

Editorial Notes

AMENDMENTS

2005—Pub. L. 109–58 inserted section catchline.

§ 1010. Suspension of operations and production

The Secretary, upon application by the lessee, may authorize the lessee to suspend operations and production on a producing lease and he may, on his own motion, in the interest of conservation suspend operations on any lease but in either case he may extend the lease term for the period of any suspension, and he may waive, suspend, or reduce the rental or royalty required in such lease.

(Pub. L. 91–581, §11, Dec. 24, 1970, 84 Stat. 1570; Pub. L. 109–58, title II, §236(11), Aug. 8, 2005, 119 Stat. 672.)

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2005—Pub. L. 109–58 inserted section catchline.

§ 1011. Termination of leases

Leases may be terminated by the Secretary for any violation of the regulations or lease terms after thirty days notice provided that such violation is not corrected within the notice period, or in the event the violation is such that it cannot be corrected within the notice period then provided that lessee has not commenced in good faith within said notice period to correct such violation and thereafter to proceed diligently to correct such violation. Lessee shall be entitled to a hearing on the matter of such claimed violation or proposed termination of lease if request for a hearing is made to the Secretary within the thirty-day period after notice. The period for correction of violation or commencement to correct such violation of regulations or of lease terms, as aforesaid, shall be extended to thirty days after the Secretary's decision after such hearing if the Secretary shall find that a violation exists.

(Pub. L. 91–581, §12, Dec. 24, 1970, 84 Stat. 1570; Pub. L. 109–58, title II, §236(12), Aug. 8, 2005, 119 Stat. 672.)

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2005—Pub. L. 109–58 inserted section catchline.

§ 1012. Waiver, suspension, or reduction of rental or royalty

The Secretary may waive, suspend, or reduce the rental or royalty for any lease or portion thereof in the interests of conservation and to encourage the greatest ultimate recovery of geothermal resources, if he determines that this is necessary to promote development or that the lease cannot be successfully operated under the lease terms.

(Pub. L. 91–581, §13, Dec. 24, 1970, 84 Stat. 1570; Pub. L. 109–58, title II, §236(13), Aug. 8, 2005, 119 Stat. 672.)

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2005—Pub. L. 109–58 inserted section catchline.

§ 1013. Surface land use

Subject to the other provisions of this chapter, a lessee shall be entitled to use so much of the surface of the land covered by his geothermal lease as may be found by the Secretary to be necessary for the production, utilization, and conservation of geothermal resources.

(Pub. L. 91–581, §14, Dec. 24, 1970, 84 Stat. 1571; Pub. L. 109–58, title II, §236(14), Aug. 8, 2005, 119 Stat. 672.)

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2005—Pub. L. 109–58 inserted section catchline.

§ 1014. Lands subject to geothermal leasing**(a) Terms and conditions for lands withdrawn or acquired for Department of the Interior**

Geothermal leases for lands withdrawn or acquired in aid of functions of the Department of the Interior may be issued only under such terms and conditions as the Secretary may prescribe to insure adequate utilization of the lands for the purposes for which they were withdrawn or acquired.

(b) Consent and terms and conditions for lands withdrawn or acquired for Department of Agriculture or for lands for power and related purposes

Geothermal leases for lands withdrawn or acquired in aid of functions of the Department of Agriculture may be issued only with the consent of, and subject to such terms and conditions as may be prescribed by, the head of that Department to insure adequate utilization of the lands for the purposes for which they were withdrawn or acquired. Geothermal leases for lands to which section 818 of title 16 is applicable, may be issued only with the consent of, and subject to, such terms and conditions as the Secretary of Energy may prescribe to insure adequate utilization of such lands for power and related purposes.

(c) Exemption of certain Federal lands

Geothermal leases under this chapter shall not be issued for lands administered in accordance with (1) the Act of August 25, 1916 (39 Stat. 535),¹ as amended or supplemented, (2) for lands within a national recreation area, (3) for lands in a fish hatchery administered by the Secretary, wildlife refuge, wildlife range, game range, wildlife management area, waterfowl production area, or for lands acquired or reserved for the protection and conservation of fish and wildlife that are threatened with extinction, (4) for tribally or individually owned Indian trust or restricted lands, within or without the boundaries of Indian reservations.

(Pub. L. 91–581, §15, Dec. 24, 1970, 84 Stat. 1571; Pub. L. 95–91, title III, §301(b), title VII, §§703, 707, Aug. 4, 1977, 91 Stat. 578, 606, 607; Pub. L. 109–58, title II, §236(15), Aug. 8, 2005, 119 Stat. 672.)

¹ See References in Text note below.