



AN INTRODUCTION TO LOCATING MINING CLAIMS IN UTAH

BY

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MCKAY MINERAL EXPLORATION, LLC

DISCLAIMER STATEMENT

- I am not a Professional Landman
- I am not a Mining Law Attorney
- I am not a Professional Land Surveyor
- I am a geologist with over 30 years experience from Mexico to Alaska, managing exploration projects, locating minerals, managing drill rigs, logging core, mapping, sampling, etc. and staking mining claims. I have learned my skill set from reading State and Federal regulations, attending mining law seminars, learning from mentors, and a few hard knocks along the way
- This is a simple overview of the claim staking process. If you are locating mining claims you will need to do your own research and follow all State and Federal regulations

OVERVIEW

- A Brief History
- Legal Frame Work
- Saleable, Leasable, & Locatable Minerals
- Where You Can & Cannot Locate a Mining Claim
- Preliminary Research
- 4-Types Mining Claims
- Claim Requirements
- Claim Staking Process
- Documentation and Recording
- Annual Filings
- Final Thoughts

MINING CLAIMS ARE REAL PROPERTY

- Mining claims can be bought and sold
- Quit Claim Deed
- Before selling or buying mining claims make sure they are in good standing with the county and BLM



A BRIEF HISTORY

- **7,000 years ago** Native peoples start mining copper on the Keweenaw Peninsula, Michigan.
- **1620** Colonists in the United States found iron ore at the Jamestown settlement
- **1849** Gold discovered at Sutter's Mill in California. The US Congress made no provisions for the disposition of minerals on the public domain of the West.
 - Mining districts
- **1865** Title of the minerals, lays with the US government
- **1866** A person could claim a vein 200 feet in length
- **1870** Placer claims were included, limited to 160 acres

The background is a blue gradient with abstract white lines and circles in the corners, resembling a circuit or network diagram.

INTRODUCTION

THE LEGAL FRAME WORK

WHO CAN LOCATE A MINING CLAIM

- The General Mining Act became law on May 10, 1872
- This law gave all citizens of the United States of America 18 years or older have the right to locate a lode (hard rock) or placer (gravel) mining claim on federal lands open to mineral entry
- Legal immigrants who have declared their intention to become a citizen
- Corporation organized under the laws of any state may locate a mining claim

5 ELEMENTS TO THE MINING LAW

1. Discovery of a valuable mineral deposit

Very Important

2. Location of mining claims

3. Recordation of mining claims

4. Annual maintenance (annual assessment work or annual fees) for mining claims

5. Mineral patents

Effective October 1, 1994 Congress imposed a moratorium on mineral patents



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SALEABLE, LEASABLE & LOCATABLE MINERALS

NOT ALL MINERALS ARE LOCATABLE

SALEABLE MATERIALS

- Basic natural resources, such as sand, gravel, dirt, and rock, used in every day building, and other construction uses
- BLM's policy is to make these materials available to the public and local governmental agencies whenever possible
- Utah BLM Public Room
 - 440 West 200 South, Ste. 500
Salt Lake City, UT 84101
 - In-person hours: 8 a.m. – 4 p.m., Monday – Friday
Phone: 801-539-4001
- blm_ut_so_public_room@blm.gov

LEASABLE MINERALS



LEASABLE MINERALS

- **phosphate, sodium, potassium, sulphur, potash and gilsonite**
- In addition, some hard-rock minerals, depending on their location, may be considered leasable. Check with the BLM
- In areas where the Federal government acquired the land, the BLM may lease base and precious metals, such as uranium under this program.

Strategic Uranium Reserves

LOCATABLE MINERALS

Locatable minerals include both:

metallic minerals:

gold, silver, lead,
copper, lithium, uranium,
vanadium, REE's, etc.

nonmetallic minerals:

fluorspar, asbestos,
mica, gemstones, heavy
nonmetal minerals in
placer form: zircon,
monazite (REE) and
various gems as well as
hi-grade limestone (90%)
etc.



The background is a blue gradient with decorative white circuit-like lines in the corners. The lines consist of straight segments and small circles, resembling a stylized electronic circuit or a map of land parcels.

WHERE YOU CAN & CANNOT CLAIM

LOCATABLE LANDS AND LANDS CLOSED TO MINERAL ENTRY

STATES WHERE YOU CAN LOCATE CLAIMS



WHERE YOU CAN LOCATE MINERALS

- Bureau of Land Management (BLM) and National Forest Service lands, unless they are withdrawn from mineral entry
- BLM manages the surface of public lands in these states, National Forest Service manages the surface of National Forest lands.
- The BLM is responsible for the subsurface on both public lands and National Forest System lands

WHERE YOU CANNOT LOCATE MINING CLAIMS

Most Bureau of Land Management (BLM) land is open to prospecting except:

- Reclamation projects
- Land being evaluated for mineral potential
- Withdrawn from mineral entry
- Power development
- National Wilderness Preservation System
- Wild and Scenic River
- Withdrawn by Congress for study as a Wild and Scenic River
- There is usually a ¼-mile buffer zone withdrawn from locating mining claims on either side of a river while the river is being studied for inclusion in the Wild and Scenic River System

SPLIT ESTATES

- The surface rights may be privately owned while the subsurface mineral rights belong to the Federal government
- Originally entered under the Homestead Act of 1862, as amended, and patented under the SRHA after Dec. 29, 1916
- As mineral exploration was beginning to escalate and the Federal government opted to maintain the mineral rights to the land claimed under this law

SPLIT ESTATES

- These “split estate” situations are the legacy of the Stock Raising Homestead Act (SRHA) of 1916
- Some Homestead Acts only reserved certain minerals, where the SRHA reserved all minerals
- Anytime that the mineral rights are separated from surface then lands can become a split estate issue

PROCEDURES FOR LOCATING AND RECORDING A MINING CLAIM ON SRHA LANDS

- **CFR 3838.10 Procedures for locating and recording a mining claim or tunnel site on SRHA lands**
- Serve a copy of the NOITL on the surface owner(s) of record, by registered or certified mail, return receipt requested
- Submit the NOITL to BLM and serve a copy of the NOITL on the surface owner(s) at the same time
- Wait 30 days after you serve the surface owner(s) with the NOITL before entering the lands to explore for minerals or locate a mining claim
- Your NOITL will expire 90 days after you submit it with BLM

The background is a blue gradient with abstract white lines and circles in the corners, resembling circuit traces or data paths. The lines are thin and white, with small circles at various points, creating a technical or digital aesthetic.

PRELIMINARY RESEARCH

DO YOUR HOME WORK BEFORE LOCATING YOUR MINING CLAIM

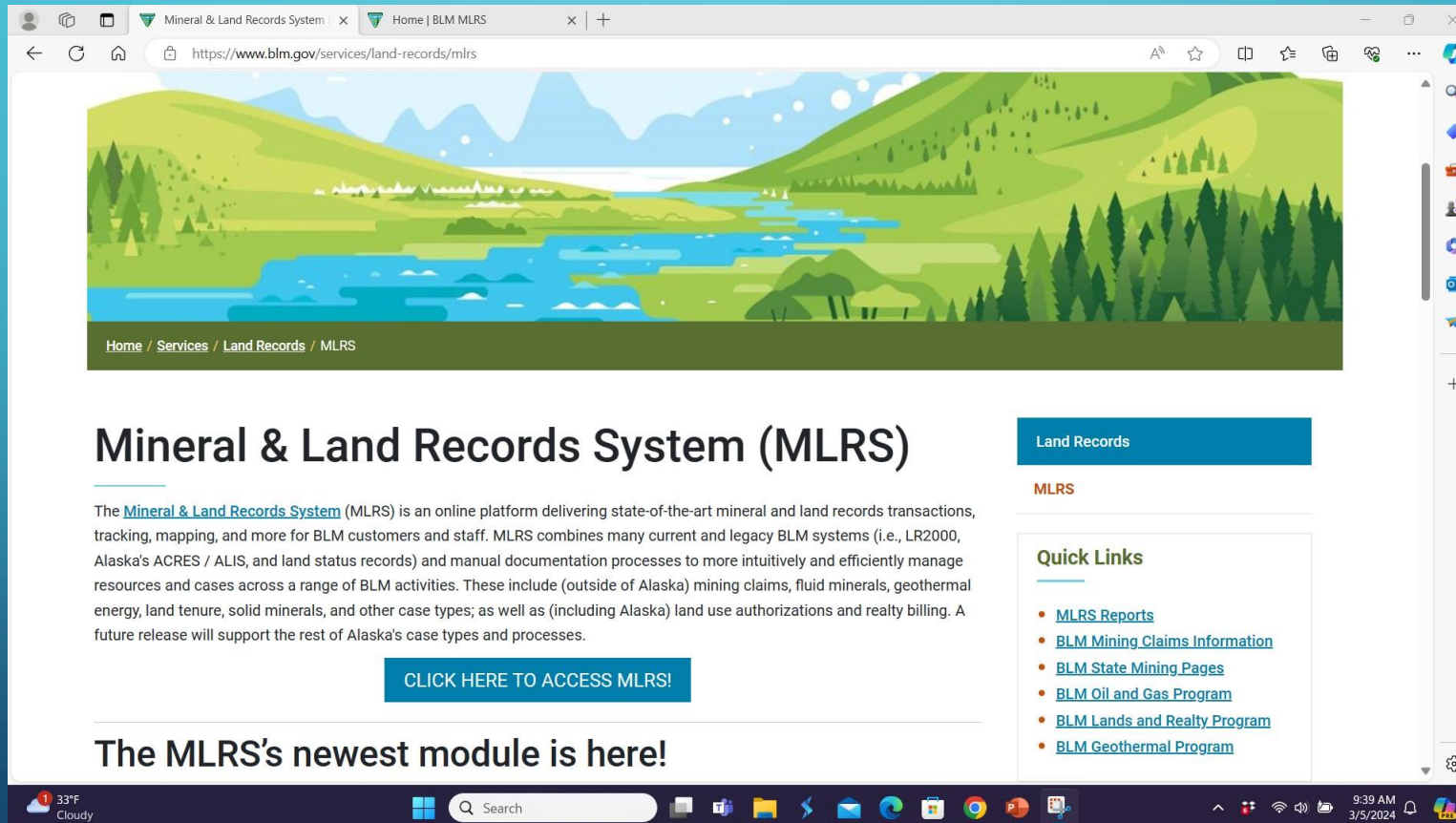
YOUR COUNTY RECORDER

- In Utah you have 30 days after you locate a mining claims to record with the county
- Checking county records is helpful and they should have more current records than the BLM
- Most counties in Utah are not online and you will likely need to do your land research in person at the county recorder's office

BLM MLRS (MINERAL LAND & RECORD SYSTEM)

- Best place to start your land research is with the BLM's MLRS System
 - www.blm.gov/services/land-records/mlrs
 - Land Matters is a third party website
 - www.mylandmatters.org
- On the MLRS Reporting you can check for active claims in your area
 - Interactive map
 - Research by claim name
 - Research by claimant name
 - Research by BLM serial number

BLM MLRS (MINERAL & LAND RECORD SYSTEM)

A screenshot of a web browser displaying the BLM Mineral & Land Records System (MLRS) homepage. The browser's address bar shows the URL https://www.blm.gov/services/land-records/mlrs. The page features a large, colorful illustration of a mountain landscape with a river and forests. Below the illustration, the breadcrumb trail reads 'Home / Services / Land Records / MLRS'. The main heading is 'Mineral & Land Records System (MLRS)'. The introductory text describes the MLRS as an online platform for managing mineral and land records, combining various BLM systems. A blue button labeled 'CLICK HERE TO ACCESS MLRS!' is positioned below the text. To the right, there is a 'Land Records' section with an 'MLRS' link and a 'Quick Links' section listing several resources: 'MLRS Reports', 'BLM Mining Claims Information', 'BLM State Mining Pages', 'BLM Oil and Gas Program', 'BLM Lands and Realty Program', and 'BLM Geothermal Program'. The Windows taskbar at the bottom shows the date as 3/5/2024 and the time as 9:39 AM.

Mineral & Land Records System | Home | BLM MLRS

https://www.blm.gov/services/land-records/mlrs

Home / Services / Land Records / MLRS

Mineral & Land Records System (MLRS)

The [Mineral & Land Records System](#) (MLRS) is an online platform delivering state-of-the-art mineral and land records transactions, tracking, mapping, and more for BLM customers and staff. MLRS combines many current and legacy BLM systems (i.e., LR2000, Alaska's ACRES / ALIS, and land status records) and manual documentation processes to more intuitively and efficiently manage resources and cases across a range of BLM activities. These include (outside of Alaska) mining claims, fluid minerals, geothermal energy, land tenure, solid minerals, and other case types; as well as (including Alaska) land use authorizations and realty billing. A future release will support the rest of Alaska's case types and processes.

[CLICK HERE TO ACCESS MLRS!](#)

The MLRS's newest module is here!

Land Records

MLRS

Quick Links

- [MLRS Reports](#)
- [BLM Mining Claims Information](#)
- [BLM State Mining Pages](#)
- [BLM Oil and Gas Program](#)
- [BLM Lands and Realty Program](#)
- [BLM Geothermal Program](#)

33°F Cloudy Search 9:39 AM 3/5/2024

BLM MLRS INTERACTIVE MAP




BLM GENERAL LAND OFFICE RECORDS (GLO)

← ↻ 🏠 🔒 https://glorerecords.blm.gov/default.aspx 🔊 ☆ 📄 ⚙️ 🗺️ 🌐

U.S. DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT





Search Documents

Reference Center

Support

Pathfinder

General Land Office Records



The Official Federal Land Records Site

Welcome to the Bureau of Land Management (BLM), General Land Office (GLO) Records Automation web site. We provide live access to Federal land conveyance records for the Public Land States, including image access to more than five million Federal land title records issued between 1788 and the present. We also have images of survey plats and field notes, land status records, and control document index records. Due to organization of documents in the GLO collection, this site *does not* currently contain every Federal title record issued for the Public Land States.

Subscribe to General Land Office Record of the Week [here](#).

Land Patents	Federal Land Patents offer researchers a source of information on the initial transfer of land titles from the Federal government to individuals. In addition to verifying title transfer, this information will allow the researcher to associate an individual (Patentee, Assignee, Warrantee, Widow, or Heir) with a specific location (Legal Land Description) and time (Issue Date). We have a variety of Land Patents on our site, including Cash Entry, Homestead and Military Warrant patents.	
Survey Plats and Field Notes	Survey plats are part of the official record of a cadastral survey. Surveying is the art and science of measuring the land to locate the limits of an owner's interest thereon. A cadastral survey is a survey which creates, marks, defines, retraces or re-establishes the boundaries and subdivisions of Federal Lands of the United States. The survey plat is the graphic drawing of the boundaries involved with a	

MASTER TITLE PLATS (MTP)

- The BLM General Land Office (GLO) Records website provides online access to federal land conveyance records going back as far as 1820
- The GLO records include MTP's, a mapping of current land status for a specified Township and the Historical Index that is tied to the legal record of the township
 - You will need to delve further into the land ownership, by looking at the Historical Index associated with each MTP
 - The Federal Register is the real record of ownership
- The Historical Index does contain every federal title record issued. This is where a good Mining Law Attorney or Landman comes into play

[illegible]

4-TYPES OF MINING CLAIMS

FEDERAL AND UTAH STATE REQUIREMENTS (ALL STATES ARE UNIQUE)

4 TYPES OF MINING CLAIMS

1. Lode Claims

- Used for hard rock or in place valuable minerals

2. Placer Claims

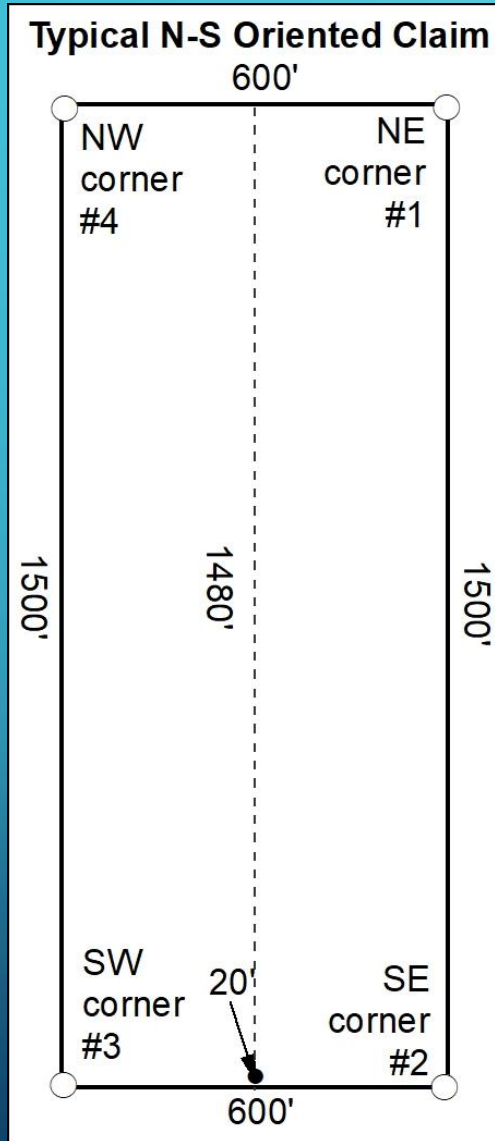
- Used for minerals not in their original place

3. Mill Site Claims

- Its purpose is to support a lode or placer mining operation
 - Used for non mineralized land for the purpose of milling or reduction

4. Tunnel Claims

- Subsurface right-of way used to access lode claims or exploration for undiscovered lodes

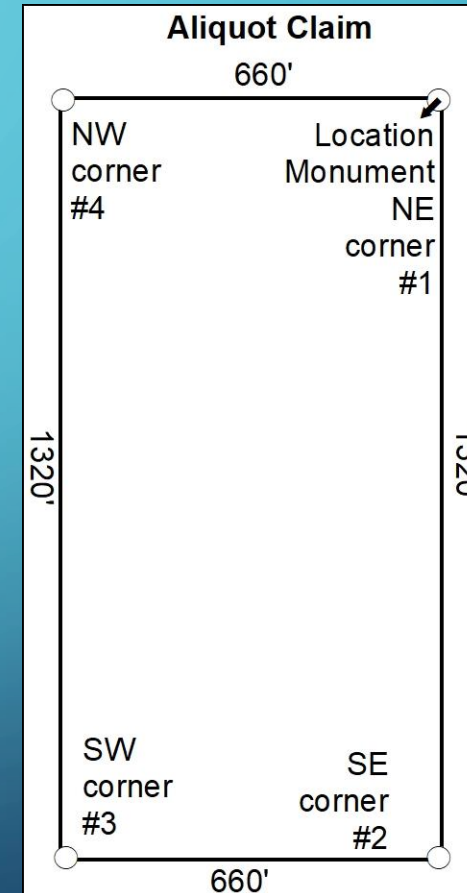


LODE CLAIMS

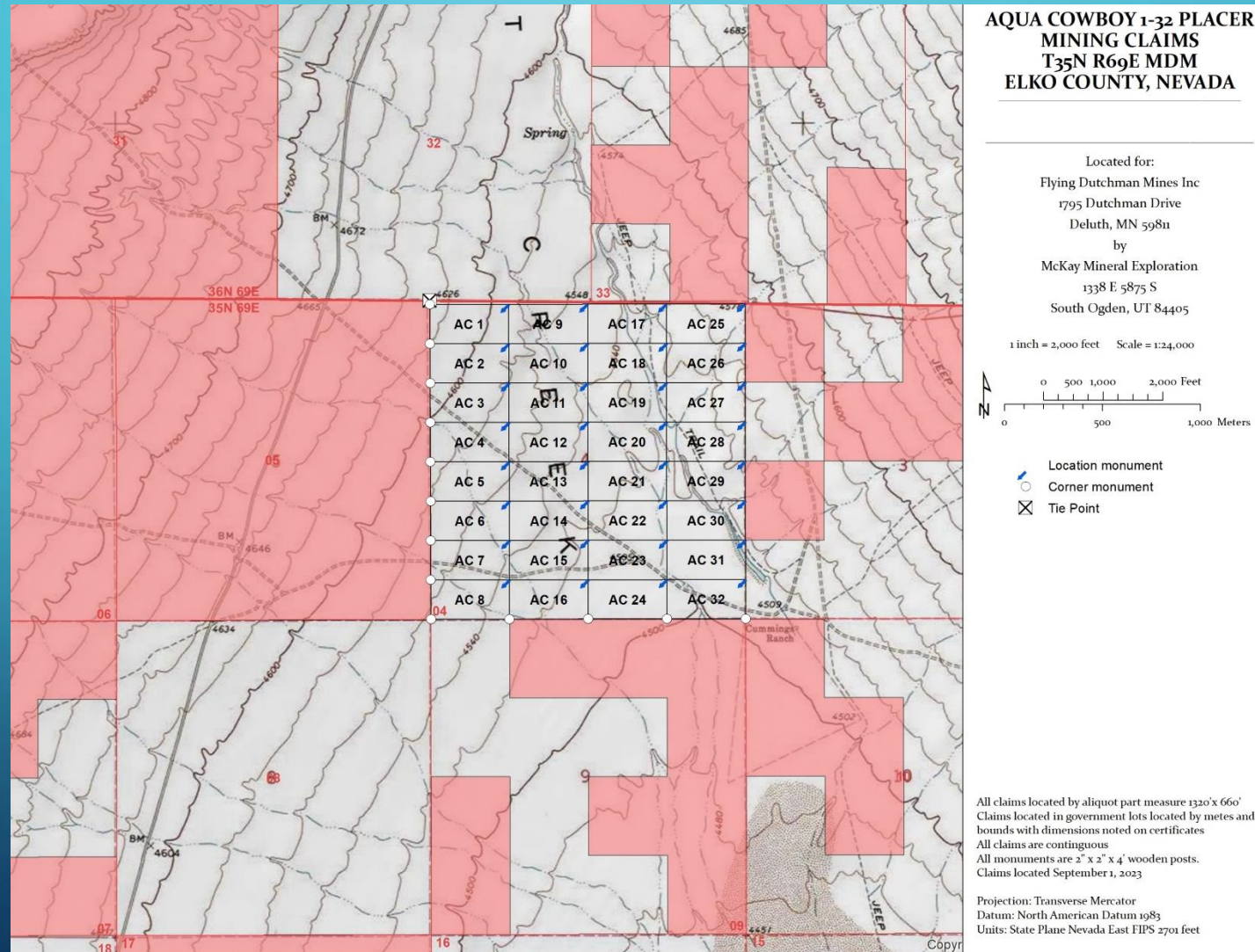
- Typically used for in-place hard rock deposits such as veins or lodes are also used for other types of valuable minerals that are in place in broad zones of mineralized rock
 - Carlin type deposits and Clay deposits such as for lithium clays
- No larger than 600' X 1500' = 20.66 acres and the discovery monument is placed along the center line of the long axis
- Lode claims are described by metes and bounds and tied to an identifiable object i.e. a section corner

PLACER CLAIMS

- Used for locating mineralized river sand and gravel deposits and brines
- May not exceed 20 acres per individual claimant
- Association Placer claims may not exceed more that 160 acres
- Aliquot part or complete lots are used to describe the claim/s in surveyed Townships
E1/2 SW1/4 NW1/4
- Metes and bounds are used to describe the claim/s in un-surveyed Townships



MAP FOR ALIQUOT PLACER CLAIMS



MILL SITE CLAIMS

- Used for non-mineral land not contiguous to vein or lode used for activities related to mineral development of associated lode or placer, or for independent milling or reduction
- Not to exceed 5 acres
- Can be described by metes and bounds or aliquot part
- The Rosemont Mine in Arizona

TUNNEL SITE CLAIM

- A tunnel site is a subsurface right-of-way
- It is used for access to lode mining claims or to explore for blind or undiscovered veins, lodes, or ledges not currently claimed or known to exist on the surface
- A tunnel site can be up to 3,000 feet in length

CLAIM REQUIREMENTS

BLM & SATE

BLM AND STATE REQUIREMENTS

- Provisions of the Mining Law allow for the development of local rules that are consistent with federal law
- Individual states can have their own manner of locating and recording mining claims
- Always check with the appropriate state for state-specific laws and regulations

CODE OF FEDERAL REGULATION (CFR) REQUIREMENTS FOR LOCATION NOITCES

- 43 CFR 3832.11, (3)
- The notice must include:
 - (i) The name or names of the locators
 - (ii) The date of the location
 - (iii) A description of the claim or site
 - (iv) The name or number of the claim

UTAH'S REQUIREMENT FOR A NOTICE OF LOCATION WITH A LODGE OR PLACER CLAIM

Title 40. Mines and Mining Chapter 1 Mining Claims

The locator at the time of making the discovery of such vein or lode must erect a monument at the place of discovery, and post thereon his notice of location which shall contain:

- (1) The name of the claim
- (2) The name of the locator or locators
- (3) The date of the location. Continued...

UTAH'S REQUIREMENT FOR A NOITCE OF LOCATION LODE OR PLACER CLAIM

(4) **If a lode claim**, the number of linear feet claimed in length along the course of the vein each way from the point of discovery, with the width claimed on each side of the center of the vein, and the general course of the vein or lode as near as may be, and such a description of the claim, located by reference to some natural object or permanent monument, as will identify the claim.

(5) **If a placer or mill site claim**, the number of acres or superficial feet claimed, and such a description of the claim or mill site, located by reference to some natural object or permanent monument, as will identify the claim or mill site.

The background is a blue gradient with decorative white circuit-like lines in the corners. The lines consist of straight segments and small circles, resembling a stylized electronic circuit or data flow diagram.

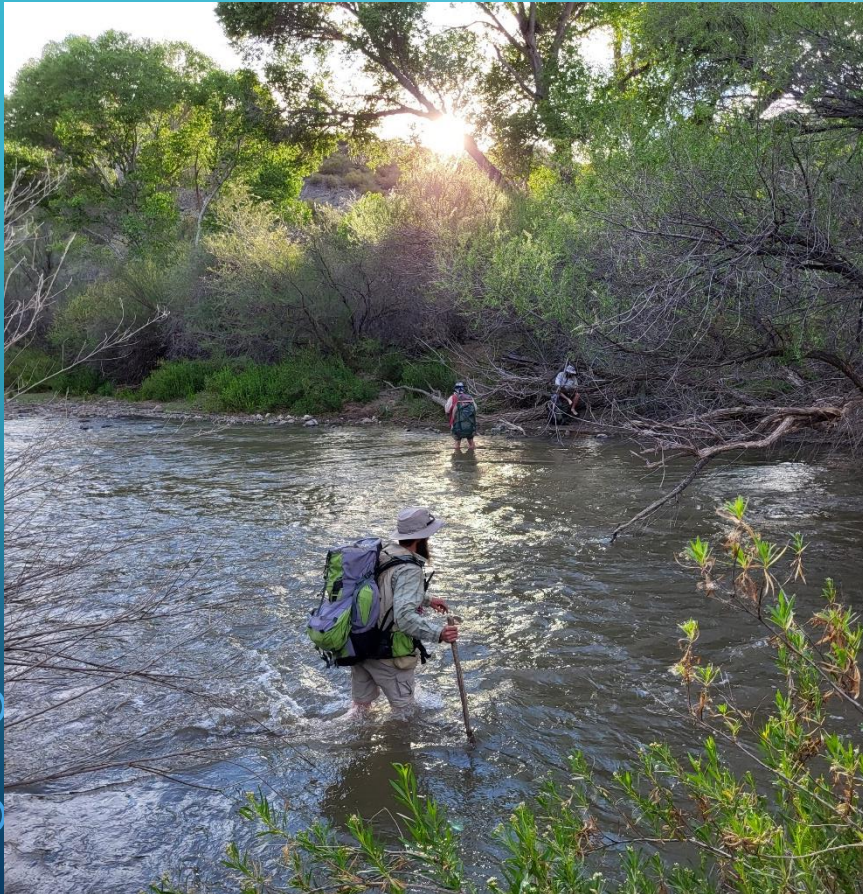
THE CLAIM STAKING PROCESS

BOOTS ON THE GROUND

FINALLY, BOOTS ON THE GROUND!



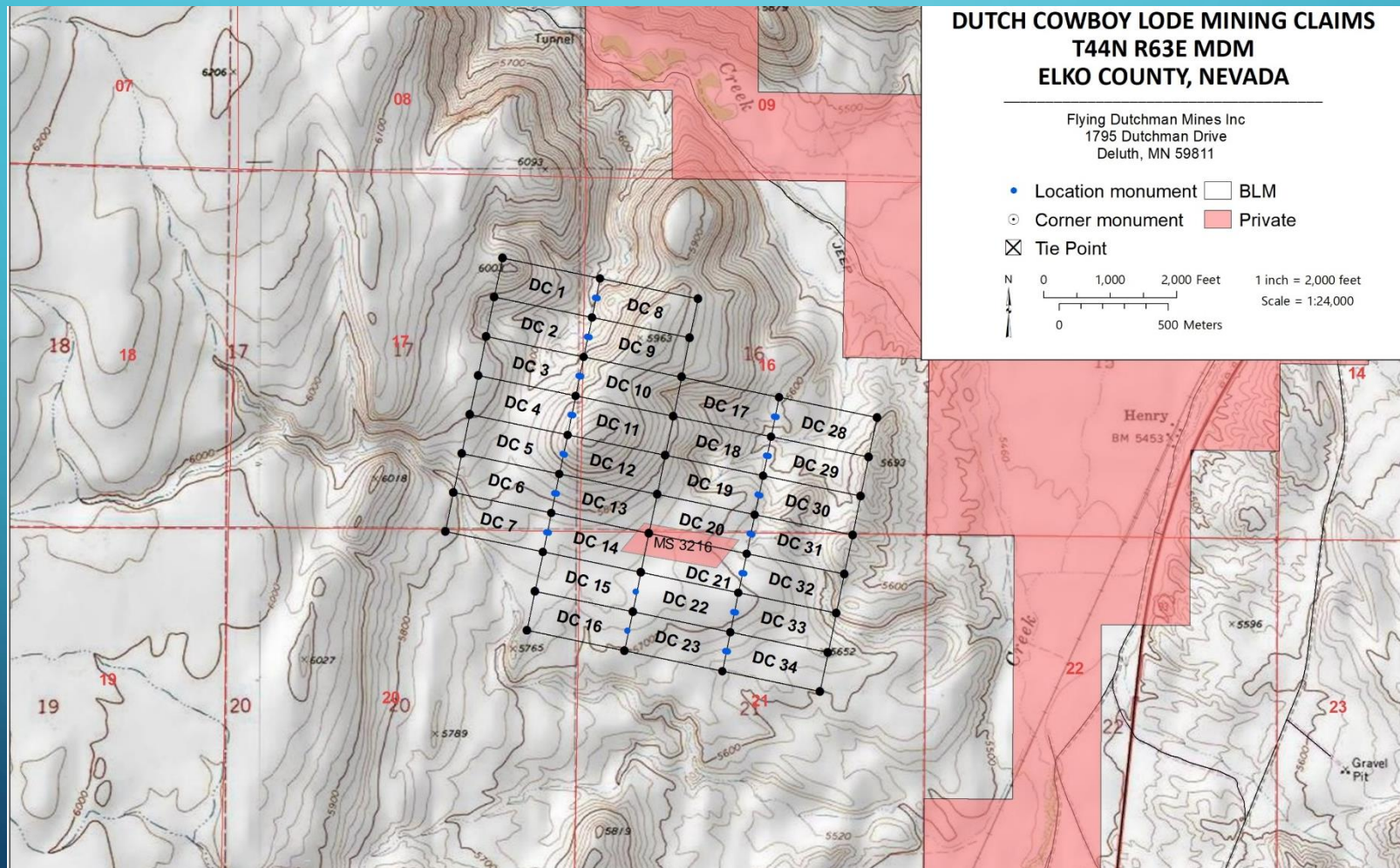
OR...IN THE RIVER



STAKING A CLAIM

- Lode claim or Placer claim
- Lay out the claims to cover the area of interest as efficiently as possible with the fewest claims
 - AutoCAD and GIS software are most commonly used to layout mining claims
- Determine the coordinates for your Location Monument (LM) and corners
 - If using GPS know your format:
 - Position Format: Lat Long, State Plane, UTM
 - Map datum: WGS84, NAD83, NAD27 CONUS etc.

EXAMPLE OF A CLAIM LAYOUT FOR LODE CLAIMS



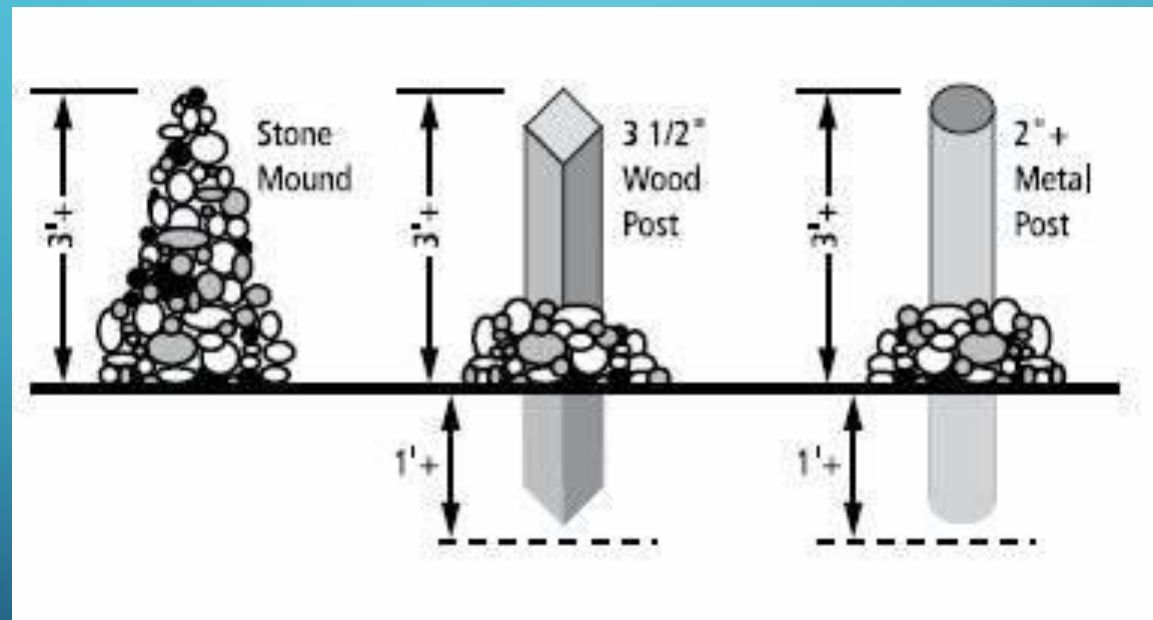
TODAYS TYPICAL SURVEYING TOOLS FOR LOCATING MINING CLAIMS



SURVEYING IN THE CLAIM BOUNDARIES

- Download your points into a GPS unit
- Navigate with compass and measuring device or GPS
 - Most handheld GPS are approximately < 12 feet
 - Submeter GPS systems generally less than 3 feet
- Locating Location Monuments and claims corners.
 - Wooden post as mentioned
 - Federal Regs

BLM'S GENERALIZED EXAMPLE OF CLAIM MONUMENTS



SURVEYING IN THE CLAIM BOUNDARIES



MONUMENTING THE CLAIM BOUNDARIES AND LOCATION MONUMENT

- Place the claim-post in the ground one-foot and mark the post
 - Label the post so it identifies which corner/s you are locating. You can share common corners with a post
 - Your Location Monument should be labeled as to which claim you are locating, and attach a container that will hold your claim notice. Common practice to use aluminum tags



EXAMPLES OF LOCATION MONUMENTS



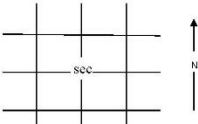
AN EXAMPLE OF A CLAIM NOTICE FROM THE BLM

EXAMPLE
LOCATION NOTICE FOR MINING CLAIM

For Bureau of Land Management Use	For County Recorder's Use

1. Name of Claim _____ Type of Claim: () Lode () Placer () Mill site () Tunnel site
2. Date of Location _____ Placer Acreage _____ () Claim is located in P.L. 359, Power site Withdrawal
3. This claim is located in _____ County, State of _____ Meridian,
Township _____, Range _____, Section _____, Quarter Section _____,
Township _____, Range _____, Section _____, Quarter Section _____,
Township _____, Range _____, Section _____, Quarter Section _____,
Township _____, Range _____, Section _____, Quarter Section _____

4. The boundaries are described as follows using distance & direction (metes & bound) beginning at corner monument where notice is posted which is Corner #1.

Thence _____ To Corner or Angle _____	
Thence _____ To Corner or Angle _____	
Thence _____ To Corner or Angle _____	
Thence _____ To Corner or Angle _____	

TO THE POINT OF BEGINNING.

IF MORE THAN 4 CORNERS OR ANGLES

Thence _____ To Corner or Angle _____
Thence _____ To Corner or Angle _____

Posted location notice is further described as _____ feet, _____ direction from _____ (Permanent survey monument or natural object, i.e., topographic feature).

The adjoining claims/sites are: _____

5. Claimant(s) Name and Address:

Name _____	(Signature) _____
Address _____	
Name _____	(Signature) _____
Address _____	
Name _____	(Signature) _____
Address _____	

Name _____	(Signature) _____
Address _____	
Name _____	(Signature) _____
Address _____	
Name _____	(Signature) _____
Address _____	
Name _____	(Signature) _____
Address _____	

6. AFFIDAVIT OF LOCATOR _____
STATE OF _____ COUNTY OF _____, SS.

I, _____ DO SOLEMNLY SWEAR THAT I AM A CITIZEN OF THE UNITED STATE OF AMERICA (OR HAVE DECLARED MY INTENTION TO BECOME SUCH), AND THAT I AM ACQUAINTED WITH THE MINING GROUND DESCRIBED IN THIS NOTICE OF LOCATION, AND HEREWITH CALLED THE _____ LOOSE PLACER CLAIM OR SITE, THAT THE GROUND AND CLAIMS THEREIN DESCRIBED OR ANY PART THEREOF HAS NOT, TO THE BEST OF MY KNOWLEDGE AND BELIEF, BEEN PREVIOUSLY LOCATED ACCORDING TO THE LAWS OF THE UNITED STATES AND THIS STATE, OR IF SO LOCATED, THAT THE SAME HAS BEEN ABANDONED OR FORFEITED BY REASON OF THE FAILURE OF SUCH FORMER LOCATOR(S) TO COMPLY IN RESPECT THERETO WITH THE REQUIREMENTS OF SAID LAWS.

SIGNATURE _____

State of _____ Subscribed and sworn to (or affirmed) before me _____
County of _____ this _____ day of _____, 20 ____.

(Seal)

Notary Public _____ or County Recorder _____
(my commission expires _____)

IN GENERAL, THE STAKING OF MINING CLAIMS REQUIRES

- Locating corner posts and location monument/s
 - In Utah it is common practice to use 2"X2"X4' wooden post
 - Other states can require side centers, and/or end centers or 4"X4"X4' posts
 - Check the state you are working for its regulations
- Posting a Notice of Location on a post or monument in a conspicuous place, and that is along the center axis of the lode claim or on a corner if a placer claim
- Record with the county the Certificate of Location (COL) before 30 days from location
- Record with the BLM State Office Public Room before 90 days from location

Complying with Utah state code 40-1-4 & federal requirements at 43 CFR 3830, 3832, and 3833

The background is a blue gradient with abstract white lines in the corners that resemble circuit traces or data paths. These lines feature small circles at various points, suggesting nodes or connections in a network.

DOCUMENTATION AND RECORDING

WITH THE STATE OF UTAH AND THE BUREAU OF LAND MANAGEMENT

UTAH CLAIM FILING REQUIREMENTS

- Utah code requires that after you locate your claim you have 30 days to record with the county with a Notarized COL/s
- Before 90 days from location you must perfect the claims making sure that all 4 corners are monumented
- Utah code does not state what type of monument, but the general practice is to use a 2" X 2" X 4' wooden post with an aluminum tag that marks the point as a Location Monument or a corner post

UTAH CODE 40-1-4 COPY OF LOCATION NOTICE TO BE RECORDED

- Within 30 days after the date of posting the location notice upon the claim, the locator, or the locator's Agent, shall record a substantial copy of the notice of location in the office of the county recorder of the county in which the claim is situated
- \$40/claim county recording fee

EXAMPLE OF A PLACER CLAIM CERTIFICATE FOR THE STATE OF UTAH


RECORDING REQUESTED BY
AND RETURN TO:
ABC Minerals LLC
650 Sandstone Dr #11A
Centerville, UT 12345

COUNTY RECORDER'S USE

CERTIFICATE OF LOCATION
PLACER MINING CLAIM LOCATED BY METES AND BOUNDS

TO ALL WHOM IT MAY CONCERN:

The undersigned hereby certifies that ABC Minerals LLC whose address is 650 Sandstone Dr #11A, Centerville, UT 12345, has located the BS 1 Placer Mining Claim in the following quarter section(s):
NW¼ of Section 18 T22S R11W SLBM.
This claim was located in Juab County, Utah, on the 19 day of October, 2023.
The claim is marked on the ground by descriptive metal tags attached to 2" x 2" x 4" wooden posts with the Notice of Location duly posted at the SE corner of the claim.
Beginning at corner No. 1, the SE corner of the claim:
Thence: 660 feet west to the SW corner, corner No. 2,
Thence: 1320 feet north to the NW corner, corner No. 3,
Thence: 660 feet east to the NE corner, corner No. 4,
Thence: 1320 feet south to the SE corner, corner No. 1, the place of beginning.
To tie the claim to the Public Land Survey, the SE corner is 1980 feet east and 3960 feet north from the monumented SE corner of section 16 T22S R11W SLBM.
Said Placer Claim contains 20 acres, or less.

LOCATOR SIGNATURE

Stephen McKay, Authorized Agent for ABC Minerals LLC

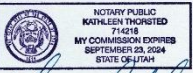
DATE: 29 October, 2023

State of Utah)
County of Weber)

Subscribed and sworn to before me
(Seal)

On this 29 day of October, 2023, before me, the undersigned, a Notary Public in the State of Utah, personally appeared Stephen McKay, Agent for ABC Minerals LLC known to me to be the person whose name is subscribed to the attached instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have here unto set my hand and affixed my official seal, the day and year in this certificate first above written.


Kathleen Thorsted
Notary Public
(my commission expires May 16, 2025)

BLM RECORDING REQUIREMENTS

- BLM: FLPMA (43 U.S.C. § 1744) requires claimants to file a copy of the official record of notice or COL with the BLM within 90 days after the date of location.
- A map is required A topographical map published by the U.S. Geological Survey with a depiction of the claim or site: or a narrative or sketch describing the claim or site and tying the description to a natural object, permanent monument or man-made feature.
- \$230/claim this was increased from \$225 on October 1, 2023
- 43 CFR 3832, Subpart A, and 43 CFR 3833, Subpart A)
- The date of location on the ground
- The names and individual mailing addresses of the locator/s
- The name of the claim
- The type of claim (lode or placer claim or mill site or tunnel site)
- The acreage claimed
- A description of the parcel on the ground

THE IMPORTANCE OF LOCATING AND RECORDING A MINING CLAIM

- After complying with the State and Federal regulations and you have your receipts and recording numbers from the County and BLM
 - At a later date (weeks to months) a BLM Land Law Examiner will go over your recorded COL's and map/s to make sure that your filing is compatible with the Federal Code of Regulations
 - BLM does not check COL's or filing maps to see that they comply with state requirements
 - ***It is best to work with an experienced person that locates mining claims and/or use a Professional Landman or Mining Law Attorney to make sure your paper work is in compliance***

2 TYPES OF RECORDING ERRORS

- FATAL ERROR

- Not filing COL in the 90 days
- Locating on Private Lands or areas that have been withdrawn or closed to mineral entry
- Locating a claim over an active claim
- Not filing your Affidavit of Annual Assessment Work by December 31
- You should get a partial refund
- You will need to locate new claims

- CURABLE ERROR

- Legal land description
- Typos in the name, or any part of the COL
- Reduce the size of your claim
- Change the name of your claim
- You can amend your claim/s
 - BLM \$15/claim County \$40/claim

ANNUAL FILINGS

EASY TO FORGET AND SAD IF YOU DO

BLM ANNUAL FILING MAINTENANCE FEES

- CFR § 3834.11 On or before September 1st of every year Maintenance Fees are due
 - It is strongly recommended that this process begins in June!
- Record the Maintenance Fee payment to the BLM or Small Miners Waiver
- Record an Affidavit of Intent to Hold for your mining claims with the county
- This should include the:
 - Claimants name and address
 - Claim
 - BLM Serial Number for each claim
 - County Book and Page for each claim

ANTICIPATED BLM MAINTENANCE FEE

Received February 26, 2024

ATTENTION MAINTENANCE FEE

The Bureau of Land Management is anticipating an increase in maintenance fees for BLM mining claims within the next 5-6 months. We currently do not have a date or an amount for this increase.

If you are paying maintenance fees now you will need to closely monitor for this increase as you will be required to pay the difference between the current fees and the increased fees as soon as possible and must make every effort to have this paid by September 3, 2024.

Please monitor the BLM website, Mineral & Land Record System (MLRS), Nevada Division of Minerals (NDOM), or contact this office periodically for the date and amount of this increase. We will post information as soon as it becomes available.

Thank you.

Public Room Staff.

COUNTY ANNUAL FILING

NOTICE OF INTENT TO HOLD AND AFFIDAVIT OF PAYMENT OF ANNUAL CLAIM MAINTENANCE FEES

- **40-1-6 Affidavit of performance of annual labor or payment of maintenance fee.**
- (1) As used in this section, "assessment work" means the performance of labor or making of improvements on or for the benefit of a mining claim.
- (2) Within 30 days after the end of the annual period specified in 30 U.S.C. Sec. 28 the owner of an unpatented lode or placer mining claim, or a mill or tunnel site claim or someone on his behalf, shall record an affidavit in the office of the county recorder of the county in which the claim is located setting forth:
 - (a) the name and address of the owner of the claim;
 - (b) the name of the claim and the serial number, if any, assigned to the claim by the United States Bureau of Land Management
 - (c) The affidavit, or a certified copy, shall be prima facie evidence (at first sight) of the facts stated in the affidavit.

SMALL MINER'S EXEMPTION

- You and your party may hold no more than 10 mining claims nationwide 43 CFR 3835
- You will need to pay for the initial filing fee to the BLM
- There is no fee to file a small miner's waiver and form 3830-2 if the only acceptable form and must be filed before September 1
 - Or post marked on or before September 1
 - File affidavit of Annual labor by December 31
- Not required to perform the assessment work the year the claim is located
- You can still pay the Maintenance Fee in lieu of small miner's waiver

SO, YOU WANT TO MINE OR EXPLORE YOUR NEW MINING CLAIMS

- Before disturbing the ground you have newly acquired you must obtain a permit with the Utah Division of Oil, Gas and Mining (DOGM) and you will also need to contact the BLM office
- The cost of the permit will depend on the proposed size of the disturbance
- Work with your regulators at DOGM and the BLM and keep them in the loop. If there are any changes or issues with your program, they are a great group to work with

FINAL THOUGHTS

- There are many steps to locating and recoding mining claims
- Reach out to your Federal and State agencies for guidance
- When in doubt use an experienced person in locating mining claims
- Thank you for your time this evening