

(7) whether, and if so to what extent, the proposed use will affect continuing full operation of the public land laws and Federal regulations relating to conservation, utilization, and development of mineral resources, timber and other material resources, grazing resources, fish and wildlife resources, water resources, and scenic, wilderness, and recreation and other values; and

(8) if effecting the purpose for which the area is proposed to be withdrawn, reserved, or restricted, will involve the use of water in any State, whether, subject to existing rights under law, the intended using agency has acquired, or proposes to acquire, rights to the use thereof in conformity with State laws and procedures relating to the control, appropriation, use, and distribution of water.

(Pub. L. 85-337, § 3, Feb. 28, 1958, 72 Stat. 28.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 155 of this title.

§ 158. Mineral resources on withdrawn lands; disposition and exploration

All withdrawals or reservations of public lands for the use of any agency of the Department of Defense, except lands withdrawn or reserved specifically as naval petroleum, naval oil shale, or naval coal reserves, heretofore or hereafter made by the United States, shall be deemed to be subject to the condition that all minerals, including oil and gas, in the lands so withdrawn or reserved are under the jurisdiction of the Secretary of the Interior and there shall be no disposition of, or exploration for, any minerals in such lands except under the applicable public land mining and mineral leasing laws: *Provided*, That no disposition of, or exploration for, any minerals in such lands shall be made where the Secretary of Defense, after consultation with the Secretary of the Interior, determines that such disposition or exploration is inconsistent with the military use of the lands so withdrawn or reserved.

(Pub. L. 85-337, § 6, Feb. 28, 1958, 72 Stat. 30.)

REFERENCES IN TEXT

The mining laws, referred to in text, are classified generally to Title 30, Mineral Lands and Mining.

Mineral leasing laws, referred to in text, have been defined in sections 351, 505, 530, and 541e of Title 30 to mean acts Oct. 20, 1914, ch. 330, 38 Stat. 741; Feb. 25, 1920, ch. 85, 41 Stat. 437; Apr. 17, 1926, ch. 158, 44 Stat. 301; and Feb. 7, 1927, ch. 66, 44 Stat. 1057. The act of Oct. 20, 1914, was repealed by Pub. L. 86-252, § 1, Sept. 9, 1959, 73 Stat. 490. The act of Feb. 25, 1920, is known as the Mineral Leasing Act and is classified generally to chapter 3A (§181 et seq.) of Title 30. The act of Apr. 17, 1926, is classified generally to subchapter VIII (§271 et seq.) of chapter 3A of Title 30. The act of Feb. 7, 1927, is classified principally to subchapter IX (§281 et seq.) of chapter 3A of Title 30. For complete classification of these Acts to the Code, see Tables.

CHAPTER 7—HOMESTEADS

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161 to 176. Repealed or Transferred.

177. Patents for lands in New Mexico held under color of title.

Sec.

178. Patents for lands in New Mexico; lands contiguous to Spanish or Mexican land grants.

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SUBCHAPTER I—GENERAL PROVISIONS

§§ 161 to 164. Repealed. Pub. L. 94-579, title VII, § 702, Oct. 21, 1976, 90 Stat. 2787

Section 161, R.S. §2289; Mar. 3, 1891, ch. 561, §5, 26 Stat. 1097, related to entry of unappropriated public lands.

Section 162, R.S. §2290; Mar. 3, 1891, ch. 561, §5, 26 Stat. 1097; Oct. 28, 1921, ch. 114, §1, 42 Stat. 208; Mar. 3, 1925, ch. 462, 43 Stat. 1145; 1946 Reorg. Plan No. 3, §403, eff. July 16, 1946, 11 F.R. 7876, 60 Stat. 1100, related to