ch. 1093, 32 Stat. 388, 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.

AMENDMENTS

1955—Act June 16, 1955, removed 160-acre limitation on desert entry.

ADDITIONAL DESERT-LAND ENTRY

Section 3 of act June 16, 1955, as amended by Pub. L. 85–641, § 2, Aug. 14, 1958, 72 Stat. 596, provided that: ''Any person who, prior to June 16, 1955, made a valid desert-land entry on lands subject to such Act of June 22, 1910 [sections 83 to 85 of this title], or of July 17, 1914 [sections 121 to 123 of this title], may, if otherwise qualified, make one additional entry, as a personal privilege, not assignable, upon one or more tracts of desert land subject to the provisions of such Acts, as hereby amended, and section 7 of the Act entitled 'An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development to stabilize the livestock industry dependent upon the public range, and for other purposes', approved June 28, 1934, as amended (48 Stat. 1269, 1272; 43 U.S.C. 315f). The additional land entered by any person pursuant to this section shall not, together with his original entry, exceed three hundred and twenty acres, and all the tracts included within the additional entry authorized by this section shall be sufficiently close to each other to be managed satisfactorily as an economic unit, as determined under rules and regulations issued by the Secretary of the Interior. Additional entries authorized by this section shall be subject to all the requirements of the desert-land law.''

SUPPLEMENTAL PROVISIONS

Section 90 of this title, act Apr. 30, 1912, ch. 99, 37 Stat. 105, supplements this section by making provisions for the selection of coal lands by the several States, and for their sale under the laws providing for the sale of isolated or disconnected tracts of public lands.

§ 84. Applications for entry

Any person desiring to make entry under the homestead laws or the desert-land law, any State desiring to make selection under section 641 of title 43, and the Secretary of the Interior in withdrawing under the Reclamation Act lands classified as coal lands, or valuable for coal, with a view of securing or passing title to the same in accordance with the provisions of said Acts, shall state in the application for entry, selection, or notice of withdrawal that the same is made in accordance with and subject to the provisions and reservations of sections 83 to 85 of this title.

(June 22, 1910, ch. 318, § 2, 36 Stat. 584.)

REFERENCES IN TEXT

The Reclamation Act, referred to in text, is act June 17, 1902, ch. 1093, 32 Stat. 388, 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.

SUPPLEMENTAL PROVISIONS

See note set out under section 83 of this title.

§ 85. Patents for lands, with reservation of coal; disposal of coal deposits

Upon satisfactory proof of full compliance with the provisions of the laws under which entry is made, and of sections 83 to 85 of this title, the entryman shall be entitled to a patent to the land entered by him, which patent shall contain a reservation to the United States of all the coal in the lands so patented, together with the right to prospect for, mine, and remove the same. The coal deposits in such lands shall be subject to disposal by the United States in accordance with the provisions of the coal-land laws in force at the time of such disposal. Any person qualified to acquire coal deposits or the right to mine and remove the coal under the laws of the United States shall have the right, at all times, to enter upon the lands selected, entered, or patented, as provided by sections 83 to 85 of this title, for the purpose of prospecting for coal thereon upon the approval by the Secretary of the Interior of a bond or undertaking to be filed with him as security for the payment of all damages to the crops and improvements on such lands by reason of such prospecting. Any person who has acquired from the United States the coal deposits in any such land, or the right to mine or remove the same, may reenter and occupy so much of the surface thereof as may be required for all purposes reasonably incident to the mining and removal of the coal therefrom, and mine and remove the coal, upon payment of the damages caused thereby to the owner thereof, or upon giving a good and sufficient bond or undertaking in an action instituted in any competent court to ascertain and fix said damages. The owner under such limited patent shall have the right to mine coal for use upon the land for domestic purposes at any time prior to the disposal by the United States of the coal deposits. Nothing herein contained shall be held to deny or abridge the right to present and have prompt consideration of applications to locate, enter, or select, under the land laws of the United States, lands which have been classified as coal lands with a view of disproving such classification and securing a patent without reservation.

(June 22, 1910, ch. 318, § 3, 36 Stat. 584.)

SUPPLEMENTAL PROVISIONS

See note set out under section 83 of this title.

§ 86. Disposition of lands in Indian reservations with reservation of coal; examination and appraisal of lands

In any Indian reservation opened to settlement and entry pursuant to a classification of the surplus lands therein as mineral and nonmineral, such surplus lands not otherwise reserved or disposed of, which have been or may be withdrawn or classified as coal lands or are valuable for coal deposits, shall be subject to the same disposition as is or may be prescribed by law for the nonmineral lands in such reservation whenever proper application shall be made with a view of obtaining title to such lands, with a reservation to the United States of the coal deposits therein and of the right to prospect for, mine, and remove the same. Such surplus lands, prior to any disposition hereunder, shall be examined, separated into classes the same as are the nonmineral lands in such reservations, and appraised, as to their value, exclusive of the coal