

However, our geologists found positive evidence that intrusive rocks have not adversely affected accumulations of oil. Immediately north of our area of interest is an intrusive body which forms a feature called Rose Butte and is described in detail in the *Geologic Society of America Bulletin*, volume 51, page 1420 (Sept. 1, 1940).

Our geologists confirmed its presence and also noted its proximity to a well drilled by Richfield Oil Corp. This well located only 1,500 feet from the intrusive body, encountered and cored oil saturated reservoir rocks identical in appearance to those occurring in adjacent proven productive areas.

Sediments had not been altered by the intrusive, nor had the hydrocarbon content been destroyed. Last fall Natural Oil & Gas Corp. drilled a well in an area of interest in an area geographically similar to the easternmost part of the Stratified Primitive Area.

This well proved beyond any doubt that potential reservoir rocks identical with those now productive of hydrocarbons east of the area exist beneath the volcanic cover which is present over most of our area of interest. This well also encountered oil shows in the potential horizons.

Notwithstanding the conclusions of the U.S. Geographical Survey, Signal has concluded that this area exhibits great potential for finding oil and gas accumulations and is willing to expend substantial sums of money in this endeavor.

III. INTERPRETATION OF THE WILDERNESS ACT

We have been advised by the Forest Service that it will not approve an oil and gas lease application within a wilderness or primitive area which includes the right of surface entry, and the Forest Service knows of no instance where a Federal oil and gas lease has been granted covering lands within a wilderness or primitive area, and I believe the testimony of Mr. Cliff verifies this.

Notwithstanding the leasing provisions of section 4(d)(3) of the Wilderness Act, the official policy of the Secretary of Agriculture against recommending leasing is clearly set forth in section 2323.73 of the Forest Service manual:

2323.73—Mineral leasing and permits. The authority to permit prospecting or mining for minerals not subject to location and entry is discretionary with the Secretary of the Interior.

Advice and consent of the Secretary of Agriculture is required. Authority to consent or give a favorable recommendation to lease in wildernesses or primitive areas is reserved to the chief.

The chief will not normally recommend approval of mineral leases or permits in wildernesses or primitive areas unless directional drilling or other methods can be used which will avoid any invasion of the surface. For the further guidelines, see FSM 2820.

As far as the executive agencies are concerned, the period set forth in section 4(a)(3) ending December 31, 1983, in which the mineral leasing acts are to be effective has no meaningful application, and the executive agencies have, in effect, withdrawn wilderness and primitive lands from the operation of the mineral leasing acts as of the effective date of the Wilderness Act, September 3, 1964. This interpretation is directly contrary to the express direction and intent of Congress as shown by the legislative history of the Wilderness Act.