

§ 125. Patents in North Platte Reclamation Project; mineral rights; subrogation

Where reclamation homestead entry was made prior to July 17, 1914, pursuant to the Act of June 17, 1902 (32 Stat. 389, 43 U.S.C., sec. 431), as amended and supplemented, for lands in the Northport Division or the Interstate Division of the North Platte Reclamation Project, and after such entry the lands have been or are hereafter withdrawn, classified, or reported as being valuable for any of the minerals named in sections 81 and 121 to 124 of this title, the patent shall not contain a reservation of such minerals. If any such mineral deposits on account of which the lands were withdrawn, classified or reported as being valuable have been leased by the United States, such patent shall be made subject to the rights of the lessee, but the patentee shall be subrogated to the rights of the United States under the lease.

(Apr. 17, 1954, ch. 152, 68 Stat. 56.)

Editorial Notes

REFERENCES IN TEXT

Act of June 17, 1902, referred to in text, is act June 17, 1902, ch. 1093, 32 Stat. 388, as amended, popularly known as the Reclamation Act, which is classified generally to chapter 12 (§371 et seq.) of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 371 of Title 43 and Tables.

SUBCHAPTER VI—LOCATION OF PHOSPHATE ROCK LANDS UNDER PLACER-MINING LAWS

§ 131. Omitted

Editorial Notes

CODIFICATION

Section, act Jan. 11, 1915, ch. 9, 38 Stat. 792, provided for perfection under placer mining laws of locations made in good faith prior to Jan. 11, 1915, on public lands containing deposits of phosphate rock.

SUBCHAPTER VII—PERMITS TO PROSPECT FOR CHLORIDES, SULPHATES, CARBONATES, BORATES, SILICATES, OR NITRATES OF POTASSIUM

§§ 141 to 152. Repealed. Feb. 7, 1927, ch. 66, § 6, 44 Stat. 1058

Section 141, act Oct. 2, 1917, ch. 62, § 1, 40 Stat. 297, related to permits to prospect.

Section 142, act Oct. 2, 1917, ch. 62, § 2, 40 Stat. 298, related to patents to permittees.

Section 143, act Oct. 2, 1917, ch. 62, § 3, 40 Stat. 298, related to leases to permittees for campsites.

Section 144, act Oct. 2, 1917, ch. 62, § 4, 40 Stat. 299, related to cancellation of permits.

Section 145, act Oct. 2, 1917, ch. 62, § 5, 40 Stat. 299, related to restrictions on leasehold interests.

Section 146, act Oct. 2, 1917, ch. 62, §§ 6, 7, 40 Stat. 299, related to reservations in leases.

Section 147, act Oct. 2, 1917, ch. 62, § 8, 40 Stat. 300, related to forfeitures in leases.

Section 148, act Oct. 2, 1917, ch. 62, § 9, 40 Stat. 300, related to potassium salts deposits.

Section 149, act Oct. 2, 1917, ch. 62, § 10, 40 Stat. 300, related to disposition of royalties and rentals.

Section 150, act Oct. 2, 1917, ch. 62, § 11, 40 Stat. 300, related to rules and regulations.

Section 151, act Oct. 2, 1917, ch. 62, § 12, 40 Stat. 300, related to regulations for disposition of deposits.

Section 152, act Oct. 2, 1917, ch. 62, § 13, 40 Stat. 300, related to provisions in leases for regulation of price and disposition of minerals.

SUBCHAPTER VIII—BUILDING STONE OR SALINE LAND ENTRIES UNDER PLACER-MINING LAWS

§ 161. Entry of building-stone lands; previous law unaffected

Any person authorized to enter lands under the mining laws of the United States may enter lands that are chiefly valuable for building stone under the provisions of the law in relation to placer mineral claims. Lands reserved for the benefit of the public schools or donated to any State shall not be subject to entry under this section. Nothing contained in this section shall be construed to repeal section 471 of title 16 relating to the establishment of national forests.

(Aug. 4, 1892, ch. 375, §§ 1, 3, 27 Stat. 348.)

Editorial Notes

REFERENCES IN TEXT

Section 471 of title 16, referred to in text, was repealed by Pub. L. 94-579, title VII, § 704(a), Oct. 21, 1976, 90 Stat. 2792, effective on and after Oct. 21, 1976.

CODIFICATION

First two sentences of this section are from section 1 and last sentence of this section is from section 3 of act Aug. 4, 1892.

§ 162. Entry of saline lands; limitation

All unoccupied public lands of the United States containing salt springs, or deposits of salt in any form, and chiefly valuable therefor, shall be subject to location and purchase under the provisions of the law relating to placer-mining claims. The same person shall not locate or enter more than one claim hereunder.

(Jan. 31, 1901, ch. 186, 31 Stat. 745.)

SUBCHAPTER IX—DISPOSAL OF ALABAMA LANDS AS AGRICULTURAL LANDS

§ 171. Disposal as agricultural lands

Except as otherwise provided in chapter 3A of this title, all public lands within the State of Alabama, whether mineral or otherwise, shall be subject to disposal only as agricultural lands. All lands which had been reported to the General Land Office prior to March 3, 1883, as containing coal and iron shall first be offered at public sale.

(Mar. 3, 1883, ch. 118, 22 Stat. 487; Feb. 25, 1920, ch. 85, § 1, 41 Stat. 437.)

Editorial Notes

CODIFICATION

Section is from act Mar. 3, 1883, which contained an additional provision relating to pending homesteads, which was omitted because of its temporary nature.

AMENDMENTS

1920—The exception clause was inserted at beginning of this section because of act Feb. 25, 1920, which pro-

vided that deposits of coal, phosphate, sodium, oil, oil shale, or gas, and lands containing such deposits owned by the United States, shall be subject to disposition in the form and manner provided by such act.

Executive Documents

TRANSFER OF FUNCTIONS

General Land Office abolished and functions transferred to Bureau of Land Management by Reorg. Plan No. 3 of 1946, § 403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, and regulations thereunder. See note set out under section 1 of Title 43, Public Lands.

§ 172. Certain Alabama lands subject to homestead entry

All lands designated as agricultural in the reclassification of the public lands of Alabama by the Secretary of the Interior under authority of Act March 27, 1906 (chapter 1347, section 1, Thirty-fourth Statutes, page 88), shall be subject to homestead entry as such.

(Mar. 27, 1906, ch. 1347, § 2, 34 Stat. 88.)

Editorial Notes

REFERENCES IN TEXT

Act March 27, 1906 (chapter 1347, section 1, Thirty-fourth Statutes, page 88), referred to in text, is not classified to the Code.

CHAPTER 3A—LEASES AND PROSPECTING PERMITS

SUBCHAPTER I—GENERAL PROVISIONS

- Sec.
- 181. Lands subject to disposition; persons entitled to benefits; reciprocal privileges; helium rights reserved.
- 182. Lands disposed of with reservation of deposits of coal, etc.
- 183. Cancellation of prospecting permits.
- 184. Limitations on leases held, owned or controlled by persons, associations or corporations.
- 184a. Authorization of States to include in agreements for conservation of oil and gas resources lands acquired from United States.
- 185. Rights-of-way for pipelines through Federal lands.
- 186. Reservation of easements or rights-of-way for working purposes; reservation of right to dispose of surface of lands; determination before offering of lease; easement periods.
- 187. Assignment or subletting of leases; relinquishment of rights under leases; conditions in leases for protection of diverse interests in operation of mines, wells, etc.; State laws not impaired.
- 187a. Oil or gas leases; partial assignments.
- 187b. Oil or gas leases; written relinquishment of rights; release of obligations.
- 188. Failure to comply with provisions of lease.
- 188a. Surrender of leases.
- 189. Rules and regulations; boundary lines; State rights unaffected; taxation.
- 190. Oath; requirement; form; blanks.
- 191. Disposition of moneys received.
- 191a. Late payment charges under Federal mineral leases.
- 191b. Collection of unpaid and underpaid royalties and late payment interest owed by lessees.
- 192. Payment of royalties in oil or gas; sale of such oil or gas.
- 192a. Cancellation or modification of contracts.
- 192b. Application to contracts.

- Sec.
- 192c. Rules and regulations governing issuance of certain leases; disposition of receipts.
- 193. Disposition of deposits of coal, and so forth.
- 193a. Preference right of United States to purchase coal for Army and Navy; price for coal; civil actions; jurisdiction.
- 194. Repealed.
- 195. Enforcement.
- 196. Cooperative agreements; delegation of authority.

SUBCHAPTER II—COAL

- 201. Leases and exploration.
- 201-1 to 201b. Repealed or Omitted.
- 202. Common carriers; limitations of lease or permit.
- 202a. Consolidation of coal leases into logical mining unit.
- 203. Additional lands or deposits.
- 204. Repealed.
- 205. Consolidation of leases.
- 206. Noncontiguous coal or phosphate tracts in single lease.
- 207. Conditions of lease.
- 208. Permits to take coal for local domestic needs without royalty payments; corporation exclusion; area to municipalities for household use without profit.
- 208-1. Exploratory program for evaluation of known recoverable coal resources.
- 208-2, 208a. Repealed.
- 209. Suspension, waiver, or reduction of rents or royalties to promote development or operation; extension of lease on suspension of operations and production.

SUBCHAPTER III—PHOSPHATES

- 211. Phosphate deposits.
- 212. Surveys; royalties; time payable; annual rentals; term of leases; readjustment on renewals; minimum production; suspension of operation.
- 213. Royalties for use of deposits of silica, limestone, or other rock embraced in lease.
- 214. Use of surface of other public lands; acreage; forest lands exception.

SUBCHAPTER IV—OIL AND GAS

- 221 to 222i. Omitted.
- 223. Leases; amount and survey of land; term of lease; royalties and annual rental.
- 223a. Repealed.
- 224. Payments for oil or gas taken prior to application for lease.
- 225. Condition of lease, forfeiture for violation.
- 226. Lease of oil and gas lands.
- 226-1. Extension of noncompetitive oil or gas lease issued before September 2, 1960.
- 226-2. Limitations for filing oil and gas contests.
- 226-3. Lands not subject to oil and gas leasing.
- 226a, 226b. Repealed.
- 226c. Reduction of royalties under existing leases.
- 226d to 227. Omitted.
- 228. Prospecting permits and leases to persons of lands not withdrawn; terms and conditions of; fraud of claimants.
- 229. Preference right to permits or leases of claimants of lands bona fide entered as agricultural land; terms and conditions.
- 229a. Water struck while drilling for oil and gas.
- 230 to 233. Repealed.
- 233a. Permits or leases of certain lands in Oklahoma; retention of royalties.
- 234 to 236. Repealed.
- 236a. Lands in naval petroleum reserves and naval oil-shale reserves; effect of other laws.
- 236b. Existing leases within naval petroleum reserves not affected.
- 237. Omitted.