

**RECLAMATION UNDER CAREY ACT**

**555.010 Acceptance by state of conditions of Carey Act and grants thereunder.** The State of Oregon hereby accepts the conditions of section 4 of the Act of Congress approved August 18, 1894 (28 Stat. 422), and amendments thereto, known as the "Carey Act," together with all grants of land to the state under the provisions of that Act.

**555.020 Water Resources Commission to manage lands; general powers; transfer of powers of former state boards.** The selection, management, and disposal of the land referred to in ORS 555.010 shall be vested in the Water Resources Commission. The commission may employ necessary assistance, purchase material and supplies, and shall have charge and control of all reclamation work undertaken, contracted for, or initiated by the State Land Board prior to the passage of chapter 226, Oregon Laws 1909, or by the Desert Land Board prior to the passage of chapter 434, Oregon Laws 1927, and of the reclamation companies which were operating under either of those boards.

**555.030 Duties of Water Resources Commission.** The Water Resources Commission, or some authorized assistant, shall:

(1) Have custody of all the records and files under the provisions of ORS 555.010 to 555.160, which shall be public records and open to inspection by the public during office hours.

(2) Receive and file all proposals for construction of irrigation works to reclaim lands selected under the provisions of ORS 555.010 to 555.160.

(3) Keep for public inspection maps or plats of all land selected.

(4) Receive entries of settlers on these lands.

(5) Do any and all work necessary in carrying out the provisions of ORS 555.010 to 555.160. [Amended by 1955 c.707 §68]

**555.040 Powers of Water Resources Commission as to contracts with Secretary of Interior for lands to be reclaimed; lien for expenses.** Upon application, made as provided in ORS 555.050, by any person desiring to reclaim any of the desert government lands in this state, the Water Resources Commission shall make proper application for the lands which the applicant undertakes to reclaim, and make and enter into contract or agreement with the Secretary of the Interior for the donation and patent to the state, free of cost for survey or price, of such desert lands. The commission may make and enter into such contracts and agreements, and create and assume such ob-

ligations in relation to and concerning the lands, as may be necessary to induce and cause such reclamation thereof as is required by the contract with the Secretary of the Interior and the Acts of Congress. The commission may create a lien which shall be valid on and against the separate legal subdivisions of land reclaimed, for the necessary expenses of reclamation, and reasonable interest thereon from the date of reclamation until the lien is satisfied; provided that in no event, in no contingency, and under no circumstances, shall the state be in any manner directly or indirectly liable for any amount of any such lien or liability, in whole or in part.

**555.050 Application to Water Resources Commission for lands to be reclaimed; selection and withdrawal of lands.** (1) Any person desiring to construct ditches, canals or other irrigation works to reclaim land under the provisions of ORS 555.010 to 555.160 shall, at the expense of the person, file with the Water Resources Commission an application for selection on behalf of the state, by the commission, of the land to be reclaimed. The application shall conform to all requirements of the federal laws and rulings thereunder, and be accompanied by the necessary land office fees and such additional data as may be prescribed by the commission, including a preliminary estimate of costs and the amount of lien asked for. If the application is made in proper form, and it appears that the proposed plan is feasible, that the applicant is financially able to complete the work, and that its completion will be to the best interests of the state, then the commission, at the expense and cost of the applicant, shall make proper application for the selection and withdrawal of the lands included in the application.

(2) The commission may do all things necessary to secure the withdrawal of lands on behalf of the commission by the Secretary of the Interior, and let a contract to the lowest responsible bidder for the reclamation and colonization of the same when withdrawn.

**555.060 Deposit by applicant; disposition of money.** A deposit shall accompany each application in a sum not less than 10 cents per acre up to 1,000 acres, and two cents per acre for each acre over that amount, which sum shall be deposited with the Water Resources Commission and held in trust as a guarantee of good faith on the part of the applicant, to whom it shall be returned at the time of execution of a contract between the state and the applicant. In case the person making the application shall, upon segregation by the Secretary of the Interior of any or all of the lands mentioned