

BLACKFEET, FLATHEAD, AND FORT PECK IRRIGATION  
PROJECTS.

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L E T T E R

FROM

THE ACTING SECRETARY OF THE TREASURY,

TRANSMITTING

COPY OF A COMMUNICATION OF THE SECRETARY OF THE INTERIOR SUBMITTING SUPPLEMENTAL ESTIMATES OF APPROPRIATION FOR THE FISCAL YEAR 1916 FOR CONTINUING THE CONSTRUCTION OF THE BLACKFEET, FLATHEAD, AND FORT PECK IRRIGATION PROJECTS IN MONTANA, AND FOR THE SECOND INSTALLMENT ON ACCOUNT OF THE STORAGE WATER RIGHT PROVIDED IN THE INDIAN APPROPRIATION ACT APPROVED AUGUST 1, 1914 (38 STAT., P. 605), FOR THE IRRIGATION OF INDIAN ALLOTMENTS AND THE YAKIMA INDIAN RESERVATION IN THE STATE OF WASHINGTON.

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JANUARY 11, 1915.—Referred to the Committees on Appropriations and Indian Affairs and ordered to be printed.

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TREASURY DEPARTMENT,  
*Washington, January 8, 1915.*

The SPEAKER OF THE HOUSE OF REPRESENTATIVES.

SIR: I have the honor to transmit herewith, for the consideration of Congress, copy of a communication of the Secretary of the Interior, of the 7th instant, submitting supplemental estimates of appropriation for the service of the fiscal year ending June 30, 1916, aggregating \$1,275,187.93 for continuing the construction of the Blackfeet, Flathead, and Fort Peck irrigation projects in Montana, and for the second installment on account of the storage water right provided in the Indian appropriation act approved August 1, 1914 (38 Stat., p. 605), for the irrigation of Indian allotments on the Yakima Indian Reservation in the State of Washington, in compliance with section 5 of the act of March 3, 1901 (31 Stat., p. 1009), for incorporation in the sundry civil and Indian appropriation bills, respectively.

The reasons for the submission of the above estimates at this time are explained in the notes accompanying the same.

Respectfully,

B. R. NEWTON, *Acting Secretary.*

JANUARY 7, 1915.

DEAR MR. SECRETARY: I transmit herewith a supplemental estimate of appropriation for the fiscal year ending June 30, 1916, aggregating \$1,275,187.93, for continuing the construction of the Blackfeet, Flathead, and Fort Peck irrigation projects in Montana, and for the second installment on account of the storage water right provided in the Indian appropriation act of August 1, 1914 (Public, 160), for the irrigation of Indian allotments on the Yakima Indian Reservation in the State of Washington, in compliance with section 5 of the act of March 3, 1901 (31 Stat. L., 1009).

The estimate for the work on the Montana projects should therefore be incorporated in the sundry civil appropriation bill for the ensuing fiscal year. The installment on account of the Yakima water supply is to be covered into the reclamation fund, and should be included in the Indian appropriation bill.

The emergency character of these estimates is explained in notes appended to the estimates.

The estimates have been submitted to the President and have received his approval. It is recommended that they be transmitted to Congress for favorable consideration.

Cordially, yours,

FRANKLIN K. LANE.

The SECRETARY OF THE TREASURY.

*Estimates of appropriations required for the service of the fiscal year ending June 30, 1916, by the Department of the Interior, Office of Indian Affairs.*

Detailed objects of expenditures, and explanations	Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year, ending June 30, 1915
DEPARTMENT OF THE INTERIOR.			
OFFICE OF INDIAN AFFAIRS.			
<p><i>To equalize the cost of the irrigation systems for the irrigation of allotted lands and surplus unallotted lands on the Blackfeet, Flathead, and Fort Peck Indian Reservations in Montana, to provide for the completion of the same, and for the reimbursement to the United States of all public funds heretofore or hereafter expended therefor, and for other purposes—</i></p> <p>That the Secretary of the Interior be, and he is hereby, authorized and directed to announce, at such time as in his opinion seems proper, the charge for construction of irrigation systems on the Blackfeet, Flathead, and Fort Peck Indian Reservations in Montana, which shall be made against each acre of land irrigable by the systems on each of said reservations. Such charges shall be assessed against the land irrigable by the systems on each said reservation in the proportion of the total construction cost which each acre of such land bears to the whole area of irrigable land thereunder.</p>			

Estimates of appropriations required for the service of the fiscal year ending June 30, 1916, by the Department of the Interior, Office of Indian Affairs—Continued

Detailed objects of expenditures, and explanations.	Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year ending June 30, 1915.
<p>On the 1st day of December after the announcement by the Secretary of the Interior of the construction charge, the allottee, entryman, purchaser, or owner of such irrigable land which might have been furnished water for irrigation during the whole of the preceding irrigation season, from ditches actually constructed, shall pay to the superintendent of the reservation where the land is located, for deposit to the credit of the United States as a reimbursement of the appropriations made or to be made for construction of said irrigation systems, 5 per cent of the construction charge fixed for his land, as an initial installment, and shall pay the balance of the charge in 15 annual installments, the first five of which shall each be 5 per cent of the construction charge and the remainder shall each be 7 per cent of the construction charge. The first of the annual installments shall become due and payable on December 1 of the fifth calendar year after the initial installment: <i>Provided</i>, That any allottee, entryman, purchaser, or owner may, if he so elects, pay the whole or any part of the construction charges within any shorter period: <i>Provided further</i>, That the Secretary of the Interior may, in his discretion, grant such extension of the time for payments herein required from Indian allottees or their heirs as he may determine proper and necessary, so long as such land remains in Indian title.</p> <p>That the tribal funds heretofore covered into the Treasury of the United States in partial reimbursement of appropriations made for constructing irrigation systems on said reservations shall be placed to the credit of the tribe and be available for such expenditure for the benefit of the tribe as may be made under existing law.</p> <p>And there is hereby appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the sum of \$525,187.93 for this purpose, \$4,544.40 thereof to be credited to the Indians of the Blackfeet Reservation, \$440,217.78 thereof to be credited to the Indians of the Flathead Reservation, and the balance, \$80,425.75, to be credited to the Indians of the Fort Peck Reservation, the same being the amounts heretofore covered into the Treasury on this account. The cost of constructing irrigation systems to irrigate the allotted lands of the Indians on these reservations shall be reimbursed to the United States as hereinbefore provided, and no further reimbursements from the tribal funds shall be made on account of said irrigation works, except that all charges against Indian allottees or their heirs herein authorized, unless otherwise paid, may be paid from the individual shares in the tribal funds, when the same is available for distribution, in the discretion of the Secretary of the Interior.</p>	<p>\$4,544.40</p> <p>440,217.78</p> <p>80,425.75</p>	<p>.....</p> <p>.....</p> <p>.....</p>	<p>.....</p> <p>.....</p> <p>.....</p>
<p>That the sum of \$50,000 be, and the same is hereby, appropriated out of any money not otherwise appropriated for continuing construction of the irrigation systems on the Blackfeet Indian Reservation in Montana, which shall be immediately available and remain available until expended: <i>Provided</i>, That the entryman upon the surplus unallotted lands to be irrigated by such systems shall, in addition to compliance with the homestead laws, before receiving patent for the lands covered by his entry, pay the charges apportioned against such tract as herein authorized, and a failure to make any two payments when due shall render the entry subject to cancellation, with the forfeiture to the United States of all rights acquired under the provisions of this act, as well as of any moneys paid on account thereof. The purchaser of any Indian allotment to be irrigated by such systems, purchased upon approval of the Secretary of the Interior, before the charges against said allotment herein authorized shall have been paid, shall pay all charges remaining unpaid at the time of such purchase, and in all patents or deeds for such purchased allotments and also in all patents in fee to allottees or their heirs issued before payment of all such charges herein authorized to be made against their allotments, there shall be expressed that there is reserved upon the lands therein described a lien for such charges, and</p>	<p>.....</p> <p>.....</p> <p>.....</p>	<p>.....</p> <p>.....</p> <p>.....</p>	<p>.....</p> <p>.....</p> <p>.....</p>

<sup>1</sup> New.

4 BLACKFEET, FLATHEAD, AND FORT PECK IRRIGATION PROJECTS.

Estimates of appropriations required for the service of the fiscal year ending June 30, 1916, by the Department of the Interior, Office of Indian Affairs—Continued.

Detailed objects of expenditures, and explanations.	Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year ending June 30, 1915.
<p>such lien may be enforced, or, upon payment of the delinquent charges, may be released by the Secretary of the Interior (acts Mar. 1, 1907, vol. 34, p. 1035; Apr. 4, 1910, vol. 36, p. 277; Mar. 3, 1911, vol. 36, p. 1066; Aug. 24, 1912, vol. 37, p. 526; June 30, 1913, vol. 38, p. 90; Aug. 1, 1914, vol. 38, p. 593).</p> <p>That the sum of \$500,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for continuing construction of the irrigation systems on the Flathead Indian Reservation in Montana, which shall be immediately available and remain available until expended: <i>Provided</i>, That the payments for the proportionate cost of the construction of said systems required of settlers on the surplus unallotted land by section 9, chapter 1495, Statutes of the United States of America, entitled "An act for the survey and allotment of lands now embraced within the limits of the Flathead Indian Reservation in the State of Montana, and the sale and disposal of all surplus lands after allotment," as amended by section 15 of the act of May 29, 1908 (35 Stat. L., 448), shall be made as herein provided: <i>Provided further</i>, That nothing contained in the act of May 29, 1908 (35 Stat. L., 444), shall be construed to exempt the purchaser of any Indian allotment purchased prior to the expiration of the trust period thereon from any charge for construction of the irrigation system incurred up to the time of such purchase, except such charges as shall have accrued and become due in accordance with the public notices herein provided for, or to relieve the owners of all land allotted to Indians in severalty from payment of the charges herein required to be made against said land on account of construction of the irrigation systems; and in carrying out the provisions of said section the exemption therein authorized from charges incurred against allotments purchased prior to the expiration of the trust period thereon shall be the amount of the charges or installments thereof due under public notice herein provided for up to the time of such purchase (acts Apr. 23, 1904, vol. 33, p. 305; Apr. 30, 1908, vol. 35, p. 83; May 29, 1908, vol. 35, p. 450; Mar. 3, 1909, vol. 35, p. 795; Apr. 4, 1910, vol. 36, p. 277; Mar. 3, 1911, vol. 36, p. 1066; Aug. 24, 1912, vol. 37, p. 526; June 30, 1913, vol. 38, p. 90; Aug. 1, 1914, vol. 38, p. 593).</p>	\$50,000.00		\$50,000.00
<p>That the sum of \$100,000 be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for continuing construction of the irrigation systems on the Fort Peck Indian Reservation in Montana, which shall be immediately available and remain available until expended: <i>Provided</i>, That the proportionate cost of the construction of said systems required of settlers and entrymen on the surplus unallotted irrigable land by section 2 of the act of May 30, 1908 (35 Stat. L., 558), shall be paid as herein provided: <i>Provided further</i>, That nothing contained in said act of May 30, 1908, shall be construed to exempt the purchaser of any Indian allotment purchased prior to the expiration of the trust period thereon from any charge for construction of the irrigation system incurred up to the time of such purchase, except such charges as shall have accrued and become due in accordance with the public notices herein provided for, and the purchaser of any Indian allotment to be irrigated by said systems purchased upon approval of the Secretary of the Interior before the charges against said allotment herein authorized shall have been paid shall pay all charges remaining unpaid at the time of such purchase, and in all patents or deeds for such purchased allotments, and also in all patents in fee to allottees or their heirs issued before payment shall have been made of all such charges herein authorized to be made against their allotments, there shall be expressed that there is reserved upon the lands therein described a lien for such charges, and such lien may be enforced, or upon payment of the delinquent charges may be released by the Secretary of the Interior (acts May 30, 1908, vol. 35, p. 558; Aug. 24, 1912, vol. 37, p. 526; June 30, 1913, vol. 38, p. 90; Aug. 1, 1914, vol. 38, p. 593).</p>	500,000.00		200,000.00
	100,000.00		50,000.00

Estimates of appropriations required for the service of the fiscal year ending June 30, 1916, by the Department of the Interior, Office of Indian Affairs—Continued.

Detailed objects of expenditures, and explanations.	Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year ending June 30, 1915
<p>That in addition to the construction charges every allottee, entryman, purchaser, or owner shall pay to the superintendent of the reservation a maintenance and operation charge based upon the total cost of maintenance and operation of the systems on the several reservations, and the Secretary of the Interior is hereby authorized to fix such maintenance and operation charge upon such basis as shall be equitable to the owners of the irrigable land. Such charges when collected shall be available for expenditure in the maintenance and operation of the systems on the reservation where collected: <i>Provided</i>, That delivery of water to any tract of land may be refused on account of nonpayment of any charges herein authorized, and the same may, in the discretion of the Secretary of the Interior, be collected by assit for money owed: <i>Provided further</i>, That the rights of the United States to water for Indian lands shall be continued in full force and effect until the Indian title to such land is extinguished.</p> <p>That the Secretary of the Interior be, and he is hereby, authorized to prescribe such rules and regulations and issue such notices as may be necessary to carry into effect the provisions of this act, and he is hereby authorized and directed to determine the area of land on each reservation which may be irrigated from constructed ditches and to determine what allowance, if any, shall be made for ditches constructed by individuals for the diversion and distribution of a partial or total water supply for allotted or surplus unallotted land: <i>Provided</i>, That if water be available prior to the announcement of the charge herein authorized, the Secretary of the Interior may furnish water to land under the systems on the said reservations, making a reasonable charge therefor, and such charges when collected may be used for construction or maintenance of the systems through which such water shall have been furnished.</p> <p>The work to be done with the amounts herein appropriated for the completion of these projects may be done by the Reclamation Service, on plans and estimates furnished by that service and approved by the Commissioner of Indian Affairs.</p> <p>All laws and parts of laws in conflict herewith are hereby repealed.</p> <p>NOTE.—It was found impracticable within the short period after the act of Aug. 1, 1914, to complete the necessary field examination, report, and preparation of estimates based thereon; therefore this estimate could not be submitted on Oct. 15, 1914.</p> <p>There is an imperative public necessity for the submission of the estimate at this session of Congress. The irrigation projects are in a partially completed condition and great waste will ensue if funds be not provided to continue the work. A great many Indians and white citizens depend upon the early completion of these projects for their only means of making a living from their land and saving their property and their investments in improvements. The Government has now an organization assembled in charge of the work and its ultimate cost will be greatly enlarged unless continuous progress is maintained toward completion at as early a date as possible.</p>			
<p>To pay the second installment of the cost of a water supply for irrigation of allotted lands on the Yakima Indian Reservation in the State of Washington—</p>			
<p>For the second installment of \$635,000 to pay for water supply for irrigation of 40 acres of each Indian allotment on the Yakima Indian Reservation irrigation system, in the State of Washington, provided by the act of Aug. 1, 1914 (Public, 160), \$100,000, to be covered into the reclamation fund (act Aug. 1, 1914, vol. 38, p. 605, sec. 1).....</p>	<p>\$100,000.00</p>	<p>\$1,275,187.93</p>	<p>\$100,000.00</p>
<p>NOTE.—It was understood in the Indian Office that the estimates for appropriations under this provision were to be prepared by the Reclamation Service, inasmuch as the proposed legislation to provide a water supply for the entire project, 120,000 acres, jointly recommended by the two</p>			

## 6 BLACKFEET, FLATHEAD, AND FORT PECK IRRIGATION PROJECTS.

*Estimates of appropriations required for the service of the fiscal year ending June 30, 1916, by the Department of the Interior, Office of Indian Affairs—Continued.*

Detailed objects of expenditures, and explanations.	Estimated amount which will be required for each detailed object of expenditure.	Total amount to be appropriated under each head of appropriation.	Amount appropriated for the current fiscal year ending June 30, 1915.
<p>bureaus, had been rejected by Congress, and an entirely new proposition to provide a supply sufficient only to satisfy the Indians' suppressed rights in the low-water flow was carried by the Indian appropriation act of Aug. 1, 1914 (Public, 160), thus apparently providing for the appropriations without the necessity of further action on the part of the Indian Office. It was the understanding in the Reclamation Service that as the proposed legislation agreed upon, but which did not meet favor in Congress, contemplated annual appropriations in the Indian bill, and as the first installment was included in the Indian bill, estimates for subsequent installments would be prepared by the Indian Office. On account of these conditions, this estimate was not submitted on Oct. 15, 1914.</p> <p>There is an imperative public necessity for the appropriation, in order that the amounts be paid to the reclamation fund as early as possible, as required by law, and in carrying out the full terms of the settlement of the matter as provided in the act of Aug. 1, 1914 (Public, 160).</p>			

