

NOTICE OF PROHIBITION

In accordance with, "36 CFR 251.10 PROHIBITION OF LOCATION OF MINING CLAIMS WITHIN CERTAIN AREAS IN THE NORBECK WILDLIFE PRESERVE, SOUTH DAKOTA", it has been determined that the location of mining claims within the area described below would not be in the public interest. [13 FR 3676, July 1, 1948, as amended at 48 FR 31854, July 12, 1983].

Gary Cargill, Regional Forester, Region 2 - Rocky Mountain Region, has determined the location of mining claims is prohibited on National Forest System lands in the following areas (excluding the Black Elk Wilderness):

T.2S., R.6.E.:

W 1/2 of section 7 and the SW 1/4 of section 8
Sections 18, 19, 28, 29, 30, 31, 32, 33, 34, and the west 1/2 of section 27
and the west 1/2 of section 35.

T.2S., R.5E.:

S 1/2 of sections 2, 3, 4, 5, and all of sections 8, 9, 10, 11, 12, 17, 19, 25, 26, 28, 29, 31, 32, 33, 34, 35, 36, and all of Section 18 south and east of FDR 350.

T.3S., R.4E.:

NE 1/4 of section 1 east of State Highway 89.

T.2S., R.4E.:

E 1/2 of section 24 east of State Highway 89, SE 1/4 of Section 13 east of State Highway 89, and the SE 1/4 of Section 36 east of State Highway 89.

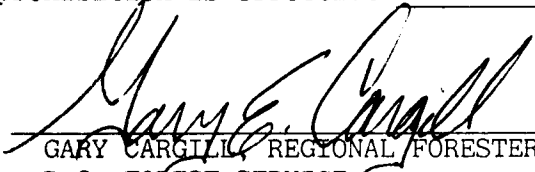
T.3S., R.5E.:

Sections 3, 4, 5, 6.

T.5S., R.5E.:

Sections 2 and 11.

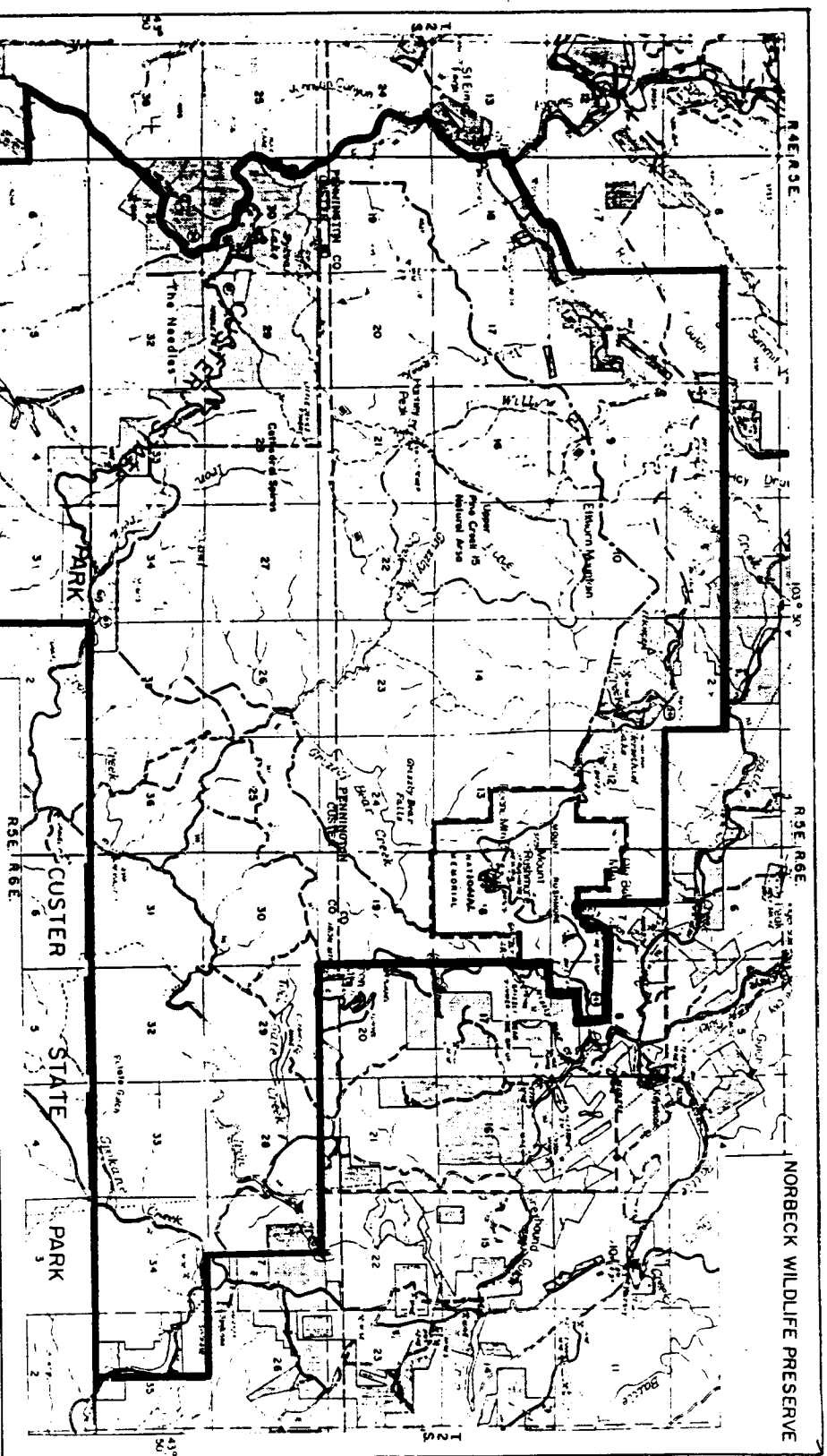
This prohibition is effective 9-12-89.



GARY CARGILL, REGIONAL FORESTER
R-2, FOREST SERVICE

July 28, 1989
DATE

Violation of this prohibition is punishable by a fine of not more than \$500.00, or imprisonment for not more than 6 months, or both. (16 USC 551).



NORBECK WILDLIFE PRESERVE

R5E R6E

R6E R7E

R7E R8E

R8E R9E

R9E R10E

R10E R11E

R11E R12E

R12E R13E

R13E R14E

R14E R15E

R15E R16E

R16E R17E

R17E R18E

R18E R19E

R19E R20E

R20E R21E

R21E R22E

R22E R23E

R23E R24E

R24E R25E

R25E R26E

R26E R27E

R27E R28E

R28E R29E

R29E R30E

R30E R31E

R31E R32E

R32E R33E

R33E R34E

R34E R35E

R35E R36E

R36E R37E

R37E R38E

R38E R39E

R39E R40E

R40E R41E

R41E R42E

R42E R43E

R43E R44E

R44E R45E

R45E R46E

R46E R47E

R47E R48E

R48E R49E

R49E R50E

R50E R51E

R51E R52E

R52E R53E

R53E R54E

R54E R55E

R55E R56E

R56E R57E

R57E R58E

R58E R59E

R59E R60E

R60E R61E

R61E R62E

R62E R63E

R63E R64E

R64E R65E

R65E R66E

R66E R67E

R67E R68E

R68E R69E

R69E R70E

R70E R71E

R71E R72E

R72E R73E

R73E R74E

R74E R75E

R75E R76E

R76E R77E

R77E R78E

R78E R79E

R79E R80E

R80E R81E

R81E R82E

R82E R83E

R83E R84E

R84E R85E

R85E R86E

R86E R87E

R87E R88E

R88E R89E

R89E R90E

R90E R91E

R91E R92E

R92E R93E

R93E R94E

R94E R95E

R95E R96E

R96E R97E

R97E R98E





R98E R99E

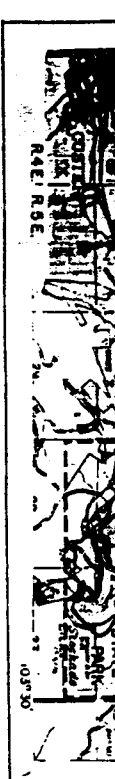
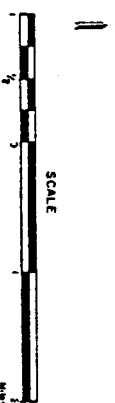
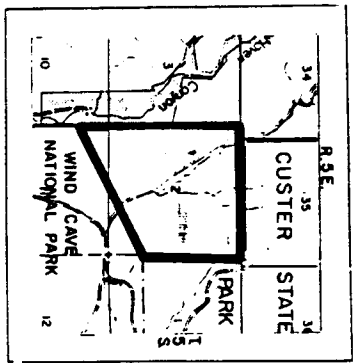
R99E R100E

R100E R101E

R101E R102E

LEGEND

-  Lands Not Under National Forest Administration
-  Boundary of the NORBECK WILDLIFE PRESERVE
-  Black Elk Wilderness Area Boundary
-  New mineral entry prohibited within this line.



of game conservation will be promoted thereby, the Chief of the Forest Service may accept donations of game and non-game animals, game and non-game birds, and fish, or the eggs of birds and fish.

PART 251—LAND USES

Subpart A—Miscellaneous Land Uses

NATURAL RESOURCES CONTROL

251.9 Management of municipal watersheds.

251.10 Prohibition of location of mining claims within certain areas in the Norbeck Wildlife Preserve, South Dakota.

251.11 Governing mining locations under the pining laws of the United States within that portion of the Black Hills National Forest, State of South Dakota, designated as the Norbeck Wildlife Preserve.

251.14 Conditions, rules, and regulations to govern exercise of timber rights reserved in conveyance to the United States.

251.15 Conditions, rules, and regulations to govern exercise of mineral rights reserved in conveyances to the United States.

RIGHTS OF GRANTORS

251.17 Grantor's right to occupy and use lands conveyed to the United States.

251.18 Rights-of-way reserved by the grantor on lands conveyed to the United States.

251.19 Exercise of water rights reserved by the grantor of lands conveyed to the United States.

DESIGNATION OF AREAS

251.23 Experimental areas and research natural areas.

PETERSBURG WATERSHED

251.35 Petersburg watershed.

Subpart B—Special Uses

251.50 Special uses.

251.51 Definitions.

251.52 Delegation of authority.

251.53 Authorities.

251.54 Special use applications.

251.55 Nature of interest.

251.56 Terms and conditions.

251.57 Rental fees.

251.58 Cost reimbursement. (Reserved)

251.59 Transfer of special use privileges.

251.60 Termination, revocation, and suspension.

251.61 Modifications.

251.62 Acceptance.

251.63 Receipts.

251.64 Renewals.

Subpart A—Miscellaneous Land Uses

AUTHORITY: 7 U.S.C. 428a, 1011; 16 U.S.C. 518, 551, 678a, 1131-1136, 1241-1249, 1271, 1287, 54 Stat. 1197.

NATURAL RESOURCES CONTROL

§ 251.9 Management of municipal watersheds.

When necessary for the protection of water supplies of towns, cities, or irrigation districts the Chief of the Forest Service will enter into formal agreements with the property authorized officials of the town, city, irrigation district, or private corporation, or with the owners of privately owned lands within the watershed to restrict the use of the national forest lands from which the water supplies are derived. The kinds of uses to be restricted, the nature and extent of the restrictions, the special protective measures which may be necessary or desirable, the assistance to be given the Forest Service in the enforcement thereof by the town, city, district, private corporation, or owner of land and the payments, if any, which shall be made to compensate the United States for losses of revenue resulting from the restrictions will all be clearly and specifically defined in the agreement.

(7 FR 7180, Sept. 11, 1942)

§ 251.10 Prohibition of location of mining claims within certain areas in the Norbeck Wildlife Preserve, South Dakota.

The location of mining claims in such areas within 660 feet of any Federal, State or county road and within such other areas where the location of mining claims would not be in the public interest, as may be designated by the Chief, Forest Service, or the Regional Forester, of Forest Service Region 2, is hereby prohibited. The Director, Bureau of Land Management, Department of the Interior, shall be advised of the areas so designated and notices of the boundaries of such areas posted at conspicuous places in the Preserve, as well as at the county courthouses in Pennington

in the cities of Custer and Rapid City, and Custer Counties and the post-offices State of South Dakota.

(13 FR 3676, July 1, 1948, as amended at 48 FR 31854, July 12, 1983)

§ 251.11 Governing mining locations under the mining laws of the United States within that portion of the Black Hills National Forest, State of South Dakota, designated as the Norbeck Wildlife Preserve.

(a) Whoever locates a mining claim within the Norbeck Wildlife Preserve must, within 10 days after posting the location notice upon such claim, file a true copy of such location notice with the Forest Supervisor of the Black Hills National Forest at Custer, South Dakota, and further, within 10 days after said location notice is filed for record pursuant to the State laws of South Dakota, a true copy of the recorded location certificate must be filed with said Forest Supervisor.

(b) All mining locators shall in all developments and operations make all reasonable provisions for the disposal of tailings, dunnage, and other deleterious materials or substances in such manner as to prevent obstruction, pollution, or deterioration of the land, streams, ponds, lakes, or springs, as may be directed by the Forest Supervisor.

(c) All slash resulting from cutting or destruction of forest growth incident and necessary to mining operations must be disposed of as directed by the Forest Supervisor.

(d) The cutting and removal of timber, except where clearing is necessary in connection with mining operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the marking rules and timber sale practices applicable to the Black Hills National Forest, and such cutting and removal of timber shall be as directed by the Forest Supervisor.

(e) No use of the surface of a mining claim or the resources therefrom not reasonably required for carrying on mining and prospecting shall be allowed, except under the National Forest rules and regulations, nor shall the locator prevent or obstruct other

occupancy of the surface or use of surface resources under authority of National Forest Regulations, or permits issued thereunder, if such occupancy or use is not in conflict with mineral developments.

(f) When any road is to be built for mining purposes upon a mining claim, the locator must apply to the Forest Supervisor for the applicable rules and regulations governing the construction and maintenance of roads within the Black Hills National Forest, and such road will be built in accordance with such specifications and in such locations as the Forest Supervisor may direct.

(g) In conducting mining operations the locator, his agents, representatives, or employees, or other persons whose presence in the area or in the vicinity thereof, is occasioned by such mining operations, shall use due diligence in the prevention and suppression of fires, and shall, when requested by the Forest Supervisor, or his authorized representative, be available for service in the extinguishment and suppression of all fires occurring within the Preserve: *Provided*, That if such fire does not originate through any negligence on the part of the locator, his agents, representatives, or employees, or other persons whose presence in the area or in the vicinity thereof, is occasioned by such mining operations and does not threaten the structures, improvements or property incident to the mining operation, such persons shall be paid for their services at the current rate of pay of fire fighters employed by the United States.

(h) Nothing contained in this section shall be construed to relieve the locator from complying with any requirements of the laws of the State of South Dakota, nor from compliance with or conformity to any requirements of any Federal law or regulation now existing or which later may be enacted or promulgated, and applicable to the subject involved in this section.

(13 FR 4792, Aug. 19, 1948, as amended at 48 FR 31854, July 12, 1983)