

feet wide on each side of the center line of the right-of-way thereof; shall confer on the locator the right to occupy and use so much of the surface of the land covered by the location as may be reasonably necessary to carry on prospecting, mining, and beneficiation of ores, including the taking of mineral deposits and timber required by or in the mining and ore-reducing operations, and no permit shall be required or charge made for such use or occupancy: *Provided, however,* That the cutting and removal of timber, except where clearing is necessary in connection with mining operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the rules for timber cutting on adjoining national-forest land, or rules and regulations issued by the Secretary of the Interior under sections 482o to 482q of this title with respect to public domain lands under his jurisdiction, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining and prospecting shall be allowed except under the national-forest rules and regulations or rules and regulations of the Secretary of the Interior, as the case may be, nor shall the locator prevent or obstruct other occupancy of the surface or use of surface resources under authority of such regulations, or permits issued thereunder, if such occupancy or use is not in conflict with mineral development.

(July 12, 1951, ch. 222, §1, 65 Stat. 118.)

§ 482p. Patents affecting lands within forest

On and after July 12, 1951, all patents issued under the United States mining laws affecting lands within the above-described area shall convey title to the mineral deposits within the claim, together with the right to cut and remove so much of the mature timber therefrom as may be needed in extracting and removing and beneficiation of the mineral deposits, if the timber is cut under sound principles of forest management as defined by such rules and regulations, but each patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except under the rules and regulations of the Department of Agriculture or the Department of the Interior, respectively.

(July 12, 1951, ch. 222, §2, 65 Stat. 118.)

§ 482q. Perfection of mining claims within forest

Valid mining claims within the said lands, existing on July 12, 1951, and thereafter maintained in compliance with the law under which they were initiated and the laws of the State of Arizona, may be perfected under sections 482o to 482q of this title, or under the laws under which they were initiated, as the claimant may desire.

(July 12, 1951, ch. 222, §3, 65 Stat. 119.)

§§ 483, 484. Repealed. Pub. L. 86-596, §3, July 6, 1960, 74 Stat. 335

Sections, act Sept. 22, 1922, ch. 404, §§1, 2, 42 Stat. 1017, related to exchange of lands in national forests

with persons who have relinquished lands as basis for lieu selection, procedure, relinquishment of original lands to such persons, and selection of other lands in lieu of lands relinquished.

§ 484a. Exchange of lands in national forests; public schools; deposit of funds by school authority with insufficient exchange land; limitations on use

Whenever an exchange of land is proposed by a State, county, or municipal government or public school district or other public school authority under sections 485 and 486 of this title or other authority under which the Secretary of Agriculture is authorized to exchange national forest lands or other lands administered by the Forest Service, if the State, county, or municipal government or public school authority proposing the exchange has insufficient land to offer, the exchange may be completed upon deposit with the Secretary of Agriculture of a portion or all of the value of the selected land. Any amount so deposited shall be covered into a special fund in the Treasury which when appropriated shall be available until expended by the Secretary of Agriculture for the acquisition of lands in the same State as the selected lands and which are determined by him to be suitable for the same purposes as the selected lands. Lands so acquired shall have the same status and shall be subject to the same laws, regulations, and rules as the selected lands.

The provisions of this section shall not be applicable to the conveyance in exchange of more than eighty acres to any one State, county, or municipal government or public school district or other public school authority. Lands may be conveyed to any State, county, or municipal government pursuant to this section only if the lands were being utilized by such entities on January 12, 1983. Lands so conveyed may be used only for the purposes for which they were being used prior to conveyance.

(Pub. L. 90-171, Dec. 4, 1967, 81 Stat. 531; Pub. L. 97-465, §8, Jan. 12, 1983, 96 Stat. 2536.)

Editorial Notes

AMENDMENTS

1983—Pub. L. 97-465 inserted references to State, county, or municipal government in three places in existing provisions and inserted provision authorizing the conveyance of lands to any State, county, or municipal government pursuant to this section only if the lands were being utilized by such entities on January 12, 1983, and requiring that lands so conveyed be used only for the purposes for which they were being used prior to conveyance.

Statutory Notes and Related Subsidiaries

SHORT TITLE

This section is popularly known as the Sisk Act.

§ 485. Exchange of lands in national forests; cutting timber in national forests in exchange for lands therein

When the public interests will be benefited thereby, the Secretary of Agriculture is authorized in his discretion to accept on behalf of the United States title to any lands within the exte-