



The University of New Mexico

School of Law Library
MSC11 6080
1 University of New Mexico
Albuquerque, NM 87131-0001
Telephone (505) 277-0939
FAX (505) 277-0068

This document was scanned pursuant to the express permission of its author and rights holder.

The purpose of scanning this document was to make it available to University of New Mexico law students to assist them in their preparation and study for Law School exams.

This document is the property of the University of New Mexico School of Law. Downloading and printing is restricted to UNM Law School students. Printing and file sharing outside of the UNM Law School is strictly prohibited.

NOTICE: WARNING CONCERNING COPYRIGHT RESTRICTIONS

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material.

Under certain conditions specified in the law, libraries and archives are authorized to furnish a photocopy or other reproduction. One of these specified conditions is that the photocopy or reproduction is no to be "used for any purpose other that private study, scholarship, or research." If the user makes a request for, or later uses, a photocopy or reproduction for purposes in excess of "fair use," that user may be liable for copyright infringement.

This institution reserves the right to refuse to accept a copying order if, in its judgment, fulfillment of the order would involve violation of copyright law.

Examination No. _____

Federal Lands

UNM School of Law

Professor Denise Fort

1. Using the text book please consider and write a well organized thoughtful analysis of

a) whether Leo Sheep is reconcilable with Camfield?

b) Whether Bergen v. Lawrence (157-159) was properly decided?

2. You may do any electronic or library research that you like to answer this question, but do not discuss it with any person

You represent a landowner who is purchasing a large private ranch that contains a number of old trails that cross it. As you research the title, you learn that it was in the public domain almost a century earlier. What steps would you take to determine if there was a valid existing right across it? How would you attempt to settle any claims?

3. The state of Ecotopia has adopted a stringent mining reclamation law that requires that land be returned to its original contours and revegetated following mining. This essentially makes strip mining of coal impossible. The stated rationale for the law is that the state benefits economically from preserving the natural appearance of the land and that revegetation is necessary to prevent water pollution from runoff from piles of disturbed earth. Acme Mining contends that the state lacks the ability to regulate its activities on federal land. Acme's federal mining lease contains reclamation provisions, but they do not require revegetation. Must Acme follow state law, even if it makes mining uneconomical?