

Public Law 96-491
96th Congress

An Act

To provide for certain lands to be held in trust for the Moapa Band of Paiutes and to be considered to be part of the Moapa Indian Reservation.

Dec. 2, 1980

[S. 1135]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That beginning on the date of the enactment of this Act, the following lands shall, subject to section 2 of this Act, be held in trust by the United States for the benefit and use of the Moapa Band of Paiutes and shall be considered to be a part of the Moapa Indian Reservation in Moapa, Nevada:

Moapa Band of
Paiutes.
Lands in trust.

Township 15 south, Range 65 east, Mount Diablo Meridian, Nevada

Section 1: Lot 1; south half northwest quarter, south half 439.89 acres.

Section 2: All 639.56 acres.

Section 3: All 639.28 acres.

Section 4: All 638.48 acres.

Section 5: All 638.44 acres.

Section 6: All 638.41 acres.

Section 7: All 640.16 acres.

Section 8: All 640.00 acres.

Section 9: All 640.00 acres.

Section 10: All 640.00 acres.

Section 11: All 640.00 acres.

Section 12: All 640.00 acres.

Section 13: All 640.00 acres.

Section 14: All 640.00 acres.

Section 15: All 640.00 acres.

Section 16: All 640.00 acres.

Section 17: All 640.00 acres.

Section 18: All 640.28 acres.

Section 19: All 640.24 acres.

Section 20: All 640.00 acres.

Section 21: All 640.00 acres.

Section 22: All 640.00 acres.

Section 23: All 640.00 acres.

Section 24: All 640.00 acres.

Section 25: All 640.00 acres.

Section 26: All 640.00 acres.

Section 27: All 640.00 acres.

Section 28: All 640.00 acres.

Section 29: All 640.00 acres.

Section 30: All 640.12 acres.

Section 31: All 640.80 acres.

Section 32: All 640.00 acres.

Section 33: All 640.00 acres.

Section 34: All 640.00 acres.

Section 35: All 640.00 acres.

Section 36: All 640.00 acres.
Total acreage 22,835.66.

Township 16 south, Range 65 east, Mount Diablo Meridian, Nevada

Section 1: All 640.36 acres.
Section 2: All 640.76 acres.
Section 3: All 640.86 acres.
Section 4: All 640.96 acres.
Section 5: All 641.02 acres.
Section 6: All 640.74 acres.
Section 7: All 639.24 acres.
Section 8: All 640.00 acres.
Section 9: All 640.00 acres.
Section 10: All 640.00 acres.
Section 11: All 640.00 acres.
Section 12: All 640.00 acres.
Section 13: All 640.00 acres.
Section 14: All 640.00 acres.
Section 15: All 640.00 acres.
Section 16: All 640.00 acres.
Section 17: All 640.00 acres.
Section 18: All 639.26 acres.
Section 19: All 639.20 acres.
Section 20: All 640.00 acres.
Section 21: All 640.00 acres.
Section 22: All 640.00 acres.
Section 23: All 640.00 acres.
Section 24: All 640.00 acres.
Section 25: All 640.00 acres.
Section 26: All 640.00 acres.
Section 27: All 640.00 acres.
Section 28: All 640.00 acres.
Section 29: All 640.00 acres.
Section 30: All 639.32 acres.
Section 31: Lots 3, 4; east half west half, east half 559.93 acres.
Section 32: All 640.00 acres.
Section 33: All 640.00 acres.
Section 34: All 640.00 acres.
Section 35: All 640.00 acres.
Section 36: All 640.00 acres.
Total acreage 22,961.65.

Township 16 south, Range 64 east, Mount Diablo Meridian, Nevada

Section 1: All 640.48 acres.
Section 2: All 641.00 acres.
Section 3: All 641.10 acres.
Section 4: All 641.26 acres.
Section 5: All 641.52 acres.
Section 6: All 642.52 acres.
Section 7: All 641.40 acres.
Section 8: All 640.00 acres.
Section 9: All 640.00 acres.
Section 10: All 640.00 acres.
Section 11: All 640.00 acres.
Section 12: All 640.00 acres.
Section 13: All 640.00 acres.

Section 14: All 640.00 acres.

Section 15: All 640.00 acres.

Section 16: All 640.00 acres.

Section 17: All 640.00 acres.

Section 18: Lots 1, 2, 3, 4; north half northeast quarter, northeast quarter southeast quarter northeast quarter, northwest quarter southwest quarter northeast quarter, east half west half, southwest quarter northwest quarter southeast quarter, southwest quarter southeast quarter 471.16 acres.

Section 19: All 640.94 acres.

Section 20: All 640.00 acres.

Section 21: All 640.00 acres.

Section 22: All 640.00 acres.

Section 23: All 640.00 acres.

Section 24: All 640.00 acres.

Section 25: All 640.00 acres.

Section 26: All 640.00 acres.

Section 27: All 640.00 acres.

Section 28: All 640.00 acres.

Section 29: All 640.00 acres.

Section 30: All 640.78 acres.

Section 31: All 640.36 acres.

Section 32: All 640.00 acres.

Section 33: All 640.00 acres.

Section 34: All 640.00 acres.

Section 35: All 640.00 acres.

Section 36: All 640.00 acres.

Total acreage 22,882.52.

Township 14 south, Range 66 east, Mount Diablo Meridian, Nevada

Section 29: West half 320.00 acres.

Section 30: All 630.38 acres.

Section 31: East half of Lot 1; east half, east half northwest quarter, southwest quarter northwest quarter, northeast quarter southwest quarter 499.99 acres.

Section 32: West half 320.00 acres.

Total acreage 1,769.87.

Township 17 south, Range 64 east, Mount Diablo Meridian, Nevada

Section 7: Lots 5 and 6; south half northeast quarter 115.76 acres.

Sec. 2. (a) Nothing in this Act shall—

(1) deprive any person or entity of any valid existing right-of-way, mining claim, grazing permit, water right (including any water rights with respect to the Muddy River as decreed by order of the district court of the State of Nevada on March 12, 1920, in "In the matter of the determination of the relative rights in and to the waters of the Muddy River and its tributaries in Clark County, State of Nevada"), or other right or interest which such person or entity may have in any land described in the first section of this Act; or

(2) deprive any person of the rights provided under the Act entitled "An Act to provide for the sale of desert lands in certain States and Territories", approved March 3, 1877 (43 U.S.C. 321 et seq.), commonly referred to as the Desert Land Act, with respect to desert lands regarding which such person has filed a declaration, before the date of the enactment of this Act, under the first

- section of the Desert Land Act stating his intention to reclaim such lands.
- Right-of-way. (b) The transfer of lands under the first section of this Act shall be subject to the reservation to the United States of a right-of-way extending 1,500 feet westerly of the right-of-way for the Reid Gardner-Pecos transmission lines through the area 1,500 feet easterly of the right-of-way for the Navajo-McCullough transmission line. The right-of-way shall be administered by the Secretary of the Interior, who may grant rights-of-way over, upon, under, or through the area described in the preceding sentence only for such transportation or other systems or facilities as are described under paragraph (1) through paragraph (7) of section 501(a) of the Federal Land Policy Management Act of 1976 or under section 28 of the Act of February 25, 1920, commonly referred to as the Mineral Leasing Act. The Secretary of the Interior may enforce all terms and conditions of the right-of-way upon its termination.
- 43 USC 1761.
30 USC 185.
- Fees. (c) In administering the right-of-way described under subsection (c) of this section, the Secretary of the Interior shall be responsible for establishing and collecting fees for the use of such right-of-way. Any payment of such fees to the Secretary after the date of the enactment of this Act shall be made for the benefit of the Moapa Band of Paiutes.
- Mineral rights. (d) Lands transferred under the first section of this Act shall be subject to a reservation to the United States of all minerals subject to the Act of February 25, 1920, commonly referred to as the Mineral Leasing Act, and a reservation of the right to enter upon such lands to mine and remove such minerals. The Secretary of the Interior shall collect and deposit fees, rentals, royalties, and other revenues for the mining and removal of such minerals in accordance with the Mineral Leasing Act.
- 30 USC 181 note.
- SEC. 3. The second sentence of subsection (a) of the first section of the Act entitled "An Act to authorize the leasing of restricted Indian Lands for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases", approved August 9, 1955 (69 Stat. 539; 25 U.S.C. 415) is amended by inserting "the Moapa Indian reservation," after "the Dania Reservation,".
- Conflict of interest.
42 USC 7474.
- SEC. 4. The provisions relating to redesignation of areas contained in section 164 of the Act of July 14, 1955, shall be applied without regard to the transfer of lands under the first section of this Act.

Approved December 2, 1980.

LEGISLATIVE HISTORY:

- HOUSE REPORT No. 96-1458 accompanying H.R. 5584 (Comm. on Interior and Insular Affairs).
- SENATE REPORT No. 96-951 (Comm. on Energy and Natural Resources).
- CONGRESSIONAL RECORD, Vol. 126 (1980):
- Sept. 23, considered and passed Senate.
- Nov. 17, H.R. 5584, considered and passed House; passage vacated and S. 1135, amended, passed in lieu.
- Nov. 20, Senate concurred in House amendments.
- WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 16, No. 49:
- Dec. 5, Presidential statement.