United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Utah State Office
440 West 200 South, Suite 500
Salt Lake City, UT 84101-1345
http://www.blm.gov/ut/st/en.html

IN REPLY REFER TO:
3833
(UT-9223-OA)

MAR 27 2013

NOTICE TO CLAIMANT
Locator Requirements for Association Placer Mining Claims

Each mining claimant of a placer mining claim must be qualified to locate an association placer mining claim and the mining claim must conform to the requirements of Federal law, 30 U.S.C. 35, 36, and regulations at 43 CFR 3832.22. An association placer claim may not exceed 160 acres. Within the association, each person or business entity may locate up to 20 acres. To obtain the full 160 acres, the association must consist of at least eight co-locators so long as each of the locators has a bona fide interest in the claim.

The law is well established that a person cannot use the names of his friends, relatives, or employees as dummy locators in order to locate a greater area of placer ground than is allowable by law for his own benefit. The use of dummy locators in an attempt to appropriate more than 20 acres per bona fide individual claimant is a fraud upon the United States which can cause the entire claim to be void. See Rock Solid Inc. and Mining, 170 IBLA 317 (2006) and American Colloid Co., Bentonite Corp., 154 IBLA 15 (2000).

In accordance with 43 CFR 1822.10, all documents required to be filed with the BLM must contain the legal name and current address for each applicant (claimant). In addition, regulation 43 CFR 3833.11(b)(2) requires that a notice/certificate of location contain the names and current mailing addresses of each locator of the claim/site. Therefore, each locator of an association placer mining claim must provide their mailing address. If only one address is provided, each locator will be required to submit additional documentation. If the required information is not submitted to the BLM, you will have to reduce the size of your claim to 20 acres.

In accordance with 43 CFR 3833.33, 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 you want to transfer an association placer claim to an individual or an association that is smaller in number than the association that located the claim, you must have discovered a valuable mineral deposit before the transfer, or upon notice from BLM, you must reduce the acreage of the claim so that you meet the 20-acre per locator limit. See Owyhee Calcium Products, Inc., 72 IBLA 239 (1983).

If you have any questions please contact Rita Stelmach at (801) 539-4121 or Opie Abeyta at (801) 539-4123.

Roger L. Bankert

Roger L. Bankert
Chief, Branch of Minerals