



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

Oregon/Washington Mining Claim Packet

June 2026



BLM Oregon/Washington Mining Claim Packet

Mission Statement

The Bureau of Land Management sustains the health, diversity, and productivity of the public lands for the use and enjoyment of present and future generations.

Cover Photo

Mining Claim Corner Monument

This packet has step by step information on how to locate a mining claim or site on public land and provides information on the proper use and development of public lands. The packet is not a substitute for legal advice or any regulations or laws in place.

BLM Oregon/Washington State Office Contact Information

Bureau of Land Management
Oregon & Washington State Office
1220 SW 3rd Ave., Ste 1113
Portland, Oregon 97204

Public Room

(503) 808-6008

E-mail: blm-orwa-public-room@blm.gov

Mining Claims

(503) 808-6030

E-mail: blm-orwa-public-room@blm.gov

Visiting the BLM Oregon/Washington State Office Public Room

To enter the Edith Green Wendell Wyatt Federal Building, you are subject to security screening upon entering the building. Inform the guards you wish to visit the BLM Public Room. Our hours of operation are Monday through Friday 9:00 a.m. to 4:00 p.m. except Federal holidays. We only accept exact cash payments.

BLM Oregon/Washington Mining Claim Packet

Contents

Quick Links to Agencies.....	5
What are Locatable Minerals?	7
What law applies to Locatable Minerals?	7
What is a mining claim?	7
Possessory Interest	7
Mining Claims and Sites.....	8
Lode Mining Claims	8
Placer Mining Claims	9
Bench and Gulch Placer Claims	10
Association Placer Mining Claims	10
Mill Sites	12
Tunnel Sites	12
Finding an Area of Interest	13
Maps	13
Identify Active Mining Claims in the Area	13
Can Mining Claims Be Located on the Same Area?	13
Rectangular Survey	13
Land Status Records	14
Begin with a Master Title Plat	14
Staking the Mining Claim	17
Monument the Corners	17
The Notice of Location and Map	17
General Description Requirements	17
Lode Claim Description Specifics	18
Placer Claim Specifics	18
New Locations that Require Additional Steps	18
Irregular Sections	19
Surveyed Lots	19
Federal Aid Highway, Rights of Ways	19
Power Site Reservations and Classifications (PL-359)	19
Split Estate Land	19
Stock Raising Homestead Act (SRHA) of 1916	19
Bridge Mining Claim or Site	20
Recording a New Mining Claim or Site	21

BLM Oregon/Washington Mining Claim Packet

County Recordation.....	21
BLM Recordation.....	21
How to file:	21
Plotting in the MLRS Map	22
Adjudication Process.....	23
Curable Defects.....	23
Non-Curable Defects	23
The Official Case File.....	23
Land Status.....	23
Other Mining Claim or Site Actions.....	24
Address Changes	24
Amendments	24
Transfer Interest in the Mining Claim	24
Transfer Co-Owners Interest in an Association Placer Claim	25
Transferring a Mining Claim Held by a Maintenance Fee Waiver Certification	25
Relinquishment.....	25
ANNUAL REQUIREMENTS TO MAINTAIN THE CLAIM	26
Reminders	26
County Filing Requirement	26
Maintenance Fees -Due by September 1 st Annually	27
Maintenance Fee Waiver Certification- Due by September 1 st	28
Federal Land Policy and Management Act Filings- Due by December 30 th	29
Affidavit of Assessment Work – Mining Claims Only	29
Notice of Intent to Hold	29
What if you Miss the Annual Filing Deadline?	30
Locating Again After Missing the Annual Filing Deadline	30
Surface Management.....	31
Bonding	31
Reclamation Requirements	31
Appendix 1 - Frequently Asked Questions	32
Appendix 2 - Table of Fee Requirements	36
Appendix 3 – An Example of Mining Claims in a Township.	38
Appendix 4 – SAMPLE GRID: Sketching Claim Locations in a Section.....	39
Appendix 5 List of Federal Regulations.....	40

BLM Oregon/Washington Mining Claim Packet

Quick Links to Agencies

Federal Agencies and Regulations

Department of the Interior Bureau of Land Management (BLM)

Federal Law governing Hardrock and Placer Mining (Locatable Minerals) on BLM Managed Lands: <https://www.blm.gov/programs/energy-and-minerals/mining-and-minerals/locatable-minerals>

Regulations include: 43 CFR 3809, 43 CFR 3802, and 43 CFR 3715

Contact the Oregon/Washington State Office for mining claim questions:

<https://www.blm.gov/media/public-room/oregon-washington>

Contact the District Offices for proposed surface disturbances and access questions:

<https://www.blm.gov/oregon-washington>

United States Department of Agriculture, Forest Service, Pacific Northwest Region (Region 6)

Contact Ranger Districts for proposed surface disturbances and access questions:

<https://www.fs.usda.gov/r6>

[Regulations include 36 CFR 228, Subpart A](#)

State Agencies You May Need to Contact Include:

State of Oregon

Oregon Department of Geology and Mineral Industries, Mineral Land Regulation & Reclamation

<https://www.oregon.gov/dogami/mlrr/Pages/surfacemining.aspx>

Oregon Department of State Lands, Waterway Use Authorizations

<https://www.oregon.gov/dsl/waterways/Pages/authorizations.aspx>

Oregon Department of Environmental Quality, Metal Mining Activities, 700PM

<https://www.oregon.gov/deq/wq/wqpermits/Pages/Mining.aspx>

Placer Mining Map

<https://geo.maps.arcgis.com/apps/webappviewer/index.html?id=1fedde6ecbff46feb7c41524f21d42d7>

BLM Oregon/Washington Mining Claim Packet

State of Washington

Washington State Department of Natural Resources, Energy, Mining, and Minerals

<https://www.dnr.wa.gov/programs-and-services/geology/energy-mining-and-minerals>

Washington Department of Ecology, Mineral Prospecting and Placer Mining

<https://ecology.wa.gov/Regulations-Permits/Permits-certifications/Mineral-prospecting-and-placer-mining>

BLM Oregon/Washington Mining Claim Packet

Introduction to Locatable Minerals, Federal Mining Claims, and Surface Management Regulations

What are Locatable Minerals?

Locatable mineral deposits include most metallic minerals and certain nonmetallic and industrial minerals. The law sets general standards and guidelines for claiming the possessory right to a valuable mineral deposit discovered during exploration. Locatable minerals are extracted by Hardrock and placer mining.

What law applies to Locatable Minerals?

The Governing Law for Locatable Minerals is the Mining Law of 1872, as amended.

The Mining Law allows for the enactment of state laws governing location and recording to mining claims and sites that are consistent with Federal law.

The Mining Law has five elements (for additional information see <https://www.blm.gov/programs/energy-and-minerals/mining-and-minerals/locatable-minerals>):

1. Discovery of a valuable mineral deposit.
2. Location of mining claims and sites.
3. Recordation of mining claims and sites. The BLM is the federal recordation agency. The claim(s) must be filed at the county too.

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

5. Mineral patents. 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.

What is a mining claim?

- A mining claim is a parcel of land for which the claimant has asserted a right of possession and the right to develop and extract a discovered, valuable, mineral deposit. However, check with the local Federal agency (e.g. typically USFS or BLM) about proposed surface disturbances and access. The claim could potentially have liability of safety hazards associated with pre-existing mine workings, such as underground openings or mine tailings.

Possessory Interest

Since a mining claimant has merely a possessory interest in the location, the United States has paramount title in the land, which it has a duty and right to protect against waste and unauthorized use.

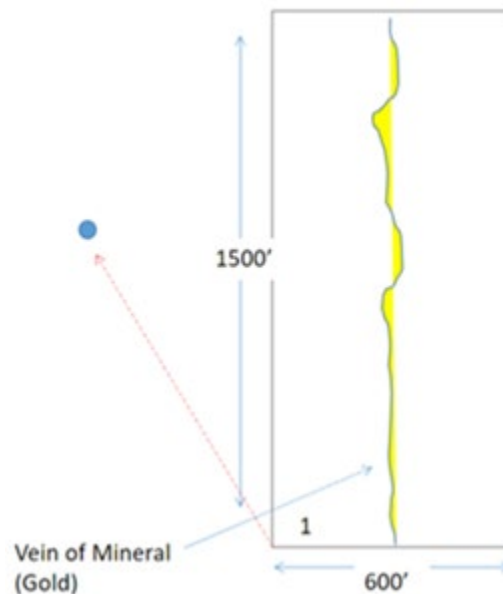
Mining Claims and Sites

Lode Mining Claims

Deposits subject to lode claims include classic veins or lodes having well defined boundaries. They also include rock bearing valuable in-place minerals and broad zones of mineralized rock. Examples include quartz or other veins bearing gold or other metallic minerals and large volume, but low grade disseminated metallic deposits.

Lode claims are usually described as parallelograms with the longer side lines parallel to the vein or lode (see figure below). Descriptions are by metes and bounds (giving length and direction of each boundary line). Federal statute limits their size to a maximum of 1,500 by 600 feet. The length (1500') is along the vein or lode. The width (600') is equal to 300 feet on either side of the centerline of the vein or lode. The end lines of the lode claim must be parallel to qualify for underground extralateral rights.

A typical metes and bound description would be: Beginning at the common corner of Section 5,6,7,8 in Township 33 South, and Range 24 East of the Willamette Meridian then proceeding N 31' W for 1250 feet to corner #1 of this lode claim. Then go 600 feet east to corner #2, then 1,500 feet north to corner #3, then go west 600 feet to corner #4, then due south for 1500 feet back to corner #1. The discovery point being in the center of the claim, as 300 feet on the east and west and 600 feet on the north and south.



BLM Oregon/Washington Mining Claim Packet

Placer Mining Claims

A placer claim is rock that is not in its original place (river sands or gravel). Placer claims are defined as "...including all forms of deposit, excepting veins of quartz, or other rock in-place." In other words, every deposit, not located with a lode claim, should be appropriated by a placer location.

Placer claims, where practicable, are located by legal subdivision (aliquot part and complete lots) If a placer claim is within an un-surveyed township or other situation as described in the regulations, you may locate the claim using a metes and bounds description. A map is required for all placer claims. The information provided must accurately describe the location and boundaries enough for BLM to locate the claim on the ground (43 CFR 3832.12 and 3832.21).

The maximum size is 20 acres per claimant/locator/entity. A corporation is considered one entity/claimant/locator and may hold only 20-acres. Larger sized placer claims are association placers which are discussed below.

A placer mining claim is generally described by aliquot part and would appear like:

Willamette Meridian, Oregon

Township (T) 33 South (S), Range (R) 24 East (E), Section 11, W ½ SW ¼ NE ¼ ,
the area described containing 20 acres.

The description is read as: in Township 33 South, Range 24 East, Section 11 the claim is located in the west half of the southwest quarter of the northeast quarter of section 11, and is depicted in the picture below.



BLM Oregon/Washington Mining Claim Packet

Bench and Gulch Placer Claims

A bench placer claim is a placer mining claim located on terraces or former floodplains made of gravel or sediment, or both, on the valley wall or slope above the current riverbed and created when the river previously was at a higher topographic level than now.

A gulch placer claim is a placer claim located on the bed of a river contained within steep, nonmineral canyon walls. The form of the river valley and nonmineral character of the valley walls preclude the location of the claim by aliquot parts and a metes and bounds description is necessary. More than 30 degrees or 60% slope is steep.

Bench and Gulch placer mining claims may be located by metes and bounds due to the complexity of the area where the claim is located. If you are locating one of these placer claims, it should be identified as such on the paperwork provided to BLM at the time of location.

Association Placer Mining Claims

Placer mining claims exceeding the 20-acre per person/entity limit are considered association placer mining claims.

The association or group of locators/entities may each hold 20-acres within the mining claim. This means if the association was to lose a locator/entity, they must reduce the size of the claim by 20-acres, or replace that locator/entity.

The maximum size of an association placer claim is 160 acres, which requires the association to have a minimum of eight co-locators/entities.

The co-locators/entities must be qualified to hold interest in a mining claim, have a bona fide interest in the claim, and have co-located for their own self-interest, and in good faith. By recording a location notice with the BLM, the locators are representing to the United States government that they meet the qualifications for locating an association placer claim and that they are not using the names of other persons as dummy locators to locate more than 20 acres per claim for their own benefit.

The use of dummy locators to appropriate more than 20 acres per bona fide individual owner/entity is a fraud upon the United States which can cause the entire claim to be void.

BLM Oregon/Washington Mining Claim Packet

An example picture is given below showing how placer claims and association placer claims may appear when located. The grid is intended to depict one section labeled as section 20. A section of a township is 1 square mile and 640 acres in size unless it is irregular in size.

The legal descriptions for the four claims depicted are:

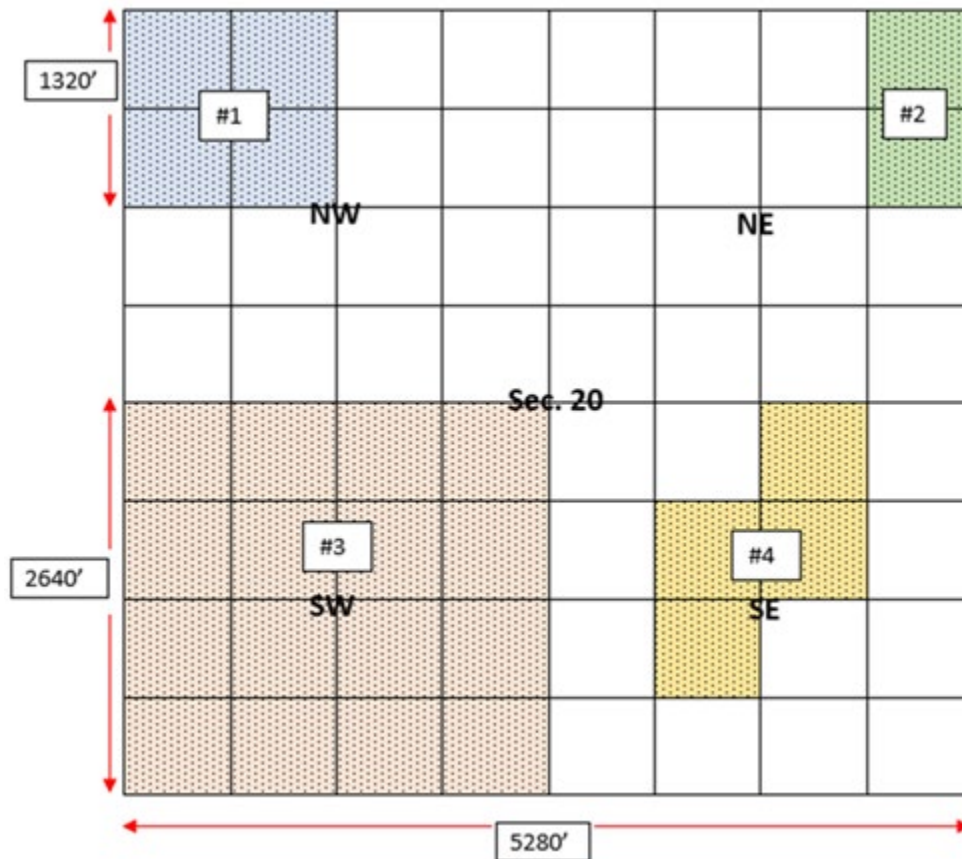
#1 NW $\frac{1}{4}$ NW $\frac{1}{4}$ =40-acres.

#2 E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ =20-acres.

#3 SW $\frac{1}{4}$ =160 acres.

#4 W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ =40-acres

The legal descriptions above are for ease of understanding and not the official way to write a legal description according to regulations. Please consult the Specifications for Descriptions of Land for additional information



BLM Oregon/Washington Mining Claim Packet

The size restrictions for association placer claims are:

1. Most aliquot parts may be no smaller than 10-acres in size [184 IBLA 71 (2013)].
2. The association placer claim when located by a number of individuals must follow the following rule:
 - a. When located by 1 or 2 persons/entities it must fit within the boundaries of a square 40-acre parcel (1320 ft x 1320 ft).
 - b. By 3 or 4 persons/entities in 2 square 40-acre parcels
 - c. By 5 or 6 persons/entities in 3 square 40-acre parcels
 - d. By 7 or 8 persons/entities in 4 square 40-acre parcels

Facilitating the mining operation.

Mill Sites

A mill site may be located on non-mineral land that is not contiguous to vein or lode and is used for activities related to mineral development or for independent milling or reduction. A mill site may not exceed 5-acres. The description of a mill site may be by aliquot part or metes & bounds (43 CFR 3832.33).

Tunnel Sites

A tunnel site may be located as a subsurface right-of-way used to access a lode claim or for the exploration of undiscovered lodes. It may not exceed 3000 feet. in length with a radius of 1500 feet. (43 CFR 3832.41).

Finding an Area of Interest

Maps

Paper maps available from BLM:

<https://www.blm.gov/media/public-room/oregon-washington>

- State of Oregon Wall Map \$15.00
- State of Washington Wall Map \$15.00
- Surface Management \$4.00
- Pacific Northwest Recreation Map Series \$14.00

Interactive Maps Online:

Mineral and Land Record System (MLRS) real time research map with geospatial data layers online at:

<https://mlrs.blm.gov/s/research-map>

Please note: The mining claim boundaries are not accurate in this system and often the map highlights the entire quarter section for one claim.

The General Land Office Records site has a land catalog mapping feature as well as many records for OR/WA available on their site.

<https://gloreCORDS.blm.gov/LandCatalog/Catalog>

Identify Active Mining Claims in the Area

To identify active mining claims in your area of interest you may:

Run a geographic report online at <http://www.blm.gov/mlrs> click on MLRS reports, The OR/WA public room will

assist you with running these reports if needed.

Utilize the map feature in MLRS, with the understanding this map generally does NOT display the exact claim boundaries. It is set up to show the active claim layer when a claim or many claims are within that quarter section only.

Can Mining Claims Be Located on the Same Area?

Yes – this is a known risk with mining claims on Public Land.

The BLM does not get involved in disputes between those holding unpatented mining claims.

The adjudication of mining claims does not include a requirement for the BLM to identify other mining claims (that are not private property) in the area, or notify the parties holding those claims.

All conflicts between unpatented mining claim holders must be resolved by the parties involved or in the court with proper jurisdiction which is the state court by law.

Research before Locating

Public land is open to mineral entry by the location of a mining claim unless other laws govern the area, withdrawing it from mining.

Knowing if the area is open to location by understanding the history of the area may save you time and money and help avoid a negative trespass situation.

Rectangular Survey

BLM Oregon/Washington Mining Claim Packet

The key to researching and locating a claim is understanding the legal description for the area.

The legal description identifies the area using within the United States Public Land Survey System (PLSS). This is the survey method used for the western half of the United States which subdivides the land. The PLSS is commonly referred to as the Rectangular Survey System.

The PLSS components are state, principal meridian, township, range, and section. Then within this description, the sections are further subdivided into aliquot parts, or lots.

The corners of the townships, and sections, are marked once they are surveyed. The monuments made from a 28-inch-long stainless-steel pipe with a 3-inch diameter brass cap identifying the corner.

Land Status Records

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. While there are many more records available, the land status records commonly used for research of mining claim locations are the Master Title Plat or Use Plats, Historical Indices, Cadastral Survey Plats and Mineral Survey Plats.

The **General Land Office Records** website provides detailed descriptions of the Rectangular Survey System, and Principal Meridians and Baselines. This information is provided on the 'Reference Center' page under the title

'Appendices'

https://glorerecords.blm.gov/reference/default.aspx?id=05_Appendices|03_Rectangular_Survey_System

Oregon/Washington has most Land Status and Cadastral Survey Records on their website at:

<https://www.blm.gov/or/landrecords/survey/ySrvy1.php>. They are easily accessed here as the viewer is updated and one may download the records as adobe documents.

Begin with a Master Title Plat

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

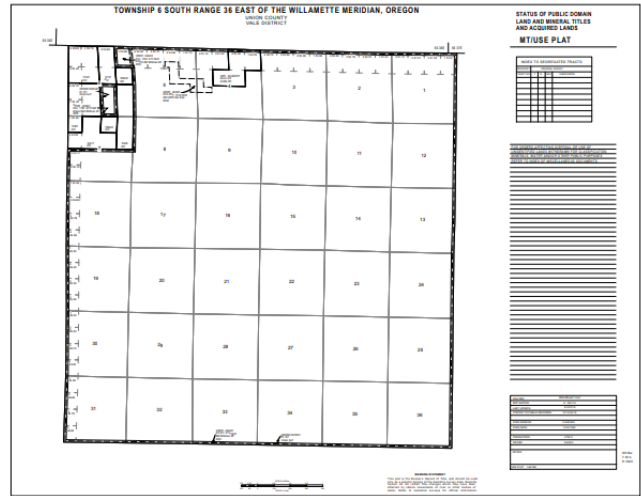
- Basic survey information (Mineral Survey's)
- Title transfer information (Patents, Sales, Exchanges, Reconveyance, Acquisitions, etc.)
- Use authorizations (Withdrawals, Segregations, Leases, Permits, Rights of Way, etc.)
- Power site withdrawals.

BLM Oregon/Washington Mining Claim Packet

Reading a Master Title Plat (MTP)

Quick Hints to the MTP

- There is a key to interpreting the Master Title Plat available online.
- When researching the MTP, always read the right-side margin.
- There will be a record listed on the HI for each MTP notation.
- 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.



Common Abbreviations Regarding Mineral Entry

NOM - the area is not open to mining claims or not open to mineral entry.

Recon to US – lands reconveyed to the United States.

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

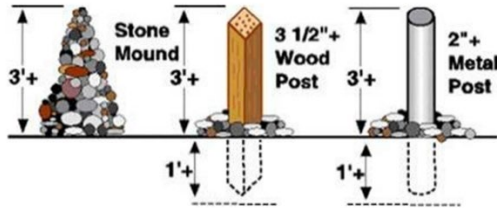
The notation of RES - is a reservoir withdrawal, some are open to metalliferous mining and others are withdrawn (closed) to mining. These withdrawals are different than the power site areas, however sometimes you will find both in the same area.

A link to the OR MTP Help Guide to interpret the plats and a list of notation definitions. https://glorerecords.blm.gov/reference/default.aspx?id=05_Appendices\03_Rectangular_Survey_System. Additional information is also available on the Oregon/Washington Land Records Site <https://www.blm.gov/or/landrecords/>

BLM Oregon/Washington Mining Claim Packet

Staking the Mining Claim

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.

Eliminate Hazards to Birds and Other Wildlife when staking the claim; the brochure is available online at: <https://www.blm.gov/sites/default/files/docs/2022-05/Bird%20brochure.pdf>



Stake and monument the corners of a mining claim or site which meets applicable state monument requirements and the size limitations. In general, state law requires conspicuous

and substantial monuments for all types of claims and sites.

Oregon <http://www.leg.state.or.us/ors/> of claims and can be found online at: <https://www.oregonlaws.org/ors/chapter/517>

Washington statutes Title 78 can be found online at: <http://apps.leg.wa.gov/rcw/default.aspx?Cite=78>

The Notice of Location and Map

The claim must be documented and described on a Notice of Location (NOL) and accompanying map. Multiple NOLs filed at the same time may share a map, but a separate NOL is required for each mining claim or site recorded.

There is no official form available. A third party vendor sells forms specific to both Oregon and Washington mining claim related filings, including NOLs which may be purchased online at: [Stevens-Ness Law Publishing Co. \(stevensness.com\)](http://Stevens-Ness Law Publishing Co. (stevensness.com)). The other option is to create a form that complies with the regulations at the Federal, State and County level.

General Description Requirements

The claim/site must be described by state, meridian, township, range, section, and aliquot part to the quarter section.

A map or sketch must also be provided with the claim/site plotted in such a way that the location of the claim/site can be located on the ground. (43 CFR 3832.12)

BLM Oregon/Washington Mining Claim Packet

a. **Surveyed Lands:** The claimant must use an official survey plat or other U.S. Government map that is based on the surveyed or protracted U.S. Public Land Survey System to describe the claims.

b. **Mineral Survey Lands:** For mining claims and sites located within an existing mineral survey, the official legal description must include the appropriate mineral survey number, meridian, township, range, section, quadrant, and state.

c. **Unsurveyed Lands:** The claimant must provide a metes-and-bounds description that fixes the position of the claim corners with respect to a specified claim corner. The corners are then tied to a discovery monument which is then tied to a mineral survey monument, or an official BLM/GLO survey monument, or survey corner. In all cases, the description of the land must be as compact and regular in form as reasonably possible and should conform to the U.S. Public Land Survey System and its rectangular subdivisions as much as possible.

d. **Protraction Block:** For mining claims and sites located on lands within a protraction block, the official legal description is meridian, township, range, protraction block, quadrant, and state. The metes and bonds description with a tie to a permanent object must be included within the protraction block.

e. **Global Positioning System (GPS)**
Units: GPS units vary in accuracy; therefore, we will not accept a

notice/certificate of location with only GPS coordinates. The claimant must include the aliquot part land description on the notice of location and provide a map. If it is a lode claim or is on unsurveyed lands, a metes-and-bounds description with a tie to a permanent object must be included on the notice.

Lode Claim Description Specifics

Metes & bounds is the legal description of a parcel of land that is measured in distances, angles, and directions. This is the only acceptable way to describe a lode mining claim.

GPS coordinates for each corner of your mining claim may be included with the metes and bounds description. Please include the datum.

The corner coordinates can be entered in MLRS to plot the exact claim boundaries.

Placer Claim Specifics

The placer claim must be described by aliquot part of the rectangular survey unless you are locating a bench or gulch placer, or other circumstances require you to use metes and bounds, as discussed earlier in this packet and in the regulations.

If you are near a lotted section, you must claim the entire lot or a portion of the lot describing the entire claim by metes and bounds only. Locating a portion of more than one lot in the same mining claim is not allowed.

New Locations that Require Additional Steps

BLM Oregon/Washington Mining Claim Packet

This is a list of some special circumstances that will require additional steps or knowledge to locate according to the regulations.

Irregular Sections

Protracted townships and sub-divided sections may not be broken down into smaller parcels without a survey. This means, mining claims or sites in these areas must be described by metes and bounds and reference the protracted section.

Surveyed Lots

Placer mining claims should be described by complete aliquot parts using the PLSS. This means you must claim the entire lot because it is surveyed into the lot.

If you do not wish to claim the entire lot, you may use metes and bounds to locate a portion of one lot. A tie point, and the lot number must also be provided.

You may not locate a portion of more than one lot.

Federal Aid Highway, Rights of Ways

A Federal Aid Highway Right-of-Way will appear on the MTP. 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 splits the claim into two non-contiguous pieces. Placer mining claims must be contiguous and therefore you will receive a Notice from BLM to amend the claim to select which portion of the placer mining claim you wish to retain

as the claim (on either side of the right of way).

Power Site Reservations and Classifications (PL-359)

Mining claims filed within a power site reservation must be located according to the regulations at 43 CFR 3730.

A power site reservation will be marked on the MTP similar to: Wdl Pwr Site Res.

Mining claims located here are referred to as being "filed under PL-359" and this must be noted on the NOL. Placer mining claims are restricted from mining for the first 60 days while we notify the Surface Management Agency (SMA), and the Federal Energy Regulatory Commission (FERC) of the new location. The SMA has 60 days to request a hearing if they find the mining claim will substantially interfere with any new power projects planned in the area. No mining may take place until the hearing concludes favorably for the claimant.

Split Estate Land

This refers to the surface and mineral estate being owned by different parties. Meaning the surface rights may be privately owned while the subsurface mineral rights are owned by the Federal government. This may restrict claims from being located here because the minerals are not owned by the United States, or the surface estate is privately owned and will require a process to locate in the area.

Stock Raising Homestead Act (SRHA) of 1916

BLM Oregon/Washington Mining Claim Packet

Requires anyone wishing to explore land subject to the SRHA for the purpose of staking a mining claim to first file a Notice of Intent to Locate a Mining Claim (NOITL) with the appropriate BLM State Office.

Claimants must follow the process and file a NOITL (Form 3830-3) prior to entering SRHA land to explore for minerals, or to locate mining claims. A nonrefundable filing fee of \$30 must accompany the NOITL, or it will be returned unrecorded.

***NOTE:** If you own the surface estate of SRHA lands and want to explore or locate a mining claim on the Federally reserved mineral estate, you do not need to file a NOITL. Include with your location notice a copy of your deed or tax records.

Bridge Mining Claim or Site



A bridge claim is an unofficial term used to describe the location of a NEW mining claim or site in one assessment year (location date) and the recording of the claim in the next assessment year (recordation date).

By regulation, new claims or sites only have a 90-day window to stake, locate

and record within. So, this attempt to bridge assessment years can only happen within the months of June – October. Often folks hope to skip a maintenance fee payment, lack the knowledge of the mining laws, or have a newly discovered mineral they wish to locate immediately.

The reality is there is no bridge between assessment years. Attempting to do this often results in the mining claim being closed with no refund to the locator. We do not issue refunds for failure to properly understand the filing requirements for new mining claims or sites.

If you find yourself needing to locate a claim within this window you have two options.

1. If all claimants on the mining claim or site qualify for a Maintenance Fee Waiver Certification (waiver) you may file a waiver for the upcoming assessment year at the time you are recording with the BLM. This is the only time we will accept a waiver.

If you do not qualify for the waiver but wish to file before the assessment year deadline, you must pay two maintenance fees within the 90-day window.

BLM Oregon/Washington Mining Claim Packet

Recording a New Mining Claim or Site

The BLM (Federal Regulations) provide a 90-day window to file with the county and the BLM State Office.

The Federal Regulations (43 C.F.R. 3833.11) state 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.

Traditionally, the NOL is filed in the local recording office prior to recording with BLM. The State may have different recordation regulations that must be followed as well.

The BLM office will accept NOLs not county recorded if they are recorded within the initial 90-day window.

County Recordation

Oregon State Law indicates the NOL must be filed for record in the county in which the claim is located within 60 days after the date of location.

Washington State Law indicates the NOL must be filed for record in the county in which the claim is located within 30 days for a placer claim and 90 days for a lode claim after the date of location.

BLM Recordation

The OR/WA BLM State Office records new mining claim locations on both US Forest and BLM land in Oregon and Washington.

How to file:

1. Send the documents and fees by regular mail.
2. Set an appointment with the Public Room and bring documents and fees to the office and record.
3. In the MLRS, see instructions to plot your claim in MLRS.
 - a. Send in original documents and we will scan them into MLRS and return them to you.

The OR/WA State Office will process all documents and provide either a copy or the original to you.

BLM Oregon/Washington Mining Claim Packet

Plotting in the MLRS Map

When entering a new mining claim location in MLRS, you may select to map the boundaries of the claim in MLRS by following these instructions:

The screenshot shows the 'File a New Claim' form. At the top is a progress bar with steps: 'Plot Claim' (active), 'Certificate of L...', 'Payment', and 'Confirmation'. Below the progress bar, a text prompt says 'Choose an option below to populate your legal land description (LLD) or claim.' There are three buttons: 'Enter Stake Coordinates' (highlighted with a yellow box and callout 1), 'Select Area on the Map' (highlighted with a yellow box and callout 2), and 'Upload GIS File' (highlighted with a yellow box and callout 3). Below these, a section titled 'Or enter land description manually' contains fields for 'Administrative State' (with a dropdown menu and callout 4), 'Acre Size', 'Claim in a Lot', and 'PL 359'.

Select Option 1 **Enter the Stake Coordinates**

1. Then use the drop down menu to select the format for your coordinates: **Decimal Degrees** or **Degrees: Minutes: Seconds** to render the shape of the mining claim.
2. Enter in your exact coordinates.
3. Click **Add Vertex** or **Delete Vertex** if you need to add or delete coordinates based on the polygon shape.
 - a. Note: You must at least have four coordinates to create your stake-point shape rendering.
4. After you have entered all coordinates, **click Finish Polygon** to finish drawing the shape.
5. Once the shape populates, **click Use Polygon**.
6. The system selects and zooms in to your stake-point shape rendering. Click **Update Lands**.

The system will populate the legal description for the claim based on your shape. If any modifications are needed, you can go back to the map or update the fields manually. Click **Save and Continue**.

The screenshot shows the 'Plot your Claim' map interface. On the left is a map with a grid overlay. A yellow polygon is drawn on the map. On the right is a 'Stake-point Shape' panel. It contains a text prompt 'Enter in your exact coordinates to create your stake-point shape rendering.' and a dropdown menu 'Render shape using method' set to 'Degrees Minutes Seconds'. Below this is a table with four rows of coordinates: 37.20.577.000, 114.07.306.000; 37.20.467.000, 114.06.554.000; 37.21.301.000, 114.06.675.000; and 37.21.277.000, 114.07.365.000. At the bottom of the panel are buttons for 'Add Vertex', 'Delete Vertex', 'Finish Polygon' (highlighted with a yellow box), and 'Use Polygon' (highlighted with a yellow box).



BLM Oregon/Washington Mining Claim Packet

Adjudication Process

When a mining claim or site is received by the BLM, the fees are processed, and the claim information is entered into MLRS. The NOLs are uploaded into MLRS (this may be done by the claimant now online) and adjudication will preliminarily review the location if time and staff allows. The new location will then be placed in the order they are received for an official land status determination.

Curable Defects

If this office finds an error in your paperwork, and it is curable, a Notice letter is issued by certified mail to all claimants of record. The letter allows claimants 30-days from the date all claimants have signed and received the letter to fix the issue. Errors are resolved by filing an amended NOL which must be filed in the county BEFORE recording with BLM. The fee to file an amendment with the BLM is \$15 per claim.

Common defects that are curable are:

- Acreage or Legal Description difference between the NOL and map,
- Missing a complete name and mailing address for each claimant,
- Missing information,
- Location date either missing or an obvious error,
- County recordation of the paperwork.

Non-Curable Defects

There are two non-curable defects that occur with new locations:

- Recording the claim with BLM outside the 90 days window from the date of location
- A location in an area that is not open to location under The General Mining Law of 1872, as amended.

Non-curable defects or “fatal” defects require BLM to close the mining claim as of the date prescribed by the law. A This may occur at the time of recording with BLM or later when a land status determination reveals the issue.

If we discover a non-curable defect, we will issue a Decision letter to all locators and close the mining claim. The locators are allowed a 30-day window to file an appeal to our Decision with the Interior Board of Land Appeals.

If no appeal is filed, we will refund any location and maintenance fee(s) paid at the time of location. The processing fee is non-refundable.

The Official Case File

A physical case file for the mining claim(s) is created and retained in our dockets library at the state office.

This file is considered the official record for the claims and is available for public viewing or copying upon request.

Land Status

The BLM Oregon and Washington State Office will make a land status determination on the land and minerals

BLM Oregon/Washington Mining Claim Packet

within the mining claim or site boundaries to ensure it is open to location under The General Mining Law of 1872, as amended.

The BLM does not look for other active mining claims in conflict with new locations, nor do we notify locators of potential conflicts.

We perform land status on the mining claims in the order they are received and processed by the state office. Most offices do have a back log that must be adjudicated before new mining claims.

However, this does impede locators from contacting the local surface management agency to discuss your intended mining operation and/or obtain permission to operate. On BLM lands the surface management use is governed by 43 CFR 3809 regulations and is a separate process from the location and maintenance of the mining claims themselves.

Other Mining Claim or Site Actions

Address Changes

To change the address of a locator, 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 be made on annual filing paperwork.

Now you may change your address directly within MLRS.

Amendments

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

Amendments are used to:

- Correct or clarify omissions or defects in the original location certification.
- Correct an error or omission on the NOL or map.
- Change the claim name.

You may not use an amendment to:

- Transfer any interest or add owners.
- Relocate or re-establish claims you previously forfeited.
- Change the type of claim; or
- Enlarge the size of the claim
- Move the location of the mining claim.
- Change the date of location.

Transfer Interest in the Mining Claim

The transfer of all or part interest in a mining claim is documented on a transfer deed or quit claim deed. This transfer may happen by sale, inheritance, gift or conveyance. The mining claim or site is a special type of real property, and the transfer of

BLM Oregon/Washington Mining Claim Packet

property is governed by State law. Therefore, the effective date of the transfer is based on State law, however the BLM documents the transfer the date we receive a copy of the properly executed transfer by State law.

The transfer document shall identify the transferee's name and signature, the name and address of the new owner, the claim or site name(s) and the BLM serial number(s).

The fee to file a transfer interest with BLM is \$15.00 per claim per transferee (43 CFR 3830.21 and 3833.32(c)). So, if you transfer 2 claims to 2 people the fee would be \$60.

Please note the following items as you begin the process:

- A transfer of interest or Quit Claim Deed form may be filed in our office, by mail or online using the Mineral & Land Records System (MLRS).
- Quit claim deed forms specifically for Oregon-Washington mining claims are available online through Stevens-Ness Publishing Co. or you can create your own form according to the county and BLM regulations.

Transfer Co-Owners Interest in an Association Placer Claim

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 complete the process to determine if you have discovered a valuable mineral deposit, or you must reduce the acreage of the claim to meet the 20-acre per owner limit.

Transferring a Mining Claim Held by a Maintenance Fee Waiver Certification

When a claim is listed on a Maintenance Fee Waiver Certification (waiver), it is considered to be "held" or "on hold" from the payment of the maintenance fee for the assessment work to be completed within the assessment year.

If one transfers interest in or sells a mining claim being held by a waiver, the grantee and all their associated parties on any mining claims must also qualify to hold that mining claim by owning or holding under the 10-claim limit nationwide.

If the new owner(s) do not qualify for the waiver, the annual maintenance fee must be paid by September 1 following the date the transfer became effective under State law.

Relinquishment

An owner may relinquish their interest at any time. There is no fee. Submit a signed and dated statement with the claim name and serial number; the owner(s) name and date of relinquishment to the BLM.

BLM Oregon/Washington Mining Claim Packet

ANNUAL REQUIREMENTS TO MAINTAIN THE CLAIM

Maintenance Fee Payments and other annual filings may be submitted online in MLRS (except the Maintenance Fee Waiver Certification), or by regular mail at the address below.

Bureau of Land Management
Attn: Mining Claims
1220 S.W. 3rd Avenue, Suite 1113
Portland, Oregon 97204

There are forms available from Stevens-Ness Law Publishing Co. at [Stevens-Ness Law Publishing Co. \(stevensness.com\)](http://Stevens-Ness Law Publishing Co. (stevensness.com)), they are designed to meet the county requirements as well. The only BLM form required for annual filing is the Maintenance Fee Waiver Certification.

A yearly courtesy packet will be posted on the Oregon/Washington Public Room Website.

Reminders

- A Maintenance Fee Payment or Maintenance Fee Waiver Certification (waiver) is required for all mining claims, mill sites, or tunnel sites on or before September 1 of each year. Additional requirements follow if a waiver is filed.
- This payment is for the upcoming assessment year, not the current one.
- The annual maintenance fee is NEVER prorated or reduced based on the number of days one holds the mining claim throughout the assessment year.
- The BLM does not bill mining claimants each year, it is the claimant's responsibility to meet the deadlines.
- As an owner of mining claims or sites you are responsible for keeping yourself informed if Congress passes legislation that affects mining claims and sites.

County Filing Requirement

The owner of mining claims or sites is responsible for following State and Federal requirements. Generally, any form you file with BLM is also filed with the county recorder, please take the time to inform yourself of all regulations.

BLM Oregon/Washington Mining Claim Packet

Maintenance Fees -Due by September 1st Annually

- Lode claim, 20-acre placer, mining site: \$200 maintenance fee.
- Association placer claim - \$200 maintenance fee for each 20 acres or portion thereof within the claim (See fee chart below).
- The maintenance fee may be paid in MLRS without a form.
- Oregon/Washington claimants have the option to purchase an affidavit of assessment work form on which they may check the box saying they paid the fees and file with the county.

Acreage in the Claim	Maintenance Fee Payment Due
<= 20 acres	\$200.00
> 20 acres and <= 40 acres	\$400.00
> 40 acres and <= 60 acres	\$600.00
> 60 acres and <= 80 acres	\$800.00
> 80 acres and <= 100 acres	\$1000.00
> 100 acres and <= 120 acres	\$1200.00
> 120 acres and <= 140 acres	\$1400.00
> 140 acres and <= 160 acres	\$1600.00

We encourage the payment of maintenance fees and the submission of mining claim filings online through the Mineral and Land Records System (MLRS) at <https://mlrs.blm.gov/s/> or by mail. To pay the maintenance fee in MLRS:

1. Log into MLRS.
2. Select the appropriate filing or payment from the 'Take Action' menu.
3. Select one or multiple claims that require maintenance fees, the system will calculate the total amount due for the claim(s) selected.
4. Follow the prompts on the screen to upload documents and/or enter the payment information.

BLM Oregon/Washington Mining Claim Packet

Maintenance Fee Waiver Certification- Due by September 1st

To waive the maintenance fee requirement for mining claim(s)/site(s), a claimant must qualify as a “small miner”; sign and submit a Maintenance Fee Waiver Certification before September 1st every year; perform the assessment work (if required); and file required FLPMA document by the end of the calendar year in which the assessment year ends.

A small miner means the person or entity holds interest 10 or fewer (a maximum of 10) mining claims or sites nationwide throughout the entire assessment year. If they obtain interest in 11 claims at any time the small miner status is revoked and depending on the circumstances they may lose all the claims or the maintenance fee will be due for all claims listed on the waiver by the end of the assessment year.

It is mandatory to use the official Maintenance Fee Waiver Certification (Form 3830-2). The document must be complete and list all owners of record along with an original signature for each person or entity listed. Co-owners may submit multiple waivers or separate waivers for the same claims or sites for the same assessment year. There is no fee to file the document.

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.

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; or to hold a mining site as work is not required for sites. Those who qualify as small miners may choose to file a waiver, it is not required, the maintenance fee may be paid for any mining claim or site no matter how many one holds.

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.

BLM Oregon/Washington Mining Claim Packet

Federal Land Policy and Management Act Filings- Due by December 30th

Affidavit of Assessment Work – Mining Claims Only

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 and file an affidavit of assessment work listing the claims on which the work was performed. This form must be filed at the BLM and the county level. The fee to file with BLM is \$15 per mining claim or site listed and is due by December 30th each year.

The assessment work or labor is performed in good faith 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 (43CFR 3836.12).

Notice of Intent to Hold

A Notice of Intent to Hold (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)

BLM Oregon/Washington Mining Claim Packet

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.

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)).

The Interior Board of Land Appeals has ruled 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 will be closed on our records citing the regulations at 43 C.F.R. §3830.91 which state:

What happens if I fail to comply with these regulations?

You will forfeit your mining claims or sites if you fail to—

- Record a mining claim or site within 90 days after you locate it.
- Pay the location fee or initial maintenance fee within 90 days after you locate it.
- Pay the annual maintenance fee on or before the due date.

Locating Again After Missing the Annual Filing Deadline

As the previous mining claim was closed for failure to meet a filing or payment deadline, regulations allow you go through the process to file a new mining claim on the same area. This new filing will be subject to another land status determination and will be accepted if the area is still open to location.

BLM Oregon/Washington Mining Claim Packet

Surface Management

The mining law permits the prospector and miner to make reasonable use of a mining claim if the use is reasonably incident and necessary to prospecting, mining, and processing operations.

BLM manages the mineral estate, but the federal surface manager is usually the USFS or BLM. Check with the BLM or USFS local office if you have questions on the regulations for surface disturbance of proposed mining activities, suction dredging, the construction of permanent or mobile structures, storing equipment, the use of roads or trails and/or access.

A mining claimant has a right to use the claim for mining purposes only. However, an erroneous impression sometimes exists to the effect that the act of staking a mining claim is the shortest route to obtaining public land for a weekend retreat, or other similarly unlawful purpose.

A mining claim does not give the claimant exclusive use of the claim. The public may use the surface of a mining claim for any purpose allowed on other public lands other than mining. A claimant may limit or restrict public use of/or public access across claims or portions of claims only if they have approval from the surface management agency. The public may not interfere with valid mining activities.

A mining claimant, just like other users of public lands, 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 Use and Occupancy request (43 CFR 3715).

Bonding

If your mining activities require a notice or plan of operations a bond is required.

Financial Guarantees Required for Exploration and Mining Under the 1872 Mining Law, Frequently Asked Questions. (Public Brochure)

<https://www.blm.gov/sites/default/files/docs/2022-05/Financial%20Guarantees%20Brochure%2025January2022%20%281%29.pdf>.

H-3809-2 Surface Management Bond Processing Handbook (Public)

https://www.blm.gov/sites/blm.gov/files/uploads/Media_Library_BLM_Policy_H-3809-2.pdf

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. At the conclusion of your occupancy or operations, you are liable for reclamation or your operation and removal of structures, equipment, and personal property.

BLM Oregon/Washington Mining Claim Packet

Appendix 1 - 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)).

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

Answer: No. For questions contact the local office.

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 Oregon or Washington State Agency to ensure the proper paperwork is filed and the appropriate financial guarantees are secured.

Can I suction dredge on Public Land?

Answer: Yes.

If you intend to conduct suction dredging activities on Federal land, contact the local BLM field office or FS ranger district to determine how you should proceed and what paperwork you may need to file. The State of Oregon

has restrictions on suction dredging, and they banned in-stream motorized mining on some streams.

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 USFS or BLM.

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

Answer: No.

BLM Oregon/Washington Mining Claim Packet

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 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 can locate a mining claim (43 CFR 3830.3).

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, the Surface Resources Act of 1955, and others affect this law.

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 Oregon or Washington State Agency 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.

The MLRS provides the data on mining claim locations. It does not provide the exact location boundaries of most claims filed at this time.

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 notice 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.

BLM Oregon/Washington Mining Claim Packet

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

Answer: Historic mining claim information may be found online at the General Land Office Records website (<https://glorerecords.blm.gov/>). 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 Geologist at the local field office for additional information.

Who do I contact if I have questions about my proposed 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.

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 historical abandoned mining site (not mining claim), 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

BLM Oregon/Washington Mining Claim Packet

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.

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.

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 Oregon or Washington regulations for prospecting and mining operations on Federal land?

Answer: Yes.

We recommend you discuss your exploration and mining plans with the State of Oregon or Washington minerals division 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.

BLM Oregon/Washington Mining Claim Packet

Appendix 2 - Table of Fee Requirements

Initial Fee to Locate a Lode Claim/Mill Site/Tunnel Site/20-Acre Placer Claim:

Acreage	Processing Fee	Location Fee	Maintenance Fee	Total cost
20.66	\$25.00	\$49.00	\$200.00	\$274.00

Initial Fees to Locate an Association Placer Claim:

Acreage	Processing Fee	Location Fee	Maintenance Fee	Total Cost
0 to 20 acres	\$25.00	\$49.00	\$200.00	\$274.00
20.001 to 40 acres	\$25.00	\$49.00	\$400.00	\$474.00
40.001 to 60 acres	\$25.00	\$49.00	\$600.00	\$674.00
60.001 to 80 acres	\$25.00	\$49.00	\$800.00	\$874.00
80.001 to 100 acres	\$25.00	\$49.00	\$1000.00	\$1074.00
100.001 to 120 acres	\$25.00	\$49.00	\$1200.00	\$1274.00
120.001 to 140 acres	\$25.00	\$49.00	\$1400.00	\$1474.00
140.001 to 160 acres	\$25.00	\$49.00	\$1600.00	\$1674.00

For Example, a 70-Acre Association Placer Mining Claim:

Processing Fee \$25.00

Location Fee \$49.00

Co-Owner #1 (20-acres) Maintenance Fee \$200.00

Co-Owner #2 (20-acres) Maintenance Fee \$200.00

Co-Owner #3 (20-acres) Maintenance Fee \$200.00

Co-Owner #4 (10-acres) Maintenance Fee \$200.00

Total Due: \$874.00

ANNUAL MAINTENANCE FEE

- The annual deadline to pay the maintenance fees for all mining claims or sites is before September 1st each year.
- The payments made are for the upcoming assessment year.
- We honor postmarked payments sent on the deadline date.
- If the deadline falls on a non-business day, the next business day is the official deadline date for that year only.

BLM Oregon/Washington Mining Claim Packet

- **We strongly encourage maintenance fees to be paid inside the Mineral and Land Record System (MLRS), no documentation is required inside MLRS.**
- Lode Claim/Mill Site/Tunnel Site/20-acre Placer Claim - \$200 per claim/site
- Association Placer Mining Claim (over 20-acres in size) - \$200 for each 20-acres or portion thereof within the claim.

Other Annual Filing Documents:

Document	Deadline	Fee	File in MLRS?
Maintenance Fee Waiver Certification (BLM Form 3830-2 Required)	On or before September 1st	No Fee	No
Affidavit of Assessment Work	On or before December 30 th	\$15 per claim or site listed	Yes
Notice of Intent to Hold	On or before December 30 th	\$15 per claim or site listed	Yes

Other Filings:

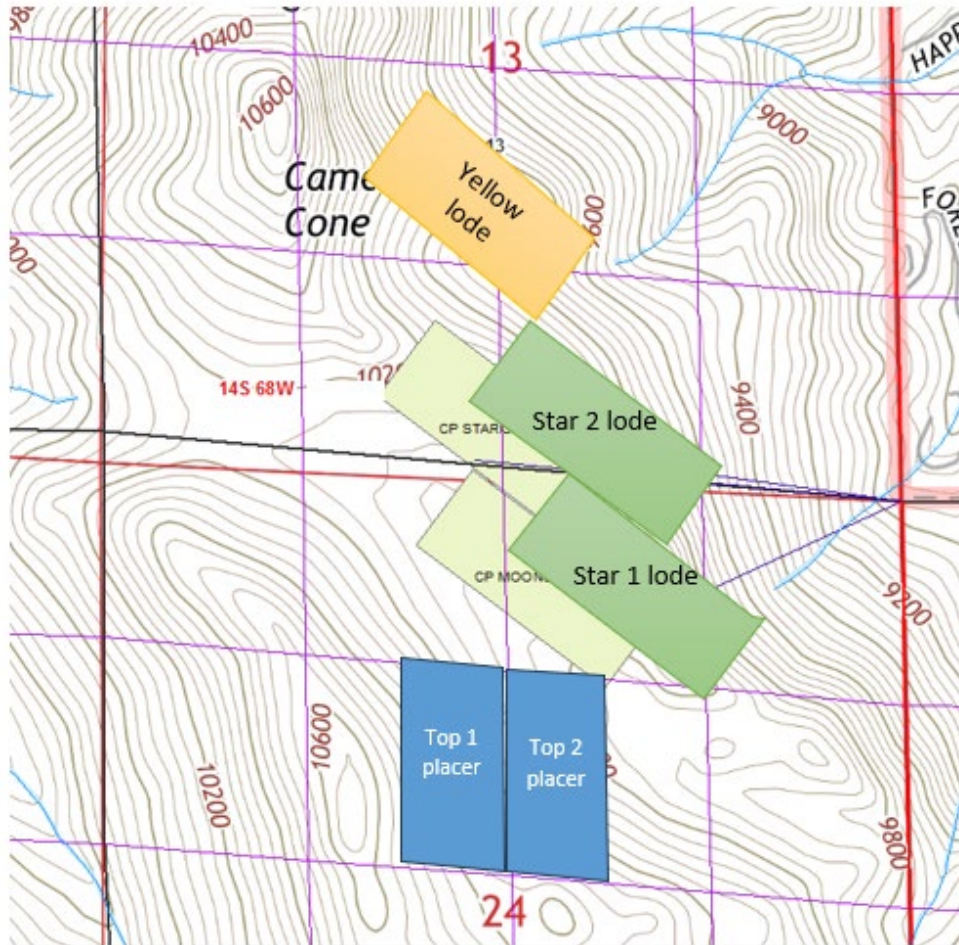
Document	Prerequisites to Filing	Fee	File in MLRS?
Quit Claim Deed/Transfer of Interest	Must be recorded in the county where the mining claim or site is located before filing with BLM	\$15 per claim, per grantee	Yes
Amended Notice of Location	Must be recorded in the county where the mining claim or site is located before filing with BLM	\$15 per claim/amendment	Yes
Change of Address for Claimant	None	None	Yes
Relinquishment of Ownership	None	None	Yes

*Legal forms for some of these filings which meet the county filing requirements are available for purchase online from a third-party Stevens-Ness Law Publishing Co. at [Stevens-Ness Law Publishing Co. \(stevensness.com\)](http://Stevens-Ness Law Publishing Co. (stevensness.com)).

BLM Oregon/Washington Mining Claim Packet

Appendix 3 – An Example of Mining Claims in a Township.

Below is a diagram to show how a lode claim and placer claim location could appear when located within the same general area. This is not an actual map of the claim locations but rather a picture to assist in the understanding of the location of mining claims.



NOTE TO MAP USERS

The locations are not an official survey and is made for informational purposes only. This map does not show specific land ownership.

No warranty is made by the Bureau of Land Management as to the accuracy, reliability, or completeness of this data for individual or aggregate use with other data. Original data was compiled from various sources. This information may not meet National Map Accuracy Standards.

BLM Oregon/Washington Mining Claim Packet

Appendix 4 – SAMPLE GRID: Sketching Claim Locations in a Section

The grid below is intended to depict one section inside of a township. The section to scale would be 640 acres in size and broken into equal square parts to sketch a mining claim location or understand how to determine the allowable acreage for a mining claim location.

NWNW	NENW	NWNE	NENE
SWNW	SENW	SWNE	SENE
NWSW	NESW	NWSE	NESE
SWSW	SESW	SWSE	SESE

BLM Oregon/Washington Mining Claim Packet

Appendix 5 List of Federal 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

BLM Oregon/Washington Mining Claim Packet

§ 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?

BLM Oregon/Washington Mining Claim Packet

§ 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?

BLM Oregon/Washington Mining Claim Packet

§ 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.

3809

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?

BLM Oregon/Washington Mining Claim Packet

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?

BLM Oregon/Washington Mining Claim Packet

The End

BLM Oregon/Washington State Office Contact Information

Bureau of Land Management
Oregon & Washington State Office
1220 SW 3rd Ave., Ste 1113
Portland, Oregon 97204

Public Room

(503) 808-6008

E-mail: blm-orwa-public-room@blm.gov

Mining Claim Questions

(503) 808-6030

E-mail: blm-orwa-public-room@blm.gov

Visiting the BLM Oregon/Washington State Office Public Room

To enter the Edith Green Wendell Wyatt Federal Building, you are subject to security screening upon entering the building. Inform the guards you wish to visit the BLM Public Room. Our hours of operation are Monday through Friday 9:00 a.m. to 4:00 p.m. except Federal holidays. We only accept exact cash payments.