Public Law 250

CHAPTER 405

AN ACT

Relating to mining claims located on land with respect to which a permit or lease has been issued, or an application or offer for permit or lease has been made, under the mineral leasing laws, or known to be valuable for minerals subject to disposition under the mineral leasing laws, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) subject to the provisions of this Act and to any valid intervening rights acquired under laws of the United States, any mining claim located under the mining laws of the United States subsequent to July 31, 1939, and prior to January 1, 1953, on lands of the United States which were, at the time of such location—

(1) included in a permit or lease issued under the mineral leasing laws; or
(2) covered by an application or offer for a permit or lease which had been filed under the mineral leasing laws; or
(3) known to be valuable for minerals subject to disposition under the mineral leasing laws;

shall be effective to the same extent as if such mining claim had been located on lands which were at the time of such location subject to location under the mining laws of the United States: Provided, however, That in order to obtain the benefits of this Act, the owner of any such mining claim shall, not later than one hundred and twenty days after the date of enactment of this Act, post on such claim in the manner required for posting notice of location of mining claims and file for record in the office where the notice or certificate of location of such claim is on record an amended notice of location of such claim, stating that such notice is filed pursuant to the provisions of this Act and for the purpose of obtaining the benefits thereof.

(b) Labor performed or improvements made upon or for the benefit of such mining claims after the original location thereof shall be recognized as applicable thereto for all purposes to the same extent as labor performed and improvements made upon or for the benefit of mining claims which are not affected by this Act.

(c) Any withdrawal or reservation made after the original location of such mining claim affecting land covered by such mining claim is hereby modified and amended so that the effect thereof upon such mining claim shall be the same as if such mining claim had been located upon lands of the United States, which, subsequent to July 31, 1939, and prior to the date of such withdrawal, were subject to location under the mining laws of the United States.

SEC. 2. Any mining claim given force and effect as provided in section 1 of this Act shall be subject to the reservation to the United States of all minerals which, upon the effective date of this Act, are provided in the mineral leasing laws to be disposed of thereunder, and the right of the United States, its lessees, permittees, and licensees, to enter upon the land covered by such mining claim to prospect for, mine, treat, store, and remove such minerals, and to use so much of the surface and subsurface of such mining claim as may be necessary for such purposes, and to enter upon such land whenever reasonably necessary for the purpose of prospecting for, mining, treating, storing, and removing such minerals on and from other lands of the United States; and any patent issued for any such mining claim shall contain such reservation.
Sec. 3. The rights under any mining claim given force and effect by this Act shall also be subject to the reservation to the United States specified in section 5(b)(7) of the Atomic Energy Act of 1946, as amended, and, in addition, any reservation or reservations required by any other provision or provisions of law; and any patent issued for such mining claim shall contain such reservations.

Sec. 4. Except as this Act provides for (a) validation of certain mining claims located on lands described in section 1 of this Act, and (b) the modification and amendment of certain withdrawals or reservations of land, nothing in this Act shall affect any power or authority duly vested in the Atomic Energy Commission or any other agency, department or officer of the United States to make leases, withdrawals, reservations or other arrangements with respect to source materials as defined in section 5(b)(1) of the Atomic Energy Act of 1946, as amended.

Sec. 5. As used in this Act “mineral leasing laws” shall mean the Act of October 20, 1914 (38 Stat. 741); the Act of February 25, 1920 (41 Stat. 437); the Act of April 17, 1926 (44 Stat. 301); the Act of February 7, 1927 (44 Stat. 1057) and all Acts heretofore or hereafter enacted which are amendatory of or supplementary to any of the foregoing Acts.

Approved August 12, 1953.