



Non-Energy Leasable Minerals – Prospecting Permits Extensions

Prospecting Permits

The following is general information on prospecting permits as covered by the Public Domain Mineral Leasing Act of 1920, as amended (30 U.S.C. 181 *et seq.*), the Acquired Lands Mineral Leasing Act of 1947, as amended (30 U.S.C. 351-359), and the Federal Land Policy and Management Act of 1976 (FLPMA), (43 U.S.C. 1701 *et seq.*) which authorizes the management and use of the public lands. The regulations governing these minerals are found in the 43 CFR §3500 regulations.

Background:

A prospecting permit gives you the exclusive right to prospect on and explore for leasable mineral deposits. You may remove only material needed to demonstrate the existence of a valuable mineral deposit. Prospecting permits will be effective for an initial term of 2 years. BLM may extend prospecting permits for phosphate and hardrock minerals for up to an additional 4 years, and for potassium and gilsonite for up to an additional 2 years. BLM cannot extend sodium and sulphur prospecting permits. If the permittee, during the term of the permit, demonstrates the discovery of a valuable deposit of the leasable mineral for which BLM issued the permit, BLM may issue a preference right lease to that permittee without competition. There are other requirements for preference right leases.

How do I apply for an extension of a prospecting permit?

1. There is no application form, just send a written request with the information below at least **90 days** before your permit expires.
2. Submit the filing fee of \$105.00.
3. The annual rental rate must be paid at the time of filing.
4. Describe your diligent prospecting activities on the permit.
5. You must demonstrate that:
 - a. You explored with reasonable diligence and were unable to determine the existence and workability of a valuable deposit covered by the permit. Reasonable diligence means that, in BLM's opinion, you drilled a sufficient number of holes or performed other comparable prospecting to explore the permit area within the time allowed; or
 - b. Your failure to perform diligent prospecting activities was due to conditions beyond your control.
6. Show how much additional time you need to complete prospecting work.
7. BLM will determine if an extension is justified; approve an extension if it is, or refund the annual rental submitted with your application if it is not.

Please note that any fees submitted, in no way will ensure favorable action on an application. This handout is intended to describe the application for an extension of a prospecting permit process only. There are other requirements for prospecting permits, which can be found at 43 CFR 3500.