

modify, from time to time, the rate of prospecting and development and the quantity and rate of production under the unit agreement.

(d) Exclusion from determination of holding or control

Any land that is subject to a unit agreement approved or prescribed by the Secretary under this section shall not be considered in determining holdings or control under section 1006 of this title.

(e) Pooling of certain land

If separate tracts of land cannot be independently developed and operated to use geothermal resources pursuant to any section of this chapter—

(1) the land, or a portion of the land, may be pooled with other land, whether or not owned by the United States, for purposes of development and operation under a communitization agreement providing for an apportionment of production or royalties among the separate tracts of land comprising the production unit, if the pooling is determined by the Secretary to be in the public interest; and

(2) operation or production pursuant to the communitization agreement shall be treated as operation or production with respect to each tract of land that is subject to the communitization agreement.

(f) Unit agreement review

(1) In general

Not later than 5 years after the date of approval of any unit agreement and at least every 5 years thereafter, the Secretary shall—

(A) review each unit agreement; and

(B) after notice and opportunity for comment, eliminate from inclusion in the unit agreement any land that the Secretary determines is not reasonably necessary for unit operations under the unit agreement.

(2) Basis for elimination

The elimination shall—

(A) be based on scientific evidence; and

(B) occur only if the elimination is determined by the Secretary to be for the purpose of conserving and properly managing the geothermal resource.

(3) Extension

Any land eliminated under this subsection shall be eligible for an extension under section 1005(g) of this title if the land meets the requirements for the extension.

(g) Drilling or development contracts

(1) In general

The Secretary may, on such conditions as the Secretary may prescribe, approve drilling or development contracts made by one or more lessees of geothermal leases, with one or more persons, associations, or corporations if, in the discretion of the Secretary, the conservation of natural resources or the public convenience or necessity may require or the interests of the United States may be best served by the approval.

(2) Holdings or control

Each lease operated under an approved drilling or development contract, and interest

under the contract, shall be excepted in determining holdings or control under section 1006 of this title.

(h) Coordination with State governments

The Secretary shall coordinate unitization and pooling activities with appropriate State agencies.

(Pub. L. 91-581, §18, Dec. 24, 1970, 84 Stat. 1571; Pub. L. 100-443, §4, Sept. 22, 1988, 102 Stat. 1768; Pub. L. 109-58, title II, §227, Aug. 8, 2005, 119 Stat. 666.)

Editorial Notes

AMENDMENTS

2005—Pub. L. 109-58 inserted section catchline and amended text generally. Prior to amendment, text related to cooperative or unit plan of development or operation of geothermal pool, field, or like area, public interest, determination and certification, regulations, protection of parties in interest, authority respecting rate of prospecting, development, and production, five year review, and leases excepted from control for purposes of State acreage limitation.

1988—Pub. L. 100-443, §4, inserted provisions relating to five year review of plans and elimination of leases from plans.

§ 1018. Data from Federal agencies

Upon request of the Secretary, other Federal departments and agencies shall furnish him with any relevant data then in their possession or knowledge concerning or having bearing upon fair and adequate charges to be made for geothermal steam produced or to be produced for conversion to electric power or other purposes. Data given to any department or agency as confidential under law shall not be furnished in any fashion which identifies or tends to identify the business entity whose activities are the subject of such data or the person or persons who furnished such information.

(Pub. L. 91-581, §19, Dec. 24, 1970, 84 Stat. 1572; Pub. L. 109-58, title II, §236(18), Aug. 8, 2005, 119 Stat. 673.)

Editorial Notes

AMENDMENTS

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

§ 1019. Disposal of moneys from sales, bonuses, rentals, and royalties

(a) In general

Except with respect to lands in the State of Alaska, all monies received by the United States from sales, bonuses, rentals, and royalties under this chapter shall be paid into the Treasury of the United States. Of amounts deposited under this subsection, subject to the provisions of subsection (b) of section 191 of this title and section 1004(a)(2) of this title—

(1) 50 percent shall be paid to the State within the boundaries of which the leased lands or geothermal resources are or were located; and

(2) 25 percent shall be paid to the county within the boundaries of which the leased lands or geothermal resources are or were located.