

Sec. 2.11 Rights of Way All of the authority set forth in 25 CFR 161 Rights of Way over Indian Lands/ provided the form of the instrument granting the particular type of right of way or easement has been approved by the Field Solicitor. (34 F.R. 11109)

Sec. 2.12 Tax Exemption Certificates The authority of the Area Director to issue tax exemption certificates covering lands designated as tax exempt under the provisions of the Act of June 20, 1936 (49 Stat. 1542) as amended by the Act of May 19, 1937 (49 Stat. 188). (34 F.R. 11109)

Sec. 2.13 Adoption or Application of State or Local Laws The authority of the Area Director with regard to adoption or application of State or Local laws regulating the use of property to trust or restricted property. Under this redelegation, Superintendents may make applicable to trust or restricted Indian property, leased to or held or used by others under agreement, State or Local laws only in those States which have assumed jurisdiction pursuant to the Act of August 15, 1953 (67 Stat. 588). As to such property located in States which have not assumed such jurisdiction, the Superintendent may adopt State or Local laws only by appropriate provisions in the lease or other agreement. (34 F.R. 11109)

Sec. 2.14 Revocation of Departmental Reserves The authority of the Area Director to revoke Departmental reserves of Indian lands of agency, school or other administrative purposes under the jurisdiction of the Bureau of Indian Affairs, when the Superintendent determines such lands are no longer needed for the purposes for which they were set aside, and the restoration of jurisdiction over the lands to the tribe: Provided, That before such action is taken the Area Title Plant and/or the Field Solicitor has examined title. (37 FR 4922)

*Amended by 40 F.R. 33845,
7-29-75 (Amend. 4)*

10/31/73

Lands and Minerals

Sec. 2.15 Mineral Leasing - Coal, Sand, Gravel, Pumice and Building Stone The authority of the Area Director relating to the leasing or permitting of tribal or individually owned Indian lands for the following minerals: Coal, sand, gravel, pumice, and building stone. This authority does not apply to lands purchased or reserved for agency, school, or other administrative purposes. Also, this authority does not apply in the case of leases or permits of such lands for coal to matters involving (1) the payment of overriding royalty and (2) assignments of separate horizons or strata of the subsurface. (37 FR 4922)

→ Ft. Yuma (Amend. 5, 6-1-77 approved 8-15-75)
 Sec. 2.16 Mineral Leasing - All Other Minerals Except Oil and Gas To the Superintendents of the Colorado River, Fort Apache, Eastern Nevada, Western Nevada, Papago, Pima, Salt River and Uintah and Ouray Agencies, only, the authority of the Area Director relating to the leasing or permitting of tribal or individually owned Indian lands for all other minerals except oil and gas. This authority does not apply to:

(1) Lands purchased or reserved for agency, school, or other administrative purposes; and,

(2) Modification of any forms approved by the Commission (40 FR 33845)

Sec. 2.17 Oil and Gas Leasing, Uintah and Ouray To the Superintendent of the Uintah and Ouray Agency only, the authority of the Area Director relating to oil and gas leases on tribal or individually owned Indian lands. This authority does not apply to:

(1) Lands purchased or reserved for agency, school or other administrative purposes; and,

(2) Modification of any forms approved by the Commission

Sec. 2.18 Surface Leases, Terms of Ten Years or Less The authority of the Area Director relating to surface leases for terms of ten (10) years or less, pursuant to 25 CFR 131; Provided, however, that except for leases authorized by 25CFR 131.5(b) (1) and (2), the Superintendent shall not grant or approve any lease pursuant to this authority unless he has in his possession a current appraisal of the fair annual rental value of the property covered by the lease at the time he exercises such authority. (40 FR 33845)

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Sec. 2.19 Surface Leases, Terms of 55 Years or Less
 To the Superintendents of the Colorado River, Fort Apache, ^{Fort Yuma} Eastern Nevada, Western Nevada, Papago, Pima, Salt River, ^{Amend.} and Uintah and Ouray Agencies, only, the authority of the Area Director relating to surface leases for terms of sixty-five (65) years or less, pursuant to 25 CFR 131, except the authority to grant or approve leases at less than the fair annual rental pursuant to 25 CFR 131.5(b) (3). The authority delegated by this section to grant or approve leases shall not be exercised by a Superintendent unless he has in his possession at the time of such grant or approval a current appraisal of the fair annual rental value of the property to be covered by such lease. (40 FR 33845)

Sec. 2.20 Homesite Leases, Tribal Lands The authority of the Area Director relating to leases of tribal lands for homesite purposes to members of the tribe or to tribal housing authorities.

Sec. ^{Fort Yuma (Amend. 5)} 2.21 Land Acquisitions, Partitions, Exchanges, and Sales To the Superintendents of the Colorado River, Fort Apache, Eastern Nevada, Western Nevada, Papago, Pima, Salt River, and Uintah and Ouray Agencies, only, the authority of the Area Director concerning acquisitions, partitions, exchanges and sales except sales to non-Indians; subject to the condition that when fee lands are being acquired, the case will be referred to the Field Solicitor's Office for title examination. (40 FR 33846)

Sec. 2.22 Sales of Improvements on Tribal Lands The approval, with tribal consent, of sales of improvements made upon tribal lands by individual Indians. (40 FR 33846)

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