Public Law 86-433

April 22, 1960
[H. R. 7359]

AN ACT

To direct the Secretary of the Interior to convey certain public lands in the State of Nevada to the Colorado River Commission of Nevada acting for the State of Nevada.

Colorado River Commission, Nev. Conveyance.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, as used in this Act—

Definitions.

(a) The term "Secretary" shall mean the Secretary of the Interior.

(b) The term "Commission" shall mean the Colorado River Commission of the State of Nevada.

(c) The term "State" shall mean the State of Nevada.

(d) The term "transfer area" shall mean all of the lands and interests in land owned by the United States and described in section 2 of this Act, except (1) lands in which the Fort Mohave Indian Tribe holds an interest, (2) lands excluded at the request of the Commission because of conflict with a mining claim or claims, and (3) lands or interests in land reserved to the United States pursuant to section 7 of this Act.

Lands segregated.

SEC. 2. The Secretary is hereby authorized and directed to segregate from all forms of entry under the public land laws of the United States, during a period of five years from and after the effective date of this Act, the following described lands, situated in the State of Nevada and comprising approximately 15,000 acres:

(1) All of sections 1, 12, and 13 and fractional sections 24 and 25, township 33 south, range 65 east.

(2) All of sections 6, 7, and 8, fractional sections 4, 5, 9, 10, and 15, east half, east half northwest quarter, and southwest quarter section 16, west half northeast quarter, west half, and southeast quarter fractional section 17, all of section 18, fractional sections 19, 20, 21, and 30, township 33 south, range 66 east.

(3) East half section 20, all of sections 21, 22, and 23, fractional sections 24 and 26, all of sections 27 and 28, east half section 29, southeast quarter section 31, fractional sections 32, 34, and 35, township 32 south, range 66 east.

(4) Notwithstanding the specific land descriptions in items 1 through 3, the eastern boundary of the transfer area is the centerline of the Colorado River as it exists on the date of approval of this Act, and all range references contained in the foregoing refer to the Mount Diablo base and meridian.

Option.

SEC. 3. The Commission, acting on behalf of the State, is hereby given the option, after compliance with all of the provisions of this Act and any regulations promulgated hereunder, of having patented to the State by the Secretary all of the lands within the transfer area. Such option may be exercised at any time during the five-year period of segregation established in section 2, but the filing of any application for the conveyance of title to the lands within the transfer area, if received by the Secretary from the Commission prior to the expiration of such period, shall have the effect of extending the period of segregation of such lands from all forms of entry under the public land laws until such application is finally disposed of by the Secretary.

Requirements.

SEC. 4. Prior to conveying any lands or interests in lands of the United States to the State, the Commission and the Secretary shall comply with the requirements set out following:

(a) The Commission, within three years after the effective date of this Act, shall submit to the Secretary a proposed plan of development for the entire transfer area, which plan shall include but need

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not be limited to the general terms and conditions under which individuals, governmental agencies or subdivisions, corporations, associations or other legal entities may acquire rights, title, or interests in and to lands within the transfer area.

(b) At any time after submission of a proposed plan, as required by the preceding subsection, the Commission may select for transfer from Federal to State ownership the entire transfer area. The application for transfer of title to the transfer area shall be made to the Secretary and shall be accompanied by a development and acquisition planning report containing such information relative to any proposed development and acquisition payment plan as may by regulation be required by the Secretary. No acquisition payment plan shall be considered by the Secretary unless such plan provides for payment by the State into the Treasury of the United States, within five years of the delivery of patent to the Commission, of an amount equal to the appraised fair market value of the lands conveyed.

(c) At the earliest practicable date following the effective date of this Act, the Secretary shall cause an appraisal to be made of the fair market value of the lands within the entire transfer area, including mineral and material values, if any; such appraisal when completed shall constitute the only basis, except for such adjustment as may be required by virtue of the provisions of sections 1 and 6 of this Act, for determining the compensation to be paid to the United States by the Commission for the transfer of the lands to which this Act is applicable. Appraisal.

(d) As soon as a proposed unit development and acquisition planning report is found by the Secretary to comply with the provisions of this Act and with such regulations as the Secretary may prescribe as to the contents thereof, the Secretary is hereby authorized and directed to negotiate a contract of sale with the Commission and to prepare appropriate conveyancing instruments for the lands involved.

Thereafter, the Secretary shall submit to the Congress, for reference to the appropriate committees of the House of Representatives and the Senate, copies of the Commission application, proposed development and acquisition planning report, and proposed contract of sale and conveyancing instruments, together with his comments and recommendations, if any.

(e) No contract of sale or instrument of conveyance shall be executed by the Secretary with respect to any lands applied for by the Commission prior to sixty calendar days (which sixty days, however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days to a day certain) from the day on which the Secretary makes the submissions required by the preceding subsection, unless the Congress, prior to the expiration of said sixty days, approves the execution of such contract of sale and instrument of conveyance.

SEC. 5. Any conveyance authorized by this Act shall be made subject to any existing valid rights pertaining to the lands included within the transfer area. Rights within transfer area.

SEC. 6. If any of the lands described in section 2 of this Act are subject to a lease, permit, license, or contract issued under the Mineral Leasing Act of February 25, 1920 (41 Stat. 437), as amended (39 U.S.C. 181 and the following), the patenting of such lands to the State shall neither affect the validity nor modify the terms of such lease, permit, license, or contract in any way, or affect any rights thereunder, except that the patent, unless it contains a mineral reservation made pursuant to a request of the State, shall include the transfer to the State of all right, title, and interest of the United States in and to such lease, permit, license, or contract so far as it pertains to such lands, including any right to rents, royalties, and other payments 30 USC 181 *et seq.*

accruing on or after the date on which the patent is issued, and any right to modify the terms or conditions of such lease, permit, license, or contract so far as it pertains to such lands.

Duties.

SEC. 7. The Secretary is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary or proper in carrying out the provisions of this Act. He shall give particular attention in so doing to including in any conveyancing instruments executed under the authority of this Act such provisions as will in his judgment protect existing or future uses by the United States of lands within the transfer area, including, but not limited to, provision for reversion of title therein to the United States upon failure of the State or its successors in interest to strictly comply with the terms and conditions of any such conveyancing instrument: *Provided*, That the Secretary, after consultation with the Commission, shall determine the amount and location of all lands within the transfer area which may be required for future use by the United States, and, except for such adjustment as may be required by virtue of the provisions of section 1 of this Act, he shall have until the filing by the Commission of the proposed plan of development provided by section 4(a), to define and describe all such lands.

Ante, p. 74.

Ante, p. 74.

Approved April 22, 1960.

Public Law 86-434

April 22, 1960
[H. R. 725]

AN ACT

To provide for the establishment of the Wilson's Creek Battlefield National Park, in the State of Missouri.

Wilson's Creek Battlefield National Park, Mo.

Be it enacted by the Senate and House of Representatives of the the United States of America in Congress assembled, That the Secretary of the Interior shall acquire, by gift, purchase, condemnation, or otherwise, the lands (together with any improvements thereon) comprising the Wilson's Creek Battlefield site near Springfield, Missouri, and any other lands adjacent to such site which in his opinion are necessary or desirable to carry out the purposes of this Act.

SEC. 2 (a) The lands acquired under the first section of this Act shall be set aside as a public park for the benefit and enjoyment of the people of the United States, and shall be designated as the Wilson's Creek Battlefield National Park. The National Park Service, under the direction of the Secretary of the Interior, shall administer, protect, and develop the park, subject to the provisions of the Act entitled "An Act to establish a National Park Service, and for other purposes", approved August 25, 1916 (39 Stat. 535).

16 USC 1, 2-4, 22, 43.

(b) In order to provide for the proper development and maintenance of the park, the Secretary of the Interior shall construct and maintain therein such roads, trails, markers, buildings, and other improvements, and such facilities for the care and accommodation of visitors, as he may deem necessary.

Appropriation authorized.

SEC. 3. There are hereby authorized to be appropriated such sums, but not more than $120,000, as may be needed for the acquisition of lands and interests in lands and for the development of the Wilson's Creek Battlefield National Park, of which not more than $20,000 shall be used for acquisition purposes, and in addition thereto, such sums as may be needed for its administration and maintenance.

Approved April 22, 1960.