

U.S. Department of the Interior
Bureau of Land Management

Mining Claim Packet



BLM COSO Mining Claim Packet

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Notice to Mining Claimants

Compliance with the Federal regulations for Federal unpatented mining claims and sites does not relieve you of responsibility to comply with all other applicable local, and state laws.

The Colorado Revised Statutes are available on-line at the [Colorado General Assembly](#) website. The regulations for locating mining claims or sites begins at Article 43. Claims – How Located. These regulations are also summarized in the Circular No. 3; however, it may also contain out of date information.

Exploration, mining, and mineral processing activities involving locatable minerals on BLM administered land and Federal minerals are controlled by the regulations at 43 CFR Subparts 3715 and 3809 and in Wilderness Study Areas, 43 CFR Subpart 3802.

Mining operations are governed by the regulations at 43 C.F.R. §3809

The purposes of this subpart are to:

- (a) Prevent unnecessary or undue degradation of public lands by operations authorized by the mining laws. Anyone intending to develop mineral resources on the public lands must prevent unnecessary or undue degradation of the land and reclaim disturbed areas. This subpart establishes procedures and standards to ensure that operators and mining claimants meet this responsibility; and
- (b) Provide for maximum possible coordination with appropriate State agencies to avoid duplication and to ensure that operators prevent unnecessary or undue degradation of public lands.

Any use of the surface for the purpose of mining on an unpatented claim is only allowed in accordance with regulations. Use of the surface for purposes unrelated to mining is not authorized under these regulations and could be, considered a trespass. The unauthorized use of a mining claim can become a very serious problem for the claimant, particularly when a valuable improvement is constructed or placed on an unpatented claim. A person stands to lose all his/her investment because of such trespass action. In many cases, we have found that unauthorized use began because of the claimant's lack of knowledge of the mining laws. Therefore, we are cautioning owners of mining locations to prevent any future difficulties and to encourage the proper use of Public Lands.



NEW! Mineral & Land Records System (MLRS)



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

The Bureau of Land Management (BLM) is developing the Mineral & Land Records System (MLRS) to replace the Legacy Rehost 2000 (MLRS) case management system, Alaska Land Information System (ALIS), and land status records (e.g., Master Title Plats, Historical Indices, Tract Books).

Who should register with MLRS?

An MLRS account will be useful if you have business with the BLM involving mining claims.

What can I do in MLRS without an account?

Without an account, you can find historical and current land status information, access frequently asked questions, read how-to documents, and watch self-paced video tutorials.

I am a business owner but never got, or may have lost, my Customer ID Number. How can I get it?

If you have misplaced your Customer ID number, please log a ticket with the MLRS BLM help desk and receive your Customer ID number. Make sure to select "MLRS" from the application drop down.

What is login.gov and why do I need it for MLRS?

[Login.gov](https://login.gov) is a service that offers online access to government applications such as MLRS. It provides an extra layer of protection to ensure your information is secure and private.

By creating an account, you can manage your mining claims online.

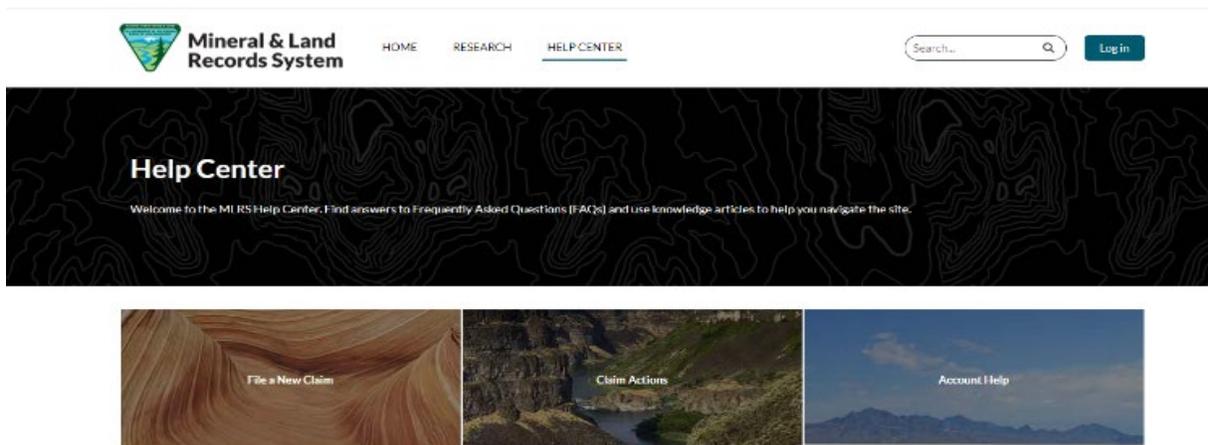
				
File a New Mining Claim	Conduct Research	Manage Claims	Pay Fees	Manage Account
Lode Placer Tunnel Site Mill Site	Current & Historic Land Information State-of-the-Art Maps	Amendments Transfers of Interest Relinquishments Upload Documents Maintain your Address	New Claim Fees Maintenance Fee Assessment Fee Transfer of Interest Fee Amendment Fee	Update Contact Information Manage your Business & Employee Access

Currently you can use MLRS to submit a **NEW** lode, placer, tunnel site, or mill site mining claim. Please note: **A Certificate of Location and map for the new location must be uploaded into the system or mailed to the office. BLM will reject claims or sites without this official documentation.**

You can also make a payment or submit a filing on an **EXISTING** lode, placer, tunnel, or mill site claim, including:

- Transfer of Interest
- Relinquishment
- Paying maintenance fees
- Submitting an Amendment
- Submitting Affidavit of Assessment Work/Proof of Labor
- Submitting a Notice of Intent to Hold
- Designating Active-Duty Military Status

MLRS Help Center



Feedback?
We would love to hear what you have to say about MLRS.
Email comments and questions to BLM_MLRS@blm.gov

Lifecycle of Mining Claims and Sites on Federal Land

1. Is the land accessible? - Access
2. Is the land open to the location of mining claims? - Research
3. Prospect and locate on the ground. – Stake the Claim
4. What type of mining claim or site are you locating? – Certificate of Location
5. Where is the mining claim located? – Map
6. Recording new mining claims or sites. – County & BLM Recordation
7. Maintain the mining claim or site annually. – Annual Filings
8. General upkeep of the mining claim. – Other Filings
9. Transferring a Mining Claim or Site. – Buying or Selling Mining Claims
10. Planning a mining operation. – Are you Ready to Dig?
11. Mine operation approval and financial guarantee. – Surface Management
12. Cease mining operation. – Reclamation

1. Access

More than one-third of Colorado's land area is Federally owned and available for public use. Knowing how to access lands can avoid trespass problems among users and owners of lands, both public and private, in Colorado. This information is intended to promote public awareness concerning access to Public Lands with minimum interference to adjacent private landowners.

FEDERAL PUBLIC LANDS

The primary Federal land management agencies in Colorado are the Bureau of Land Management (BLM), the U.S. Forest Service (USFS) and the National Park Service (NPS).

It is extremely important to know the boundaries of Federal land when exploring or prospecting. Private land is not open to prospectors or mining claimants. If you do not have permission to be on private lands or those managed by other agencies, you are trespassing and can be prosecuted. Crossing private lands to access public lands is not permitted unless you first obtain permission from the private landowner. The BLM provides public information, such as brochures and maps, through online and physical public rooms.

The pass series collectively known as the *America the Beautiful – National Parks and Federal Recreational Lands Pass* provides access to Federal lands and waters across the country.

What are the passes good for?

The passes provide entrance or access to more than 2,000 Federal recreation sites.



The Senior and Access Passes may also provide the pass owner a discount on some Expanded Amenity Fees such as camping. *(Please contact a site directly if you have a question about pass acceptance and fees).*

Additional information on the passes may be found online at:
<https://www.blm.gov/programs/recreation/passes>.

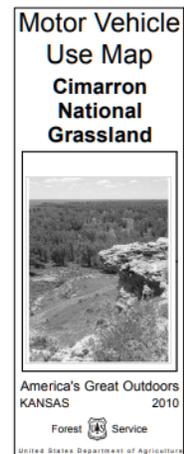
How do I gain access to Federal Public Lands?

Legal access to Federal land is provided by a system of public and agency roads and trails. Public roads are intended to meet the transportation needs of the public user. Generally, a public road is any Federal or state highway or county road administered by the state or county. BLM and USFS roads and trails are maintained for the administration and use of Federal lands. Although generally open to the public, agency officials may restrict or control the use of these roads. Restrictions may be imposed for protection of sensitive or critical resources or to meet specific management needs. Land management agencies do not always have legal rights-of-way on all access roads or trails entering Federal lands.

Authorized private use of Federal land, such as livestock grazing, does not allow the lessee to post or sign the land as being private. The lessee of Federal lands cannot deny legal access or charge an access fee for others to use such lands.

Motor Vehicle Use Maps (MVUM)

The Motor Vehicle Use Map (MVUM) is a requirement of the 2005 Final Travel Management Rule. They are available on the US Forest Service websites, or by contacting the ranger office. The MVUM displays National Forest System (NFS) routes (roads and trails) and areas designated as open to motorized travel. The MVUM also displays allowed uses by vehicle class (ex. highway-legal vehicles, vehicles less than 50 inches wide and motorcycles), seasonal allowances, and provides information on other travel rules and regulations.



Routes not shown on the MVUM are not open to public motor vehicle travel. Routes designated for motorized use may not always be signed on the ground but will be identified on the MVUM.

It will be the public's responsibility to reference the MVUM to stay on designated routes for motor vehicle use.

State Trust Lands

The Colorado State Land Board owns, stewards, and leases four million acres of trust land to earn money for Colorado public schools.

State Trust Lands in Colorado currently total nearly 3 million surface acres, but you cannot hunt or recreate on all of it. Public access for wildlife-related recreation on 774,000 acres of State Trust Land (STL) is made possible through the Public Access Program, a lease agreement between the State Land Board and Colorado Parks & Wildlife. Signs at individual properties describe allowed uses, rules, and time frames for public use.

Additionally, the Colorado Revised Statutes state that "it is unlawful for any person to enter upon privately owned land or lands under the control of the State Board of Land Commissioners to take

any wildlife by hunting, trapping, or fishing without first obtaining permission from the owner or person in possession of such land." It is your responsibility to know whether you are on private or Public Land.

Colorado Parks & Wildlife (CPW)

The mission of Colorado Parks and Wildlife is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources.

All Colorado State Parks have entrance fees. All vehicles are required to have an entrance pass and some parks have walk-in fees.

Colorado Parks & Wildlife also offers passes for purchase to access state lands, information is online at: <https://cpw.state.co.us/buyapply/Pages/ParksPassInfo.aspx>

Private Lands

Two-thirds of the land area of the State of Colorado is privately owned. It is unlawful to enter private lands in Colorado without permission of the landowner. Colorado law does not require private lands to be marked, fenced, or posted in any manner. Depending on the circumstances, trespass in Colorado may be prosecuted as a misdemeanor or as a felony.

On non-navigable rivers and streams, the adjacent landowners' jurisdiction extends to the middle of the stream or river. Colorado law does allow floating access on a stream or river if no contact is made with the river bottom or shoreline while passing through (over) private lands.

How do I gain access to private lands?

"ASK FIRST" to get access to private lands and please respect the property of others. Responsible visitors or users always respect the land, whether it is private or public, and take care to leave it the way they found it. The landowner has the right to deny access on or across private lands -and- may charge an access or user fee for the use of those private lands.

Illegal Signs Colorado law states that "no person may post, sign or indicate in any way that Public Lands within Colorado, not held under exclusive control or lease, are privately owned lands." It is unlawful to close a legal public access route or sign Federal Public Lands with the intention of restricting public use. The BLM, USFS or Colorado Parks & Wildlife should be advised about access problems and the illegal posting of signs on Federal lands. Until these situations are brought to the attention of agency officials, the problem cannot be corrected.

How do I recognize public access routes on the road?

Major access routes or points of access to Federal Public Lands are usually identified by signs with an agency logo. Most USFS roads and many BLM roads are marked with signs bearing road numbers and white arrows depicting routes open to motorized travel or with signs giving mileage to a geographical location or recreation area.

What recourses are available if access problems arise?

Federal Agencies: Report the incident immediately to the nearest Forest Service ranger district office, or BLM field office, with specifics of the incident; particularly the exact location where the incident occurred.

State Agencies: The Colorado Parks & Wildlife will investigate state land access related problems and complaints which involve actions that are either illegal or contrary to State Land Board regulations and lease terms. Non-compliance on states lands (such as off-highway vehicle use), vandalism, or property damage are grounds for arrest by any duly authorized peace officer and prosecution under pertinent Colorado statutes.

Operation Game Thief is a Colorado Division of Wildlife program, which pays rewards to citizens who turn in poachers. You can call toll-free within Colorado at 1-877-265-6648. This number is a crime stoppers line strictly for contacting law enforcement personal regarding wildlife violations.

2. Research

We recommend you research the area and contact the local office BEFORE you prospect/stake/file a mining claim.

Locate an Area of Interest.

Map Options

The full BLM Surface Management Maps are available in digital format free of charge on-line at <http://www.blm.gov/maps>, search by State and a keyword. If you do not know the specific year of the map, do not change the year. The results will appear without selecting a year.

The US Forest Service has maps available digitally as well as for purchase at: <http://www.fs.fed.us/visit/maps>.

The US Geological Survey, National Geospatial Program has topographic maps available digitally or for purchase at: https://www.usgs.gov/core-science-systems/national-geospatial-program/us-topo-maps-america?qt-science_support_page_related_con=0#qt-science_support_page_related_con.

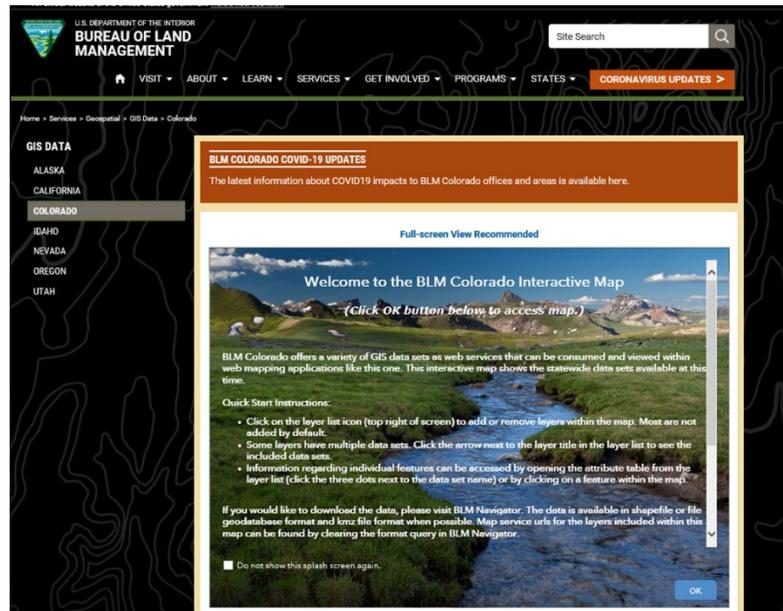
The BLM Colorado State Office (COSO) Andy Senti Public Lands Information Center (Public Room) has USGS 24k Topographic maps, US Forest Service maps, and BLM Surface Management maps available to view or purchase.

To purchase maps or for Public Land information, contact them at 303-239-3600. *COSO Public Room does not have Forest Service Motor Vehicle Use Maps (MVM) available*



BLM Colorado Interactive Map

The BLM Colorado Interactive Map is the easiest to use and navigate for beginners it can be found online at: <https://www.blm.gov/site-page/services-geospatial-gis-data-colorado>.



MLRS Mapping Options

Discover mining claim activity, use search capabilities, and interact with geospatial data layers.

A real-time map is available in MLRS, by navigating to the website and clicking on 'Research' at the top of the screen. There are additional mapping features available if you create an account and log into the system.



Research the History and Status of the Land and Minerals.

The General Land Office website at <https://gloreCORDS.blm.gov> provides digital images of the land entry documents for Colorado. They may be printed free of charge.

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

PRIVATE CLAIMS
Claimants Name: _____ Date: _____

30 City Commons 18 16.
31 Tho's David Urquhart 0 0 1 50 0 30
32 18 37 0 0 50
33 General Land Office Records 0 40

NATIONAL SYSTEM OF PUBLIC LANDS

BLM

Home Search Documents Reference Center Support

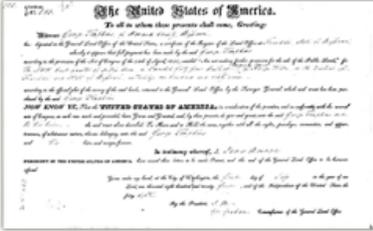
The Official Federal Land Records Site

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.

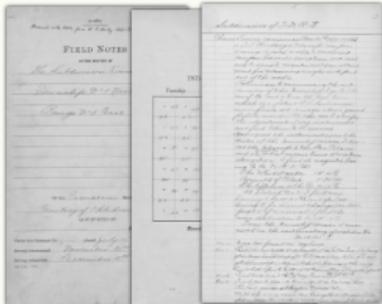


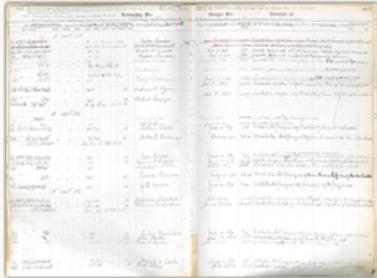
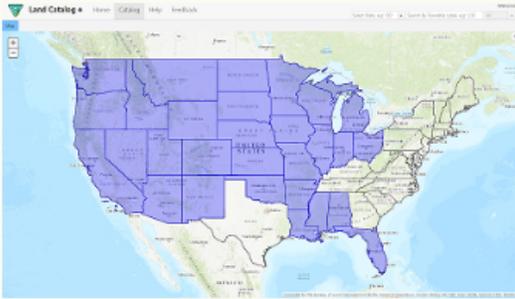
Survey Plats and Field Notes

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 particular survey project, and contains the official acreage to be used in the legal description.



Field notes are the narrative record of the cadastral survey. They are written in tabular format and contain the detailed descriptions of entire survey process including the instrumentation and procedures utilized, calling all physical evidence evaluated in the survey process, and listing all of the individuals who participated in the work.



<p>Land Status Records</p>	<p>Land Status Records are used by BLM Western State Offices to document the ongoing state of a township's Federal and private land regarding title, lease, rights, and usage. These documents include Master Title Plats, which are a composite of all Federal surveys for a township. Other Land Status Records include Use Plats, Historical Indices, and Supplemental Plats.</p>	
<p>Control Document Index Records</p>	<p>The Control Document Index includes BLM documents that affect or have affected the control, limitation, or restriction of public land and resources. CDI documents include public laws, proclamations, and withdrawals. CDI documents have been kept on microfilm since the 1950's, but are now being scanned and linked to existing data records from BLM's LR2000 database.</p>	
<p>Tract Books</p>	<p>Tract Books are used by BLM Eastern State Offices as the basic index for public land title research. Tract Books are simply listings of all the transactions involving surveyed public lands—by State or territory, meridian, township, range, section, and subdivisions. Today, there are 1,582 original General Land Office tract books at Eastern States, showing how, when, and to whom title to Public Domain lands passed from the United States—in the States of Alabama, Arkansas, Florida, Illinois, Indiana, Iowa, Louisiana, Michigan, Minnesota, Missouri, Mississippi, Ohio, and Wisconsin.</p>	
<p>Land Catalog</p>	<p>The Land Catalog application allows the public to search for Patents, Surveys, Land Status Records, CDI Documents, and LR2000 Case Recordation & Land Status reports associated with a specific township. This application displays the PLSS data layer for and a drop-down search menu for easy navigation from a State, Meridian, and Township perspective.</p>	

Master Title Plat

We suggest you begin your research with the Master Title Plat which is part of the land status records.

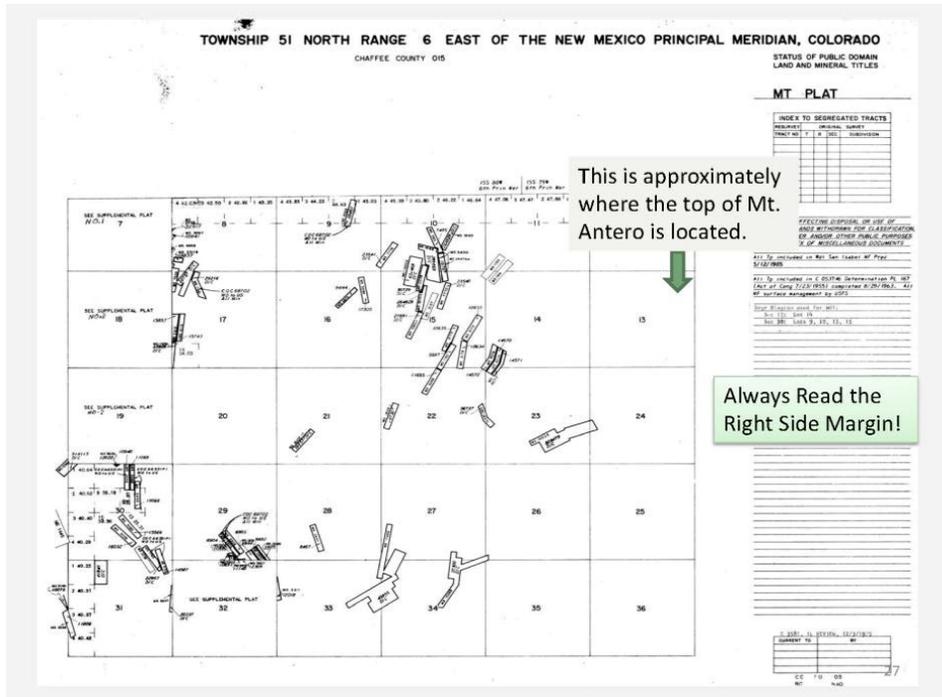
The Master Title Plat will help you determine if the land is open to mining, is subject to a power site classification, is located within a lot, or other status issues that may affect how you locate the claim.

The **Master Title Plat (MTP)** is a composite diagram of a township depicting:

- Basic survey information (Mineral Survey's)
- Title transfer information (Patents, Sales, Exchanges, Re-conveyance, Acquisitions, etc.)
- Use authorizations (Withdrawals, Segregations, Leases, Permits, Rights of Way, etc.)
- Power site withdrawals.

Further inquiry to an MTP notation would require looking at the **Historical Indices (HI's)** for the township. The historical indices provide a chronological history of all land actions in the township, as noted on the MTP. The first land action in the township begins on page 1, and subsequent land actions are documented through to the present day.

The MTP does not show topography, or landmarks, so it is important to use other research material to be ensured you are in the correct area. Notation will generally appear at the bottom in the center of the outline of the lands involved.



When researching the MTP, always read the right-side margin.

When the entire township is managed by one agency, this will be stated in the right-side margin, and no withdrawal line will appear on the MTP.

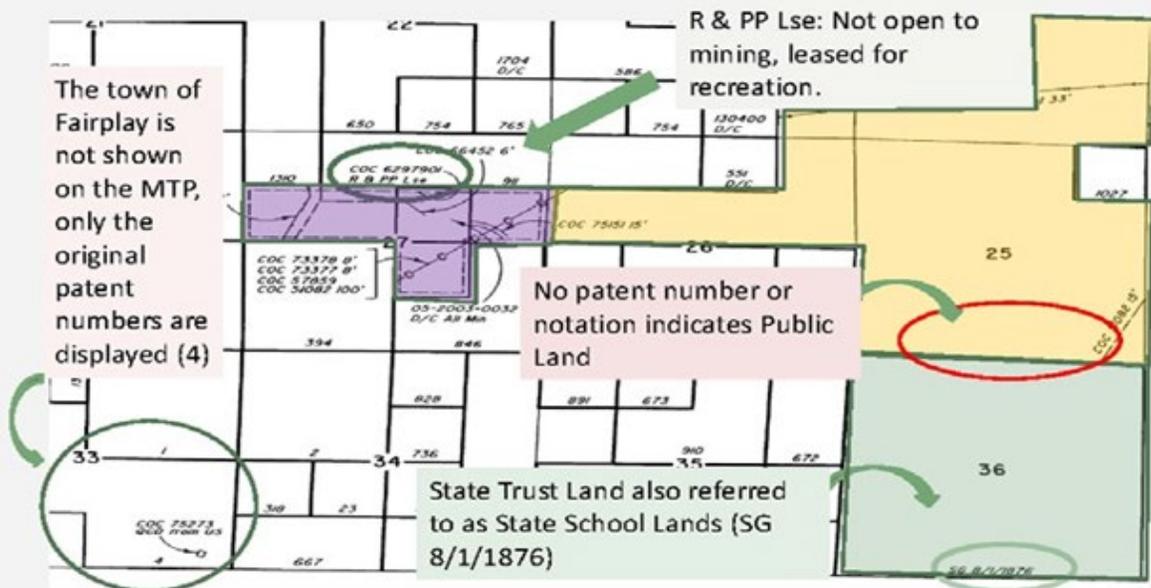
Cities and towns are not noted on MTP's and this can be

confusing. The snapshot of part of an MTP shown below, labeled #1 has a colored overlay to highlight this situation. The snapshot labeled #2 explains some of the common abbreviations found on MTPs.

- D/C = a reservation of ditches or canals to US this reservation is an easement for ditches or canals which may be constructed by the US.
- PL 167 = Public Law 167 pertains to administrative jurisdiction by the US over the surface resources on unpatented mining claims and the lands are open to multiple uses. Withdrawal line (— • —) used for US Forest, National Wildlife Refuges, etc.
- Withdrawal line (-----) used for leases, permits etc.
- R&PP - a Recreation and Public Purpose Lease.
- ALL MIN - All minerals are reserved to the US, meaning they remain US property.
- SG - State school grant lands
- QCD from US - is a quit claim deed from the US to convey ownership

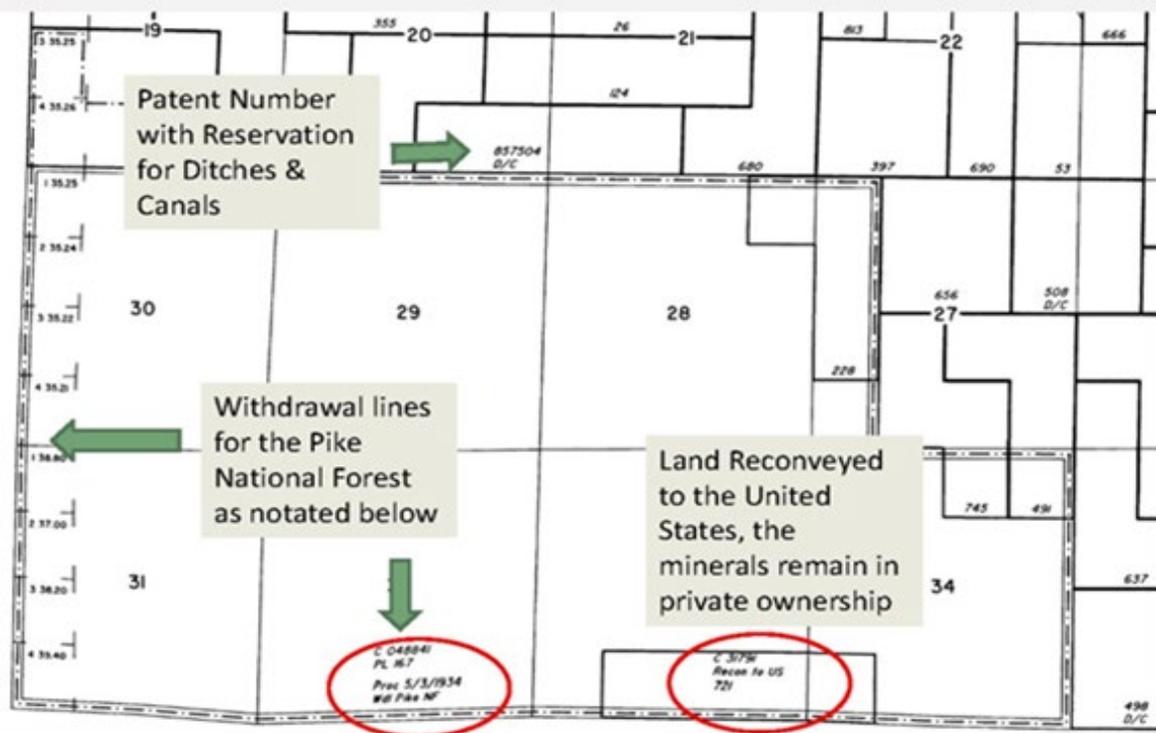
#1

Master Title Plat with Color Overlay

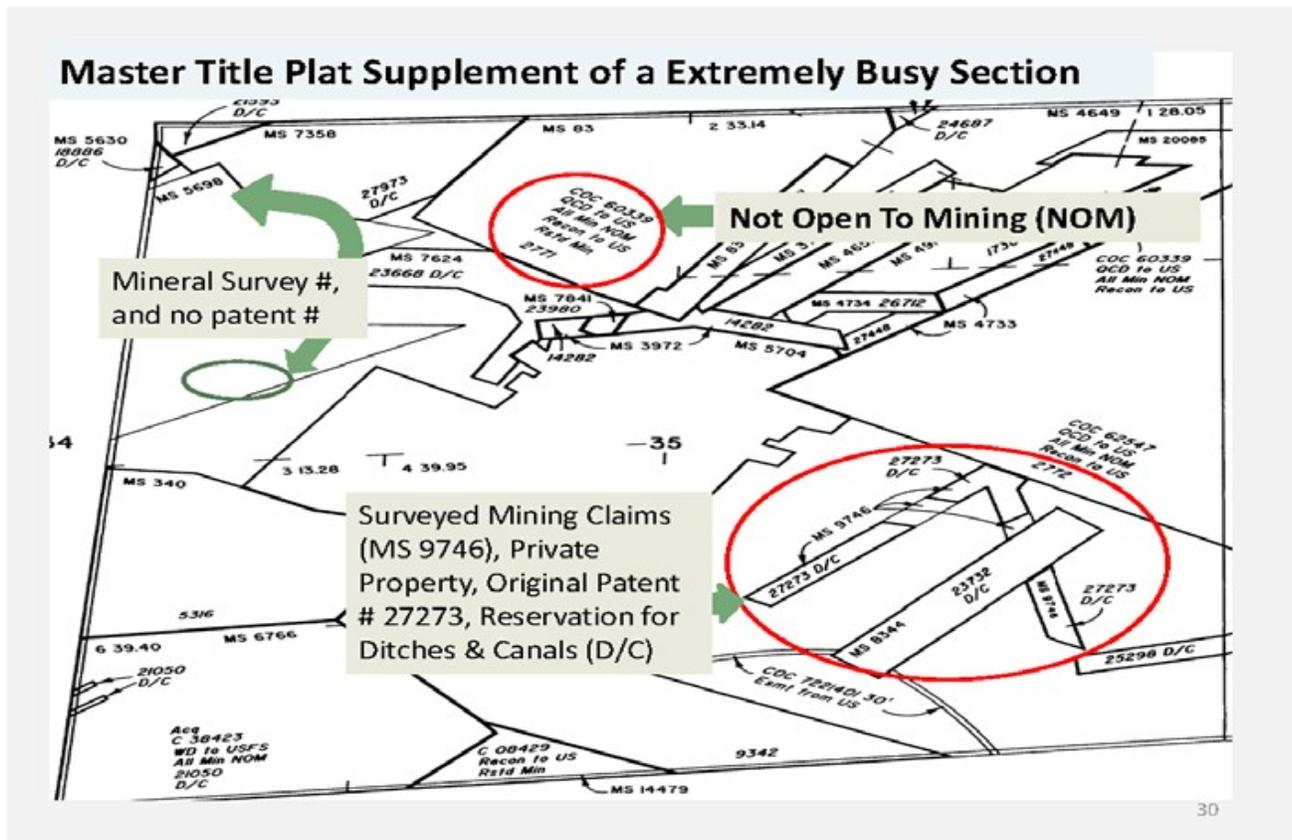


#2

Master Title Plat Showing a National Forest Boundary



Supplemental Master Title Plat



Mineral Survey numbers (MS 5987) outlined on an MTP without a patent # never left US ownership, but at one time an official Mineral Survey was conducted on the area.

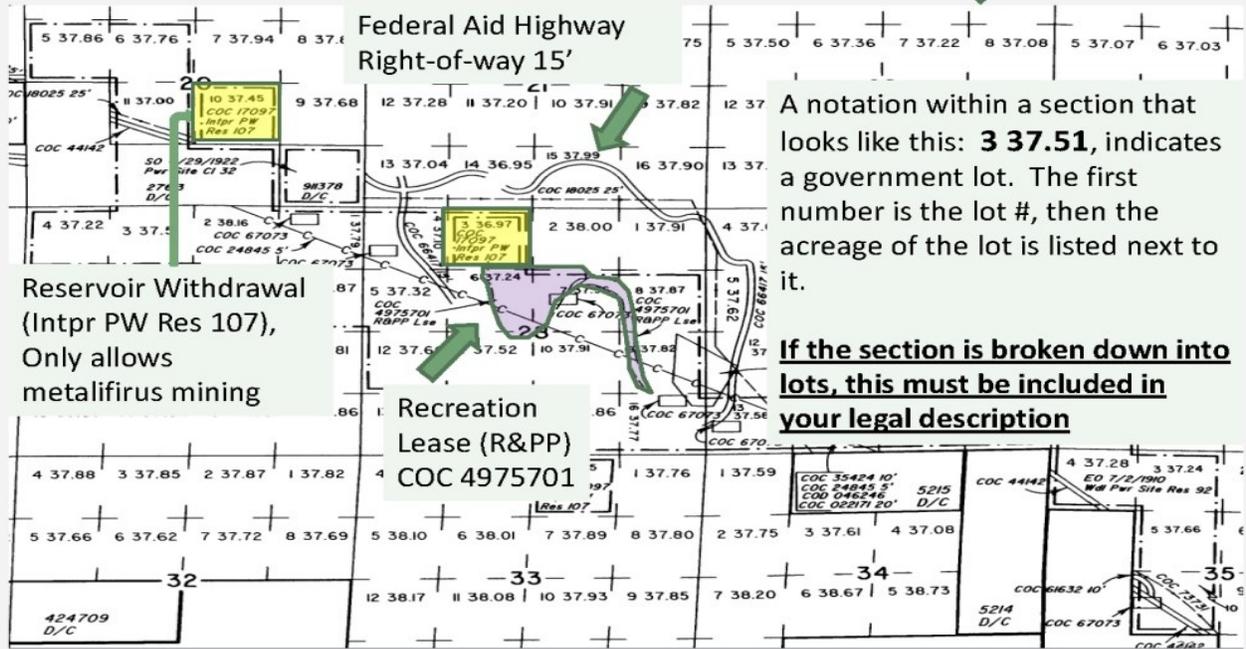
Abbreviation Definitions

- NOM - the area is not open to mining claims or not open to mineral entry.
- Recon to US – lands reconveyed to the US
- RSTD MIN - restricted minerals, the US does not own the entire mineral estate
- ACQ - means the land or minerals were acquired for a monetary amount by the US.

Reservoirs

The notation of RES - is a reservoir withdrawal, some are open to metalliferous mining and others are withdrawn (closed) to mining. These withdrawals are different than the power site areas, however sometimes you will find both in the same area.

Master Title Plat Showing Many Irregular Sections



A notation within a section that looks like this: **3 37.51**, indicates a government lot. The first number is the lot #, then the acreage of the lot is listed next to it.

If the section is broken down into lots, this must be included in your legal description

Special or Additional Filing Requirements in Certain Areas:

Irregular Sections

Protracted townships and sub-divided sections may not be broken down into smaller parcels without a survey, therefore, mining claims or sites in these areas may be described by metes and bounds.

Placer Mining Claims Located in Lots

A placer mining claim must be described by PLSS and claim the entire lot. To locate a placer, claim on only a portion of a lot, you must describe the claim by metes and bounds. A tie point, and the lot number must also be provided AND the claim can only be in a part of one lot. Meaning one placer mining claim or association placer mining claim MAY NOT encompass portions of two or more lots.

Federal Aid Highway, Rights of Way

A Federal Aid Highway Right-of-Way will appear like a road on the MTP, with a notation of the serial number, and the width of the right-of-way (COC 18025 25'). Use the Historical Index to determine if that road right-of-way is a Federal Aid Highway. A Federal Aid Highway is not open to mineral entry, and if it runs through a placer claim, it does split the claim into two non-contiguous pieces. Placer mining claims must be contiguous.

Public Mining Claims Reports

Mining Claims - Claim Action(s)

Mining Claims - Claim Name/Number Index

Mining Claims - Customer Info Report

Mining Claims - Geographic Index Report

Mining Claims - Geographic Report

Mining Claims - Serial Number Index

+ Mining Claims - Serial Register Page (SRP)

For MLRS technical support, such as running reports or access to the system, submit a help desk ticket at: <https://phd.blm.gov>.

Federal Unpatented Mining Claims Located on the Same Ground?

Yes - This is a known risk when holding unpatented mining claims.

This is a reality and a potential risk with unpatented mining claims. Claims may be located on the same ground at the same time. While we advise against this, the BLM does not get involved in disputes between claims holding unpatented mining claims. Conflicts between unpatented mining claims must be resolved by the parties involved or by a civil case in the State of Colorado court system.

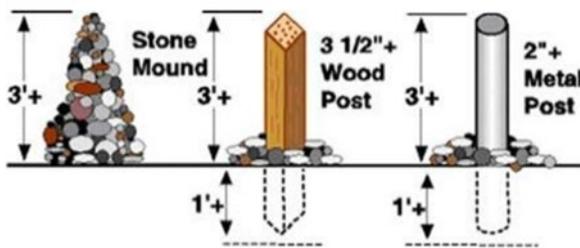
The only way to determine the actual location of a mining claim or site is to request copies of the COL and map from the official case file by calling the Dockets Library at COSO at 303-239-3615 or by email at blm_co_so_dockets@blm.gov.

3. Stake and Monument the Corners

Federal law specifies that claim boundaries must be distinctly and clearly marked to be readily identifiable. Most states have statutes and regulations concerning the actual staking and recording of mining claims so claimants should refer to the appropriate state agency for additional requirements before locating a claim.

Stake and monument the corners of a mining claim or site which meets applicable state monument requirements and the size limitations described in 43 CFR §3832.22 for lode and placer claims, 43 CFR §3832.32 for mill sites, and 43 CFR §3832.42 for tunnel sites.

In general, state law requires conspicuous and substantial monuments for all types of claims and sites



Help eliminate hazards to birds and other wildlife by using

A request to mining claimants to stop using open-pipe mining claim markers which pose a threat to birds or other wildlife is explained in the brochure



4. Certificate of Location (COL)

Once the mining claim or site is located on the ground, it must be properly documented and described on a certificate of location (COL) and an accompanying map. A separate COL is required for each mining claim or site recorded. Multiple COLs filed at the same time may share the same map. There is no official COL or map form for the State of Colorado, thus using a COL form from another state is acceptable.

The Federal regulations at [43 CFR 3833.11](#), require the following information must be provided on a COL:

- (1) The name or number, or both, of the claim or site.
- (2) The names and current mailing addresses of the locators of the claim.
- (3) The type of claim or site.
- (4) The date of location; and
- (5) A complete description of the lands you have claimed as required in part 3832 of this chapter.

EXAMPLE- CERTIFICATE OF LOCATION

STATE OF COLORADO, County of _____.

KNOW ALL BY THESE PRESENTS, that **_Claimants Name** the undersigned citizens of the United States, whose legal address to be used for all correspondence regarding said claim is:

(Claimant's Legal Address) _____ has located and claimed this 20 day of July, 20 .

Lode claim description by metes and bounds:

Beginning at corner #1, thence 600 feet south at 180° to corner #2, thence 1500 feet east at 90° to corner #3, thence 600 feet north at 0°, to corner #4, thence 1500 feet west at 270° back to corner #1, place of beginning.

Tie Point: Beginning at T3S R72W survey monument for corner of sections 4,5,8,9, thence 3587 feet at 225° to claim corner #1.

Placer claim description by the PLSS:

NE ¼ SW ¼, S15, T 3S, R 75W, 6th PM; area 40 acres.

This claim would be situated in the SW & NW Quarter, of Section 8, Township 3S, Range 72W, of the 6th Meridian.

Said lode was located on the 20 day of July 20.

Claimants Name and Address

Signature (not required)

BLM SERIAL NO.: CMC# 123456

Important Reminders for the Certificate of Location and Map

File with the local recording office.

File with the BLM Colorado State Office, paying the processing fees to file

- \$40 Location Fee (refundable)
- \$20 Processing Fee (non-refundable)
- \$165 Maintenance Fee (refundable) **

Total fees for a lode, 20-acre placer mining claim or a mining site is: \$225

**\$165 maintenance fee is due for each 20 acres in an association placer claim.

Recordation Deadline:

BLM
90 days

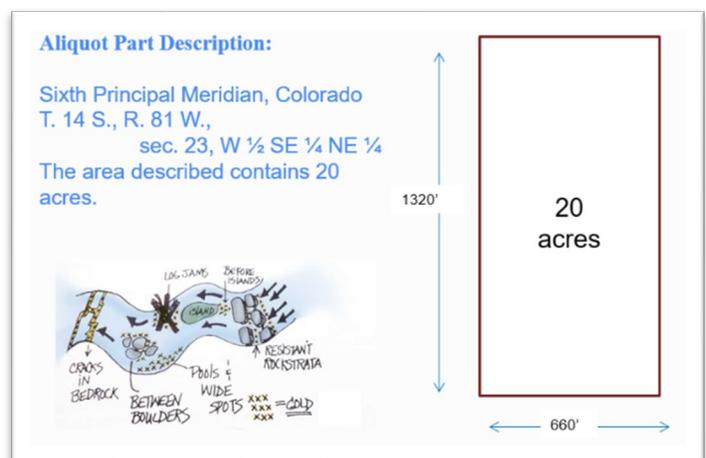
State of Colorado

- 30 days for placer claims
- 90 days for lode claims & mill/tunnel sites.

- Only when a claimant files the COL and map with \$225.00 (or more if required) will a serial number be assigned to the claim, a case file created, and the information entered in MLRS.
- The claimant must record the COL and map with the county clerk and recorder office and provide the BLM state office with proof of recording. The county recordation number will be entered in MLRS.

Types of Mining Claims

Placer Claim: Rock not in original place (river sands or gravel); may not exceed 20 acres per individual claimant; maximum size is 160 contiguous acres with at least 8 locators; must be described by aliquot part; if in unsurveyed township must state the quarter section, can be described by a metes & bounds description & must provide a map/sketch describing the location of the claim accurately enough for BLM to locate it on the ground ([43 CFR 3832.12](#) and [3832.21](#)).

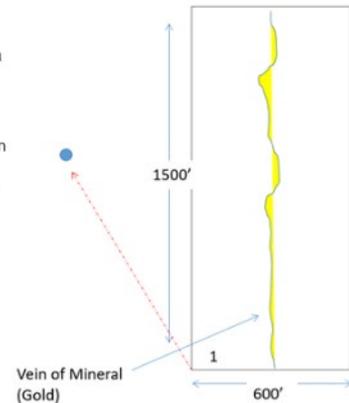


Lode Claim: Veins, ledges, or other rock in place; not to exceed 1500 ft. by 600 ft. or 20.66 acres; must state the quarter section and be accompanied by a map/sketch describing the location of the claim by a metes & bounds description accurately enough for BLM to identify the claim on the ground. ([43 CFR 3832.21\(a\)](#)).

Metes and Bounds Description

Beginning at corner #1, then go 600 ft. east to corner #2, then 1,500 ft. north to corner #3, then 600 ft. west to corner #4, then 1,500 feet south back to corner #1.

The section corner is N 31° W, 1250 ft. from corner #1



Types of Mineral Entries

Mill Site: 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. Description of the location of the site can be by aliquot part or metes & bounds ([43 CFR 3832.33](#)).

Tunnel Site: Subsurface right-of-way used for access to lode claims or exploration of undiscovered lodes; not to exceed 3000 ft. in length with a radius of 1500 ft. ([43 CFR 3832.41](#)).

5. Map of the Mining Claim or Site

The regulations state you must file either-

(A) A topographical map published by the U.S. Geological Survey with a depiction of the claim or site; or

(B) A narrative or sketch describing the claim or site and tying the description to a natural object, permanent monument or topographic, hydrographic, or man-made feature.

(ii) You must show on a map or sketch the boundaries and position of the individual claim or site by aliquot part within the quarter section accurately enough for BLM to identify the mining claims or sites on the ground.

(iii) You may show more than one claim or site on a single map or describe more than one claim or site in a single sketch—

(iv) You are not required to employ a professional surveyor or engineer to establish the location's position on the ground.

Township Diagram

The township diagram is provided to assist you in documenting the mining claim.

Form 9600-18
(February 1979)
(formerly 9180-19)

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

TOWNSHIP DIAGRAM *

Township	Range	Meridian	State
36	31	32	33
6	5	4	3
12	7	8	9
13	18	17	16
24	19	20	21
25	30	29	28
36	31	32	33
6	5	4	3
2	2	2	2
6	6	6	6

*SCALE: 1 INCH = 1 MILE

6. Recording a New Mining Claim or Site in Colorado

County Recordation

The COL and map **must be** recorded in the local county office (clerk and recorder) where the claim/site is located.

The State of Colorado's deadline for recording a COL in the county clerk and recorder's office from the date the claim is located is 30 days if it is a placer claim, and 90 days if it is a lode claim.

BLM Recordation

You must record in the proper BLM State Office a copy of the notice of certificate of location that you recorded or will record in the local recording office by the 90th day after the date of location.

(a) If you fail to record a mining claim or site with the BLM and the local recording office by the 90th day after the date of location, it is abandoned and void by operation of law.

(b) Recording a mining claim or site, filing any other documents with BLM, or paying fees or service charges, as this part requires, does not make a claim or site valid if it not otherwise valid under applicable law. (43 CFR §3833.1)

How to File a Mining Claim in MLRS

- Currently you can use MLRS to submit a **NEW** lode, placer, tunnel site, or mill site mining claim.
- **THE COL AND MAP FOR THE CLAIM MUST BE UPLOADED INTO THE MLRS SYSTEM OR MAILED INTO THE BLM COLORADO STATE OFFICE.**
- **Failure to submit the official COL and map within the 90-day window for locating a new claim or site will invalidate the mining claims or site.**
- **The regulations require BLM to reject incomplete filings.**



STEP 1

Once logged in, click **File a New Mining Claim** from the Homepage.

Mineral & Land Records System HOME MY CLAIMS RESEARCH HELP CENTER Search...

Welcome back, Manny Miner!

Research on our Real-time Map [Get Started](#)

File and Manage your Mining Claim [Get Started](#)

Issues Needing Attention Search this list...

Serial Number	Case Name	Location	Status	Date Filed
AZ100002185	QG Claim	AZ	Under Review	Aug 6, 2020
AZ100001042	Manny Placer Claim	AZ	Active	Jun 11, 2020
AZ100002082		AZ	Filed	Jul 8, 2020
AZ100001045	testing 2	AZ	Active	Jun 16, 2020

Take Action

[File a New Mining Claim](#)

[View Additional Claim Options](#)

Trending Articles

[Do I still need to file my claim with the county?](#)

[What is Public Law 167 and 585?](#)

[What is Public Law 359?](#)

STEP 2

On the New Claim window, complete the following fields to proceed:

- **Claim Type:** Select your claim type. There are four types of claims you can select: lode, placer, mill site, tunnel site.
- **Claim Name:** Type the name of your claim.
- **Date of location:** Select a date of location. The date of location is required to be within 90 days of the filing.

Click **Save and Continue** to proceed to the next step.

File a New Claim

Case Informati... Claimants Plot Claim Certificate of L... Payment Confirmation

Please fill out all required fields (*).

* Claim Type

* Claim Name ⓘ

* Date of Location ⓘ

Save and Continue

STEP 3

On the Claimants page, choose your co-claimant(s). If you do not have co-claimant(s), you can skip this step.

Lookup Co-Claimant(s): In this field, you can enter a co-claimant by searching for their name, mailing address, phone number, or email address. Once you have selected your co-claimant, click **Add Claimant**.

Click **Save and Continue** to proceed to the next step.

File a New Claim

Progress bar: ✓ Claimants | Plot Claim | Certificate of L... | Payment | Confirmation

If applicable, add any co-claimants. If none, please click save and continue.

Lookup Co-claimant(s)

Type name, mailing address, phone or e-mail

	Name	Address	Phone	Email
1	Louis Miner			christine...

Save and Close | Previous | Save and Continue

STEP 4

On the Plot Claim step, you have 4 different options to choose from to populate your legal land description (LLD) on your claim:

- Option 1: Enter your stake coordinates.
- Option 2: Select area on the map.
- Option 3: Upload a GIS file.
- Option 4: Manually enter your land description

***PL 359:** Select this checkbox if your claim falls under public law 359. Scroll down the page and click **Save** to proceed to the next step.

The screenshot shows the 'File a New Claim' interface. At the top, a progress bar indicates the current step is 'Plot Claim', with previous steps marked as complete and subsequent steps ('Certificate of L...', 'Payment', 'Confirmation') as pending. Below the progress bar, the instruction reads: 'Choose an option below to populate your legal land description (LLD) on your claim.' Four options are presented in yellow-bordered boxes, each with a numbered callout: 1. 'Enter Stake Coordinates' (with a location pin icon), 2. 'Select Area on the Map' (with a map icon), 3. 'Upload GIS File' (with a cloud upload icon), and 4. 'Or enter land description manually'. The manual entry section includes fields for 'Administrative State' (a dropdown menu), 'Acre Size' (a text input), 'Claim in a Lot' (a checkbox), and 'PL 359' (a checkbox). Below these are 'SRHA' and 'NOITL Serial Number' (both with checkboxes and information icons), and a large text area for 'Metes & Bounds Description'.

STEP 5

Next, you MUST upload your Notice/Certificate of Location (COL) and Map.

Click **Upload Files** to upload the file(s) to your claim.

After you have completed uploading your file(s), click **Save and Continue** to proceed to the next step.

File a New Claim

✓ ✓ ✓ **Certificate of L...** Payment Confirmation

Please upload your Notice/Certificate of Location (COL). If you have a Map Illustration in addition to your COL, please upload your Map Illustration here.

Upload Files Or drop files

MY DOCUMENTS

Name	Type	Date	

Save and Close Previous **Save and Continue**

STEP 6

On the Payment page, please review and verify your information.

Click **Submit Payment and File** to be redirected to [Pay.Gov](https://www.pay.gov) and complete your payment information.

Note: If you are filing multiple claims, you can save time by following the directions below:

1. Click **Save & Create New Claim** to create your other claims. All new claims will automatically be saved as a Draft.
2. Once you have all your claims created, click **Save & Bulk Pay** to pay for all your claims at once

File a New Claim

✓ ✓ ✓ ✓ **Payment** Confirmation

Please review your information below. Once the information is correct, click submit payment and file.

Claim Name:	Louis PC
Date of Location:	2020-05-06
State:	AZ
Claim Type:	Placer Claim
Processing Fee:	\$20
Location Fee:	\$40
Initial Maintenance Fee:	\$165

Filing more than one claim? Save time and pay for all of them at once.

Please create all new claims first. They will be saved as a **Draft** and then select **Pay All New Claim Filing Fees** from your list of actions.

[Save & Create Next Claim](#) [Save & Bulk Pay](#)

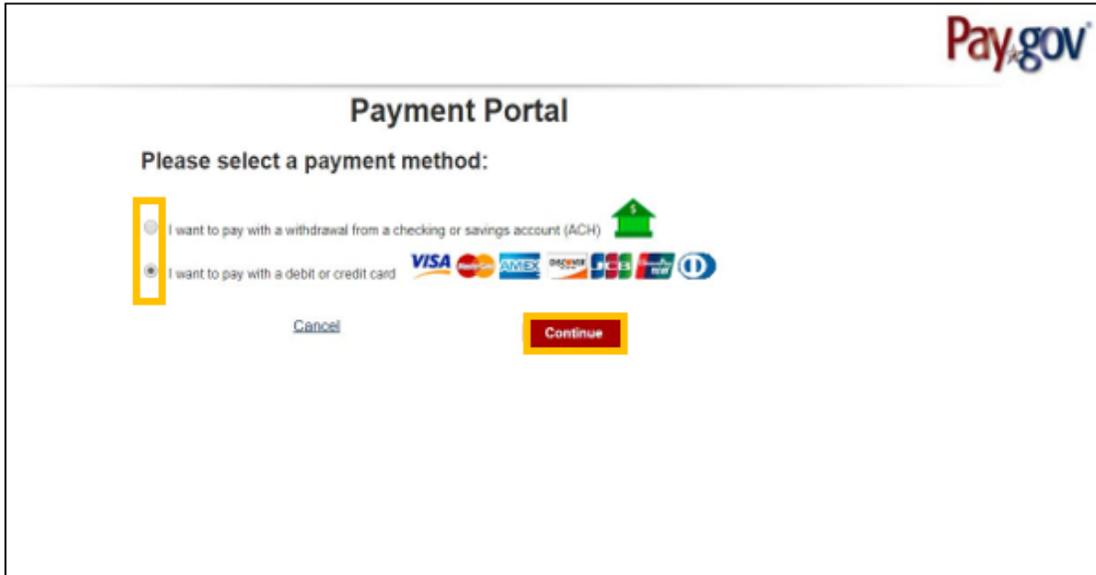
Total: \$225

Warning: If you currently have claims under a small miner waiver, you must continue to own or control ten or less claims during the entire assessment year. If this claim puts you over the ten claim limit, your waiver will be immediately canceled and you will be required to pay the maintenance fees for the claims on the waiver.

[Save and Close](#) [Previous](#) [Submit Payment and File](#)

STEP 7

Select your form of payment then click **Continue** to enter your payment details.

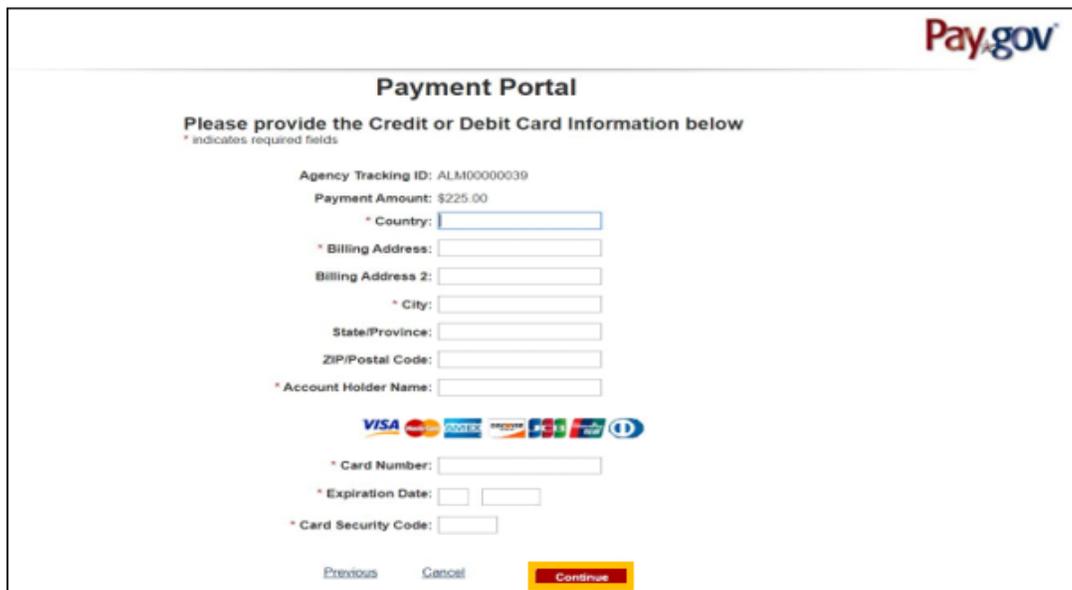


The screenshot shows the 'Payment Portal' interface. At the top right is the 'Pay.gov' logo. The main heading is 'Payment Portal'. Below it, the instruction reads 'Please select a payment method:'. There are two radio button options: the first is 'I want to pay with a withdrawal from a checking or savings account (ACH)' with a house icon, and the second is 'I want to pay with a debit or credit card' with a row of credit card logos (VISA, MasterCard, AMEX, Discover, JCB, UnionPay, and Diners Club). The second option is selected, and a yellow box highlights the radio button. At the bottom, there are 'Cancel' and 'Continue' buttons, with 'Continue' highlighted in yellow.

STEP 8

Fill in the required fields to process your payment.

Click **Continue** to proceed to the next step.

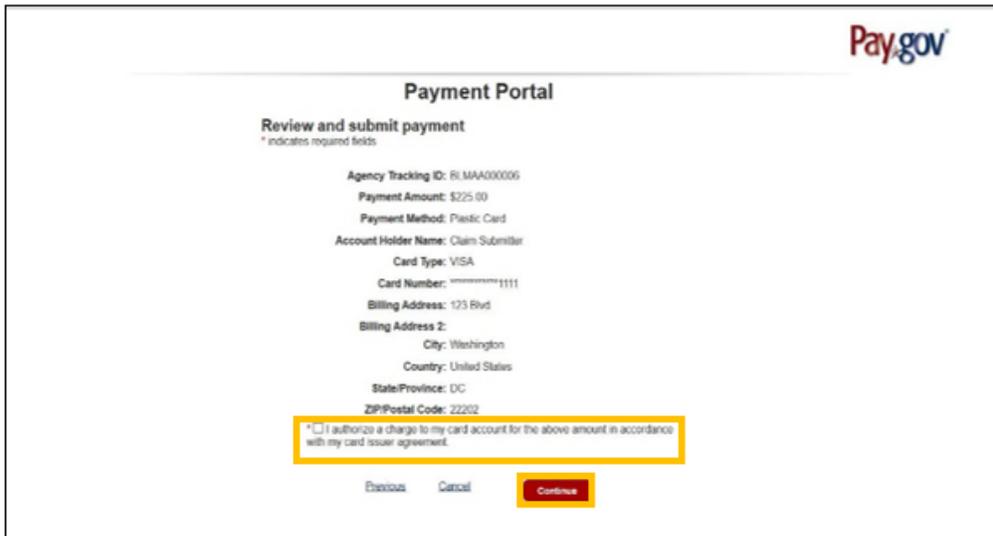


The screenshot shows the 'Payment Portal' interface for entering credit or debit card information. At the top right is the 'Pay.gov' logo. The main heading is 'Payment Portal'. Below it, the instruction reads 'Please provide the Credit or Debit Card Information below'. A small note says '* indicates required fields'. The form displays 'Agency Tracking ID: ALM00000039' and 'Payment Amount: \$225.00'. The required fields are: Country, Billing Address, Billing Address 2, City, State/Province, ZIP/Postal Code, Account Holder Name, Card Number, Expiration Date, and Card Security Code. Each field has an asterisk indicating it is required. Below the fields are logos for VISA, MasterCard, AMEX, Discover, JCB, UnionPay, and Diners Club. At the bottom, there are 'Previous', 'Cancel', and 'Continue' buttons, with 'Continue' highlighted in yellow.

STEP 9

Select the checkbox to authorize the charge to the payment information you entered.

Click **Continue** to finalize your payment and to be redirected to MLRS.



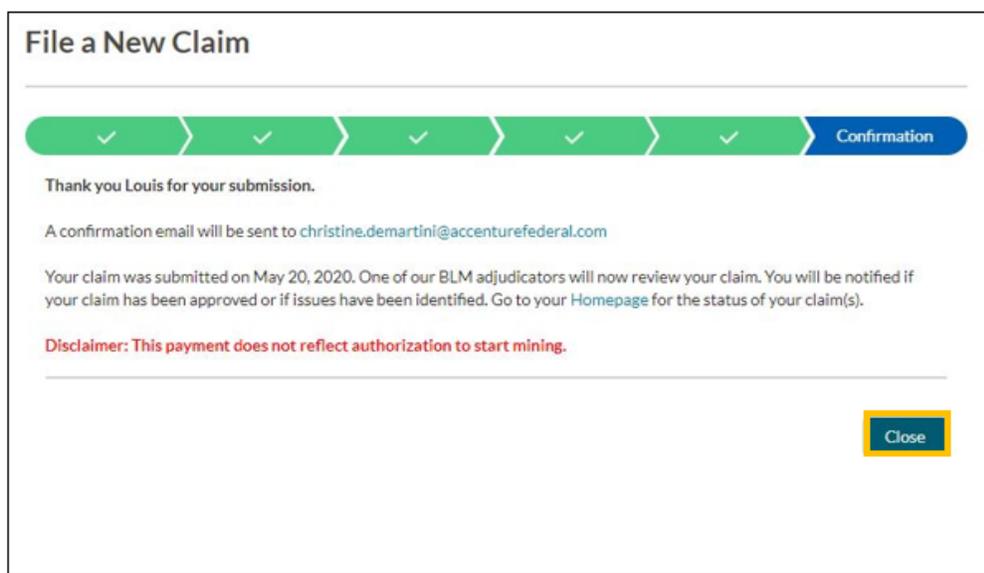
The screenshot shows the 'Payment Portal' interface for 'Review and submit payment'. It includes the Pay.gov logo in the top right corner. The main content area lists payment details: Agency Tracking ID (RI:MAA000006), Payment Amount (\$225.00), Payment Method (Plastic Card), Account Holder Name (Claim Submitter), Card Type (VISA), Card Number (partially masked), Billing Address (123 Blvd, Washington, DC, United States), and ZIP/Postal Code (22202). A checkbox is checked, and a text box below it contains the authorization statement: '*I authorize a charge to my card account for the above amount in accordance with my card issuer agreement.' At the bottom, there are three buttons: 'Previous', 'Cancel', and 'Continue' (highlighted in red).

STEP 10

Your claim has been filed and is now in review.

MLRS has generated a serial number for your new claim as a unique identifier for reference. You will receive a confirmation email.

Click **Close** to exit.



The screenshot shows the 'File a New Claim' confirmation screen. At the top, there is a progress bar with five green steps and a final blue step labeled 'Confirmation'. Below the progress bar, the text reads: 'Thank you Louis for your submission.' and 'A confirmation email will be sent to christine.demartini@accenturefederal.com'. It also states: 'Your claim was submitted on May 20, 2020. One of our BLM adjudicators will now review your claim. You will be notified if your claim has been approved or if issues have been identified. Go to your Homepage for the status of your claim(s).' A red disclaimer follows: 'Disclaimer: This payment does not reflect authorization to start mining.' At the bottom right, there is a 'Close' button highlighted with a yellow border.

BLM Fees

New mining claim locations submitted to this office without the proper fees will not be serialized and will be returned unrecorded pursuant to the technical final rule published in the Federal Register on July 1, 2019, 84 FR 31219.

The fees to file a new mining claim or site with the BLM Colorado State Office are:

- \$40 Location Fee (refundable)
- \$20 Processing Fee (nonrefundable)
- \$165 Maintenance Fee** (per 20 acres for association placers, see below) (refundable)

Total Fees Required: \$225

Fees for Association Placer Claims

A required \$165 maintenance fee for each 20 acres or portion thereof is due to locate an association placer mining claim as shown in the table below:

Acreage in the Claim	Maintenance Fee Payment Due
<= 20 acres	\$165.00
> 20 acres and <= 40 acres	\$330.00
> 40 acres and <= 60 acres	\$495.00
> 60 acres and <= 80 acres	\$660.00
> 80 acres and <= 100 acres	\$825.00
> 100 acres and <= 120 acres	\$990.00
> 120 acres and <= 140 acres	\$1,155.00
> 140 acres and <= 160 acres	\$1,320.00

Refunds

If you record outside the 90 days window from the date of location, or you locate a claim on lands withdrawn from mineral entry (not open to mining) the location and maintenance fee(s) paid at the time of location will be refunded to you after the 30-day appeal period which begins the day after the official Decision, issued by this office is delivered to all claimants on the mining claim or site.

Adjudication

When a mining claim or site is received, the claim goes through a preliminary adjudication, a review for:

- Acreage errors on COL or map
- Complete name and mailing address for each claimant.
- Missing or incorrect legal description on COL or map

- Location date either missing or over 90 days from the date of filing

Curable Defects:

If this office finds an error or a discrepancy in the paperwork filed to locate the mining claim or site, we will issue a Notice to the claimants. A Notice is issued if a discrepancy exists in the location paperwork and is considered a curable defect, meaning claimants may fix the error by filing an amendment to the COL and/or map within the given time frame.

This office will upload mining claims or sites into the MLRS system upon receipt, and an official case is available for public viewing in our Dockets library. Claimants are issued a Notice of Recordation letter with copies of the filing, and a receipt

This office is not required to send out notifications that the annual maintenance fee payments are due, it is the claimants' responsibility to pay the fee or file a waiver prior to September 1 of each year.

Land Status

The BLM Colorado State Office performs a land status determination on the land and minerals within the area encompassed by the mining claim or site to determine if it is open to location under The General Mining Law of 1872, as amended.

If the lands are not open to location under the General Mining Law of 1872, as amended, this office will issue an official Decision declaring the mining claim or site null and void. Claimants are due a refund of the initial location and maintenance fee(s) when the land is not open to location. We do not adjudicate other unpatented mining claims in an area or conflicts between claimants.

Bridge Mining Claims/Sites

A bridge claim is a mining claim that is located close to the annual filing deadline of September 1, because it bridges two assessment years.

When a new mining claim's location date is prior to September 1, but not filed with the BLM until after the annual filing deadline of September 1, two maintenance fees are due. A maintenance fee for the assessment year in which the claim was located and a maintenance fee for the assessment year that was due on the September 1. If a claimant qualifies, the option to file a waiver for the maintenance fee due on September 1 (not the maintenance fee for the year in which the claim is located) is available. This additional requirement must be met at the time of recording the new mining claim or sites.

7. Annual Maintenance of a Mining Claim or Site

Annual maintenance fees or filings may be mailed or walked in to the:

Bureau of Land Management
Colorado State Office
2850 Youngfield Street
Lakewood, CO 80215-7076

The Andy Senti Public Lands Information Center will accept walk in filings and payments from 8:30 am to 4:00 pm, Monday through Friday. They may be reached at 303-239-3600 or by email at blm_co_info@blm.gov. Walk in filings or payments **WILL NOT BE ACCEPTED** outside these hours. DO NOT LEAVE FILINGS WITH THE MAILROOM STAFF OR ON THE GUARDS DESK.

The Mineral & Land Record System (MLRS) allows you to file online!

You can submit a filing or payment on an **EXISTING** lode, placer, tunnel, or mill site claim, including:

- Transfer of Interest
- Relinquishment
- Paying maintenance fees
- Submitting an Amendment
- Submitting Affidavit of Assessment Work/Proof of Labor
- Submitting a Notice of Intent to Hold
- Designating Active-Duty Military Status

**** Maintenance Fee Waiver Certifications may NOT be filed online using MLRS****

****Mining claims must be in 'Active' status for MLRS to allow any filings at this time****

What if you Miss the Annual Filing Deadline?

Failure to pay the required annual maintenance fee without having timely filed a qualifying request for a waiver on or before September 1, will cause the claimant to forfeit their mining claim/site (43 CFR 3830.91(a)(4)). Meaning, if you miss any annual filing deadline the mining claim will be closed.

The Interior Board of Land Appeals have ruled that it is the claimants' responsibility to pay the annual maintenance fee or file a qualifying waiver each year, prior to the deadline of September 1st for the upcoming assessment year. Failure to meet this deadline is a non-curable defect and renders the mining claim abandoned and void and closed on our records.

Also, our regulations at 43 C.F.R. §3830.91 state: What happens if I fail to comply with these regulations?

- (a) You will forfeit your mining claims or sites if you fail to—
- (1) Record a mining claim or site within 90 days after you locate it;
 - (2) Pay the location fee or initial maintenance fee within 90 days after you locate it;
 - (3) Pay the annual maintenance fee on or before the due date;

Locating a Mining Claim After a Missed Deadline

As the previous mining claim was closed for failure to meet a filing or payment deadline, regulations allow you to file a new mining claim on the same area. This may be done by using the same paperwork or by creating a new certificate of location (COL) and map.

A few reminders when re-using paperwork and locating a new mining claim:

Please remember to remove any date stamps or serial numbers if you plan to use these old documents to file. Also, your name and address should be on each document. Claimants are allowed 90 days from the date of location to: stake the claim (you may use the previous posts out on the ground), file with the county, and file with the BLM, allow yourself enough time to complete the process when selecting the new date of location.

The COL and map must be updated to a new location date. If the old location date is on the paperwork, we will reject the claim.

New mining claims may be filed in our office, by mail or online using the [Mineral & Land Records System](#) (MLRS).

Important Reminders for the Annual Maintenance Requirement

- ! Annual assessment for all Federal unpatented mining claims and sites every year!
 - ! A maintenance fee payment is required; or you must file a qualifying Maintenance Fee Waiver Certification (small miner waiver) & later, within the assessment year, perform \$100 worth of work on the claim.
 - ! The annual maintenance requirement is for the upcoming (next) assessment year, not the current year.
 - ! The BLM does not bill mining claimants each year. It is the claimant's responsibility to meet the deadlines.
 - ! BLM may issue reminder notifications; this is a courtesy and may not happen every year.
 - ! The annual maintenance requirement is due on or before September 1 each year.
-

County Filing Requirement:

When you pay the maintenance fee in lieu of performing assessment work on the mining claim(s)/site(s), a statement indicating this and the date of payment, or a copy of the maintenance fee payment form/receipt should be filed at the county.

The Affidavit of Assessment Work or Notice of Intent to Hold must be filed at the county recorder’s office (C.R.S. 34-43-114).



BE ALERT!
FILING REQUIREMENTS ARE SUBJECT TO CHANGE!

As an owner of Federal unpatented Mining claims or sites you are responsible for keeping yourself informed of the changes in the filing requirements and the mining laws. Congress may pass legislation affecting filing requirements and the procedure may change.

BLM Forms

Forms may be filled out online and printed to submit to this office. The most current mining claim forms are available on our website at: <https://www.blm.gov/services/electronic-forms>

Maintenance Fees

Due September 1st

Maintenance Fees for Lode Claims or Mining Sites

The claimant must pay the \$165 maintenance fee payment for each lode mining claim or mining site by September 1 of each year.

The claimant may use the new form available titled [Maintenance Fee Payment Form for Lode Claims, Mill Sites, and Tunnel Sites \(Form 3830-5\)](#), or provide a list of the claim/site name(s) and BLM serial number(s) for which the fees are being paid

Maintenance Fees for Placer Mining Claims

All existing placer mining claims that contain more than 20 acres will pay the annual maintenance fee based on the total acreage in the claim as follows:

Acreage in the Claim	Maintenance Fee Payment Due
<= 20 acres	\$165.00
> 20 acres and < = 40 acres	\$310.00
> 40 acres and < = 60 acres	\$465.00

> 60 acres and < = 80 acres	\$620.00
> 80 acres and < = 100 acres	\$775.00
> 100 acres and < = 120 acres	\$930.00
> 120 acres and < = 140 acres	\$1,085.00
> 140 acres and < = 160 acres	\$1,240.00

Key: <= means "less than or equal to"; ">" means "more than." "

Claimants may use the form available titled, [Maintenance Fee Payment Form for Placer Mining Claims \(Form 3830-5a\)](#), or provide a list of the claim/site name(s) and BLM serial number(s) for which the fees are being paid.

Important Reminders about Maintenance Fees

1. The maintenance fee payment is for the next assessment year, not the current year.
2. The maintenance fee payment is due on or before September 1 each year.
3. [BLM Forms 3830-005 or 3830-005a](#) are available and should be filed with a payment.

Recordation Deadline:

BLM
On or Before September 1

State of Colorado
December 30th

Only if you and all co-claimants own 10 or fewer mining claims or sites nationwide, may you file a Maintenance Fee Waiver Certification (Form 3830-2) (waiver).

Maintenance Fee Waiver Certification

Due September 1st

To waive the maintenance fee requirement for mining claim(s)/site(s), each claimant must qualify as a "small miner". This means they and all related parties have an interest in no more than 10 unpatented mining claim(s)/site(s) nationwide, throughout the entire assessment year.

To apply as a small miner, it is **mandatory** that you use an official Maintenance Fee Waiver Certification ([Form 3830-2](#)), commonly referred to as a small miner waiver. It must be completed and filed with the BLM **by September 1 BEFORE each assessment year you are applying for**. There is no fee requirement.

The information required to be on a small miner waiver is:

- The assessment year dates for which you are filing
- The claim name(s) and BLM serial number(s)
- The owner(s) listed with their current address
- Original signature of each owner (agent may sign with permission)

An agent may only sign for an owner when a notarized designation of agent is/was received by this office.

Notice: A maintenance fee waiver becomes void if the mining claim or site is transferred to individuals or entities who do not qualify.

When filing a small miner's waiver, you are required to file either an [Affidavit of Assessment Work \(3830-004\)](#) or a Notice of Intent to Hold (NOI) along with a \$15 per claim/site processing fee by December 30 of the calendar year in which the assessment year ends.

EXAMPLE – MAINTENANCE FEE WAIVER CERTIFICATION

UNITED STATES		<i>THIS IS NOT AN OFFICIAL FORM – DO NOT USE TO FILE WITH THE BLM</i>
DEPARTMENT OF THE INTERIOR		
BUREAU OF LAND MANAGEMENT		
MAINTENANCE FEE WAIVER CERTIFICATION		
This small miner waiver is filed for the assessment year beginning on September 1, 2021 and ending on September 1, 2022 .		
The undersigned and all related parties owned ten or fewer mining claims, mill, or tunnel sites located and maintained on Federal lands in the United States of America on September 1, 2021 .		
The mining claims, mill, or tunnel sites for which this waiver from payment of the maintenance fees is requested are:		
CLAIM OR SITE NAME	BLM SERIAL NUMBER	
The owner(s) (claimants) of the above mining claims or sites are:		
<i>Claimants Name</i> (Owner's Name – Please Print)	<i>Claimants or Agents Original Signature</i> (Owner's Signature)	
<i>Claimants Address</i> (Owner's Mailing Address)	<i>Claimants Address Continued</i> (City) (State) (Zip Code)	
<i>THIS IS NOT AN OFFICIAL FORM – DO NOT USE TO FILE WITH THE BLM</i>		

Important Reminders about Waivers (small miner waiver)

When claimants file a **Maintenance Fee Waiver Certification (Form 3830-2) (waiver)** they are referred to as “small miners”. This means they and their related parties have an interest in 10 or fewer claims and sites nationwide. A related party is defined at 43 CFR 3830.5 as the spouse, dependent children, or other person who controls or is controlled by or is under common control with the claimant.

<p>Recordation Deadline:</p> <p>BLM On or Before September 1</p> <p>State of Colorado None</p>

By filing the waiver, the claimants are opting out of paying the annual maintenance fee in exchange for the performance of \$100 of assessment work on each mining claim. Filing a waiver instead of paying the maintenance fee is only an option for small miners, it is not a requirement. If a waiver is filed and the claimants intend to conduct assessment work on the claim, they need to first contact the appropriate BLM or USFS Field Office prior to any disturbance.

The Maintenance Fee Waiver Certification (Form 3830-2) is due on or before September 1, as a maintenance fee payment would be due. A current, BLM Form 3830-2 titled Maintenance Fee Waiver Certification (Form 3830-2) **is the only form** that may be used to file as a small miner. When a current Small Miner Maintenance Fee Waiver Certification (Form 3830-2) is available, this is the only acceptable form. There is no fee to file this form with the BLM.

The Maintenance Fee Waiver Certification (Form 3830-2) is filed in August for the upcoming assessment year, not the current year as it is written on the top of the form.

The claimants and their related parties must only hold interest in 10 or fewer mining claims or sites nationwide throughout the entire assessment year to qualify as a small miner.

If the claimants or related parties file a new mining claim or site, or otherwise obtain interest in any mining claims or sites throughout the assessment year that brings their interest over 10 mining claims or sites nationwide; the waiver will be revoked as they are no longer a small miner. The revocation of the waiver happens immediately. As the waiver is revoked, all maintenance fees for the mining claims or sites must be paid before the end of the assessment year or they will be forfeited and closed.

The Maintenance Fee Waiver Certification (Form 3830-2) must list each person with interest in the mining claims or sites. It must provide their name, current address, and ORIGINAL SIGNATURE. This means you may not file a copy of this form with the BLM COSO, we must have the originally signed form.

There is no county recordation requirement for the waiver form. The affidavit of assessment work and/or the notice of intent to hold must be recorded in the county.

Federal Land Policy and Management Act (FLPMA) Filings

Affidavit of Assessment Work

Due December 30th

When a small miner waiver is filed for a mining claim, the claimant must perform a minimum amount of \$100 of labor and improvements on the claim IN the assessment year, EVERY year, and file an affidavit of assessment work along with a \$15 per claim processing fee in the BLM State Office by December 30 of the CALENDER year in which the assessment year ends. Coordination with the appropriate BLM or USFS field office is required, prior to any assessment work being initiated.

There is a new BLM form that may be used titled [Affidavit of Annual Assessment Work \(Form 3830-004\)](#) or claimants may create an affidavit which is defined as *a written declaration made under oath or affirmation before a notary public or other authorized officer, in which the signer swears or affirms that the statements or declarations in the document are true* so long as it has the following required information on the document:

- The statement "the undersigned have performed \$100 worth of assessment work as required by law (30 U.S.C. 28) for each mining claim listed
- Claimant name and current address
- Claim name(s) and BLM serial number(s)
- Date range in which the work was performed
- Signed by Claimant or Person (s) who performed the work

Affidavits should be signed and notarized

Since 1992, and according to State of Colorado law (C.R.S. 34-43-114), the claimant may pay the annual maintenance fee per claim or site in lieu of performing the annual assessment work.

Assessment work is work or labor performed in good faith that tends to develop the claim and directly helps in the extraction of minerals. Geological, geophysical, and geochemical surveys may qualify as assessment work for a limited period. However, a requirement for use of these surveys is the filing of a detailed report, including basic findings. Assessment work is not a requirement for owners of mill or tunnel sites.

Performance of assessment work need not occur during the first assessment year of location as the initial maintenance fee is paid when the mining claim or site was located.

However, for claims located between September 1 and December 31, and if the claimant is filing a waiver for the upcoming assessment year, the claimant must file a Notice of Intention to Hold (NOI) the claim with the BLM by December 30 of the following calendar year.

Important Reminders about \$100 Assessment Work Requirement

A total sum of \$100 of assessment work must happen in the assessment year covered by the waiver for each mining claim listed on the waiver. This is required for every assessment year covered by a waiver.

To document this work, an affidavit of assessment work along with a \$15 processing fee must be filed with the BLM by December 30th. The affidavit must also be recorded at the county (recordation fees apply). The affidavit of assessment work is filed in the same calendar year the work is performed.

Recordation Deadline:

BLM
On or Before December 30th

State of Colorado
December 30th

A BLM form [Affidavit of Assessment Work \(Form 3830-004\)](#) is available for your use on our website, however this form is not required.

Whenever a waiver is filed for a claim, an Affidavit of Assessment Work is always due before December 30th, regardless of whether you pay the maintenance fee for the upcoming assessment year.

Notice of Intent to Hold

Due December 30th

A Notice of Intention to Hold Mining Claim(s)/Site(s) (NOI) must be filed in the following circumstances:

- It is the first year you have located your claim, and a small miner waiver has been filed for the upcoming year (assessment work is not required the first year of location)
- A small miner waiver has been filed on a tunnel or mill site claim (assessment work is not required on mining sites)
- The maintenance fee has been paid for the current year, and a small miner waiver is being filed for the upcoming assessment year (switching from paying maintenance fee to filing as a small miner waiver)
- The BLM has issued a decision granting a deferment of assessment work

There is no BLM form available. Claimants may use template forms from other states or create a form that meets the State and Federal requirements. The NOI form must state:

- BLM serial number(s) and claim name(s)
- Change in mailing address of the claimant(s)
- Statement as to why assessment work is not required
- Signature of claimant(s) or their designated agent(s)

The NOI along with a \$15 per claim/site processing fee is due by December 30 of the calendar year (the same year) that the assessment work requirement would be due.

EXAMPLE - NOTICE OF INTENT TO HOLD

<p>THIS IS NOT AN OFFICAL FORM</p>	<p>NOTICE OF INTENT TO HOLD (NOI) MINING CLAIM(S)/SITE(S)</p>	<p>THIS IS AN EXAMPLE FORM. DO NOT USE THIS TO FILE WITH THE BLM.</p>				
<p>TO ALL WHOM IT MAY CONCERN:</p> <p>I (We) intend to hold the claim(s) and/or site(s) listed below for the assessment year 2020 and has filed or will file a NOI in the country in which the claim is located.</p> <p>The reason for filing a NOI instead of an Affidavit of Assessment Work/Labor (POL) (check one):</p> <p><input type="checkbox"/> Mill Site or Tunnel Site</p> <p><input type="checkbox"/> Mining claim(s)/site(s) were located during the current assessment year</p> <p><input type="checkbox"/> The assessment work obligation has not yet come due</p> <p>The Certificate(s) of Location and map(s) for said claim(s)/site(s) is filed in the _____ County records.</p> <table border="1" style="width: 100%;"> <tr> <td style="width: 50%;">Name of Claim(s) or Site(s):</td> <td style="width: 50%;">BLM Serial No(s):</td> </tr> <tr> <td>RETIREMENT FUND</td> <td>CMC 555555</td> </tr> </table> <p>A total number of _____ claim(s) is being field with this document.</p> <p>Name(s) and mailing address (es) of owner(s)/ claimant(s):</p> <p>Dated this day _____ of _____, 20____. Signed By: Owner, Claimant, Agent, Signature</p> <p>THIS IS NOT AN OFFICAL FORM – DO NOT USE TO FILE WITH THE BLM</p>			Name of Claim(s) or Site(s):	BLM Serial No(s):	RETIREMENT FUND	CMC 555555
Name of Claim(s) or Site(s):	BLM Serial No(s):					
RETIREMENT FUND	CMC 555555					

Important Reminders about Notices of Intent to Hold (NOI)

Mill sites and tunnel sites never have a work requirement.

When is an NOI required?

- No assessment work is required
- Switching from paying the maintenance fee to filing a waiver (this includes the maintenance fee paid at the time of locating the claim/site)

There is no official NOI form. However, when you submit a NOI as required in §3835.31(d), you must include the following:

- State on the form why you are filing a NOI instead of assessment work (filed a waiver for the upcoming year)
- The name of the mining claim
- The BLM serial number
- Current name and address(es) for the claimants
- The processing fee of \$15 per claim

Recordation Deadline:
BLM
On or Before December 30 th
State of Colorado
December 30 th

8. Switching/Changing Annual Claim Maintenance

Switching from Paying Maintenance Fee to Waiver

If you paid the maintenance fee the previous year and are now switching to filing a waiver.

- A Notice of Intent to Hold with a \$15 per claim fee is due by December 30th of the calendar year that you filed the waiver.
- The assessment work of \$100 must be completed in the assessment year.
- The Affidavit of Assessment Work with a \$15 per claim fee is due by December 30th of the calendar year that the assessment year ends. This would be the assessment year listed on the waiver.

Switching from Filing a Waiver to Paying the Maintenance Fee

If you filed a waiver the previous year and pay the maintenance fee for the upcoming year, the assessment work is still required.

- The assessment work of \$100 must be completed in the assessment year.
- The Affidavit of Assessment Work with a \$15 per claim fee is due by December 30th of the calendar year that the assessment year ends. This would be the assessment year listed on the waiver.

Annual Filing Requirement Scenarios

New Mining Claims or Sites

Scenario #1

When a new claim is located (location date) prior to September 1st and the claim is not filed with the BLM until after September 1st it bridges two assessment years (referred to as a Bridge Claim). What is due at the time of filing with the BLM?

Location Date	Filed at BLM	New Location Filing Fees		Additional Requirement
7-1	9-15	\$225	PLUS	\$165 maintenance fee or waiver

Scenario #2

A new lode mining claim located and filed with the BLM close to the September 1st assessment year deadline, and the claimant pays the maintenance fee every year after location.

Location Date	Date Filed with BLM & Fees	By September 1st	By December 30th	By September 1st	By December 30th
7-1	7-5 \$225	Pays \$165 maintenance fee	No Filing Requirement	Pays \$165 maintenance fee	No Filing Requirement

Scenario #3

A new lode mining claim located and filed with the BLM close to the September 1st assessment year deadline, and the claimant files a waiver after the first year of location.

Location Date	Date Filed with BLM & Fees	By September 1st	By December 30th	By September 1st	By December 30th
7-1	7-5 \$225	Files a Waiver for the UPCOMING assessment year	A Notice of Intent to Hold	Files a Waiver for the UPCOMING assessment year	Files Affidavit of Assessment Work showing at least \$100 of work performed from 9/1 to 9/1.

Existing Mining Claims or Sites

Scenario #1

A claimant pays maintenance fees on an existing claim, then switches to filing a waiver certification the next year, and then switches back to paying maintenance fees the following year.

By Sept. 1, 2018	By Dec. 30, 2018	By Sept. 1, 2019	By Dec. 30, 2019	By Sept. 1, 2020	By December 30, 2020
Has paid maintenance fees since location & pays maintenance fee for 2019 assessment year	No Filing Requirement	Files a waiver for 2020 assessment year	Notice of Intent to Hold for 2019 is due, because claimant switched to a waiver	Pays the maintenance fee for the 2021 assessment year.	Files 2020 Affidavit of Assessment Work stating at least \$100 of work was completed between 9/1/2019 to 9/1/2020.

Scenario #2

What happens when a claimant has been filing for the waiver on an existing claim and switches to paying the maintenance fee for the next year and then back to filing for the waiver for the following year.

By Sept. 1, 2018	By Dec. 30, 2018	By Sept. 1, 2019	By Dec. 30, 2019	By Sept. 1, 2020
Has filed waivers since location & files a waiver for the 2019 assessment year	Files 2018 Affidavit of Assessment Work showing at least \$100 of work performed from 9/1/2017 to 9/1/2018.	Pays 2020 maintenance fee	Files 2019 Affidavit of Assessment Work showing at least \$100 of work performed from 9/1/2018 to 9/1/2019.	Files a waiver for 2021 assessment year Continued below...

By December 30, 2020	By September 1, 2021	By December 30, 2021
A notice of intent to hold for 2020 is due, because they switched to a waiver. No assessment work is due.	Files a waiver for the 2022 assessment year	Files 2021 Affidavit of Assessment Work showing at least \$100 of work performed from 9/1/2020 to 9/1/2021.

9. General Upkeep of the Mining Claim

Amendments

Recording an Amendment

An amendment to a location for an active mining claim or site can be made at any time. The amendment must be filed with the appropriate county recording office *before* it is filed with the BLM Colorado State Office.

An amendment may be made by creating a new COL and/or map and clearly writing amended at the top. An amendment may also be created by making the necessary changes on a copy of the original COL and/or map and clearly marking it as an amendment at the top. An amended location always relates back to the original location date of the mining claim or site. The BLM requires a \$15 nonrefundable processing fee to file an amended COL.

County Filing Requirement for Amendments:

An amended COL must be recorded with the BLM within 90 days after you record the amended COL in the local recording office.

If an amendment is being filed in response to a Notice or Decision issued by the BLM, then you are required to properly file the amended COL within 30 days from the date you receive the Notice or Decision by certified mail. This means the amended COL must be recorded in the local recording office and then with the BLM Colorado State Office within the 30 days granted.

Amendments are used to:

- Correct or clarify omissions or defects in the original location certification.
- Change legal descriptions due to an error made on the original certificate (the location on the ground cannot be changed); and
- Change the claim name.

Amended COLs must be recorded at the proper county recorder's office prior to recordation with the BLM (43 CFR 3833.22). You must record amended COLs with the BLM within 90 days after you record the amendment in the county recording office. BLM will not recognize any amendment to your mining claim until you file it properly.

Address Changes

To change the address of a claimant, submit a note/letter identifying the claim or site name(s), the BLM serial number(s), the owners' name, and the current address and the new address you are reporting. There is no charge to file this document.

A change of address may also be made when filing the annual paperwork. Please make a note on the paperwork of the address change.

Abandonment (Relinquishment) of a Mining Claim

Upon abandonment of a claim or site (relinquishment) to the Federal Government, file a notice of relinquishment with the county recorder's office and the BLM CO State Office. No form is required; a letter is acceptable.

The name and address of the claimant, date of relinquishment (if different than the filing date), claim or site name, and the BLM serial number should be listed on the document. The relinquishment document may list multiple claims or owners as needed. All owners who are abandoning their interest must sign the document. There is no charge to file this document.

10. Buying or Selling Mining Claims or Sites

Transferring interest in a mining claim or site.

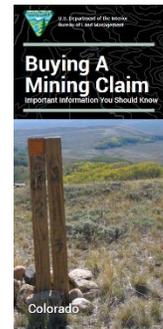
An unpatented mining claim is considered real property of which a person's interest may be transferred, purchased, or conveyed to another. State laws govern transferring mining claims or sites (43 CFR 3833.32).

When an owner of an unpatented mining claim sells, assigns, or otherwise conveys all or any part of his interest in the claim they must file a transfer document with the county recorder's office and with the BLM Colorado State Office. The date the transfer document is signed and notarized (executed) is the effective date for the transfer according to state law (C.R.S. 38-30-113 (2015)).

In Colorado, the transfer document shall identify (C.R.S. 38-30-113 (2015)):

- Grantor's name
- Grantee's name and address
- Mining claim name and BLM serial number (legal description is helpful as well)
- County name where the mining claim is located
- Consideration – the actual purchase price paid
- Grantor's Signature
- Signature of a notary public (C.R.S. 38-35-101 (2015))

BUYING A MINING CLAIM, IMPORTANT INFORMATION YOU SHOULD KNOW



The brochure is found on our website at:

https://www.blm.gov/sites/blm.gov/files/documents/files/2017_Buying%20Mining%20Claim.pdf

Federal unpatented mining claims or sites are sold in various ways, including online. This brochure provides general guidelines to help one understand what they are purchasing. It is important you investigate the mining claim or site and the location on Public Land before purchase.

County Filing Requirements for Transfers of Interest:

State law governs the transferring of mining claims or sites. A transfer is effective in the manner and on the date provided by state law. In Colorado, instruments affecting title to real property must be properly executed and filed in the county (C.R.S. 38-35-101).

County recording fees will vary, and the BLM has a \$15 nonrefundable per claim/ per grantee processing fee due at the time of filing with the BLM. This means if two grantee's purchase one claim, the fee is \$30.

Transferring association placer mining claims

You may transfer, sell, or otherwise convey an association placer mining claim at any time to an equal or greater number of mining claimants.

If an association placer claim is transferred to an individual or association (group of people/entities) that is smaller in number than the current owners, you must:

- A. provide a mineral report documenting the discovery of a valuable mineral deposit before the transfer; or
- B. you must reduce the acreage of the claim, so that you meet the 20-acre per claimant/owner limit.

Per 43 CFR 3830.5, a discovery means that you have found a valuable mineral deposit. Any association placer claim transferred that does not meet these requirements is not a valid mining claim.

Transferring Mining Claims Held by a Maintenance Fee Waiver

If you currently hold mining claims under a waiver and you purchase, inherit, or otherwise obtain mining claims or sites that are subject to a waiver:

1. All claimants and related parties must only hold interest in 10 or fewer claims/sites nationwide throughout the entire assessment year to continue to hold any of the claims under a small miner waiver.
2. If you or related parties on the claim/site do not qualify for the waiver, the annual maintenance fee for the current assessment year must be paid by the September 1 for all claims held by a waiver owned by that individual or related parties, following the date the transfer became effective under state law.

11. Are You Ready to Dig?

The BLM is responsible for ensuring the prevention of unnecessary or undue degradation of Public Lands by operations authorized by the mining laws. Anyone intending to develop mineral resources on the Public Lands must prevent unnecessary or undue degradation of the land and reclaim disturbed sites (43 CFR 3809).

A mining claimant who is not conducting operations under casual use or does not have a filed Notice or approved Plan of Operations, is considered a visitor of the BLM Public Lands.

Further, the use and occupancy will be different on US Forest Service lands. The local office of the Federal agency who manages the surface where a mining claim is located will have policies and procedures applicable to any surface disturbing activity within their jurisdiction.

Visitors may occupy the land no longer than 14 days in any 90-day period within a 25-mile radius of the initially occupied site unless the BLM has concurred with a proposed extended Use and Occupancy request (43 CFR 3715). Any occupancy on the Public Lands longer than this allowable timeframe, for the purposes of conducting activities under the Mining Law, must be conducted under a filed Notice or approved Plan of Operations with a concurrence for Use and Occupancy.

You may not construct permanent structures, mobile structures, store equipment or vehicles or use unauthorized roads or trails without prior with the agency.

Mining on Federal land is also subject to local and state rules and regulations dealing with mining.

Mine Permitting Requirements for the State of Colorado

The [State of Colorado, Division of Reclamation, Mining, and Safety \(CO DRMS\)](#) coordinates education and training to ensure safety while mining and provides permit forms on their website. The first step is to contact them about the proposed operations and filling out an “is it mining” form.



COLORADO
Division of Reclamation,
Mining and Safety
Department of Natural Resources

There are permits for mineral prospecting as well as operations. Activities must be authorized and bonded with both the BLM (or other surface management agency) and CO DRMS prior to any surface disturbance.

If State laws or regulations conflict with this subpart regarding operations on public lands, you must follow the requirements of this subpart. However, there is not typically a conflict if the State law or regulation requires a higher standard of protection for public lands than this subpart (43 CFR 3809.3).

12. Classifying Mining Operations

Prior to beginning operations, we strongly advise operators to contact the BLM Field Office with jurisdiction for the area where the operation is proposed to determine what classification your operation falls under. For operations conducted on United States Forest Service (USFS) land, you must contact the appropriate USFS office for regulations applicable to locatable mineral operations.

13. Reclamation

Surface Management Agency Coordination

Reclamation Requirements

If you have disturbed the surface of lands encompassed by your mining claim(s) and/or site(s), you must continue to follow the requirements set forth in all applicable laws and regulations, including the regulations of the applicable surface management agency. For lands administered by the BLM, the regulations are found in 43 CFR Subparts 3715 and 3809.

If your mining claim(s) and/or site(s) are located on lands withdrawn from mineral location and entry, or your mining claim(s) or site(s) were located prior to July 23, 1955, this decision extinguishes any valid existing rights you may have had associated with these claim(s) and/or site(s), which may affect any current or pending surface use authorizations. Please contact the applicable surface management agency regarding any current or pending use authorization for the lands subject to these mining claims or sites.

If you fail to remove structures, material, equipment, and any personal property at the conclusion of your occupancy or operations on federal lands, the surface management agency may dispose of the property and you will remain liable for the costs incurred in removing and disposing of the property.

Frequently Asked Questions

What rules apply to gold panning?

Answer: Gold panning is allowed on BLM lands without special permits, unless expressly prohibited. Gold panning is an example of what is typically considered casual use. Casual use is defined as those activities that cause little or no surface disturbance (43 CFR 3809.5(1&2)). There may be special rules that apply to certain areas including, but not limited to, the Arkansas River area. Contact the Surface Management Agency's field office with jurisdiction over the area where you intend to gold pan for further guidance before you begin.

I like to go collect rocks in a minimal amount as a hobby; do I need a mining claim to legally collect?

Answer: No.

I have a favorite place on Public Land where I dig for minerals, but I do not find many that I take with me. Does this activity still qualify as rock hounding?

Answer: It may qualify as casual use according to BLM regulations. Check with the appropriate Federal Surface Management Agency and the Colorado Division of Reclamation, Mining and Safety for guidance.

Does an active mining claim guarantee me rights to extract minerals without a bond?

Answer: No.

Prior to conducting surface-disturbing activities, contact the appropriate Federal Surface Management Agency and the Colorado Division of Reclamation, Mining and Safety to ensure the proper paperwork is filed and the appropriate financial guarantees are secured.

Do I need a mining claim to suction dredge on Public Land?

Answer: No.

If you intend to conduct suction dredging activities on Federal land it is in your best interest to contact the local BLM field office or FS ranger district to determine how you should proceed and what paperwork you may need to file.

A mining claim gives the claimant the exclusive right to the minerals being claimed.

Is a patented mining claim private property?

Answer: Yes.

Is an unpatented mining claim considered real property?

Answer: Yes.

The discovery of a valuable mineral deposit within the limits of a mining claim located on Public Lands in conformance with state and Federal statutes validates the claim; and the locator acquires an exclusive possessory interest in the mineral deposits within the claim.

Further, the claim is property in the fullest sense of that term; and may be sold, transferred, mortgaged, and inherited without infringing any right or title of the United States...so long as he complies with the provisions of the mining laws [*United States Supreme Court case of Wilbur v. U.S. ex rel Krushnic, 280 US 306 (1930)*].

The owner of an unpatented claim is entitled to mine, remove, and sell all valuable mineral deposits within his claim boundaries provided he follows the regulations for Surface Management under 43 CFR 3809, and is entitled to such surface rights necessary for mining operations.

Can I file a mining claim to get my own land in the mountains?

Answer: No.

A mining claim on Public Lands is a "possessory mineral interest." This means that a mining claimant has a limited right to the location for mining or milling purposes only. No deed accompanies this right.

If the surface use is not otherwise encumbered, anyone may enter upon a claim on Public Lands for any purposes other than mining locatable minerals.

If I file a mining claim can I eventually obtain title (patent) to the land?

Answer: No.

As of October 1, 1994, Congress imposed a moratorium on spending appropriated funds for the acceptance or processing of mineral patent applications that had not yet received First Half Final Certificate (FHFC) or were not in Washington, D.C. for Secretarial review of FHFC on or before September 30, 1994. Until the moratorium is lifted, the BLM will not accept any new applications.

Who can locate a mining claim?

Answer: United States Citizens and those who have filed an application for citizenship as well as business entities organized under the laws of any state (43 CFR 3830.3) can locate a mining claim.

Is the General Mining Law of 1872, as amended still in effect?

Answer: Yes.

The General Mining Law of 1872 as amended regulates mining on Public Land. Budget Acts by Congress, portions of the Federal Land Policy and Management Act of 1976 (FLPMA), as amended, and the Surface Resources Act of 1955 affect this law.

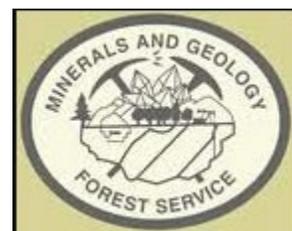
Further, the Federal regulations for unpatented Mining claims or sites on Public Land may be found in the Code of Federal Regulations (CFR) under Title 43 "Public Lands," Section 3802, 3809, and 3830.

I want to locate a mining claim or site on US Forest Service (USFS) land; do I follow the same procedure to locate?

Answer: Yes.

The regulations and procedures to locate and maintain a mining claim or site on Federal land are the same for BLM and USFS land. However, the regulations and procedures to begin mining operations are different depending on the Surface Management Agency (BLM or USFS).

Contact the appropriate Federal Surface Management Agency and the Colorado Division of Reclamation, Mining and Safety office prior to conducting surface-disturbing activities on your mining claim.



Is there information on the location of unpatented Mining claims or sites available on-line?

Answer: Yes.

Current information on unpatented mining claims may be found by searching the MLRS database. A query for active or closed Mining claims or sites may be run by selecting a report under the title "Public Mining Claim Reports." If you have questions regarding running a MLRS report, contact the Andy Senti Public Lands Information Center at 303-239-3600, Monday through Friday from 9am to 4pm.

Is it possible to determine the exact location of a claim using MLRS?

Answer: No.

The exact location of the claim can be found by locating the claim markers on the ground. Requesting a copy of the certificate of location and map from the official case files kept in the Dockets Library, may be helpful as a guide to locating the claim markers.

All documents within an official mining claim case file may be copied for the public. A fee of \$0.15 per page is assessed for copy work (additional fees for oversize documents). The documents may also be scanned for \$0.15 per page and emailed to you. Contact the BLM Colorado Dockets Library at 303-239-3615 or by email at: blm_co_so_dockets@blm.gov for more information.

How can I get information on mining claims that date back to the early 1800's or 1900's?

Answer: Research the General Land Office Records website or Federal Land Records on microfiche in the Andy Senti Public Lands Information Center.

Historic mining claim information may be found online at the General Land Office Records website (<https://gloreCORDS.blm.gov/>) or by contacting the Andy Senti Public Lands Information Center at 303-239-3600.

To do an effective search, you will need to have some basic information on the mining claim, such as legal description, Mineral Survey number, or the original patent serial number. Records of official surveys as well as original patents are available.

Will I need a bond for my mining operation?

Answer: Yes, if the level of activity of your operation is greater than casual use. In addition, the bond will be determined by the location and activity level of your operation.

Contact the appropriate Federal Surface Management Agency and the Colorado Division of Reclamation, Mining and Safety office prior to conducting surface disturbing activities.

Who do I contact if I have questions about my mining operation?

Answer: Contact the BLM field office or USFS ranger district office that has jurisdiction over the location where you propose surface-disturbing activities. In addition, you must contact the State of Colorado Division of Reclamation, Mining and Safety.

What is involved in reclamation of a mining claim?

Answer: *Reclamation* generally, is the rehabilitation of mined land to mitigate the adverse environmental effects of mining. Some components of reclamation include: the isolation, control, or removal of acid-forming, toxic, or deleterious substances; the regrading and reshaping to conform with adjacent landforms, facilitating revegetation, controlling drainage, and minimizing erosion; the

rehabilitation of fisheries or wildlife habitat; the placement of growth medium and establishment of self-sustaining revegetation; the removal or stabilization of buildings, structures, or other support facilities associated with an exploration or mining project; the plugging of drill holes and the closure of underground workings and ancillary facilities; and providing for post-mining monitoring, maintenance, or treatment of disturbed or impacted areas.

If I file a mining claim or site over a historic mining site, do I have any rights to the abandoned equipment?

Answer: No.

If a Federal unpatented mining claim is located over the remains of a previous mining operation (abandoned mining claim) and the new mining claimant removes damages or uses property left on the abandoned claim, he/she may be subject to civil and criminal liability. Unauthorized removal and/or sale of property abandoned by a prior locator on an unpatented mining claim can constitute a criminal act under 18 USC 641.

If the boundaries of private land or a withdrawn area such as a wilderness area are not marked on the ground, am I still responsible for trespassing?

Answer: Yes.

In the State of Colorado, there is no law that landowners must mark the boundary of their land. It is the claimant's responsibility to determine their location in relation to the private property or withdrawn land to avoid trespassing. You are responsible for knowing your location.

The extraction of minerals on BLM land is generally identified by three levels of surface-disturbing activity as well as by any intended commercial use (sales). Please refer to section 31 titled "Classification of Operations – BLM Colorado" and to 43 CFR 3809 for additional information.

As the BLM and the USFS are both Federal agencies, are their regulations for mining operations the same?

Answer: No.

The regulations for mineral activity on Federal land are issued by each Federal Surface Management Agency. This means the Federal regulations will be different according to the Federal agency who manages the surface estate.

Are there additional State of Colorado regulations for prospecting and mining operations on Federal land?

Answer: Yes.

We recommend you discuss your exploration and mining plans with the State of Colorado Division of Reclamation, Mining and Safety prior to any activity.

In addition to state regulations, there may be other agencies with whom you should contact prior to mining, depending on the location and activity you are proposing.

What is Sustainable Development?

Answer: The idea that we develop today to meet the needs of the present generation without compromising the ability of future generations to meet their own needs.

Regulations - Locate and Maintain a Mining Claim

3730

PUBLIC LAW 359; MINING IN POWERSITE WITHDRAWALS: GENERAL

- § 3730.0-1 Purpose; lands open.
- § 3731.1 Power rights retained in the United States.
- § 3734.1 Owner of claim to file notice of location and assessment work.
- § 3736.1 Placer locator to conduct no mining operations for 60 days.
- § 3736.2 Hearing; notice of protest.
- § 3737.1 Mining claim and mill site use.
- § 3738.1 Bond or deposit required.
- § 3738.2 Restoration of surface condition.

3810

LANDS AND MINERALS SUBJECT TO LOCATION

- § 3811.1 Lands: General.

3830

LOCATING, RECORDING, AND MAINTAINING MINING CLAIMS OR SITES; GENERAL PROVISIONS

- § 3830.2 What is the scope of these regulations?

Who Can Locate?

- § 3830.3 Who may locate mining claims?

What are Locatable Minerals?

- § 3830.11 Which minerals are locatable under the General Mining Law?
- § 3830.12 What are the characteristics of a locatable mineral?

What are the Fees?

- § 3830.21 What are the different types of service charges and fees?
- § 3830.25 When do I pay for recording a new notice or certificate of location for a mining claim or site?
- § 3830.95 What if I pay only part of the service charges, location fees, or first year maintenance fees for newly recorded claims or sites?
- § 3830.24 How do I make payments?
- § 3830.23 What types of payment will BLM accept?

What if I fail to comply with these regulations?

- § 3830.91 What happens if I fail to comply with these regulations?
- § 3830.93 When are defects curable?
- § 3830.94 How may I cure a defect in my compliance with these regulations?
- § 3830.22 Will BLM refund service charges or fees?
- § 3830.100 How do I appeal a final decision by BLM?

3832

LOCATING MINING CLAIMS OR SITES

- § 3832.1 What does it mean to locate mining claims or sites?
- § 3832.11 How do I locate mining claims or sites?

Locating a lode or placer mining claim.

- § 3832.21 How do I locate a lode or placer mining claim?
- § 3832.22 How much land may I include in my mining claim?

Locate a mill site.

- § 3832.31 What is a mill site?
- § 3832.32 How much land may I include in my mill site?
- § 3832.33 How do I locate a mill site?
- § 3832.34 How may I use my mill site?

Locate a tunnel site.

- § 3832.41 What is a tunnel site?
- § 3832.42 How do I locate a tunnel site?
- § 3832.43 How may I use a tunnel site?
- § 3832.44 What rights do I have to minerals within my tunnel site?
- § 3832.45 How do I obtain any minerals that I discover within my tunnel site?

3833

RECORDING MINING CLAIMS OR SITES

- § 3833.1 Why must I record mining claims or sites?
- § 3833.11 How do I record mining claims or sites?
- § 3830.8 How will BLM use the information it collects and what does it estimate the burden is on the public?
- § 3830.9 What will happen if I file a document with BLM that I know contains false, erroneous, or fictitious information or statements?

How to amend a mining claim or site

- § 3833.21 When may I amend a notice or certificate of location?
- § 3833.22 How do I amend my location?

How to transfer a claimant's interest in a mining claim or site

- § 3833.31 What is a transfer of interest?
- § 3833.32 How do I transfer a mining claim or site?
- § 3833.33 How may I transfer, sell, or otherwise convey an association placer mining claim?
- § 3833.92 What happens if I do not file a transfer of interest?
- § 3835.20 Transferring, selling, inheriting, or otherwise conveying mining claims or sites already subject to a waiver.

3834

REQUIRED FEES FOR MINING CLAIMS OR SITES

- § 3834.11 Which fees must I pay to maintain a mining claim or site and when do I pay them?
- § 3834.12 How will BLM know for which mining claims or sites I am paying the fees?
- § 3834.21 How will BLM adjust the location and maintenance fees?

- § 3834.22 How will I know that BLM has adjusted location and maintenance fees?
- § 3834.23 When do I start paying the adjusted fees?
- § 3834.14 May I obtain a waiver from these fees?

3835

WAIVERS FROM ANNUAL MAINTENANCE FEES

- § 3835.1 How do I qualify for a waiver?
- § 3835.10 How do I request a waiver?
- § 3835.11 What special filing and reporting requirements pertain to the different types of waivers?
- § 3835.12 What are my obligations once I receive a waiver?
- § 3835.13 How long do the waivers last and how do I renew them?
- § 3835.14 How do I submit a small miner waiver request for newly recorded mining claims?
- § 3835.15 If I qualify as a small miner, how do I apply for a waiver if I paid the maintenance fee in the last assessment year?
- § 3835.16 If I am a qualified small miner and I obtained a waiver in one assessment year, what must I do if I want to pay the maintenance fee for the following assessment year?

How to file annual FLPMA documents (Affidavit of Assessment & Notice of Intent to Hold)

- § 3835.31 When do I file an annual FLPMA document?
- § 3835.32 What should I include when I submit an affidavit of assessment work?
- § 3835.33 What should I include when I submit a notice of intent to hold?

What is considered a defective annual filing?

- § 3835.91 What if I fail to file annual FLPMA documents?
- § 3835.92 What if I fail to submit a timely waiver request?
- § 3835.93 What happens if BLM finds a defect in my waiver request?

3836

ANNUAL ASSESSMENT WORK REQUIREMENTS FOR MINING CLAIMS

- § 3836.11 What are the general requirements for performing assessment work?
- § 3836.12 What work qualifies as assessment work?
- § 3836.13 What are geological, geochemical, or geophysical surveys?
- § 3836.14 What other requirements must geological, geochemical, or geophysical surveys meet to qualify as assessment work?

3837

ACQUIRING A DELINQUENT CO-CLAIMANT'S INTERESTS IN A MINING CLAIM OR SITE

- § 3837.11 When may I acquire a delinquent co-claimant's interests in a mining claim or site?
- § 3837.21 How do I notify the delinquent co-claimant that I want to acquire his or her interests?
- § 3837.22 How long does a delinquent co-claimant have after notification to contribute a proportionate share of the assessment work, expenditures, or maintenance fees?
- § 3837.23 How do I notify BLM that I have acquired a delinquent co-claimant's interests in a mining claim or site?
- § 3837.24 What kind of evidence must I submit to BLM to show I have properly notified the delinquent co-claimant?
- § 3837.30 Disputes about acquiring a delinquent co-claimant's interests.

3838

SPECIAL PROCEDURES FOR LOCATING AND RECORDING MINING CLAIMS AND TUNNEL SITES ON STOCKRAISING HOMESTEAD ACT (SRHA) LANDS

§ 3838.1 What are SRHA lands?

§ 3838.2 How are SRHA lands different from other Federal lands?

§ 3838.10 - § 3838.14 Procedures for locating and recording on SRHA lands.

Regulations - Mining Operations & Surface Management on BLM Land

3809 – Surface Management

What regulations apply to the operation of my mine?

§ 3809.10 How does BLM classify operations?

§ 3809.31 Are there any special situations that affect what submittals I must make before I conduct operations?

§ 3809.116 As a mining claimant or operator, what are my responsibilities under this subpart for my project area?

§ 3809.5 How does BLM define certain terms used in this subpart?

Do I also have to contact the State?

§ 3809.200 What kinds of agreements may BLM and a State make under this subpart?

§ 3809.201 What should these agreements address?

§ 3809.203 What are the limitations on BLM deferral to State regulation of operations?

What kind of paperwork is required before I begin mining?

§ 3809.11 When do I have to submit a plan of operations?

§ 3809.21 When do I have to submit a notice?

§ 3809.202 Under what conditions will BLM defer to State regulation of operations.

Notice Level Exploration Operations

§ 3809.301 Where do I file my notice and what information must I include in it?

§ 3809.312 When may I begin operations after filing a complete notice?

§ 3809.313 Under what circumstances may I not begin operations 15 calendar days after filing my notice?

Plan Level Exploration Operations

§ 3809.401 Where do I file my plan of operations and what information must I include with it? §

3809.415 How do I prevent unnecessary or undue degradation while conducting operations on Public Lands?

§ 3809.420 What performance standards apply to my notice or plan of operations?

Financial Guarantee for a Mining Exploration Operation

§ 3809.500 In general, what are BLM's financial guarantee requirements?

- § 3809.503 When must I provide a financial guarantee for my notice-level operations?
- § 3809.551 What are my choices for providing BLM with a financial guarantee?
- § 3809.552 What must my individual financial guarantee cover?
- § 3809.553 May I post a financial guarantee for a part of my operations?
- § 3809.555 What forms of individual financial guarantee are acceptable to BLM?

Inspection and Enforcement of a Mining Exploration Operation

- § 3809.600 With what frequency will BLM inspect my operations.
- § 3809.601 What types of enforcement action may BLM take if I do not meet the requirements of this subpart?
- § 3809.602 Can BLM revoke my plan of operations or nullify my notice?
- § 3809.603 How does BLM serve me with an enforcement action?
- § 3809.604 What happens if I do not comply with a BLM order?

What are Prohibited Acts?

- § 3809.605 What are prohibited acts under this subpart?
- § 3809.700 What criminal penalties apply to violations of this subpart?
- § 3809.701 What happens if I make false statements to BLM?
- § 3809.800 Who may appeal BLM decisions under this subpart?
- § 3809.801 - § 3809.809 When may I file an appeal of the BLM decision with OHA?

Public Visits to Mines.

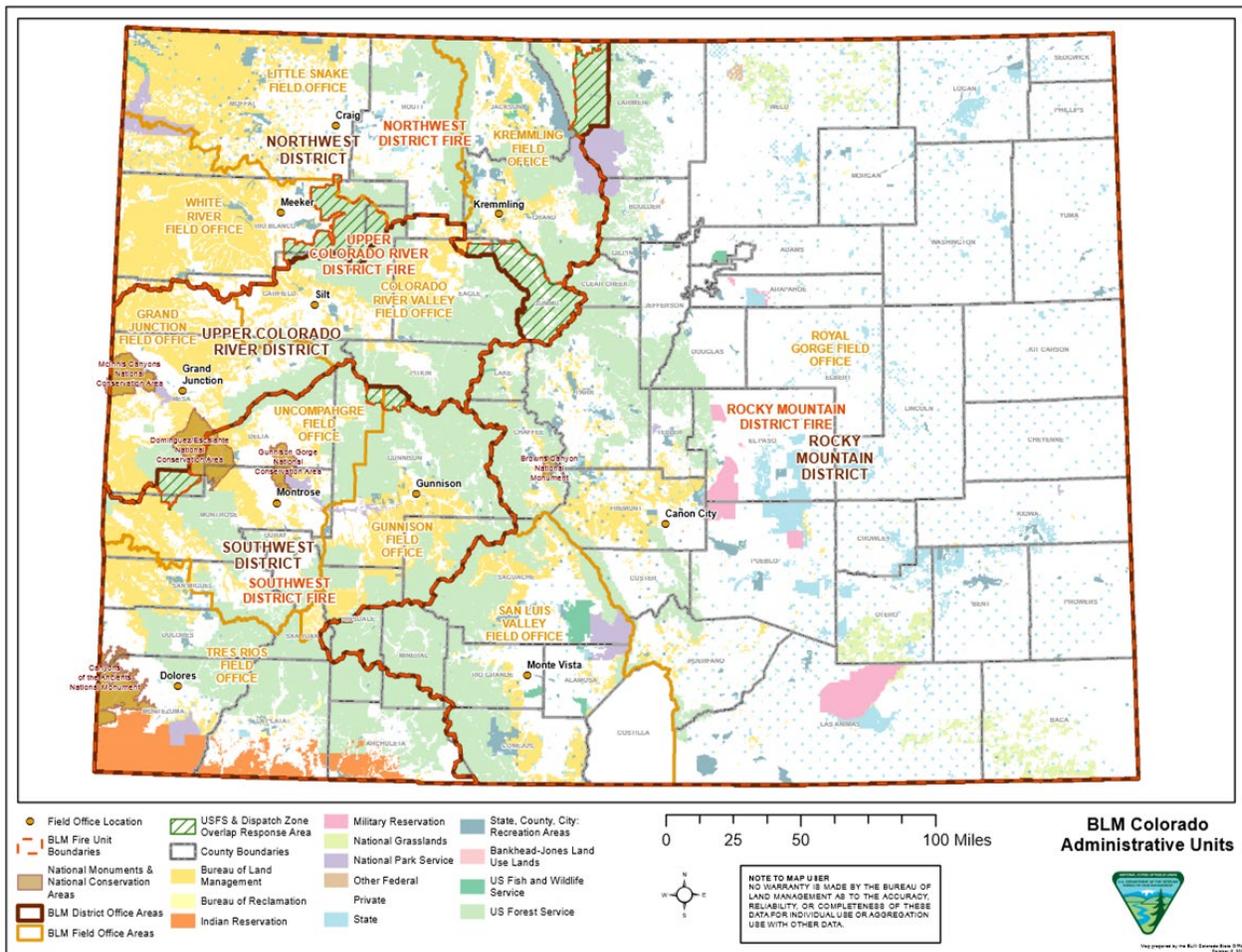
- § 3809.900 Will BLM allow the public to visit mines on Public Lands?

BLM Colorado Administrative Units

<https://www.blm.gov/colorado>



The map below shows the boundaries of BLM administrative districts and the location of BLM field offices in the State of Colorado.

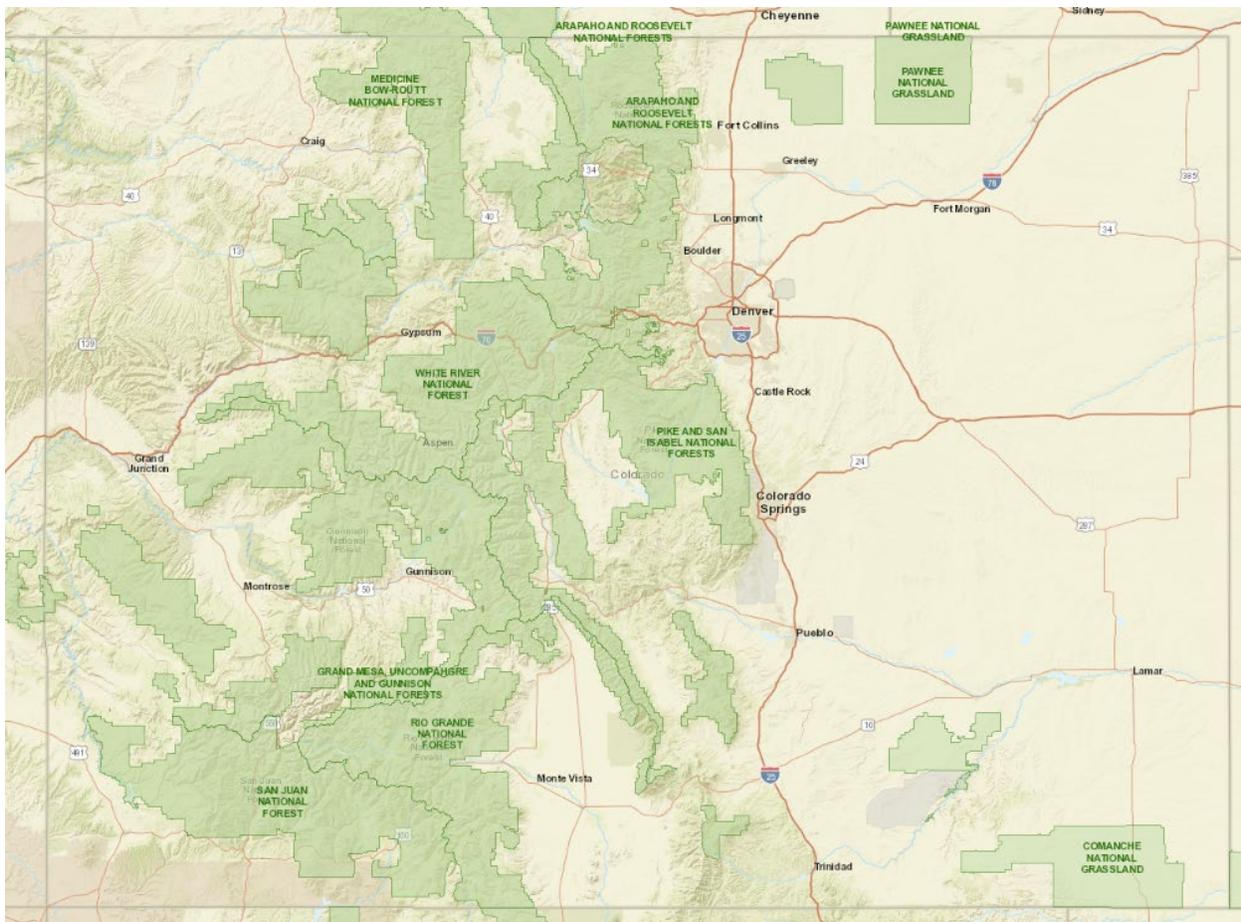


US Forest Service Colorado

<https://www.fs.usda.gov/main/r2/home>



The map below shows the boundaries of U.S. National Forests in the State of Colorado.



**BLM Colorado State Office
Mining Claim Packet**

**Bureau of Land Management
Colorado State Office
2850 Youngfield Street
Lakewood, CO 80215-7076**



*Andrew (Andy) J. Senti
67 years of Federal Service
1925-2015*

Andy Senti Public Lands Information Center -“Public Room”

Hours: 8:30 a.m. - 4:00 p.m. M-F
Phone: 303-239-3600
TTY/Federal Relay System: 1-800-877-8339
E-mail: blm_co_info@blm.gov

For general questions about the process of filing and maintaining mining claims, the Mineral & Land Records System (MLRS) website, General Land Office website, Outdoor Recreation in Colorado, National Park Passes, Maps and Navigation; please call or email our Contact Representatives or the Forest Service, Visitor Center Manager.

Colorado State Office - Dockets Library

Hours: 8:30 a.m. - 4:00 p.m. M-F
Phone: 303-239-3615
E-mail: blm_co_so_dockets@blm.gov

For Certificates of Location, maps, or other documents from any publicly available casefiles. Please call or email the docket library. Note: email, is the preferred contact method of communication.