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Only guardians appointed under State law will be entitled to receive the property of enrolled members of the Klamath Indian Tribe of Oregon who are minors under the laws of the State where they reside or otherwise incompetent to manage their own affairs, Secretary of the Interior Douglas McKay said today.

The Secretary's statement was made to clarify the Department's position on one important phase of the readjustment program which is now being carried out at the Klamath jurisdiction under Public I.aw 587 of the 83d Congress, the so-called ''Klamath Termination Act." Section 15 of the law directs the Secretary to "protect the rights of members of the tribe who are minors, non compos mantis, or in the opinion of the Secretary in need of assistance in conducting their affairs."

Under the law adult members of the tribe will eventually have the option of deciding, on behalf of themselves and their minor children, either to withdraw their proportionate shares of the tribal estate or to remain in the tribe and participate in the benefits of the tribal management plan. Since about half of the approximately 2,000 enrolled members are minors, there has been a question about who could receive the property on behalf of such members.

Secretary McKay's clarification was made following conferences held in Washington with departmental and Indian Bureau representatives by John Brugman, Assistant Attorney General of Oregon, and Andrew Juras, Oregon State Director of Child Welfare. Glen Wilkinson, attorney for the Klamath Tribe, also participated in these conferences.

Under Public Law 587 the Federal trust relationship to the affairs of the tribe and its members is to be terminated on or before August 13, 1958. Following termination Oregon State laws will apply in all respects.