

Pub. L. 86-509, June 11, 1960, 74 Stat. 205, set out as a note under section 2201 of Title 7, Agriculture.

“Secretary of Agriculture is authorized”, “in his opinion”, “he may authorize” and “the values in each case to be determined by him” substituted in text for “Secretary of the Interior is authorized”, “in the opinion of the Secretary of Agriculture”, “the Secretary of Agriculture may authorize” and “the values in each case to be determined by the Secretary of Agriculture”, respectively, in view of transfer of functions under this section to Secretary of Agriculture from Secretary of the Interior by section 1(a) of Pub. L. 86-509, set out as a note under section 2201 of Title 7.

§ 485a. Omitted

CODIFICATION

Section, act Aug. 2, 1935, ch. 424, 49 Stat. 508, related to lands adjacent to Chelan National Forest. See Codification note set out under sections 486a to 486w of this title.

§ 486. Exchange of lands in national forests; reservations of timber, minerals, or easements

Either party to an exchange may make reservations of timber, minerals, or easements, the values of which shall be duly considered in determining the values of the exchanged lands. Where reservations are made in lands conveyed to the United States the right to enjoy them shall be subject to such reasonable conditions respecting ingress and egress and the use of the surface of the land as may be deemed necessary by the Secretary of Agriculture; where mineral reservations are made in lands conveyed by the United States it shall be so stipulated in the patents, and that any person who acquires the right to mine and remove the reserved deposits may enter and occupy so much of the surface as may be required for all purposes incident to the mining and removal of the minerals therefrom, and may mine and remove such minerals upon payment to the owner of the surface for damages caused to the land and improvements thereon. All property, rights, easements, and benefits authorized by this section to be retained by or reserved to owners of lands conveyed to the United States shall be subject to the tax laws of the States where such lands are located.

(Mar. 20, 1922, ch. 105, § 2, as added Feb. 28, 1925, ch. 375, 43 Stat. 1090.)

TRANSFER OF FUNCTIONS

Functions of Secretary of the Interior under this section and section 485 of this title, with respect to exchanges of non-Federal lands for national forest lands or timber, transferred to Secretary of Agriculture, see Pub. L. 86-509, June 11, 1960, 74 Stat. 205, set out as a note under section 2201 of Title 7, Agriculture.

APPLICATION EXTENDED

Act June 25, 1935, ch. 308, 49 Stat. 422, provided that this section should be extended and made applicable to exchanges of lands under acts Feb. 14, 1923, ch. 75, 42 Stat. 1245, and Feb. 7, 1929, ch. 160, 45 Stat. 1154, which authorize the United States to acquire privately owned lands situated within certain townships in the Lincoln National Forest in the State of New Mexico, by exchanging therefor an equal value of unreserved and unappropriated public lands within said State.

§§ 486a to 486w. Omitted

CODIFICATION

Exchanges of lands in or adjacent to national forests were authorized by Congress in the following instances:

Absaroka National Forest—Act May 26, 1926, ch. 399, § 4, 44 Stat. 656.

Arapaho National Forest—Acts Mar. 3, 1927, ch. 340, 44 Stat. 1378; Dec. 31, 1974, Pub. L. 93-575, 88 Stat. 1878.

Ashley National Forest—Act Jan. 26, 1931, ch. 44, 46 Stat. 1040.

Black Hills National Forest—Acts Feb. 15, 1927, ch. 152, 44 Stat. 1099; June 15, 1938, ch. 388, 52 Stat. 686.

Boise National Forest—Acts July 1, 1930, ch. 85, 46 Stat. 841; May 17, 1934, ch. 292, 48 Stat. 779; June 5, 1942, ch. 342, § 1, 56 Stat. 320; July 17, 1959, Pub. L. 86-92, 73 Stat. 218; Pub. L. 106-493, § 1, Nov. 9, 2000, 114 Stat. 2213.

Cache National Forest—Acts May 14, 1914, ch. 89, 38 Stat. 377; Feb. 17, 1917, ch. 86, 39 Stat. 922; Feb. 28, 1919, chs. 73, 77, 40 Stat. 1204, 1208; Feb. 25, 1932, ch. 57, 47 Stat. 55.

Calaveras Bigtree National Forest—Acts Feb. 18, 1909, ch. 143, 35 Stat. 627; May 7, 1912, ch. 105, 37 Stat. 108.

Caribou National Forest—Acts Apr. 18, 1914, ch. 63, 38 Stat. 346; June 5, 1920, ch. 262, 41 Stat. 1056; June 16, 1948, ch. 476, 62 Stat. 455.

Carson National Forest—Acts Apr. 21, 1926, ch. 167, 44 Stat. 303; Apr. 16, 1928, ch. 378, 45 Stat. 431; May 31, 1949, ch. 152, 63 Stat. 144; Oct. 9, 1972, Pub. L. 92-474, 86 Stat. 790.

Challis National Forest—Act Apr. 10, 1928, chs. 339, 340, 45 Stat. 415.

Chattahoochee National Forest—Act July 20, 1956, ch. 656, 70 Stat. 594.

Chelan National Forest—Act Aug. 2, 1935, ch. 424, 49 Stat. 508.

Chippewa National Forest—Acts June 8, 1940, ch. 285, § 3, 54 Stat. 255; Oct. 5, 1949, ch. 597, 63 Stat. 702.

Cleveland National Forest—Act June 11, 1942, ch. 407, 56 Stat. 358.

Cochetopa National Forest—Act May 3, 1934, ch. 192, 48 Stat. 658.

Colorado National Forest—Acts Sept. 8, 1916, ch. 474, 39 Stat. 848; June 4, 1920, ch. 225, 41 Stat. 757; June 2, 1924, ch. 230, 43 Stat. 252; June 9, 1926, ch. 515, § 1, 44 Stat. 714.

Columbia National Forest—Act Aug. 12, 1937, ch. 588, 50 Stat. 622.

Colville National Forest—Act Mar. 4, 1927, ch. 493, 44 Stat. 1412.

Crater National Forest—Acts Feb. 11, 1920, ch. 69, 41 Stat. 405; Apr. 23, 1928, chs. 414, 415, 45 Stat. 450.

Crow Creek National Forest—Act Mar. 13, 1908, ch. 84, 35 Stat. 42.

Custer National Forest—Act Mar. 3, 1925, ch. 440, 43 Stat. 1117.

Deschutes National Forest—Acts Feb. 2, 1922, ch. 46, 42 Stat. 362; May 24, 1935, ch. 140, 49 Stat. 288.

Dixie National Forest—Act Mar. 7, 1942, ch. 162, § 2, 56 Stat. 142.

Eldorado National Forest—Act Feb. 20, 1925, ch. 272, 43 Stat. 954.

Fishlake National Forest—Act July 28, 1914, ch. 212, 38 Stat. 556.

Fremont National Forest—Acts May 14, 1930, ch. 270, 46 Stat. 278; Apr. 14, 1934, ch. 138, 48 Stat. 590.

Gallatin National Forest—Act May 26, 1926, ch. 399, § 5, 44 Stat. 656.

Gunnison National Forest—Acts Apr. 23, 1928, ch. 416, 45 Stat. 451; Mar. 4, 1933, ch. 277, 47 Stat. 1569.

Harney National Forest—Acts Feb. 15, 1927, ch. 152, 44 Stat. 1099; Oct. 6, 1949, ch. 620, 63 Stat. 708.

Helena National Forest—Act Apr. 23, 1930, ch. 206, 46 Stat. 250.

Idaho National Forest—Acts Oct. 17, 1919, ch. 88, 41 Stat. 324; Apr. 10, 1928, ch. 338, 45 Stat. 415; June 30, 1932, ch. 332, 47 Stat. 474.

Idaho, national forests in—Act Apr. 30, 1934, ch. 172, 48 Stat. 649.

Kaniksu National Forest—Acts May 26, 1938, ch. 279, 52 Stat. 443; Aug. 10, 1939, ch. 661, 53 Stat. 1347; June 14, 1965, Pub. L. 89-39, 79 Stat. 129.

Kansas National Forest—Act Feb. 28, 1911, ch. 181, 36 Stat. 960.

Klamath National Forest—Act June 22, 1938, ch. 565, 52 Stat. 836.