCE

DECEMBER 12, 1958.

In the matters of Cities Service Production Company, Docket No. G-15330; Pan American Petroleum Corporation, et al., Docket No. G-15225, et al.

Take notice that in view of the notice of intervention filed on December 8, 1958, by The Public Service Commission of the State of New York in Docket No. G-15330, the application of Cities Service Production Company in said docket, which has been heretofore consolidated with vari-

ous other applications in a proceeding entitled in the Matters of Pan American Petroleum Corporation, et al., Docket No. G-15225, et al., and scheduled to be heard therewith at 9:30 a. m., e. s. t., on December 23, 1958, is hereby severed from said consolidated proceeding and continued to a date to be set by further notice.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-10452; Filed, Dec. 18, 1958;
8:48 a. m.]

[Docket Nos. G-16390, G-16564]

LEA COUNTY GAS CO. AND SOUTHWESTERN PUBLIC SERVICE CO.

NOTICE OF APPLICATION AND DATE OF HEARING

December 12, 1958.

Take notice that Lea County Gas Company (Applicant), a Delaware corporation with a principal place of business in Ysleta, Texas, filed an application in Docket No. G-16390 on September 23, 1958, and a supplement thereto on October 10, 1958, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity authorizing Applicant to acquire and operate natural gas facilities subject to the jurisdiction of the Commission, all as more fully set forth in the application, which is on file with the Commission and open to public inspection. The facilities are described as follows:

(1) Approximately 7.5 miles of 4-inch pipeline extending from a point in Cimarron County, Oklahoma, to the community of Texhoma, in Sherman County, Texas. This Texhoma-Beaver or "East Line" is presently used to transport gas received from Cities Service Gas Company's wells in Cimarron County, Oklahoma, to the communities of Texhoma, Oklahoma, and Texhoma, Texas, where it is distributed and sold at retail by Southwestern.

(2) Approximately 36 miles of 5-inch and 7.2 miles of 6-inch pipeline extending from a point in Sherman County, Texas, to Boise City, in Cimarron County, Oklahoma. This Stratford-Boise City or "West Line" is used to transport gas received from two producers in Sherman County, Texas, to the towns of Stratford and Kerrick, Texas, and Boise City, Oklahoma, where it is distributed and sold at retail by Southwestern.

Southwestern Public Service Company (Southwestern), a New Mexico corporation with a principal place of business in Amarillo, Texas, filed an application on October 10, 1958, in Docket No. G-16564, pursuant to section 7 of the Natural Gas Act, for permission and approval to abandon the facilities proposed to be acquired by Lea County Gas Company in Docket No. G-16390, subject to the jurisdiction of the Commission, all as more fully described in the application, which is on file with the Commission and open to public inspection.

The applications further recite that Applicant will pay Southwestern the sum of \$4,600,000 (the depreciated book value

of all the properties as of February 28, 1958) adjusted to date of sale for all the natural gas transmission facilities, plus other non-jurisdictional gas distribution and water distribution properties. For the interstate Texhoma-Beaver and Stratford-Boise City lines, the depreciated original cost is represented to be \$296,065 as of February 28, 1958, which is included in the \$4,600,000.

Applicant states it proposes to finance the cost of the purchase by obtaining an interim bank loan of \$5,700,000, and then, after acquisition of the properties, to issue bonds, and common and preferred stock in the amount of \$5,950,000. The funds in excess of the expected purchase price of \$4,840,000 are to be used to defray the expense of financing, pay off an existing bank note, and for working capital.

Applicant proposes to continue service in the communities served from the jurisdictional facilities to be acquired from Southwestern. Estimated revenues and expenses for these facilities are stated to be as follows:

	Year			
	1958	1959	1960	1961
Revenues.....	\$423,000	\$442,000	\$460,000	\$473,000
Operating expense....	359,000	369,000	384,000	397,000
Operating income....	70,000	73,000	76,000	82,000

The application further recites that Southwestern proposes to abandon the subject facilities, and transportation of gas through such facilities, as certificated by the Commission in its order of May 2, 1944, in Docket No. G-454, wherein Southwestern was authorized to acquire and operate the natural gas facilities of three small utility companies in Texas and Oklahoma for rendition of retail natural gas service in several communities in those States, among which facilities were those which Applicant here proposes to acquire and operate for the transportation and sale of gas to five of the communities to be served at retail by Applicant. The gas requirements of the areas served by interstate lines are estimated as follows:

Community	Annual Volumes in Mcf (@ 14.73 pps)			
	1958	1959	1960	1961
West line				
Boise City.....	148,405	153,000	160,000	167,000
Kerrick.....	318	320	320	340
Stratford.....	166,521	169,900	171,500	173,200
Total.....	315,244	323,220	331,820	340,540
East line				
Texhoma, Okla.....	62,979	64,200	64,900	65,500
Texhoma, Tex.....	19,841	20,000	20,400	20,600
Total.....	82,820	84,400	85,300	86,100
Total sales.....	398,064	407,620	417,120	426,640

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject

to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 20, 1959, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 5, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-10453; Filed, Dec. 18, 1958;
8:48 a. m.]

[Docket No. G-16450]

COASTAL TRANSMISSION CORP.

NOTICE OF APPLICATION AND DATE OF HEARING

DECEMBER 12, 1958.

Take notice that Coastal Transmission Corporation (Applicant), a Delaware corporation with its principal place of business in Houston, Texas, filed on September 26, 1958, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act for authority to construct and operate 2.78 miles of 6.625-inch pipeline in Matagorda County, Texas, to connect Applicant's 20-inch main transmission line with sources of natural gas in Midfields Gas Field in Matagorda County, Texas, subject to the jurisdiction of the Commission all as more fully set forth in the application on file with the Commission and open to public inspection.

The estimated capital cost of the proposed facilities is \$46,000, and will be defrayed from funds currently available to Applicant.

The application recites Applicant will receive natural gas from Sun Oil Company in the Midfields Field for the account of Florida Power and Light Company for transportation to Florida.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by section 7

and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on Tuesday, January 20, 1959, at 9:30 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 5, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-10455; Filed, Dec. 18, 1958;
8:48 a. m.]

[Docket No. G-17166]

TENNESSEE GAS TRANSMISSION CO.

ORDER PROVIDING FOR HEARING AND SUSPENDING PROPOSED TARIFF AND OTHER REVISED TARIFF SHEETS

DECEMBER 12, 1958.

Tennessee Gas Transmission Company (Tennessee), on November 14, 1958, pursuant to section 4 of the Natural Gas Act and the Commission's general rules and regulations, particularly Part 154 thereof (18 CFR, Part 154), tendered for filing First Revised Sheet Nos. 7, 12, 17, 22, 27, 32, 37, 39, 42, 44, 47, 49, 52, 54, 57, 59, 62, 64, 67, 69, 71, 73, 75, 77, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100, 103, 107, 111, 115, 116, and 118 to its FPC Gas Tariff, Seventh Revised Volume No. 1, and Third Revised Sheet No. 48 to its FPC Gas Tariff, Fourth Revised Volume No. 2. The tariff changes contained in the tendered filing effect a general increase in rates and charges for sales in interstate commerce of natural gas for resale for ultimate public consumption, subject to the jurisdiction of the Commission under the Natural Gas Act. Tennessee requests that the increased rates and charges be allowed to become effective as of December 15, 1958.

The tariff changes proposed by Tennessee involve increases of 3.2 cents per Mcf in the commodity components of its wholesale rates amounting to \$19,184,000, or 8.7 percent annually, based on sales for the year ended July 31, 1958, as adjusted, and are in addition to the \$24,077,000 increase in rates now

in effect subject to refund in Docket No. G-11980.¹

As represented by Tennessee, the sole purported purpose of the newly proposed increased rates is to recover increases in the cost of purchased gas which Tennessee anticipates it will be obligated to pay under its contracts with independent producers. However, the proposed increased rates are also related to Tennessee's claimed cost of service embracing items similar to those subject to the proceedings in Docket No. G-11980.

The increased rates and charges proposed in Tennessee's aforementioned revised tariff sheets have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications and services contained in Tennessee's FPC Gas Tariffs, Seventh Revised Volume No. 1 and Fourth Revised Volume No. 2, as proposed to be amended by the revised tariff sheets identified in the first paragraph of the narrative hereof, and that said tariff sheets be suspended and the use thereof deferred as hereinafter ordered pending hearing and decision thereof, except as they may become effective as provided by the Natural Gas Act.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Natural Gas Act, particularly sections 4 and 15 thereof, and the Commission's general rules and regulations, including rules of practice and procedure (18 CFR Ch. I), a public hearing be held, at a time and place to be fixed by further notice of the Secretary of the Commission, concerning the lawfulness of the rates, charges and services, or any of them, subject to the jurisdiction of the Commission, of Tennessee's FPC Gas Tariff, Seventh Revised Volume No. 1, as proposed to be amended by First Revised Sheet Nos. 7, 12, 17, 22, 27, 32, 37, 39, 42, 44, 47, 49, 52, 54, 57, 59, 62, 64, 67, 69, 71, 73, 75, 77, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98, 100, 103, 107, 111, 115, 116, and 118, and Tennessee's FPC Gas Tariff, Fourth Revised Volume No. 2, as proposed to be amended by Third Revised Sheet No. 48.

(B) Pending such hearing and decision thereon, Tennessee's proposed revised sheets of its FPC Gas Tariffs, identified in paragraph (A) above, are hereby suspended and their use deferred until May 15, 1959, and until such further time as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate, as provided by §§ 1.8 and

1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-10457; Filed, Dec. 18, 1958;
8:48 a. m.]

[Docket No. G-17170]

NORTHWEST PRODUCTION CORP.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

DECEMBER 12, 1958.

Northwest Production Corporation (Northwest) on October 17, 1958, tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes increased rates and charges, is contained in the following designated filing:

Description: Notice of Change, dated October 16, 1958.

Purchaser: Pacific Northwest Pipeline Corporation.

Rate schedule designation: Supplement No. 4 to its FPC Gas Rate Schedule No. 1.

Effective date: January 1, 1959 (effective date is the effective date proposed by Northwest).

In support of the proposed increased rates and charges Northwest cites the contract price escalation provision and states that the contract was negotiated at arm's length. In addition, Northwest states that it bargained away its gas in reliance upon the contractual provisions for periodic price increases necessary to justify such long-term commitment of the gas and offset anticipated increased costs which have now become realities.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 4 to Northwest's FPC Gas Rate Schedule No. 1 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 4 to Northwest's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, said supplement be and is hereby suspended and the use thereof deferred until June 1, 1959, and until such further time as it is made effective in the

¹The hearing provided for by the suspension order issued February 13, 1957, in Docket No. G-11980 is scheduled to reconvene on January 13, 1959, in Washington, D. C.

manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 or 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission (Commissioners Kline and Hussey dissenting).

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-10458; Filed, Dec. 18, 1958;
8:49 a. m.]

[Docket No. G-17218]

ALABAMA-TENNESSEE NATURAL GAS CO.

ORDER PROVIDING FOR HEARING, SUSPENDING CERTAIN PROPOSED REVISED TARIFF SHEETS AND ALLOWING A PROPOSED REVISED TARIFF SHEET TO BECOME EFFECTIVE

DECEMBER 12, 1958.

Alabama-Tennessee Natural Gas Company (Alabama-Tennessee) on November 14, 1958, tendered for filing Fourth Revised Sheet No. 5 (Superseding Third Revised Sheet No. 5), Fifth Revised Sheet No. 10 (Superseding Fourth Revised Sheet No. 10) and First Revised Sheet No. 11-D (Superseding Original Sheet No. 11-D) to its FPC Gas Tariff, First Revised Volume No. 1. The changes propose an annual increase in its rates and charges of \$134,683 or 4.5 percent, based on sales for the twelve months ended September 30, 1958.¹ The proposed increases are intended to reflect only the impact on Alabama-Tennessee of the rate increases filed November 14, 1958, by its supplier, Tennessee Gas Transmission Company (Tennessee). Alabama-Tennessee requested that its proposed increases become effective on December 15, 1958, or on the date Tennessee's increases are allowed to become effective.

In support of the proposed increased rates,² Alabama-Tennessee has submitted a cost of service study adjusted to show the increases in cost of gas purchased from its supplier.

Since Alabama-Tennessee's proposed increases are based on the increased rates and charges filed by Tennessee, which have not been shown to be justified and have been suspended until May 15, 1959, Alabama-Tennessee's filing should be suspended for five months from December 15, 1958.

¹ This increase includes an increase in Alabama-Tennessee's First Revised Sheet No. 11-D to its FPC Gas Tariff, First Revised Volume No. 1 which is applicable to sales of natural gas for resale for industrial use only and which is not subject to suspension under the Natural Gas Act.

² Presently effective rates are subject to refund in Docket No. G-11982.

The Commission finds:

(1) The increased rates and charges provided for in the revised tariff sheets tendered by Alabama-Tennessee on November 14, 1958, have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

(2) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a public hearing concerning the lawfulness of the proposed rates, charges, classifications and services contained in Alabama-Tennessee's Fourth Revised Sheet No. 5, Fifth Revised Sheet No. 10 and First Revised Sheet No. 11-D to its FPC Gas Tariff, First Revised Volume No. 1, and that said proposed revised tariff sheets, with the exception of the aforesaid First Revised Sheet No. 11-D, be suspended and the use thereof deferred as hereinafter provided.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held on a date to be fixed by notice from the Secretary concerning the lawfulness of the rates, charges, classifications, and services contained in Alabama-Tennessee's Fourth Revised Sheet No. 5, Fifth Revised Sheet No. 10 and First Revised Sheet No. 11-D to its FPC Gas Tariff, First Revised Volume No. 1.

(B) Pending such hearing and decision thereon, Alabama-Tennessee's proposed Fourth Revised Sheet No. 5 and Fifth Revised Sheet No. 10 to its FPC Gas Tariff, First Revised Volume No. 1, be and they are each hereby suspended and the use thereof deferred until May 15, 1959, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) First Revised Sheet No. 11-D to Alabama-Tennessee's FPC Gas Tariff, First Revised Volume No. 1 is hereby allowed to become effective on December 15, 1958.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-10459; Filed, Dec. 18, 1958;
8:49 a. m.]

[Docket No. G-17220]

HOPE NATURAL GAS CO.

ORDER PROVIDING FOR HEARING AND SUSPENDING PROPOSED REVISED TARIFF

DECEMBER 12, 1958.

Hope Natural Gas Company (Hope) on November 14, 1958, tendered for filing

revised tariff sheets¹ proposing an annual increase in rates and charges of approximately \$6,141,600, or 13.5 percent, based on actual sales for the year ended July 31, 1958. The proposed rates are intended to replace rates which became effective July 14, 1957 subject to refund in Docket No. G-12454. Hope requests an effective date of December 15, 1958 for the proposed increased rates.

In support of its proposed increased rates and charges, Hope submitted cost data for the year ended July 31, 1958, with adjustments. The adjustments reflect, inter alia: (1) Exclusion of investment and expense items related to Louisiana operations; (2) annualization of two payroll increases which occurred during the test period; (3) annualization of increased rates by three of its suppliers; and (4) a rate of return of 6½ percent with claimed income taxes.

The proposed increased rates and charges have not been fully supported in several respects, including, but not limited to, dependence upon contingent rate increases of suppliers, and proposed increase in rate of return.

The proposed changes in rates, charges, classifications, or services provided for in the tariff sheets tendered by Hope on November 14, 1958, have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing concerning the lawfulness of the rates, charges, classifications, and services contained in Hope's FPC Gas Tariff, Original Volume No. 1, as sought to be amended by the aforementioned revised tariff sheets and the rates proposed therein be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the rates, charges, classifications, and services contained in Hope's FPC Gas Tariff, Original Volume No. 1, as sought to be amended by Eleventh Revised Sheet No. 3-A, Original Sheet No. 3-B and Twelfth Revised Sheet No. 4.

(B) Pending such hearing, and decision thereon, Eleventh Revised Sheet No. 3-A, Original Sheet No. 3-B and Twelfth Revised Sheet No. 4 to Hope's FPC Gas Tariff, Original Volume No. 1 are suspended and the use thereof deferred until May 15, 1959, and until such further time as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37

¹ Eleventh Revised Sheet No. 3-A, Original Sheet No. 3-B, and Twelfth Revised Sheet No. 4 to its FPC Gas Tariff Original Volume No. 1.

(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-10460; Filed, Dec. 18, 1958;
8:49 a. m.]

[Docket No. G-17138, etc.]

PHILLIPS PETROLEUM CO. ET AL.

ORDER FOR HEARINGS AND SUSPENDING
PROPOSED CHANGES IN RATES

DECEMBER 12, 1958.

In the matters of Phillips Petroleum Company (Operator), et al., Docket No. G-17138; Phillips Petroleum Company, Docket No. G-17139; Sinclair Oil & Gas

Company, Docket No. G-17140; Sinclair Oil & Gas Company (Operator), et al., Docket No. G-17141; Sinclair Oil & Gas Company, et al., Docket No. G-17142; Continental Oil Company, Docket No. G-17143; Humble Oil & Refining Company, Docket No. G-17144; Lexia Buchanan, et al., Docket No. G-17145; Ralph E. Fair, Docket No. G-17146; Cities Service Oil Company, Docket No. G-17147.

The proposed changes hereinafter designated which constitute increased rates and charges in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission, have been tendered for filing by the above-named Respondents. In each filing the purchaser is Tennessee Gas Transmission Company and the Respondents have proposed January 1, 1959, as the effective date of the changes.¹

cable period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 or 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.37 (f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-10456; Filed, Dec. 18, 1958;
8:48 a. m.]

[Project No. 2216]

POWER AUTHORITY OF STATE OF NEW
YORK

ORDER FIXING ORAL ARGUMENT

DECEMBER 12, 1958.

On January 30, 1958, the Commission issued an order issuing license to Power Authority of the State of New York (hereinafter called "Power Authority") under section 4 (e) of the Federal Power Act and Public Law 85-159, approved August 21, 1957 (71 Stat. 401), for proposed Niagara hydroelectric redevelopment, designated Project No. 2216, on the Niagara River in Niagara County, New York.

By its order issued November 14, 1958, the United States Court of Appeals for the District of Columbia Circuit in No. 14,475, *Tuscarora Indian Nation v. Federal Power Commission* remanded the matter to the Commission for further proceedings in conformity with the opinion of the Court. A notice was issued November 17, 1958, setting the matter for further hearing on the questions presented.

Pursuant to the notice, the further hearing commenced November 24 and concluded on December 10, 1958. All parties present having concurred in a motion made during the hearing by the Power Authority for omission of the intermediate decision procedure, intermediate decision will be omitted in this matter as provided by § 1.30 (c) of our rules of practice and procedure.

The Commission finds: It is appropriate and in the public interest that the parties be given opportunity to present oral argument before the Commission respecting the issues involved in this proceeding.

The Commission orders:

(A) Oral argument shall be held before the Commission at 1:00 p. m., e. s. t., on January 2, 1959, in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., respecting the issues involved in this proceeding.

(B) Any party to this proceeding desiring to participate in the oral argument shall advise the Secretary of the Commission on or before December 22, 1958 to that effect and shall state the amount of time they wish to have allotted to them for argument.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-10461; Filed, Dec. 18, 1958;
8:49 a. m.]

Respondent	Rate schedule No.	Supplement No.	Notice of change dated	Date tendered
1. Phillips Petroleum Co. (operator), et al.	29	8	Nov. 10, 1958	Nov. 12, 1958
2. Phillips Petroleum Co.	39	8	Oct. 7, 1958	Nov. 12, 1958
3. Phillips Petroleum Co.	30	9	Nov. 6, 1958	Nov. 12, 1958
4. Sinclair Oil & Gas Co.	2	8	Nov. 12, 1958	Nov. 13, 1958
5. Sinclair Oil & Gas Co.	53	7	Nov. 12, 1958	Nov. 13, 1958
6. Sinclair Oil & Gas Co. (operator), et al.	52	5	Nov. 12, 1958	Nov. 13, 1958
7. Sinclair Oil & Gas Co. (operator), et al.	44	9	Nov. 12, 1958	Nov. 13, 1958
8. Sinclair Oil & Gas Co., et al.	73	4	Nov. 12, 1958	Nov. 13, 1958
9. Sinclair Oil & Gas Co., et al.	74	4	Nov. 12, 1958	Nov. 13, 1958
10. Sinclair Oil & Gas Co., et al.	82	3	Nov. 12, 1958	Nov. 13, 1958
11. Sinclair Oil & Gas Co., et al.	75	3	Nov. 12, 1958	Nov. 13, 1958
12. Sinclair Oil & Gas Co., et al.	64	7	Nov. 12, 1958	Nov. 13, 1958
13. Continental Oil Co.	78	7	Undated	Nov. 13, 1958
14. Humble Oil & Refining Co.	125	1	Nov. 5, 1958	Nov. 13, 1958
15. Humble Oil & Refining Co.	122	1	Nov. 5, 1958	Nov. 13, 1958
16. Humble Oil & Refining Co.	6	10	Nov. 7, 1958	Nov. 17, 1958
17. Lexia Buchanan, et al.	2	4	Nov. 4, 1958	Nov. 14, 1958
18. Ralph E. Fair	3	8	Undated	Nov. 17, 1958
19. Cities Service Oil Co.	46	5	Nov. 14, 1958	Nov. 18, 1958

¹ The instrument in this instance was entitled Supplemental Agreement.

² Present rates are in effect subject to refund in Docket No. G-9801.

In support of the proposed increases, all of the Respondents state that the increased price is provided for by the contract and was arrived at through arm's-length bargaining. In addition Sinclair Oil & Gas Company states that the increase will not result in an excessive rate of return. Cities Service Oil Company states that the increase is not in excess of the fair market price for gas of a like quality in the same general area. Phillips Petroleum Company offers the same reasons as Sinclair and Cities Service and incorporates by reference Exhibit Nos. 282, 284 and 324 in Docket Nos. G-1148, et al., general investigation of Phillips' rates, purportedly showing an overall revenue deficiency for Phillips. Humble Oil and Refining Company states an additional information that the staff has been investigating Humble's books and records since June 27, 1956, therefore there is no need to suspend the increased rates in order to allow time for an investigation. In the alternative, Humble requests that if the rates are suspended it be for as short a time as possible. Ralph E. Fair in addition, incorporates by reference staff Exhibit Nos. 1, 2 and 3 in Docket No. G-9285, a section 5 (a) investigation of Ralph E. Fair and Ralph E. Fair, Inc.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the several proposed changes and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch.), public hearings be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the several proposed increased rates and charges contained in the above-designated supplements.

(B) Pending hearing and decision thereon, each of said supplements be and it is hereby suspended and the use thereof deferred until June 1, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) None of the several supplements hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until the relevant proceeding has been disposed of or until the appli-

¹ This order does not provide for the consolidation for hearing or disposition of the several matters covered herein, nor should it be so construed.

SECURITIES AND EXCHANGE COMMISSION

[File No. 31-856]

CHESAPEAKE INDUSTRIES, INC., AND THETA ENTERPRISES, INC.

NOTICE OF FILING OF APPLICATION FOR AN ORDER OF EXEMPTION

DECEMBER 12, 1958.

Notice is hereby given that Chesapeake Industries, Inc. ("Chesapeake"), a holding company which obtained an order on December 22, 1955, pursuant to section 3 (a) (1) of the Public Utility Holding Company Act of 1935 ("Act"), exempting it, as a holding company, and its then subsidiaries, as such, from the provisions of the Act (Holding Company Act Release No. 13072), and its wholly-owned subsidiary Theta Enterprises, Inc. ("Theta") have filed a joint application and an amendment thereto pursuant to section 3 (a) (1) of the Act, for an order exempting them, as holding companies, and their subsidiaries, as such, from the provisions of the Act.

All interested persons are referred to the application on file at the office of the Commission for a statement in respect of the requested order and the basis therefor, which are summarized as follows:

Chesapeake, a diversified management company, has a number of subsidiaries, among which are Theta, Portsmouth Gas Company ("Portsmouth"), Pathe Laboratories, Inc. ("Pathe"), and Virginia Metal Products, Inc. ("Virginia"). Chesapeake, Theta and Portsmouth are all organized under the laws of the State of Ohio and have their principal offices and places of business in that State. Theta's only significant asset is an account receivable from Chesapeake in the principal amount of \$1,080,000. Its only significant liability is a 4½ percent note due in 1975 in the principal amount of \$1,060,000 held by Massachusetts Mutual Life Insurance Company ("Massachusetts") the payment of which is guaranteed by Chesapeake. Theta's only other outstanding securities are 435 shares of capital stock all owned by Chesapeake. Portsmouth is engaged in the purchase and distribution of natural gas in Portsmouth, Ohio, and environs, is, therefore, a public utility as defined in sections 2 (a) (4) and (5) of the Act, and is the only public-utility subsidiary of Chesapeake. Portsmouth's outstanding securities consist of 40,000 shares of \$6.50 par value common stock and \$350,000 principal amount of first mortgage bonds, all owned by Chesapeake. Chesapeake owns no securities of any other public-utility company. It owns 95 percent of the outstanding common stock of Pathe and 99.866 percent of the outstanding common stock of Virginia. Pathe is engaged in the processing of moving picture and television films. Virginia is engaged in the manufacture and sale of mobilwall (steel partitions) and like products.

Chesapeake has been negotiating with the Prudential Insurance Company of America ("Prudential") for a long

term loan in the principal amount of \$7,000,000. Prudential has indicated that it will loan such funds only if Chesapeake transfers to Theta all of its interest in Portsmouth, Pathe and Virginia, and the loan is made to Theta. Accordingly, Chesapeake proposes to effect such transfer, at its carrying value thereof, without profit, and Theta proposes to issue to Prudential a promissory note in the principal amount of \$7,000,000, secured by the pledge of the stock and bonds of Portsmouth, and the stocks of Pathe and Virginia, and guaranteed by Chesapeake. The note will bear interest at 5½ percent per annum and will mature November 1, 1973. The proceeds of the note are to be used to pay certain obligations of Chesapeake, Theta, Pathe and Virginia aggregating approximately \$4,000,000 including prepayment penalties, which Theta is to assume in connection with the acquisition of the stocks of Pathe and Virginia, and stock and bonds of Portsmouth, and the balance will be used by Theta for future acquisitions, working capital, and the payment of the arrearages on the Chesapeake preferred stocks aggregating approximately \$381,000. The company has consented to the imposition of the following conditions:

(a) All existing arrearages of dividends on the preferred stock are to be paid.

(b) If dividends upon the preferred stock are at any time in default in an aggregate amount equivalent to four quarterly dividends, the preferred stockholders, as a class, shall be entitled to elect the minimum number of directors required to constitute a majority of the Board of Directors; and an election for that purpose shall be called by a responsible officer of the company within not less than 45 days and not more than 60 days after the accrual of such right.

(c) When any arrearages in dividends on the preferred stock exist the company will not purchase or reacquire any shares of its outstanding preferred stock.

(d) The company shall file with the Commission, at the above file number, a copy of the annual report filed by Portsmouth with The Public Utilities Commission of Ohio and a copy of the audited annual report of Portsmouth filed with Prudential and other creditor institutions, if any.

Notice is further given that any interested person may, not later than December 29, 1958, request the Commission in writing that a hearing be held in respect of the amended application for exemption, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the amended application which he desires to controvert, or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date the amended application may be granted as provided in Rule 23 of the rules and regulations promulgated under the Act, or the Commission may take

such other action as it may deem appropriate.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[P. R. Doc. 58-10463; Filed, Dec. 18, 1958; 8:50 a. m.]

[File Nos. 812-1189-812-1194]

MANAGED FUNDS, INC.

NOTICE OF APPLICATIONS FOR ORDERS EXEMPTING COMPANIES FROM MINIMUM CAPITAL REQUIREMENTS

DECEMBER 12, 1958.

In the matter of Managed Funds Personal Investment Plan (electric shares), File No. 812-1189; Managed Funds Personal Investment Plan (metal shares), File No. 812-1190; Managed Funds Personal Investment Plan (paper shares), File No. 812-1191; Managed Funds Personal Investment Plan (petroleum shares), File No. 812-1192; Managed Funds Personal Investment Plan (special investment shares), File No. 812-1193; Managed Funds Personal Investment Plan (transport shares), File No. 812-1194.

Notice is hereby given that Managed Funds, Incorporated ("Fund"), a registered, open-end, diversified, management investment company, has filed applications pursuant to section 6 (c) of the Investment Company Act of 1940 ("Act") with respect to each of the above named personal investment plans requesting that an exemption from the requirements of section 14 (a) of the Act be granted with respect to the offering of separate monthly purchase plans for the accumulation of shares of each series.

Each of these periodic payment plans is an investment company registered under the Act as a unit investment trust.

Section 14 (a) of the Act provides, among other things, that no registered investment company and no principal underwriter for such a company, shall make a public offering of securities of which such company is the issuer unless such company has a net worth of at least \$100,000. Section 6 (c) of the Act authorizes the Commission by order upon application to exempt any person, security or transaction from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that the Commission finds that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

The applications state that exemption from the requirements of section 14 (a) may appropriately be granted since the Fund itself has a net worth in excess of \$64,000,000 and the public policy requiring the minimum capital for each of the new investment companies as set forth in section 14 (a) will already have been effectively carried out in the case of each unit investment trust organized solely for the purpose of selling the Fund's shares by means of periodic payment plans.

For a more detailed statement of the matters of fact and law asserted, all interested persons are referred to said application which is on file in the office of the Commission in Washington, D. C.

Notice is further given that any interested person may, not later than December 29, 1958 at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the Act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 58-10464; Filed, Dec. 18, 1958;
8:50 a. m.]

[File No. 7-1953]

GREAT ATLANTIC & PACIFIC TEA CO.

NOTICE OF APPLICATION FOR UNLISTED
TRADING PRIVILEGES, AND OF OPPOR-
TUNITY FOR HEARING

DECEMBER 15, 1958.

In the matter of application by the Philadelphia-Baltimore Stock Exchange for unlisted trading privileges in The Great Atlantic & Pacific Tea Company, Inc. common stock; File No. 7-1953.

The above named stock exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange.

Upon receipt of a request, on or before December 26, 1958, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other infor-

mation contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 58-10465; Filed, Dec. 18, 1958;
8:50 a. m.]

[File No. 7-1954]

GREAT ATLANTIC & PACIFIC TEA CO., INC.

NOTICE OF APPLICATION FOR UNLISTED TRADING
PRIVILEGES, AND OF OPPORTUNITY FOR
HEARING

DECEMBER 15, 1958

In the matter of application by the Boston Stock Exchange for unlisted trading privileges in The Great Atlantic & Pacific Tea Company, Inc. common stock; File No. 7-1954.

The above named stock exchange, pursuant to section 12 (f) (2) of the Securities Exchange Act of 1934 and Rule X-12F-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange.

Upon receipt of a request, on or before December 26, 1958, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 58-10466; Filed, Dec. 18, 1958;
8:51 a. m.]

TARIFF COMMISSION

STAINLESS STEEL TABLE FLATWARE

NOTICE OF HEARING

Public notice of hearing ordered for March 17, 1959 in connection with investigation supplemental to investigation No. 61 under section 7, Trade Agreements Extension Act of 1951, as amended.

On January 10, 1958, the United States Tariff Commission reported to the President on Investigation No. 61 under section 7 of the Trade Agreements Ex-

tension Act of 1951 with respect to stainless steel table flatware. On March 7, 1958, the President announced that a full evaluation of Japan's voluntary limitation of shipments to the United States of such flatware was necessary, and requested the Tariff Commission to keep the matter under review and report to him as soon as practicable after December 31, 1958, with particular reference to the experience of the domestic industry in 1958 during which the Japanese limitation on exports to the United States will have been in effect. For the purpose of carrying out the request of the President, the Commission instituted an investigation supplemental to the above-mentioned investigation No. 61, announcement of which was published in the FEDERAL REGISTER on March 25, 1958 (23 F. R. 1976).

Interested parties desiring to present orally pertinent information in connection with the supplemental investigation will be given opportunity to do so at a public hearing to be held in the Hearing Room of the Tariff Commission Building, Eighth and E Streets NW., Washington, D. C., beginning at 10 a. m., e. s. t., on March 17, 1959, provided they notify the Secretary of the Commission, in writing, of their desire to do so at least three days in advance of such date.

Issued December 16, 1958.

By order of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F. R. Doc. 58-10473; Filed, Dec. 18, 1958;
8:52 a. m.]

INTERSTATE COMMERCE COMMISSION

[Notice 64]

MOTOR CARRIER TRANSFER PROCEEDINGS

DECEMBER 16, 1958.

Synopses of orders entered pursuant to section 212 (b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17 (8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 61734. By order of December 12, 1958, the Transfer Board approved the transfer to Wescon Transportation Co., Inc., Mount Vernon, N. Y., of certificate in No. MC 39426, issued May 8, 1941, to Alonzo Ralph Townsend.

doing business as Townsend's Express, Peekskill, N. Y., authorizing the transportation of: General Commodities, with the usual exceptions including household goods, between Peekskill and Poughkeepsie, N. Y., and between Peekskill, N. Y., on the one hand, and, on the other, points in Westchester, Putnam, Dutchess, and Orange Counties, N. Y. William Leahy, 4 Liberty Street, Poughkeepsie, N. Y., and William D. Traub, 10

East 40th Street, New York 16, N. Y., for applicants.

No. MC-FC 61771. By order of December 12, 1958, the Transfer Board approved the transfer to Fern Kooken doing business as Kooken Moving & Storage Co., Abilene, Kans., of Certificate No. MC 781 issued October 31, 1956, to George Kooken doing business as Kooken Moving and Storage Company, Abilene, Kans., authorizing the transportation of

household goods as defined by the Commission, between Abilene, Kans., and Kansas City, Mo., serving no intermediate points. Townsend, Jandera, Hope, and Honeyman, 641 Harrison Street, Topeka, Kans., for applicants.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 58-10471; Filed, Dec. 18, 1958;
8:52 a. m.]





