

under the provisions of subsection (a) of this section, any withdrawal or reservation of lands made after the original location of such mining claim is hereby modified and amended so that the effect thereof upon such mining claim shall be the same as if such mining claim had been located upon lands of the United States which, subsequent to July 31, 1939, and prior to the date of such withdrawal or reservation, were subject to location under the mining laws of the United States.

(Aug. 13, 1954, ch. 730, § 1, 68 Stat. 708.)

#### SHORT TITLE

Act Aug. 13, 1954, which enacted this chapter, amended section 1805 of Title 42, The Public Health and Welfare, and enacted provisions formerly set out as a note under section 1805 of Title 42, is popularly known as the Multiple Mineral Development Act.

#### TRANSFER OF FUNCTIONS

Atomic Energy Commission abolished and functions transferred by sections 5814 and 5841 of Title 42, The Public Health and Welfare. See, also, Transfer of Functions notes set out under those sections.

#### SEPARABILITY

Act Aug. 13, 1954, ch. 730, § 13, 68 Stat. 717, provided that: "If any provision of this Act [enacting this chapter], or the application of such provision to any person or circumstances, is held unconstitutional, invalid, or unenforceable [sic], the remainder of this Act or the application of such provision to persons or circumstances other than those as to which it is held unconstitutional, invalid, or unenforceable [sic], shall not be affected thereby."

### § 522. Conflicting periods of location of claims

(a) If any mining claim which shall have been located subsequent to December 31, 1952, and prior to December 11, 1953, and which shall be entitled to the benefits of this chapter, shall cover any lands embraced within any mining claim which shall have been located prior to January 1, 1953, and which shall be entitled to the benefits of this chapter, then as to such area of conflict said mining claim so located subsequent to December 31, 1952, shall be deemed to have been located December 11, 1953.

(b) If any mining claim hereafter located shall cover any lands embraced within any mining claim which shall have been located prior to February 10, 1954, and which shall be entitled to the benefits of this chapter, then as to such area of conflict said mining claim hereafter located shall be deemed to have been located one hundred and twenty-one days after August 13, 1954.

(Aug. 13, 1954, ch. 730, § 2, 68 Stat. 709.)

### § 523. Uranium leases

#### (a) Right to locate mining claims

Subject to the conditions and provisions of this chapter and to any valid prior rights acquired under the laws of the United States, the owner of any pending uranium lease application or of any uranium lease shall have, for a period of one hundred and twenty days after August 13, 1954, as limited in subsection (b) of this section, the right to locate mining claims upon the lands covered by said application or lease.

#### (b) Priorities and conflicting rights; termination of rights

Any rights under any such mining claim so hereafter located pursuant to the provisions of subsection (a) of this section shall be subject to any rights of the owner of any mining claim which was located prior to February 10, 1954, and which was valid on August 13, 1954 or which may acquire validity under the provisions of this chapter. As to any lands covered by a uranium lease and also by a pending uranium lease application, the right of mining location under this section, as between the owner of said lease and the owner of said application, shall be deemed as to such conflict area to be vested in the owner of said lease. As to any lands embraced in more than one such pending uranium lease application, such right of mining location, as between the owners of such conflicting applications, shall be deemed to be vested in the owner of the prior application. Priority of such an application shall be determined by the time of posting on a tract then available for such leasing of a notice of lease application in accordance with paragraph (c) of the Atomic Energy Commission's Domestic Uranium Program Circular 7 (10 C.F.R. 60.7 (c)) provided there shall have been timely compliance with the other provisions of said paragraph (c) or, if there shall not have been such timely compliance, then by the time of the filing of the uranium lease application with the Atomic Energy Commission. Any rights under any mining claim located under the provisions of this section shall terminate at the expiration of thirty days after the filing for record of the notice or certificate of location of such mining claim unless, within said thirty-day period, the owner of the uranium lease application or uranium lease upon which the location of such mining claim was predicated shall have filed with the Atomic Energy Commission a withdrawal of said application or a release of said lease and shall have recorded a notice of the filing of such withdrawal or release in the county office wherein such notice or certificate of location shall be of record.

#### (c) Future claims on lands covered by application or lease

Except as otherwise provided in subsections (a) and (b) of this section, no mining claim hereafter located shall be valid as to any lands which at the time of such location were covered by a uranium lease application or a uranium lease. Any tract upon which a notice of lease application has been posted in accordance with said paragraph (c) of said Circular 7 shall be deemed to have been included in a uranium lease application from and after the time of the posting of such notice of lease application: *Provided*, That there shall have been timely compliance with the other provisions of said paragraph (c) or, if there shall not have been such timely compliance, then from and after the time of the filing of a uranium lease application with the Atomic Energy Commission.

(Aug. 13, 1954, ch. 730, § 3, 68 Stat. 709.)

#### TRANSFER OF FUNCTIONS

Atomic Energy Commission abolished and functions transferred by sections 5814 and 5841 of Title 42, The