

How do I find out where and how to stake a mining claim?

Much of the Federal public lands are open to mineral entry meaning a claim can be staked on them. Wilderness areas, wild portions of Wild and Scenic Rivers, National Monuments, National Parks, and campgrounds are generally withdrawn from mineral entry meaning claims cannot be filed or staked on them. Information regarding minerals is available online at: <http://www.blm.gov/or/programs/minerals/>.

Step 1. Choose your Federal Public Lands area of mining interest

Public lands are located according to the Public Land Survey System (PLSS) often referred to as township and range. Determine if the area is designated as public lands and open to mineral entry by using the Master Title Plats (MTP). Information on the PLSS and the MTPs is online at: <http://www.blm.gov/or/landrecords/>

Step 2. Determine if there are active claims in the area of interest using LR2000

*LR2000 is available online at: <http://www.blm.gov/lr2000/>
Directions for running LR2000 may be viewed by clicking "Tutorial" on the home page.
(note- the above BLM computer systems only locate claims to the nearest 1/4 section ~160 acre)*

Step 3. Procure copies of location notices for active claims in your area of interest

Copies of location notices are maintained by the BLM State Office and the local County Recorder's office in which the claim is located. The BLM Oregon/Washington State Office can be reached at (503) 808-6008. Location notices are the only source of detailed mining claim locations.

Step 4. Plot locations of active claims on a map and determine available areas

*Indicate meridian, township, range, and section as well as the land ownership.
Public lands open to mineral entry and not currently claimed should be available for claim staking.*

Step 5. Obtain the proper mining form

Forms for filing and maintaining mining claims in Oregon and Washington (Notice of Location Placer, Notice of Location Lode, Mining Claim Affidavit, Mining Claim Quitclaim Deed) can be obtained at local stationary stores or online at: <http://www.stevens-ness.com/>

Step 6. File your mining claim

Rules governing staking of claims is dictated in part by state law. Federal regulations published in the Code of Federal Regulations (CFR) require that the location notice be filed with both the local recording district (county) and with the BLM .

Oregon statutes ORS_517 govern staking of claims and can be found online at:

<http://www.leg.state.or.us/ors/>

Washington statutes Title 78 can be found online at:

<http://apps.leg.wa.gov/rcw/default.aspx?Cite=78>

Federal Regulations 43CFR3833 also govern staking of claims and can be found online at:

<http://ecfr.gpoaccess.gov>

Placer claims generally must be described by legal subdivision (i.e. township, range, quarter section) usually down to a 20 acre parcel (20 acres is approximately 660' x 1320') For details see

<http://www.blm.gov/or/programs/minerals/locating-mining-claims.php>

The BLM offices can also sell you a mining claim packet for \$3.00.

If you have questions regarding the paper work necessary to file a mining claim, you can contact Maggie Weaver (503) 808-6008 or the Mining Claim staff at 503-808-6001, then press 2, at the BLM State Office in Portland, Oregon.

Step 7. Surface use of your mining claim

Before conducting mining activities on your claim you should consult the relevant regulations and contact the local surface management agency (e.g. BLM or Forest Service) that manages the land where your claim is located.

BLM surface management mining regulations are found in 43CFR3809 and 43CFR3715.

Forest Service regulations are found in 36CFR228a.

Federal government regulations can be found online at: <http://ecfr.gpoaccess.gov>

Federal, State and local laws also apply to mining activities on your federal mining claim.

The following agencies have regulations that may apply to your mining activities.

Oregon Department of Fish and Wildlife, on line at: <http://www.dfw.state.or.us/>

Oregon Water Resources Division, online at: <http://www.wrd.state.or.us/>

Oregon Department of State Lands, online at: <http://www.oregon.gov/DSL/>

Oregon Department of Environmental Quality, online at: <http://www.oregon.gov/DEO/>

Washington Department of Natural Resources <http://www.dnr.wa.gov/Pages/default.aspx>

Other state agencies may also need to be contacted.