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CHAP. 104.—An Act Authorizing the construction of the Michaud division of the Fort Hall Indian irrigation project, Idaho, an appropriation therefor, and the completion of the project, and for other purposes.

February 4, 1931.
[S. 3938.]
[Public, No. 607.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior is hereby authorized to extend the Fort Hall Indian irrigation system in Idaho over an area approximating thirty thousand acres of Indian land in the Michaud division of the Fort Hall Indian Reservation and to complete the irrigation system of that reservation by the enlargement, straightening, and improving of the stream channels, including the Blackfoot River, and to complete necessary storage facilities to make possible the delivery of an adequate water supply to the sixty thousand acres of land already provided with distributary system in the existing Fort Hall and Gibson divisions of the irrigation project and to the thirty thousand acres of the Michaud division of that project, as provided for in a report of November 12, 1929, to the Commissioner of Indian Affairs, prepared in pursuance to an Act approved March 28, 1928, the total cost of the work herein authorized to be reimbursed as hereinafter provided.

Fort Hall Indian Reservation, Idaho.
Completion of irrigation project.
Lands in Michaud division added.

Adjustment of stream channels.

Storage facilities for adequate water supply.

Vol. 45, p. 377.
Reimbursement of cost.

SEC. 2. The Michaud division shall bear its equitable share of the cost of the present existing works and for the development of that part of the water supply that will be used on the lands of the Michaud division. Of the cost of the existing system $362,500 is hereby allocated to the Michaud division, as provided in section 3 hereof in consideration of the share of the developed water supply hereby allocated to that division and of its share of the existing works. The said $362,500 is hereby authorized to be used in completing the distributary system of the Fort Hall and Gibson divisions, including the rebuilding of the Tyhee siphon; the completion of storage facilities, and the enlargement and straightening of the Blackfoot River Channel, and including payment of damages for the benefit of the entire irrigation project.

Michaud division to bear share of cost.

Amount allocated.

Construction authorized.

SEC. 3. The water supply available shall be divided between the Fort Hall and Gibson divisions of the existing project and the Michaud division as follows: Fort Hall and Gibson divisions two-thirds, and the Michaud division one-third: *Provided*, That if at any time there should occur a deficiency in the water supply available, the lands of the Fort Hall and Gibson divisions shall have a prior right over the lands of the Michaud division to the use of sufficient water to supply said lands of those divisions with three acre-feet of water per acre per season delivered to the land actually utilized, or so much thereof as may be necessary for proper and beneficial irrigation; and in any case, as between the Indian-owned lands and the white-owned lands of the Michaud division of the project as of the date of the passage of this Act, such lands in Indian ownership shall have a water right prior to the right of the white-owned land which shall entitle such Indian lands to three acre-feet of water per acre per season, or so much thereof as may be available or as may be necessary for efficient and beneficial irrigation.

Division of water.

Proviso.
Priority of water rights.

Preference to Indians given in Michaud division.

SEC. 4. For each Indian, now owning land allotted as grazing or agricultural under the Michaud Division, who has no irrigable agricultural allotment with an adequate water supply elsewhere within the Fort Hall Indian Reservation, there shall be reserved by the Secretary of the Interior as a homestead from such grazing or agricultural allotment under the Michaud Division a tract of twenty acres on which the collection of construction charges shall be deferred

Allotments of homesteads to certain Indians.

Construction charges on, deferred while under Indian ownership.

Proviso.
Limitation.

so long as said tract remains in Indian ownership: *Provided*, That no more than one such tract of twenty acres in one ownership shall be so exempted from payment of construction charges. The construction charges on the remaining area of the Michaud Division shall be reimbursed to the United States in not more than forty years as may be prescribed by the Secretary of the Interior, it being within his discretion to require no payments for the first three years. When any Indian owned lands under the Michaud Division shall hereafter pass into non-Indian ownership, one-fortieth of the construction charges originally due from such lands shall thereafter be reimbursed each year to the United States by such non-Indian owner, until such construction charges shall have been entirely reimbursed as to such land. There is hereby created a first lien against all lands in the said Michaud Division, which lien shall be recited in any patent or instrument issued therefor prior to the reimbursement to the United States of the total amount chargeable against such lands, which lien shall not, however, be enforced as to Indian-owned lands during the period that the title to such lands remains in such Indian ownership.

Reimbursement of charges on remaining area, payable within forty years.
Payments for first three years discretionary.
Payments on lands when transferred from Indian ownership.

Lien against all land in Michaud division.

Effect on Indian-owned lands.

SEC. 5. The lands in white ownership within the Michaud division of the project on the date of the passage of this Act, in addition to paying their proportionate share of the cost of the construction of the division as shall be determined by the Secretary of the Interior, shall be required to pay for water rights for their lands in addition thereto at the rate of $7.50 per acre-foot, measured at the point of diversion for the water hereby equitably allotted to such lands, payment therefor to be made to the Commissioner of Indian Affairs as a part of and on the same terms as the construction cost of the division. The money so derived shall be distributed equitably by the Secretary of the Interior to the Indians of the Fort Hall Reservation entitled thereto: *Provided*, That where any charge on behalf of construction against any Indian lands within the Fort Hall project has not yet been paid to the Government the share of this fund to which the Indian owner of such land would otherwise be entitled shall be credited upon installments yet due on behalf thereof to the United States.

Water right charges, additional to construction, assessed against lands in white ownership.

Receipts therefrom for benefit of reservation Indians.

Proviso.
Unpaid construction charges on Fort Hall project.

SEC. 6. The funds hereby authorized to be appropriated shall not be expended unless and until the Secretary of the Interior shall make contracts with both the Indian and non-Indian landowners obligating said landowners to repay the cost of all the work herein authorized to be done, including a share of the cost of the benefits to the Michaud division derived from the existing works. Such agreement shall create a first lien against the lands in white ownership, which lien shall not be released until the total share of the cost of such works properly assessable against such land as herein provided shall have been reimbursed to the United States: *Provided*, That where existing irrigation ditches constructed by the Indians themselves are destroyed in the construction of the Michaud division, proper credit to the extent of the present value of the work so destroyed shall be given to the Indian owner of the land on the share of the cost of the Michaud division properly assessable against his land, and the total of all such credits shall be charged into the total cost of the Michaud division of the project.

Agreement with landowners as to repayment of costs.

To be first lien against lands in white ownership until repaid.

Proviso.
Credit allowed for ditches destroyed.

SEC. 7. The said Secretary of the Interior shall by public notice consistent herewith fix the per acre charge against the irrigable land of both the Indian and white owned tracts, and the installments heretofore provided for shall be due and payable on the 1st day of December of each year until the total sum shall have been reimbursed to the United States.

Public notice of charges, etc., to be given.

Advance payment of installments.

SEC. 8. The water-right agreements provided for in section 6 hereof shall require the said Secretary of the Interior to refuse to deliver water to any tract of land of the Michaud division of the project if the operation and maintenance charges against such land are not paid in advance of each irrigation season, or if any installment of the construction or water-right charges remains unpaid for more than twelve months after same became due. The charges for water rights, operation, and maintenance and construction, assessed against lands in other than Indian ownership that are not paid when due shall bear interest at 6 per centum per annum from the due date until paid.

Interest charges.

Rules, etc., to be prescribed.

SEC. 9. The Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect; and the money hereby authorized to be appropriated shall be available for the acquiring of the necessary right of way by purchase or judicial proceedings, and for other purposes necessary in successfully prosecuting the work to complete the project.

Availability of appropriations.

Sum authorized.

SEC. 10. There is hereby authorized to be appropriated for expenditure after July 1, 1932, out of any money in the Treasury of the United States not otherwise appropriated, the sum of $2,500,000, or so much thereof as may be required, to enable the Secretary of the Interior to carry into effect the provisions of this Act.

Approved, February 4, 1931.

February 6, 1931.
[H. R. 14040.]
[Public, No. 608.]

CHAP. 107.—An Act To enable the Secretary of the Treasury to expedite work on the Federal building program authorized by the Act of Congress entitled "An Act to provide for the construction of certain public buildings and for other purposes," approved May 25, 1926, and Acts amendatory thereof.

Public Buildings Act of 1926, etc.
Construction under, to be expedited.
Vol. 44, pp. 630, 687.
Vol. 45, pp. 137, 1041.
Ante, p. 349.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That to enable the Secretary of the Treasury to expedite work on the Federal building program authorized by the Act of Congress entitled "An Act to provide for the construction of certain public buildings and for other purposes," approved May 25, 1926, and Acts amendatory thereof, the Secretary of the Treasury be, and he is hereby, authorized and empowered to obtain by contract without competition, topographical surveys of sites, test pits and borings where such sites have been selected although title thereto may not have been vested in the United States; to limit to such number of days as he deems proper the advertising for bids for sites for public buildings; to obtain outside architectural, engineering, technical, or professional services to such extent as he deems necessary in connection with the plans and specifications for Federal buildings which have been specifically authorized to be constructed where the sites have been selected notwithstanding title to such sites may not have been vested in the United States.

Surveys of sites.

Advertising for bids, etc.

Outside professional services.

Approved, February 6, 1931.

February 6, 1931.
[S. 5360.]
[Public, No. 609.]

CHAP. 108.—An Act To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Missouri.

Missouri River.
Time extended for bridging, at Randolph, Mo.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of the bridge across the Missouri River at or near Randolph, Missouri, authorized to be built by The Kansas City Southern Railway Company, its suc-