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where prospecting can be done peaceably are open to location.

§ 3811.2–9 Lands under Color of Title Act.

Lands patented under the Color of Title Act (43 U.S.C. 1068), by exchange under the Taylor Grazing Act (43 U.S.C. 415g) and by Forest Exchanges (16 U.S.C. 485) with mineral reservation to the United States, are subject to appropriation under the mining or mineral leasing laws for the reserved materials. See Group 2200 and subpart 2540 of this chapter. Minerals in acquired lands of the United States are not subject to mining location but the minerals therein may be acquired in accordance with the regulations contained in part 3500.

§ 3811.2 Lands in Indian reservations.

All lands contained within the boundaries of an established Indian Reservation are withdrawn from all location, entry, and appropriation under the General Mining Law of 1872, as amended. All minerals on Indian Reservations may only be acquired by lease pursuant to the Act of May 11, 1938 (25 U.S.C. 396a), the Act of March 3, 1909 (25 U.S.C. 396), or the Indian Mineral Development Act of 1982 (25 U.S.C. 2101 et seq.). The regulations governing the mineral leasing of Indian lands are found in 25 CFR Chapter I Subchapter I.

[59 FR 44857, Aug. 30, 1994]

§ 3811.2–4 Lands in national forests.

For mining claims in national forests, see §3811.1.

§ 3811.2–5 O and C and Coos Bay Wagon Road lands.

Revested Oregon and California Railroad and Reconveyed Coos Bay Wagon Road Grant Lands, located in Oregon, are subject to mining locations in accordance with provisions of subpart 3821 of this chapter.

[59 FR 44857, Aug. 30, 1994]

§ 3811.2–6 Lands in powersite withdrawals.

Mining claims may be located on power site withdrawals subject to the provisions of part 3730 of this chapter.

[59 FR 44857, Aug. 30, 1994]

§ 3811.2–3 Lands in Indian reservations.

All lands contained within the boundaries of an established Indian Reservation are withdrawn from all location, entry, and appropriation under the General Mining Law of 1872, as amended. All minerals on Indian Reservations may only be acquired by lease pursuant to the Act of May 11, 1938 (25 U.S.C. 396a), the Act of March 3, 1909 (25 U.S.C. 396), or the Indian Mineral Development Act of 1982 (25 U.S.C. 2101 et seq.). The regulations governing the mineral leasing of Indian lands are found in 25 CFR Chapter I Subchapter I.

[59 FR 44857, Aug. 30, 1994]

§ 3811.2–2 Lands in national parks and monuments.

The Mining in the Parks Act (16 U.S.C. 1901 et seq.), effectively withdrew all National Parks and Monuments from location and entry under the General Mining Law of 1872, as amended. Since September 28, 1976, all National Parks and Monuments and other units of the National Park System have been closed to the location of mining claims and sites under the General Mining Law of 1872, as amended. Valid existing rights are recognized, but access and permission to operate mining claims and sites within units of the National Park System are now governed by 36 CFR part 9.

[59 FR 44856, Aug. 30, 1994]