

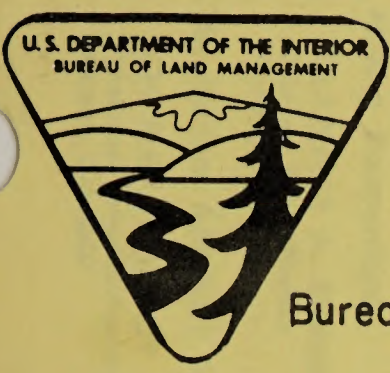
#1055565763

ID: 88073670

CENTRAL FILE COPY

T/N-74

QL  
84.2  
.L35  
no.074



# TECHNICAL NOTE

Mailing List 1

Filing Code 3000, 3100, 3600  
and 3800

Date Issued June 1970

Bureau of Land Management U.S. DEPARTMENT OF THE INTERIOR

Subjects: Mining Law  
Oil and Gas Leasing  
Materials Act

Reference: Rocky Mountain Mineral Law Institute, 15th Annual, 1969, Matthew Bender, New York. Cost \$32.50.

Data:

The subject volume contains the proceedings of the Institute held at Vail, Colorado in July 1968. A copy of the table of contents is enclosed.

Of particular interest are:

1. R. Lauren Moran's paper on Sales and Exchanges of Public Lands which deals with applications of exchanges, millsites and the Public Land Sale Act of 1964 to the use of non-mineral land for surface facilities (dumps, tailings disposal, plants, etc.).
2. Longergan paper on common varieties and material sales points out weaknesses in the Materials Sales Act for large scale common variety materials operations.
3. Howard Edwards paper on proposed changes in the mining law.
4. Fiske's paper on Pedis Possessio.
5. Ary and Morgan's paper on problems related to mineral exploration and development on Stockraising Homestead lands.
6. Pruitt's paper on state location laws--contains excerpts from the laws of most of the Western states.

cc: S+T } 7-2-70  
L+M }







# TABLE OF CONTENTS

	<i>Page</i>
Preface .....	vii
<b>VICTOR H. VERITY</b> <i>President</i> <i>Rocky Mountain Mineral Law Foundation</i>	
Introduction .....	xi
<b>RAPHAEL J. MOSES</b> <i>General Chairman</i> <i>Rocky Mountain Mineral Law Foundation</i>	
Permanent Sustaining Fund .....	xiii
Sustaining Member Attorneys .....	xv

## PUBLIC LAND MANAGEMENT

The Role of Government in Public Resources Management .....	1
<b>CLYDE O. MARTZ</b> <i>Davis, Graham &amp; Stubbs</i> <i>Denver, Colorado</i>	
Sales and Exchanges of Public Lands .....	25
<b>R. LAUREN MORAN</b> <i>Evergreen, Colorado</i>	
The Materials Act as a Solution to the Common Varieties Problem .....	51
<b>JOHN B. LONERGAN</b> <i>Lonergan, Jordan &amp; Gresham</i> <i>San Bernardino, California</i>	

## MINERAL INTERESTS

Mining Partnerships .....	85
<b>CLARENCE A. BRIMMER</b> <i>Brimmer &amp; MacPherson</i> <i>Rawlins, Wyoming</i>	
The Modern Approach to Oil and Gas Financing .....	109
<b>CHARLES F. McCOY</b> <i>Chairman, Imperial-American Resources Fund, Inc.</i> <i>Denver, Colorado</i>	

## MINING LAW

The 1969 View of the 1872 Law: Current Proposals to Modernize or to Replace the General Mining Laws .....	139
<b>HOWARD L. EDWARDS</b> <i>Assistant to the Chairman of the Board, The Anaconda Company</i> <i>New York, N.Y.</i>	
Development and Legislation of Environmental Regulations for Mining .....	163
<b>ROBERT G. BEVERLY</b> <i>Director, Radiation and Pollution Control</i> <i>Mining and Metals Division—Union Carbide Corporation</i> <i>Grand Junction, Colorado</i>	
Pedis Possessio—Modern Use of an Old Concept .....	181
<b>TERRY NOBLE FISKE</b> <i>Gorsuch, Kirgis, Campbell, Walker &amp; Grover</i> <i>Denver, Colorado</i>	

## OIL AND GAS LAW

Selected Leasing Problems—Protection Leases, Life Estate and Remainder Interest, Interest in a Particular Stratum .....	217
<b>ERNEST R. FLECK</b> <i>Fleck, Smith, Mather, Strutz &amp; Mayer</i> <i>Bismarck, North Dakota</i>	
Presenting a Case Before a State Conservation Commission .....	243
<b>A. G. McCLINTOCK</b> <i>McClintock, Mai &amp; Urbigkit</i> <i>Cheyenne, Wyoming</i>	
Oil and Gas Title Examinations—What to Do About Mining Claims .....	263
<b>WILLIAM S. LIVINGSTON</b> <i>Counsel, Humble Oil &amp; Refining Company</i> <i>Denver, Colorado</i>	

## TAXATION AND VALUATION

Ad Valorem Taxation of Mining Properties .....	281
<b>THOMAS P. BRIGHTWELL</b> <i>Associate Professor of Law, University</i> <i>of Denver College of Law</i> <i>Denver, Colorado</i>	



TABLE OF CONTENTS

xxi

Condemnation of Mining Properties—Related Aspects of Just Compensation ..... 305

ROBERT S. CAMPBELL, JR.  
Pugsley, Hayes, Watkiss, Campbell & Cowley  
Salt Lake City, Utah

WATER LAW

Acquisition of Water From Federal Reclamation Projects for Industrial and Community Development ..... 337

FLOYD E. DOMINY  
Commissioner, Bureau of Reclamation  
United States Department of the Interior  
Washington, D.C.

Legal Problems in Acquiring Water for Community Development 377

JAMES H. KRIEGER  
Best, Best & Krieger  
Riverside, California

Federal Reserved Water Rights and Their Relationship to Appropriative Rights in the Western States ..... 399

DAVID R. WARNER  
Chief, General Litigation Section  
Land and Natural Resources Division  
Department of Justice  
Washington, D.C.

Backgrounds and Trends in Water Salvage Law ..... 421

PROFESSOR ROBERT EMMET CLARK  
University of Arizona  
Tucson, Arizona

THE MINING LANDMAN

Problems of Access to Public Domain, State and Fee Lands "From Shotguns to the Courthouse" ..... 481

T. S. ARY  
Land Manager, Union Carbide Exploration Corporation  
New York, New York

and

PATRICK J. MORGAN  
Counsel to Mining and Metals Division  
Union Carbide Corporation  
New York, New York

xxii

TABLE OF CONTENTS

Pitfalls in Locating Mining Claims A Survey of State Location Procedures ..... 503

ROBERT G. PRUITT, JR.  
Neslen and Mack  
Salt Lake City, Utah

Ah, Wilderness! (But What About Access and Prospecting?) .... 585

KENNETH D. HUBBARD  
Holland and Hart  
Aspen, Colorado

OIL AND GAS LAW

Environmental Control Problems and the Oil Industry in the Rocky Mountain Region ..... 621

CLYDE R. HAMPTON  
Counsel, Continental Oil Company  
Denver, Colorado

Table of Cases

Index