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9 a California corporation, CRYSTAL ORGANIC  
10 FARMS, a limited liability company, GRIMMWAY  
11 ENTERPRISES, INC., and LAPIS LAND COMPANY, LLC

12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
13 **IN AND FOR THE COUNTY OF LOS ANGELES**

14 Coordination Proceeding Special Title  
15 (Rule 1550 (b))

Judicial Council Coordination No. 4408

16 ANTELOPE VALLEY GROUNDWATER  
17 CASES

Case No.: 1-05-CV-049053

18 Included actions:

**DECLARATION OF BOB H. JOYCE IN  
SUPPORT OF LANDOWNERS'  
MEMORANDUM OF POINTS AND  
AUTHORITIES IN OPPOSITION TO  
THE UNITED STATES' MOTION IN  
LIMINE TO ESTABLISH LEGAL  
ENTITLEMENT TO A FEDERAL  
RESERVE RIGHT AND TO LIMIT THE  
SCOPE OF EVIDENCE NECESSARY  
AT TRIAL**

19 Los Angeles County Waterworks District No.  
20 40 vs. Diamond Farming Company  
21 Los Angeles Superior Court  
22 Case No. BC 325201

23 Los Angeles County Waterworks District No.  
24 40 vs. Diamond Farming Company  
Kern County Superior Court  
Case No. S-1500-CV 254348 NFT

Date: May 13, 2013  
Time: To Be Determined  
Dept: To Be Determined  
Judge: Hon. Jack Komar  
Filing Date: July 11, 2005 (coordination)  
Trial Date: May 28, 2013 (Phase IV)

Diamond Farming Company vs. City of  
Lancaster  
Riverside County Superior Court  
Lead Case No. RIC 344436 [Consolidated  
w/Case Nos. 344668 & 353840]

**AND RELATED CROSS-ACTIONS.**

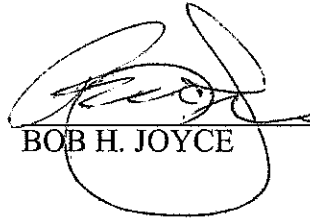
1. I, BOB H. JOYCE, am an attorney at law duly licensed to practice before all of the courts of the State of California and counsel of record for DIAMOND FARMING COMPANY, CRYSTAL ORGANIC FARMS, LLC, GRIMMWAY ENTERPRISES, INC. and LAPIS LAND

1 COMPANY, LLC. I make this Declaration in support of the Landowners' Memorandum of Points  
2 and Authorities in Opposition to the United States' Motion in Limine to Establish Legal Entitlement  
3 to a Federal Reserve Right and to Limit the Scope of Evidence Necessary at Trial.

4 2. Attached hereto as Exhibit "A" are pages USAF001653 through USAF001658,  
5 USAF001661, USAF001663-USA1001664 and USAF001666 which were procured from the  
6 United States' Responses to Discovery and are as source verified at [www.scefiling.org/filingdoccs/  
7 289/58180/usdoj/](http://www.scefiling.org/filingdoccs/289/58180/usdoj/).

8 I declare under penalty of perjury under the laws of the State of California that the foregoing  
9 is true and correct.

10 Executed this 19<sup>th</sup> day of April, 2013 at Bakersfield, California.

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13 BOB H. JOYCE  
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# Executive Order

## WITHDRAWAL OF PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT CALIFORNIA

By virtue of the authority vested in me by the act of June 25, 1910 (ch. 421, 36 Stat. 847), as amended by the act of August 24, 1912 (ch. 369, 37 Stat. 497), it is hereby ordered that the public lands in the areas hereinafter described be, and they are hereby, withdrawn from settlement, location, sale, entry, and all forms of appropriation, subject to valid existing rights, for the use of the War Department as a bombing and gunnery range:

### SAN BERNARDINO MERIDIAN

- T. 9 N., R. 6 W., secs. 5 to 8, inclusive, secs. 17 to 20, inclusive, and secs. 29 to 32, inclusive.
- T. 10 N., R. 6 W., S $\frac{1}{2}$ SW $\frac{1}{4}$  and S $\frac{1}{2}$ SE $\frac{1}{4}$  sec. 5, E $\frac{1}{2}$  sec. 6, secs. 7, 8, 17 to 20, inclusive, and secs. 29 to 32, inclusive.
- T. 9 N., R. 7 W., secs. 1 to 36, inclusive.
- T. 10 N., R. 7 W., S $\frac{1}{2}$  sec. 12, secs. 13 to 36, inclusive.
- T. 9 N., R. 8 W., secs. 1 to 3, inclusive, secs. 10 to 15, inclusive, secs. 22 to 27, inclusive, and secs. 34 to 36, inclusive.
- T. 10 N., R. 8 W., secs. 13 to 15, inclusive, secs. 22 to 29, inclusive, E $\frac{1}{2}$  and SW $\frac{1}{4}$  sec. 30, and secs. 31 to 36, inclusive.
- T. 10 N., R. 9 W., secs. 25 to 27, inclusive, E $\frac{1}{2}$  and NW $\frac{1}{4}$  sec. 28, and secs. 29, 33 to 36, inclusive.

This order shall continue in full force and effect unless and until revoked by the President or by act of Congress.

FRANKLIN D. ROOSEVELT.

THE WHITE HOUSE,

*February 6, 1934.*

[No. 6588]

EXHIBIT A

USAF001653

# Executive Order

## WITHDRAWAL FOR CLASSIFICATION OF ALL PUBLIC LAND IN CERTAIN STATES

WHEREAS, the act of June 28, 1934 (ch. 865, 48 Stat. 1269), provides, among other things, for the prevention of injury to the public grazing lands by overgrazing and soil deterioration; provides for the orderly use, improvement and development of such lands; and provides for the stabilization of the livestock industry dependent upon the public range; and

WHEREAS, in furtherance of its purposes, said act provides for the creation of grazing districts to include an aggregate area of not more than eighty million acres of vacant, unreserved and unappropriated lands from any part of the public domain of the United States; provides for the exchange of State owned and privately owned lands for unreserved, surveyed public lands of the United States; provides for the sale of isolated or disconnected tracts of the public domain; and provides for the leasing for grazing purposes of isolated or disconnected tracts of vacant, unreserved and unappropriated lands of the public domain; and

WHEREAS, said act provides that the President of the United States may order that unappropriated public lands be placed under national-forest administration if, in his opinion, the land be best adapted thereto; and

WHEREAS, said act provides for the use of public land for the conservation or propagation of wild life; and

WHEREAS, I find and declare that it is necessary to classify all of the vacant, unreserved and unappropriated lands of the public domain within certain States for the purpose of effective administration of the provisions of said act;

NOW, THEREFORE, by virtue of and pursuant to the authority vested in me by the act of June 25, 1910 (ch. 421, 36 Stat. 847), as amended by the act of August 24, 1912 (ch. 369, 37 Stat. 497), and subject to the conditions therein expressed, it is ordered that all of the vacant, unreserved and unappropriated public land in the States of Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah and Wyoming be, and it hereby is, temporarily withdrawn from settlement, location, sale or entry, and reserved for classification, and pending determination of the most useful purpose to which such

land may be put in consideration of the provisions of said act of June 28, 1934, and for conservation and development of natural resources.

The withdrawal hereby effected is subject to existing valid rights.

This order shall continue in full force and effect unless and until revoked by the President or by act of Congress.

FRANKLIN D ROOSEVELT

*10 a. m. E. S. T.*

*November 26, 1934.*

(U. S. C. Title 19, sec. 2), the limits of the customs port of entry of Chester, Pennsylvania, in Customs Collection District No. 11 (Philadelphia), are hereby extended, effective thirty days from the date of this order, to include the following territory:

- Lower Chester Township
- Maxons Hook Borough
- Trainer Borough
- Upland Borough
- Parkside Borough
- Eddystone Borough
- Ridley Township

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
September 11, 1937.

[No. 7706]

[P. R. Doc. 37-2754; Filed September 15, 1937; 10:44 a. m.]

EXECUTIVE ORDER

WITHDRAWAL OF PUBLIC LAND FOR USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

California

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 421, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, it is ordered as follows:

Section 1. Executive Order No. 6910 of November 26, 1934, as amended, temporarily withdrawing all public lands in certain states for classification and other purposes, is hereby revoked in so far as it affects the following described tracts of land in California:

SAN BENITO COUNTY

- T. 10 N., R. 7 W., secs. 7 to 11, inclusive, and NW $\frac{1}{4}$  sec. 12.
- T. 9 N., R. 8 W., secs. 4 to 9, inclusive, secs. 16 to 21, inclusive, and sec. 28 to 33, inclusive.
- T. 10 N., R. 8 W., sec. 8, NE $\frac{1}{4}$  and SW $\frac{1}{4}$  sec. 7, SW $\frac{1}{4}$  sec. 9, SW $\frac{1}{4}$  and SE $\frac{1}{4}$  sec. 10, secs. 11, 12 and 16, SE $\frac{1}{4}$ , NE $\frac{1}{4}$  and SW $\frac{1}{4}$  sec. 17, SW $\frac{1}{4}$  and SE $\frac{1}{4}$  sec. 18, secs. 19 to 21, inclusive, NW $\frac{1}{4}$  sec. 30.
- T. 8 N., R. 9 W., secs. 1 to 6, inclusive.
- T. 9 N., R. 9 W., sec. 1 to 24, inclusive.
- T. 10 N., R. 9 W., sec. 1 to 12, inclusive, NW $\frac{1}{4}$  and NE $\frac{1}{4}$  sec. 23, SW $\frac{1}{4}$  and NW $\frac{1}{4}$  sec. 14, sec. 15 to 20, inclusive, NW $\frac{1}{4}$  and NE $\frac{1}{4}$  sec. 21, NE $\frac{1}{4}$  NW $\frac{1}{4}$  sec. 22, SW $\frac{1}{4}$  and SE $\frac{1}{4}$  sec. 23, SW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$  and NE $\frac{1}{4}$  sec. 24, SW $\frac{1}{4}$  sec. 25.
- T. 8 N., R. 10 W., sec. 1 and 2.
- T. 9 N., R. 10 W., sec. 1, 2, 11 to 14, inclusive, 23 to 25, inclusive, 26 and 30.
- T. 10 N., R. 10 W., sec. 12, 13, 24, 25 and 26.

Section 2. Subject to the conditions expressed in the above mentioned acts and to all valid existing rights, the tracts of land described in section 1 of this order are hereby temporarily withdrawn from settlement, location, sale, or entry, and reserved for use of the War Department for military purposes.

Section 3. The reservation made by section 2 of this order shall remain in force until revoked by the President or by act of Congress.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
September 11, 1937.

[No. 7707]

[P. R. Doc. 37-2755; Filed, September 15, 1937; 10:44 a. m.]

EXECUTIVE ORDER

EXEMPTING ROGER JOHN TRAYNOR FROM THE PROVISIONS OF THE EXECUTIVE ORDER OF JANUARY 17, 1933

By virtue of the authority vested in me as President of the United States, it is ordered that the provisions of the Executive Order of January 17, 1933, prohibiting Federal employees from holding office under any state, territorial or municipal government, be, and they are hereby, waived to permit Roger John Traynor, a Consulting Tax Counsel,

State Board of Equalization of the State of California, to hold a position of Consulting Expert in the Office of the Secretary of the Treasury.

This order is issued on the recommendation of the Acting Secretary of the Treasury.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
September 11, 1937.

[No. 7708]

[P. R. Doc. 37-2756; Filed, September 15, 1937; 10:44 a. m.]

WAR DEPARTMENT.

REGULATIONS TO GOVERN THE USE, ADMINISTRATION, AND NAVIGATION OF SOUTH RIVER FROM THE STATE HIGHWAY BRIDGE ON STATE ROUTE No. 2, AT EDGEWATER, MARYLAND, TO ITS HEAD, AND THE TRIBUTARIES EMPTING THEREIN, INCLUDING BEARDS CREEK, BROAD CREEK, GINGERSVILLE CREEK AND WAREHOUSE CREEK

THE LAW

Section 7 of the River and Harbor Act of August 8, 1917, provides as follows:

That section four of the river and harbor Act of August eighteenth, eighteen hundred and ninety-four, as amended by section eleven of the river and harbor Act of June thirteenth, nineteen hundred and two, be, and is hereby, amended so as to read as follows:

"Sec. 4. That it shall be the duty of the Secretary of War to prescribe such regulations for the use, administration, and navigation of the navigable waters of the United States as in his judgment the public necessity may require for the protection of life and property, or of operations of the United States in channel improvement, covering all matters not specifically delegated by law to some other executive department. Such regulations shall be posted in conspicuous and appropriate places, for the information of the public; and every person and every corporation which shall violate such regulations shall be deemed guilty of a misdemeanor and, on conviction thereof in any district court of the United States within whose territorial jurisdiction such offense may have been committed, shall be punished by a fine not exceeding \$500, or by imprisonment (in the case of a natural person) not exceeding six months, in the discretion of the court."

THE REGULATIONS

In conformity with the above law the following navigation regulations are prescribed for the South River from the State Highway bridge on State Route No. 2 at Edgewater, Maryland, to its head, and for the tributaries emptying therein, including Beards Creek, Broad Creek, Gingersville Creek and Warehouse Creek, to take effect and be in force on and after the date of approval hereof:

No boat shall proceed at any time at a greater speed than eight (8) miles per hour at any time between May 1st and September 15th, inclusive, on these waterways.

Approved, September 3d, 1937.

[SEAL]

LOUIS JOHNSON,  
Acting Secretary of War.

FRANK C. HURNELL,  
Brigadier General,  
Acting The Adjutant General.

[P. R. Doc. 37-2748; Filed, September 15, 1937; 9:57 a. m.]

DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commission.

[Order No. 44]

AN ORDER LIMITING THE TERM OF CONTRACTS AND ORDERS HEREAFTER TO BE ENTERED INTO AND ACCEPTED BY THE MEMBERS OF THE BITUMINOUS COAL CODE; DEFINING THE STATUS OF CONTRACTS AND ORDERS ENTERED INTO AND ACCEPTED PRIOR TO THE DATE OF THIS ORDER AND RESTRICTIONS ON CODE MEMBERS AS TO MAXIMUM DISCOUNTS OR PRICE ALLOWANCES TO DISTRIBUTORS

The Bituminous Coal Act of 1937 provides:

Section 4, Part II, Marketing, Subsection (c)—

No coal subject to the provisions of this section shall be sold or delivered or offered for sale at a price below the minimum or

## EXECUTIVE ORDER

REVOCATION OF EXECUTIVE ORDER NO. 6752 OF JUNE 23, 1934, AMENDING SUBDIVISION XVIII OF SCHEDULE A OF THE CIVIL SERVICE RULES

By virtue of and pursuant to the authority vested in me by the Civil Service Act (22 Stat. 403), it is ordered that Executive Order No. 6752 of June 23, 1934, amending Subdivision XVIII of Schedule A of the Civil Service Rules by adding thereto the following paragraph: "13. Positions in the National Soldiers' Home at Johnson City, Tennessee", be and it is hereby revoked, effective January 1, 1938.

With the exception of the incumbents of positions ordinarily excepted under paragraphs 11 and 12, Subdivision XVIII of Schedule A of the Civil Service Rules, those employees appointed to positions at the Veterans' Administration Facility, Mountain Home, National Soldiers' Home, Johnson City, Tennessee, subsequent to June 30, 1934, who do not have a civil-service status, may acquire such status in accordance with the provisions of section 6 of Civil Service Rule II as amended by Executive Order No. 7408 of July 6, 1936.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
November 15, 1937.

[No. 77397]

[P. R. Doc. 87-3838; Filed, November 16, 1937; 1:40 p. m.]

## EXECUTIVE ORDER

WITHDRAWAL OF PUBLIC LAND FOR USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

California

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, ch. 431, 36 Stat. 847, as amended by the act of August 24, 1912, ch. 369, 37 Stat. 497, it is ordered as follows:

SECTION 1. Executive Order No. 6910 of November 26, 1934, as amended, temporarily withdrawing all public lands in certain states for classification and other purposes, is hereby revoked in so far as it affects the following-described tract of land in California:

SAN BERNARDINO MEXICAN

T. 10 N., R. 9 W., sec. 32, E $\frac{1}{2}$ SW $\frac{1}{4}$  and E $\frac{1}{2}$ , 488 acres.

SECTION 2. Subject to the conditions expressed in the above-mentioned acts and to all valid existing rights, the tract of land described in section 1 of this order is hereby temporarily withdrawn from settlement, location, sale, or entry and reserved for use of the War Department for military purposes.

SECTION 3. The reservation made by section 2 of this order shall remain in force until revoked by the President or by act of Congress.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
November 15, 1937

[No. 77401]

[P. R. Doc. 87-3839; Filed, November 16, 1937; 1:40 p. m.]

## EXECUTIVE ORDER

RESERVOIR SITE RESTORATION NO. 17; PARTIAL REVOCATION OF EXECUTIVE ORDER OF JUNE 8, 1926, CREATING RESERVOIR SITE RESERVE NO. 17

California

By virtue of and pursuant to the authority vested in me by the act of June 25, 1910, 36 Stat. 847, as amended by the act of August 24, 1912, 37 Stat. 497, the Executive Order

of June 8, 1926, creating Reservoir Site Reserve No. 17, is hereby revoked as to the following-described lands:

MOUNT Diablo MEXICAN

T. 12 S., R. 24 E.,  
sec. 1, lots 1, 2, 3, and 4;  
sec. 12, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 17, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 24, N $\frac{1}{2}$ SW $\frac{1}{4}$  and NW $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 13 S., R. 24 E.,  
sec. 1, lots 1 and 7.  
T. 11 S., R. 25 E.,  
sec. 31, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , fractional W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ , fractional W $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 32, SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 33, SE $\frac{1}{4}$ .  
T. 12 S., R. 25 E.,  
sec. 4, NE $\frac{1}{4}$ ;  
sec. 5, lot 2, lot 3 except SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
sec. 6, fractional NE $\frac{1}{4}$  of lot 1, 3 $\frac{1}{4}$  of lot 2, lot 3, E $\frac{1}{2}$ NE $\frac{1}{4}$ , and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 19, lots 1, 2, and 3, NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 24, N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
sec. 28, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
sec. 29, SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
sec. 31, lot 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , and SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
sec. 32, NW $\frac{1}{4}$ NE $\frac{1}{4}$ .

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
November 15, 1937.

[No. 77411]

[P. R. Doc. 87-3840; Filed, November 16, 1937; 1:41 p. m.]

## TREASURY DEPARTMENT

Bureau of Customs.

[T. D. 49249]

CUSTOMS REGULATIONS AMENDED—ADMINISTRATION OF OATHS BY CUSTOMS PATROL INSPECTORS

To District Patrol Superintendents and Others Concerned:

Pursuant to the authority conferred by sections 498 (a) and 624 of the Tariff Act of 1930 (U. S. C., title 19, secs. 1486 (a) and 1624) and T. D. 49047, article 1369 of the Customs Regulations of 1937 is hereby amended by inserting the letter "(a)" before the word "such" in line one thereof and by adding a new paragraph, designated "(b)," reading as follows:

(b) Customs patrol inspectors are hereby designated to administer any oaths required or authorized by law or regulations promulgated thereunder in respect of any matter coming before them in the performance of their official duties.

[SEAL]

JAMES H. MOYLE,  
Commissioner of Customs.

Approved, November 11, 1937.

STEPHEN B. GIBSON,  
Acting Secretary of the Treasury.

[P. R. Doc. 87-3341; Filed, November 18, 1937; 4:02 p. m.]

[T. D. 49250]

CUSTOMS REGULATIONS AMENDED—PORTS OF DOCUMENTATION  
CUSTOMS PORT OF CORDOVA, ALASKA, DESIGNATED AS PORT OF DOCUMENTATION; DESIGNATION OF CUSTOMS PORT OF SEWARD, ALASKA, AS PORT OF DOCUMENTATION REVOKED

To Collectors of Customs and Others Concerned:

The Department of Commerce has designated the customs port of Cordova, Alaska, as a port of documentation, effective November 15, 1937.

The designation of the customs port of Seward, Alaska, as a port of documentation has been revoked by the Department of Commerce, effective the same date.



# FEDERAL REGISTER

VOLUME 5 NUMBER 122

Washington, Saturday, June 22, 1940

		CONTENTS
<p style="text-align: center;"><i>The President</i></p> <p style="text-align: center;"><b>EXECUTIVE ORDER</b></p> <p><b>WITHDRAWAL OF PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT AS A BOMBING AND GUNNERY RANGE,</b></p> <p style="text-align: center;"><b>CALIFORNIA</b></p> <p>By virtue of the authority vested in me by section 1 of the act of July 8, 1918, 40 Stat. 845, 848 (U.S.C., title 10, sec. 1841), it is hereby ordered that all the public lands within the following-described areas be, and they are hereby, withdrawn from all forms of appropriation under the public-land laws including the mining laws, subject to valid existing rights, for the use of the War Department as a bombing and gunnery range:</p> <p style="text-align: center;"><i>San Bernardino Meridian</i></p> <p>T. 8 N., R. 6 W., secs. 8 to 8, inclusive, sec. 17 to 20, inclusive, and sec. 29 to 32, inclusive.</p> <p>T. 10 N., R. 6 W., SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> and SW<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> sec. 5, E<sup>1</sup>/<sub>2</sub> sec. 8, sec. 7, 8, 17 to 20, inclusive, and sec. 29 to 32, inclusive.</p> <p>T. 9 N., R. 7 W., sec. 1 to 36, inclusive.</p> <p>T. 10 N., R. 7 W., sec. 1 to 36, inclusive.</p> <p>T. 9 N., R. 8 W., sec. 1 to 36, inclusive.</p> <p>T. 10 N., R. 8 W., sec. 8, N<sup>1</sup>/<sub>2</sub> and SW<sup>1</sup>/<sub>4</sub> sec. 7, SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> sec. 9, S<sup>1</sup>/<sub>2</sub> and SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> sec. 10, sec. 11 to 18, inclusive, S<sup>1</sup>/<sub>2</sub>, NE<sup>1</sup>/<sub>4</sub> and SE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> sec. 17, SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> and SE<sup>1</sup>/<sub>4</sub> sec. 18, sec. 19 to 36, inclusive.</p> <p>T. 8 N., R. 9 W., sec. 1 to 6, inclusive.</p> <p>T. 9 N., R. 9 W., sec. 1 to 36, inclusive.</p> <p>T. 10 N., R. 9 W., sec. 1 to 12, inclusive, NW<sup>1</sup>/<sub>4</sub> and NE<sup>1</sup>/<sub>4</sub>NE<sup>1</sup>/<sub>4</sub> sec. 18, SW<sup>1</sup>/<sub>4</sub> and N<sup>1</sup>/<sub>2</sub> sec. 14, sec. 15 to 28, inclusive, N<sup>1</sup>/<sub>2</sub> and NE<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> sec. 21, NE<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> sec. 22, SW<sup>1</sup>/<sub>4</sub>SW<sup>1</sup>/<sub>4</sub> and SE<sup>1</sup>/<sub>4</sub> sec. 23, S<sup>1</sup>/<sub>2</sub>, SW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> and NE<sup>1</sup>/<sub>4</sub> sec. 24, sec. 25 to 28, inclusive, SW<sup>1</sup>/<sub>4</sub>W<sup>1</sup>/<sub>2</sub> and E<sup>1</sup>/<sub>2</sub> sec. 29, sec. 30 to 33, inclusive.</p> <p>T. 8 N., R. 10 W., sec. 1 and 2.</p> <p>T. 9 N., R. 10 W., sec. 1, 2, 11 to 14, inclusive, sec. 23 to 28, inclusive, sec. 35 and 36.</p> <p>T. 10 N., R. 10 W., sec. 13, 15, 24, 35 and 36.</p>	<p>This order supersedes Executive Orders No. 6668 of February 6, 1934, No. 7707 of September 11, 1937, and No. 7740 of November 15, 1937.</p> <p>This order shall continue in force until revoked by the President or by act of Congress.</p> <p style="text-align: center;">FRANKLIN D. ROOSEVELT</p> <p style="text-align: center;">THE WHITE HOUSE, June 20, 1940.</p> <p style="text-align: center;">(No. 94501)</p> <p style="text-align: center;">[F. R. Doc. 45-2837; Filed, June 21, 1940; 9:40 a. m.]</p> <p style="text-align: center;"><b>EXECUTIVE ORDER</b></p> <p><b>APPROVING THE APPOINTMENT OF RUSSELL STURGIS TO THE POSITION OF ASSISTANT TERRITORIAL REPRESENTATIVE IN THE WAGE AND HOUR DIVISION, DEPARTMENT OF LABOR, WITHOUT REGARD TO THE REQUIREMENTS OF THE CIVIL SERVICE RULES</b></p> <p>By virtue of and pursuant to the authority vested in me by the provisions of paragraph Eighth, subdivision SECOND, section 2 of the Civil Service Act (22 Stat. 404), it is hereby ordered that Russell Sturgis may be appointed to the position of assistant territorial representative in the Wage and Hour Division, Department of Labor, without compliance with the requirements of the Civil Service Rules, provided that such appointment shall not thereby confer a competitive classified civil-service status.</p> <p style="text-align: center;">FRANKLIN D. ROOSEVELT</p> <p style="text-align: center;">THE WHITE HOUSE, June 20, 1940.</p> <p style="text-align: center;">(No. 94511)</p> <p style="text-align: center;">[F. R. Doc. 45-2838; Filed, June 21, 1940; 9:48 a. m.]</p>	<p style="text-align: center;"><b>THE PRESIDENT</b></p> <p><b>Executive Orders:</b></p> <p>California, withdrawal of public lands for use of War Department as bombing and gunnery range..... 2329</p> <p>Sturgis, Russell, authorizing appointment as assistant territorial representative, Wage and Hour Division..... 2329</p> <p style="text-align: center;"><b>RULES, REGULATIONS, ORDERS</b></p> <p><b>TITLE 24—HOUSING CREDIT:</b></p> <p>Home Owners' Loan Corporation:</p> <p>Renewal insurance and accruals on tax and insurance accounts..... 2339</p> <p><b>TITLE 42—PUBLIC HEALTH:</b></p> <p>United States Public Health Service:</p> <p>Payments to states from funds appropriated under Title VI, Social Security Act, regulations governing..... 2330</p> <p style="text-align: center;"><b>NOTICES</b></p> <p><b>Securities and Exchange Commission:</b></p> <p>Evershary, Inc., application granted..... 2331</p> <p><b>Hearings:</b></p> <p>Capital Transit Co..... 2332</p> <p>Consolidated Electric and Gas Co., et al..... 2333</p> <p>Reading Gas Co..... 2332</p> <p>Seattle Stock Exchange..... 2332</p> <p>Trustees under Pension Trust Agreement, General Utility Investors Corp., et al..... 2333</p>



contract in a number equal to the number of receiving military departments.

§ 806.802 *List of offices of loss and salvage organizations* (see § 806.500-1)

General Adjustment Bureau, Inc.----- FCAB  
Western Adjustment & Inspection Co.. WAIG  
Underwriters Adjusting Co.----- UAC

[Proc. Cir. 25, Oct. 5, 1949] (62 Stat. 21,  
41 U. S. C. 151-161)

[SEAL] EDWARD F WITSELL,  
*Major General,*  
*The Adjutant General.*

[F. R. Doc. 49-8522; Filed, Oct. 24, 1949;  
8:49 a. m.]

## TITLE 43—PUBLIC LANDS: INTERIOR

### Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders  
[Public Land Order 612]

#### ARIZONA

#### TRANSFER OF LANDS FROM THE KAIBAB NATIONAL FOREST TO THE COCONINO NATIONAL FOREST

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (U. S. C. title 16, sec. 473) and pursuant to Executive Order No. 9337 of April 24, 1943, and upon the recommendation of the Under Secretary of Agriculture, it is ordered as follows:

The following-described lands within the exterior boundaries of the Kaibab National Forest are hereby transferred to the Coconino National Forest, effective January 1, 1950:

#### GILA AND SALT RIVER MERIDIAN

T. 22 N., R. 5 E.,  
Secs. 1 to 4, inclusive;  
Secs. 9 to 16, inclusive;  
Secs. 22 to 27, inclusive;  
Sec. 34, N½,  
Sec. 35, N½ and SE¼,  
Sec. 36.

T. 23 N., R. 5 E.,  
Secs. 1 and 2;  
Secs. 11 to 14, inclusive;  
Secs. 23 to 26, inclusive;  
Secs. 34, 35 and 36.

T. 24 N., R. 5 E.,  
Secs. 1, 2, and 3;  
Secs. 10 to 15, inclusive;  
Secs. 23 to 26, inclusive;  
Secs. 35 and 36.

T. 25 N., R. 5 E.,  
Secs. 1 to 4, inclusive;  
Secs. 9 to 16, inclusive;  
Secs. 20 to 29, inclusive;  
Secs. 32 to 36, inclusive.

T. 22 N., R. 6 E.,  
Secs. 3 to 10, inclusive;  
Secs. 15 to 21, inclusive;  
Sec. 22, N½,  
Secs. 28 to 33, inclusive.

T. 23 N., R. 6 E.,  
Secs. 4 to 9, inclusive;  
Secs. 16 to 21, inclusive;  
Secs. 28 to 34, inclusive.

T. 24 N., R. 6 E.,  
Secs. 4 to 9, inclusive;  
Secs. 16 to 21, inclusive;  
Secs. 28 to 33, inclusive.

It is not intended by this order to give a national-forest status to any publicly owned lands which have not hitherto had such a status or to change the status of any publicly owned lands which have hitherto had national-forest status.

OSCAR L. CHAPMAN,  
*Acting Secretary of the Interior*

OCTOBER 19, 1949.

[F. R. Doc. 49-8508; Filed, Oct. 24, 1949;  
8:45 a. m.]

#### [Public Land Order 613]

#### CALIFORNIA

#### WITHDRAWING PUBLIC LANDS FOR USE OF THE DEPARTMENT OF THE AIR FORCE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in California are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Department of the Air Force in connection with an air force base:

#### SAN BERNARDINO MERIDIAN

T. 10 N., R. 9 W.,  
Sec. 30, lot 1 of NW¼, N½ of lot 2 of NW¼,  
NE¼, N½SE¼ and SE¼SE¼.

T. 9 N., R. 11 W.,  
Sec. 18, N½ of lot 1 of NW¼, N½ of lot 2  
of NW¼, and N½ NE¼.

The areas described aggregate 564.46 acres.

It is intended that the lands above described shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

OSCAR L. CHAPMAN,  
*Acting Secretary of the Interior*

OCTOBER 19, 1949.

[F. R. Doc. 49-8509; Filed, Oct. 24, 1949;  
8:45 a. m.]

## NOTICES

### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

#### MODIFICATION OF OREGON GRAZING DISTRICTS

DISTRICT NO. 1, AMENDMENT 1, DISTRICT  
NO 2, AMENDMENT 1

OCTOBER 19, 1949.

Under and pursuant to the authority vested in the Secretary of the Interior by the Act of June 28, 1934 (48 Stat. 1269, 43 U. S. C. 315 et seq.) as amended, known as the Taylor Grazing Act, and in accordance with 43 CFR 4.275 (a) (80) (iv) 13 F. R. 5181, the following-described lands are excluded from Oregon Grazing District No. 2, as heretofore established and modified (Misc. 1609045) and added to Oregon Grazing District No. 1, as heretofore established and modified (Misc. 1597977)

#### WILLAMETTE MERIDIAN

T. 28 S., R. 12 E.,  
Sec. 36.

T. 29 S., R. 12 E.,  
Sec. 1.

T. 24 S., R. 13 E.,  
Secs. 35 and 36.

T. 25 S., R. 13 E.,  
Secs. 1, 2, and 3;  
Sec. 9, E½,  
Secs. 10 to 16 inclusive;  
Sec. 17, SE¼,  
Sec. 20, E½,  
Secs. 21 to 28 inclusive;  
Sec. 29, E½ and SW¼,  
Secs. 32 to 36 inclusive.

T. 26 S., R. 13 E.,  
Secs. 1, 2, 3, and 4;  
Secs. 9 to 16 inclusive;  
Secs. 21 to 28 inclusive, and secs. 33 to 36  
inclusive.

T. 27 S., R. 13 E.,  
Secs. 1 to 4 inclusive, and secs. 9 to 16  
inclusive;  
Sec. 22, E½,  
Secs. 23 to 26 inclusive;  
Sec. 27, E½,  
Secs. 33 to 36 inclusive.

T. 28 S., R. 13 E.,  
Secs. 1 to 17 inclusive;  
Secs. 20 to 36 inclusive.

T. 29 S., R. 13 E.,  
Secs. 1 to 13 inclusive;  
Sec. 14, E½ and NW¼,  
Sec. 15, N½,  
Sec. 16, N½,  
Sec. 17;

Sec. 18, E½,  
T. 23 S., R. 14 E.,  
Sec. 36.

T. 24 S., R. 14 E.,  
Sec. 1;

Sec. 2, E½,  
Sec. 10, S½,  
Secs. 11 to 18 inclusive;  
Secs. 20 to 36 inclusive.  
Tps. 25 to 28 S., R. 14 E.

T. 29 S., R. 14 E.,  
Secs. 1 to 12 inclusive;  
Sec. 13, N½ and N½SW¼,  
Sec. 14;  
Sec. 15, N½ and SE¼,  
Sec. 16, N½,  
Sec. 17, N½,  
Sec. 18, N½.

T. 23 S., R. 15 E.,  
Secs. 31 to 34 inclusive.  
Tps. 24 to 28 S., R. 15 E.

T. 29 S., R. 15 E.,  
Secs. 3 to 17 inclusive;  
Sec. 18, N½ and SE¼,  
Secs. 21 to 28 inclusive.

T. 23 S., R. 16 E.,  
Secs. 1 and 2;  
Sec. 3, NE¼, E½NW¼, NW¼NW¼,  
N½SW¼NW¼, N½NE¼SW¼;  
Secs. 11 to 14 inclusive;  
Secs. 23 to 27 inclusive;  
Secs. 34 to 36 inclusive.  
Tps. 24 to 28 S., R. 16 E.  
T. 29 S., R. 16 E.,  
Secs. 1 to 4 inclusive;  
Secs. 7 to 30 inclusive;

other, under such regulations as the Postmaster General shall prescribe.

Whoever knowingly deposits for mailing or delivery, or knowingly causes to be delivered by mail according to the direction thereon, or at any place to which it is directed to be delivered by the person to whom it is addressed, any pistol, revolver, or firearm declared non-mailable by this section, shall be fined not more than \$1,000 or imprisoned not more than two years, or both.

(R. S. 161, 386, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369. Interprets or applies 62 Stat. 782, as amended; 18 U. S. C. and Sup., 1715)

b. In § 51.1 *Village delivery* (39 CFR 51.1) amend paragraph (a) (1) to read as follows:

(1) Village mail delivery may be established under such regulations as the Postmaster General may prescribe, in towns and villages having post offices of the third class that are not by law entitled to free-delivery service. The operation by the Post Office Department of village delivery service in second-class post offices shall be discontinued.

NOTE: See § 137.48 for additional provisions, and effective date of Public Law 431. (R. S. 161, 386, sec. 9, 37 Stat. 559, as amended; secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. and Sup., 153)

c. In Part 97 (39 CFR, Part 97) make the following changes:

1. Amend § 97.2 *Contracts for service by air because of impracticability of surface transportation* (39 CFR 97.2) to read as follows:

§ 97.2 *Contracts for service by air because of impracticability or inadequacy of surface transportation*—(a) *Action by Postmaster General.* Whenever he shall find it to be in the public interest, because of the nature of the terrain, or the impracticability or inadequacy of surface transportation, and where the cost thereof is reasonably compatible with the service to be provided, the Postmaster General may award contracts for the transportation by aircraft upon star routes of any or all classes of mail (including but not limited to air mail and air parcel post) payment for such service to be made from the appropriation for inland transportation by star routes; *Provided*, That all laws and regulations not in conflict with this section governing star routes shall be applicable to contracts made under the authority of this section: *Provided further* That the provisions of title IV of the Civil Aeronautics Act of 1938, approved June 23, 1938 (52 Stat. 973) as amended, other than sections 407, 408, 409, 412, 413, 414, and 416 thereof shall not apply to the transportation of mail under this section: *Provided further* That prior to advertising for bids for the transportation of mail by aircraft on any star route, except as authorized by the act of October 14, 1940 (54 Stat. 1175) entitled "An act authorizing special arrangements in the transportation of mail within the Territory of Alaska," the Postmaster General shall obtain from the Civil Aeronautics Board a certification

that the proposed route does not conflict with the development of air transportation as contemplated under the Civil Aeronautics Act of 1938, as amended: *Provided further* That any such contract made under authority of this section shall be canceled upon the issuance by the Civil Aeronautics Board of an authorization under title IV of the Civil Aeronautics Act of 1938, as amended, to any air carrier to engage in the transportation of mail by aircraft between any of the points named in such contract: *And provided further* That no bid for a contract under this section shall be considered unless the bidder is a resident of or qualified to do business as a common carrier by air in a State within which one or more points to be served under such proposed contract are located. As used in this section, the term "State" includes the several States, the Territories of Alaska and Hawaii, and the District of Columbia.

(b) *Action by Civil Aeronautics Board.* Upon receipt of a request from the Postmaster General for the certification required in paragraph (a) of this section, the Civil Aeronautics Board shall promptly publish in the FEDERAL REGISTER, and send to such persons as the Board may by regulation determine, a notice describing the proposed air star route. After giving notice pursuant to this subsection, the Board shall afford interested persons a reasonable opportunity to submit written data, views or arguments with or without opportunity to present the same orally in any manner. The Board shall give due consideration to all relevant matter presented and, not less than thirty days after notice is given, except in any situation in which it for good cause finds (and incorporates the finding and a brief statement of the reasons therefor in its order granting certification) that such period of advance notice is impracticable, unnecessary or contrary to the public interest, shall grant the requested certification upon finding that the proposed route does not conflict with the development of air transportation as contemplated under the Civil Aeronautics Act of 1938, as amended.

(Interprets or applies sec. 9, 53 Stat. 319, as amended; 39 U. S. C. and Sup., 470)

2. Add a new section, § 97.74 *Utilization of Coast Guard facilities and personnel*, in the text immediately following § 97.73 to read as follows:

§ 97.74 *Utilization of Coast Guard facilities and personnel.* Coast Guard facilities and personnel may be utilized for the transportation and delivery of mail matter during emergency conditions or at isolated locations under such arrangements as may be satisfactory to the Secretary (of the Treasury) and the Postmaster General.

(Interprets or applies 63 Stat. 500; 14 U. S. C. Sup., 146)

(R. S. 161, 386, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL]

J. M. DONALDSON,  
Postmaster General.

[F. R. Doc. 50-4177; Filed, May 16, 1950; 8:49 a. m.]

**TITLE 43—PUBLIC LANDS:  
INTERIOR**

**Chapter I—Bureau of Land Management, Department of the Interior**

**Appendix—Public Land Orders**

[Public Land Order 645]

**ARIZONA**

REVOKING IN PART EXECUTIVE ORDER NO. 1187 OF APRIL 9, 1910

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943 it is ordered as follows:

Executive Order No. 1187 of April 9, 1910 withdrawing public lands for the use of the War Department for military purposes is hereby revoked so far as it affects the following-described land:

**GILA AND SALT RIVER MOUNTAIN**

T. 1 N., E. 3 W.,  
Sec. 19, NE¼.

The area described contains 169 acres. The land shall not be subject to the initiation of any rights or to any disposition under the public-land laws until it is so provided by an order of classification to be issued by the Regional Administrator, Bureau of Land Management, Albuquerque, New Mexico, opening the land to application under the Small Tract Act of June 1, 1933, 52 Stat. 609 (43 U. S. C. 602a) as amended, with a ninety-day preference right period for filing such applications by veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944, 58 Stat. 747, as amended (43 U. S. C. 279 et seq.).

C. GERALD DAVIDSON,  
Acting Secretary of the Interior.

MAY 10, 1950.

[F. R. Doc. 50-4177 Filed, May 16, 1950; 8:46 a. m.]

[Public Land Order 646]

**CALIFORNIA**

**WITHDRAWING PUBLIC LANDS FOR USE OF THE DEPARTMENT OF THE AIR FORCE**

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-described areas are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the Department of the Air Force as an air force base:

**SAN BERNARDINO MOUNTAIN**

T. 10 N., E. 8 W.,  
Sec. 18, NE¼, lots 1 and 2 of the NW¼, and N¼ of lots 1 and 2 of the SW¼.

T. 8 N., E. 8 W.,  
Sec. 10, S¼SE¼,  
Sec. 18, SE¼,  
Sec. 23, W¼.

T. 10 N., E. 8 W.,  
Sec. 14, SE¼;  
Sec. 23, D¼, SW¼, S¼NW¼,  
Sec. 24, N¼NW¼,  
Sec. 33, SW¼SE¼.

- T. 11 N., R. 9 W.,  
Sec. 34, S½NW¼.
- T. 8 N., R. 10 W.,  
Sec. 6, lots 1 and 2 of the NW¼ and the  
S½ of lot 2 of the SW¼.
- T. 9 N., R. 10 W.,  
Sec. 28, W½NW¼,  
Sec. 30, lot 2 of the NW¼, and lot 2 of the  
SW¼.
- T. 10 N., R. 10 W.,  
Sec. 2, S½ and lots 1 and 2 of NE¼,  
Sec. 4, all;  
Sec. 6, all;  
Sec. 8, all;  
Sec. 10, all;  
Sec. 14, all;  
Sec. 18, lot 2 of NW¼, lots 1 and 2 of  
SW¼, S½SE¼,  
Sec. 20, NE¼ and SW¼,  
Sec. 26, E½,  
Sec. 28, S½,  
Sec. 30, all;  
Sec. 32, all.
- T. 11 N., R. 10 W.,  
Sec. 28, S½S½,  
Sec. 34, E½.
- T. 8 N., R. 11 W.,  
Sec. 8, all;  
Sec. 10, E½NE¼.
- T. 9 N., R. 11 W.,  
Sec. 2, all;  
Sec. 4, all;  
Sec. 6, all;  
Sec. 8, all;  
Sec. 10, N½,  
Sec. 12, N½,  
Sec. 20, SW¼,  
Sec. 28, W½NW¼, SW¼SW¼,  
Sec. 28, N½, SE¼,  
Sec. 30, NE¼,  
Sec. 32, all;  
Sec. 34, N½.
- T. 10 N., R. 11 W.,  
Sec. 14, E½,  
Sec. 20, NW¼,  
Sec. 22, all;  
Sec. 23, S½, N½NW¼,  
Sec. 24, all;  
Sec. 26, all;  
Sec. 28, all;  
Sec. 32, all.
- T. 9 N., R. 12 W.,  
Sec. 2, lots 1 and 2 of NE¼, and lots 1 and  
2 of NW¼,  
Sec. 10, SE¼,  
Sec. 12, all;  
Sec. 14, N½, N½S½.
- T. 10 N., R. 12 W.,  
Sec. 34, E½.

The areas described including both public and non-public lands, aggregate 20,901.82 acres.

It is intended that the lands above described shall be returned to the administration of the Department of the Interior when they are no longer needed for the purpose for which they are reserved.

C. GIRARD DAVIDSON,  
*Acting Secretary of the Interior*

MAY 10, 1950.

[F. R. Doc. 50-4170; Filed, May 16, 1950;  
8:46 a. m.]

**TITLE 49—TRANSPORTATION**

**Chapter I—Interstate Commerce Commission**

[Docket No. 3688]

**TRANSPORTATION OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES**

**MISCELLANEOUS AMENDMENTS**

At a session of the Interstate Commerce Commission, Division 3, held at its

office in Washington, D. C., on the 28th day of April A. D. 1950.

It appearing, that pursuant to the Transportation of Explosives Act of March 4, 1921 (41 Stat. 1444) sections 831 to 835 of Title 18 of the United States Code approved June 25, 1948, and Part II of the Interstate Commerce Act, as amended, the Commission has heretofore formulated and published certain regulations for the transportation of explosives and other dangerous articles.

It further appearing, that in application received we are asked to amend the aforesaid regulations as set forth in provisions made a part thereof,

It is ordered, That the aforesaid regulations for the transportation of explosives and other dangerous articles be, and they are hereby, amended as follows:

**PART 72—COMMODITY LIST OF EXPLOSIVES AND OTHER DANGEROUS ARTICLES CONTAINING THE SHIPPING NAME OR DESCRIPTION OF ALL ARTICLES SUBJECT TO THESE REGULATIONS**

The following amendments are made to § 72.5 (formerly part of section 4, List of Explosives and Other Dangerous Articles, order August 16, 1940)

§ 72.5 *List of explosives and other dangerous articles.*

Article	Classed as—	Exemptions and packing (section references are to part 73 (formerly part 3))	Label required if not exempt	Maximum quantity in one outside container by rail express
(Add)				
Hydrogen, liquefied	Not accepted.			Not accepted.
Shaped charges, commercial. See High explosives.	See § 73.61-4 (h)			
Commercial shaped charges. See High explosives.	See § 73.61-4 (h)			
Tertiary butylisopropyl benzene hydroperoxide.	Oxy. M.	1G (b), 180D.	Yellow.	1 quart.

**PART 73—REGULATIONS APPLYING TO SHIPPERS**

**SUBPART A—PREPARATION OF ARTICLES FOR TRANSPORTATION BY CARRIERS BY RAIL, FREIGHT, RAIL EXPRESS, HIGHWAY, OR WATER**

1. Section 73.31 paragraph (k) (formerly section 31 paragraph (k) order August 16, 1940) is amended to read as follows:

(k) All closures of openings in tank cars and of their protective housings must be properly secured in place by the use of a bar, wrench, or other suitable tool. A wrench having a handle at least 36 inches long must be used to apply the outlet valve cap. Manhole covers and outlet valve caps must be made tight against leakage of vapor and liquid, by use of gaskets of suitable material, before cars are tendered to carrier for transportation. Luting materials must not be used in outlet cap or on threads of bottom outlet.

(No change in note.)

2. Section 73.32 paragraph (n) (order February 13, 1950) is amended to read as follows:

(n) Each outlet of portable tanks used for the transportation of liquefied compressed gases, except carbon dioxide, shall be provided with a suitable automatic excess-flow valve. These valves shall be located inside the tank or at a point outside the tank where the line enters or leaves the tank. In case such valve is located outside the tank, the installation shall be made in such a manner that any undue strain beyond the valve will cause breakage on the discharge end and not between the container and the valve. Exception: Safety relief valve connections and liquid level gauging devices which are so constructed that the outward flow of tank contents shall not exceed that passed by a No. 54 drill size opening are not required to be equipped with excess-flow valves.

3. Section 73.33 paragraph (c) (order February 13, 1950), is amended to read as follows:

(c) Each outlet of cargo tanks used for the transportation of liquefied compressed gases, except carbon dioxide, shall be provided with a suitable automatic excess-flow valve or in lieu thereof may be fitted with quick closing internal valves. The quick closing internal valve shall be operated by an independent fluid medium. These valves shall be located inside the tank or at a point outside the tank where the line enters or leaves the tank. In case such valve is located outside the tank, the installation shall be made in such a manner that any undue strain beyond the valve will cause breakage on the discharge end and not between the container and the valve. Exception: Safety relief valve connections and liquid level gauging devices which are so constructed that the outward flow of tank contents shall not exceed that passed by a No. 54 drill size opening are not required to be equipped with excess-flow valves.

**SUBPART B—EXPLOSIVES**

**Class A Explosives**

4. Section 73.53 paragraph (h) (order February 3, 1950), is amended to read as follows:

(h) *Type 8.* Any solid or liquid compound, mixture or device which is not specifically included in any of the above types, and which under special conditions may be so designated and approved by the Bureau of Explosives.

Example: Shaped charges, commercial.

(1) A shaped charge, commercial, consists of a plastic, paper, or other suitable container comprising a charge of not to exceed 8 ounces of a high explosive containing no liquid explosive ingredient and with a hollowed out portion (cavity) lined with a rigid material. This device shall not contain a detonator.

## PART 20—SPECIAL REGULATIONS

## THEODORE ROOSEVELT NATIONAL MEMORIAL PARK; SPEED

Part 20 is amended by adding a new § 20.50 reading as follows:

§ 20.50 *Theodore Roosevelt National Memorial Park—(a) Speed.* Speed limits in the Park, except in emergencies as provided in § 1.42 (b) of this chapter, are as follows:

(1) 15 miles per hour:

(i) In public campgrounds including approach and exit roads to campgrounds so posted.

(ii) Headquarters areas including approach and exit roads so posted.

(2) 35 miles per hour:

(i) On all public roads in the park, except that vehicles shall be operated at safe driving speeds as provided in § 1.42 (a) of this chapter.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 22d day of March 1955.

[SEAL] JOHN W. JAY, Jr.,  
Superintendent.

[F. R. Doc. 55-3274; Filed, Apr. 20, 1955; 8:50 a. m.]

## PART 20—SPECIAL REGULATIONS

## SCOTTS BLUFF NATIONAL MONUMENT; SPEED

Part 20, Special Regulations, is amended by adding a new § 20.53 to read as follows:

§ 20.53 *Scotts Bluff National Monument—(a) Speed.* Speed of automobiles and other vehicles, except ambulances and Government cars on emergency trips, shall not exceed 25 miles per hour on any of the Monument roads unless different speed limits are indicated by posted signs or markers.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 4th day of April 1955.

[SEAL] FRANK H. ANDERSON,  
Superintendent,  
Scotts Bluff National Monument.

[F. R. Doc. 55-3275; Filed, Apr. 20, 1955; 8:50 a. m.]

TITLE 43—PUBLIC LANDS:  
INTERIOR

## Chapter I—Bureau of Land Management, Department of the Interior

[Circular 1905]

## PART 196—PHOSPHATE LEASES AND USE PERMITS

## SIZE OF LEASEHOLD AND LIMITATION OF ACREAGE HOLDINGS

Section 196.2 (b) is amended to read as follows:

§ 196.2 *Size of leasehold and limitation of acreage holdings.* \* \* \*

(b) A lessee, upon a showing that the leased deposits extend into adjoining Federal lands may, upon application to be filed in the Land Office, be granted,

subject to the acreage limitation under paragraph (a) of this section, a lease for additional acreage, if the Manager, after consultation with the Mining Supervisor, shall determine that the increased acreage will result in conservation of natural resources and will provide for the most economical and efficient recovery of a minable deposit without waste. In applying this paragraph, fringe acreage in an area not of interest to more than one operator, and lacking sufficient reserves of phosphate deposits to warrant independent development, may be leased noncompetitively without publication either by separate lease or by adding to an existing leasehold (within the aggregate limitation of 2,560 acres) subject to a bonus of not less than \$1.00 an acre, a minimum royalty, and such other terms and conditions as may be determined at the time the lease offer is made. If, however, the fringe acreage has sufficient reserves to warrant independent development, or, if, following appropriate inquiry of operators in the area and consultation with the Mining Supervisor, the Manager determines that there is competitive interest thereon, the lands will be offered competitively under § 196.11.

(Sec. 32, 41 Stat. 450; 30 U. S. C. 189)

DOUGLAS MCKAY,  
Secretary of the Interior

APRIL 14, 1955.

[F. R. Doc. 55-3256; Filed, Apr. 20, 1955; 8:45 a. m.]

Appendix C—Public Land Orders  
[Public Land Order 1125]

## UTAH

## WITHDRAWING PUBLIC LANDS FOR USE OF DEPARTMENT OF THE AIR FORCE AS A SUPERSONIC TRACK AND TESTING AREA

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the following-described public lands in Utah are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for use of the Department of the Air Force as a supersonic track and testing area and for other military purposes:

## SALT LAKE MERIDIAN

T. 40 S., R. 12 W.,

Sec. 33, S $\frac{1}{2}$ S $\frac{1}{2}$ ,

T. 41 S., R. 12 W.,

Sec. 4;

Sec. 5, lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ ,

Sec. 8, E $\frac{1}{2}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ ,

Sec. 9, N $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ,

Sec. 17, E $\frac{1}{2}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ ,

Sec. 19, NE $\frac{1}{4}$ NE $\frac{1}{4}$ ,

Sec. 20, N $\frac{1}{2}$ ,

Sec. 21, N $\frac{1}{2}$ .

The areas described aggregate 2,851.68 acres.

This order shall be subject to the existing withdrawals for reclamation and power purposes so far as they affect any of the lands; and shall take precedence

over, but not otherwise affect the Departmental order of April 8, 1935, establishing Utah Grazing District No. 4.

ORME LEWIS,  
Assistant Secretary of the Interior

APRIL 15, 1955.

[F. R. Doc. 55-3258; Filed, Apr. 20, 1955; 8:46 a. m.]

[Public Land Order 1126]

## CALIFORNIA

## WITHDRAWING PUBLIC LANDS FOR USE OF DEPARTMENT OF THE AIR FORCE IN CONNECTION WITH EDWARDS AIR FORCE BASE

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the public lands in the following-described areas in California are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for use of the Department of the Air Force for military purposes in connection with Edwards Air Force Base:

## SAN BERNARDINO MERIDIAN

T. 8 N., R. 10 W.,

Sec. 24, E $\frac{1}{2}$ SE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The area described contains 120 acres. This order shall apply to all lands within the above-described area, upon the cancellation, termination or release of prior entries, selections, rights, appropriations, or claims, or upon the revocation of prior withdrawals, unless expressly otherwise provided in the order of withdrawal.

ORME LEWIS,  
Assistant Secretary of the Interior

APRIL 15, 1955.

[F. R. Doc. 55-3259; Filed, Apr. 20, 1955; 8:46 a. m.]

[Public Land Order 1127]

## ALASKA

## RESERVING LANDS WITHIN CHUGACH NATIONAL FOREST FOR USE BY FOREST SERVICE, DEPARTMENT OF AGRICULTURE, FOR ADMINISTRATIVE AND PUBLIC SERVICE SITES AND HIGHWAY PURPOSES

By virtue of the authority vested in the President by the act of June 4, 1897 (30 Stat. 34, 36; 16 U. S. C. 473), and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the public lands within the following-described area within the Chugach National Forest are hereby withdrawn from all forms of appropriation under the public-land laws including the mining and the mineral-leasing laws, and reserved for use by the Forest Service, Department of Agriculture, for administrative and public service sites, and highway purposes:

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**PROOF OF SERVICE**

ANTELOPE VALLEY GROUNDWATER CASES  
JUDICIAL COUNCIL PROCEEDING NO. 4408  
CASE NO.: 1-05-CV-049053

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I am a citizen of the United States and a resident of the county aforesaid; I am over the age of eighteen years and not a party to the within action; my business address is: 5001 E. Commercenter Drive, Suite 300, Bakersfield, California 93309. On April 19, 2013, I served the within **DECLARATION OF BOB H. JOYCE IN SUPPORT OF LANDOWNERS' MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION TO THE UNITED STATES' MOTION IN LIMINE TO ESTABLISH LEGAL ENTITLEMENT TO A FEDERAL RESERVE RIGHT AND TO LIMIT THE SCOPE OF EVIDENCE AT TRIAL**

**(BY POSTING)** I am "readily familiar" with the Court's Clarification Order. Electronic service and electronic posting completed through [www.scefilings.org](http://www.scefilings.org) ; All papers filed in Los Angeles County Superior Court and copy sent to trial judge and Chair of Judicial Council.

Los Angeles County Superior Court  
111 North Hill Street  
Los Angeles, CA 90012  
Attn: **Department 1**  
(213) 893-1014

Chair, Judicial Council of California  
Administrative Office of the Courts  
Attn: Appellate & Trial Court Judicial Services  
(Civil Case Coordinator)  
Carlotta Tillman  
455 Golden Gate Avenue  
San Francisco, CA 94102-3688  
Fax (415) 865-4315

**(BY MAIL)** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Bakersfield, California, in the ordinary course of business.

**(OVERNIGHT/EXPRESS MAIL)** By enclosing a true copy thereof in a sealed envelope designated by United States Postal Service (Overnight Mail)/Federal Express/United Parcel Service ("UPS") addressed as shown on the above by placing said envelope(s) for ordinary business practices from Kern County. I am readily familiar with this business' practice of collecting and processing correspondence for overnight/express/UPS mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service/Federal Express/UPS in a sealed envelope with delivery fees paid/provided for at the facility regularly maintained by United States Postal Service (Overnight Mail/Federal Express/United Postal Service [or by delivering the documents to an authorized courier or driver authorized by United States Postal Service (Overnight Mail)/Federal Express/United Postal Service to receive documents]).

**(STATE)** I declare under penalty of perjury under the laws of the State of California that the above is true and correct, and that the foregoing was executed on April 19, 2013, in Bakersfield, California.

  
LEQUETTA HANSEN