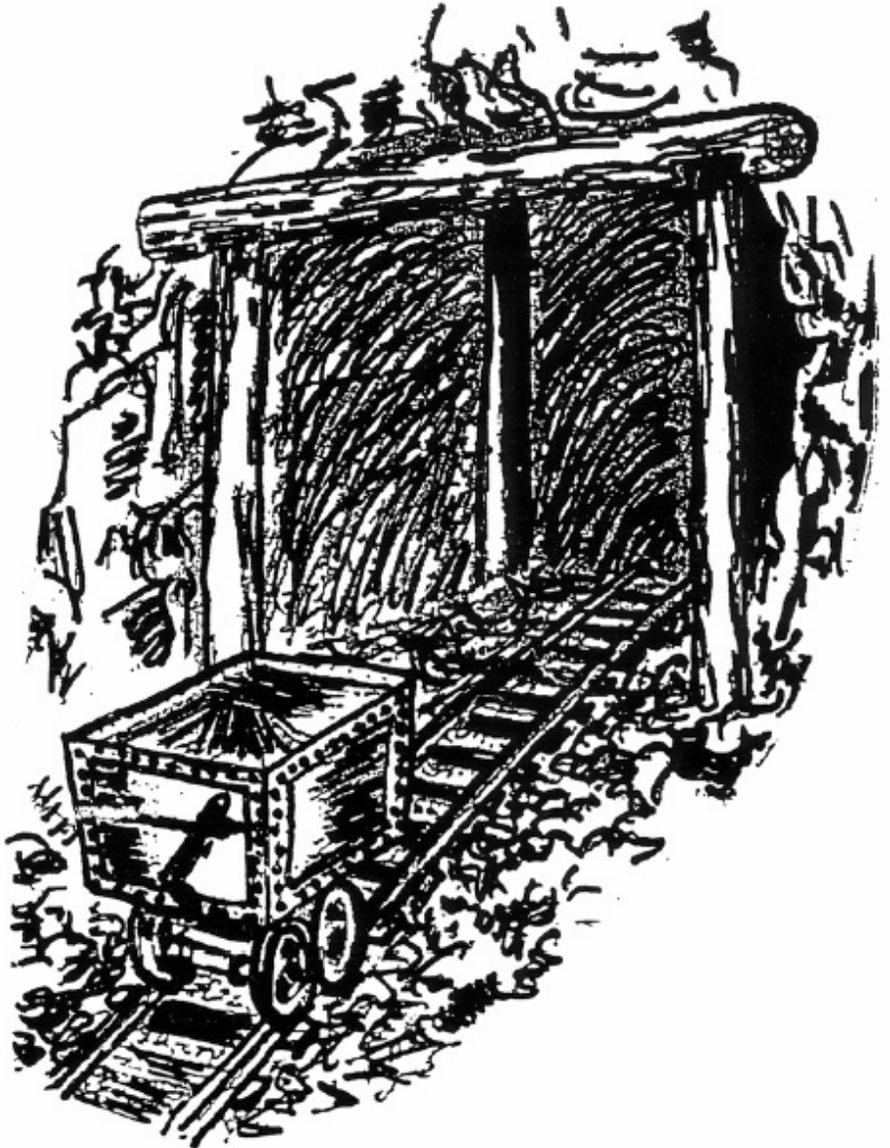
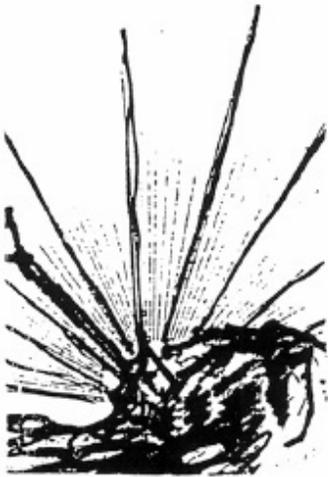


Oregon/Washington Information Guide:

Locating Mining Claims



BLM OREGON/WASHINGTON

Our address is:

Duncan Plaza
333 SW First Ave.
Portland, OR 97204
(503) 808-6008

Our PO Box is:

Bureau of Land Management
Oregon State Office (OR 936.2)
PO Box 2965
Portland, OR 97208

Our Phone Number is: (503) 808-6008

We are located with the Forest Service. There is no public parking in the building. Parking is available on the street (metered) and surrounding pay-to-park lots. Public transportation is an option.

Currently, there are no public restrooms available. Also, you are required to check in with security before entering the land office.

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Enclosed is information about locating unpatented mining claims in Oregon and Washington. We do not maintain a general map of existing claims or of areas open to mineral entry. However, we do have surface-minerals status maps that indicate the location of federally owned minerals. A map index is enclosed to help you identify the map that includes your area of interest.

Records of land status called master title plats (MTP) are available for inspection at our State office or at <http://www.blm.gov/or/landrecords/index.php>. **These records indicate whether or not land is open to mineral entry. It is necessary to know the legal description of the area in question in order to use these records.** Copies of the MTP's may be purchased for \$1.10 each.

A listing of unpatented mining claims by location, claimant name, or claim name is available at the State Office or any of the district offices listed in this package or at www.blm.gov/LR2000.

To completely research what lands are available for location, a combination of these records should be inspected. Our office is open to the public between 8:45 a.m. and 4:30 p.m. Monday through Friday.

Information about specific mining claims is not provided over the telephone and BLM does not abstract or interpret the legal effect of record entries. **Mining claim conflicts are decided by state courts;** it is improper for BLM employees to comment on such matters.

We do not provide Mining Claim Location Notices, or Affidavit of Assessment Work forms. These forms may be obtained at various printing or stationary businesses. The Notice of Intent to Hold for the Stock Raising Homestead mining claims and the Maintenance Fee Waiver Certification Forms are available from the State Office or at <https://www.blm.gov/FormsCentral/show-home.do>.

IN ANSWER TO SOME OF YOUR QUESTIONS

Many lands are still open to mineral location, but you must research where those lands are located. **(We are not permitted to do that research for you.)**

Federal lands can be determined from maps. I have enclosed our map index describing available maps and the price of each. **No maps are available depicting mining claims.** Maps submitted by claimant are in individual case files.

The master title plats (one plat covers one township) show the status of the land. From the master title plat, you can determine whether or not an area is open to mineral entry. Plats are \$1.10 each and there are over 5000 townships in Oregon and Washington. Therefore, you need to know exactly what area you want to research.

Active mining claims are listed on computer printouts by township, range, and section. Paper printouts are available for \$.13 per page.

If federal land is open to mineral entry and no active mining claim is shown on our records, you should check the county records for new locations that might have been located within the last three months. If the county records show no new active claims, the land may then be open for staking.

Mining Claim Packets, containing our rules and regulations are available from our office for \$3.00. We accept American Express, Discover, Master Card, Visa, Check, Cash or Money Order.

If we can be of further assistance, please give us a call.

NOTICE TO MINING CLAIMANT

The mining laws permit the prospector and miner to make reasonable use of a mining claim as long as the use is incident and necessary to prospecting, mining and processing operations. 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 homesite, weekend retreat, or other similarly unlawful purpose.

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. Any use of the surface of an unpatented claim for purposes unrelated to mining is unauthorized and, therefore, considered to be in trespass. Whether the claim is valid or invalid, the Bureau will proceed to terminate the unauthorized use and collect any damages from the beginning of the wrongful occupancy.

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. Such a person stands to lose all of his/her investment, including the claim itself, 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 in an effort to prevent any future difficulties and encourage the proper development of public lands.

RECORDING AND MAINTAINING MINING CLAIMS WITH BLM OREGON/WASHINGTON STATE OFFICE

NOTICE OF LOCATION

State and Federal laws provide that if you discover valuable deposits of locatable minerals on federal lands you can establish claim to the minerals by posting a location notice on site and filing the notices with the appropriate county and the Bureau of Land Management (BLM).

The location notice that you file establishes your claim to locatable minerals at a specified site. It may be an original claim that you staked or one that you acquired from a previous owner.

BEFORE CLAIMING MINERALS

Before you prospect for minerals or file a location notice, determine whether or not the land is open to mineral entry. You can check land status records at BLM's Oregon-Washington State Office in Portland or in district offices.

Also inspect county records for recently located mining claims in the same area before you locate a claim. Because BLM allows 90 days after the date of location to file a notice of location, another claim may have been located but not yet recorded with BLM.

FILING DEADLINE

You must file a location notice with BLM within 90 days after the claim was located or the claim is considered abandoned.

WHERE TO FILE CLAIMS LOCATED IN OREGON AND WASHINGTON

An exact legible copy of the notice of location recorded with a county in Oregon or Washington and other filing requirements are to be filed with the Oregon State Office, Bureau of Land Management, U.S. Department of the Interior, P O Box 2965, Portland, Oregon 97208. You can file by mail or in person.

A notice of location must give the date of location, state whether it is a placer claim, lode claim, mill site, or tunnel site, and provide other information specified by State law. It is helpful to identify on the location notice the kind of mineral discovered, name of the claim, and legal description of the land, including the State, township, range, section, quarter-section, and subdivision. The copy of the location notice you file with BLM must show the date it was previously filed with the county, as well as the county's book, page, or other document number indicating where it was recorded.

MINING CLAIM OWNER

The name of the mining claim owner (or owners) should be clearly indicated on the location notice and on other related papers. Notices of actions affecting recorded claims are mailed to those who recorded the claim with BLM.

MAILING ADDRESS

Designate where you want correspondence about your mining claim sent. This is particularly important if there are co-owners with different addresses. Notify BLM if the mailing address has changed.

CLAIM NAME OR NUMBER

Your notice of location and maps should clearly identify the name of your mining claim, or any number that you may have assigned to it.

BLM MINING CLAIM SERIAL NUMBER

When your claim is recorded by BLM, a mining claim serial number will be assigned. The serial number will be preceded by the letters ORMC. Use the BLM mining claim serial number, as well as the name or number you assigned to it, when filing notices of assessment work or in any other correspondence about the mining claim.

UPDATING YOUR CLAIM

To retain your mining claim, it is necessary for you to ensure that BLM records are complete, accurate, and current.

To extend your mineral claim in succeeding years you must either pay the maintenance fee or file a waiver certification on or before September 1st of each year. If a waiver is accepted, an affidavit of assessment work and service charge must also be filed on or before December 30th of each year. Fees and documents must be filed with the Bureau of Land Management, Oregon State Office, P.O. Box 2965, Portland, OR 97208.

AUTOMATIC ABANDONMENT

If you do not file a notice of location, and pay the recordation fee, location fee and maintenance fee, within the 90 days after discovery; or do not update the mining claim record by September 1st, and/or December 30th of each year (if you qualify for small miner exemption), your claim is considered abandoned. BLM does not provide advance reminders.

Fees, exemptions and assessments are acknowledged when received at BLM's Oregon State Office. BLM mining claim (ORMC) numbers must be marked on all statements.

If you want proof that the documents you mail to BLM are received before the deadlines, we recommend the use of certified mail with return receipt.

AMENDED LOCATIONS

If you need to correct defects in your original notice of location, you should file an amended notice of location with the BLM. The amended notice should cite the BLM serial number (ORMC) assigned to the claim. The amended notice must be filed in the county.

OWNERSHIP TRANSFERS

Statements concerning transfer of an ownership interest--which is the notice of sale or transfer of all or part of a claim or site--must be filed with BLM. You may use a quit-claim deed for this purpose. Only transfers of ownership interest, need be recorded with BLM; it is not necessary for you to file statements about leases or operating agreements.

PURPOSE OF MINING CLAIM

If you comply with all provisions of applicable federal and state laws, you may take valuable minerals from the area described in your claim, pursuant to a notice or approved plan of operations.

On an unpatented mining claim, you may use only as much of the surface and surface resources as reasonably necessary to conduct mining operations. You may not use the area for other purposes or restrict public access, except where needed to protect safety.

The federal government retains the right to manage the surface and the surface resources. A record of the location of your mining claim helps the managing federal agency minimize conflicts among various resource uses.

VALIDITY

For a mining claim to be valid, the land must have been open to mining at the time of location and it must contain a valuable mineral deposit. A mining claim is not valid unless valuable minerals have been discovered and still exist.

The liability for unlawful uses of mining claims is unaffected by the question of whether the claims are valid or invalid, and damages figure from the start of wrongful use.

EXPLORATION, MINING, AND RECLAMATION

If you plan to conduct exploration and/or mining operations on Public Lands or Forest Lands, you will need to contact either the local BLM or USFS Field Office beforehand, depending on what lands you will be on. Depending on the type and size of the proposed activity, you will most likely have to file either a notice or a plan of operations with the local BLM or USFS office including submittal of a financial guarantee or bond to assure that reclamation will be completed. Casual use activity, such as staking mining claims, does not require a notice or plan unless there will be significant surface disturbing activity. Reclamation of disturbed areas is required.

Copies of state mining regulations and permits are available from the Oregon Department of Geology and Mineral Industries, Mined Land Reclamation Office, 229 Broadalbin St. S.W., Albany, OR 97321-2246, phone (541)967-2039; or from the Washington Department of Natural Resources, Division of Geology and Earth Resources, National Resources Building, 1111 Washington St. S. E., Olympia, WA 98504-7007, phone (360)902-1450.

INFORMATION AND SERVICES

Mining claim records pertaining to all federal lands in Oregon and Washington are open for public inspection at BLM's Oregon-Washington State Office in Portland. Computerized mining claim records are listed in three formats: (1) land description, (2) owner's name, and (3) claim name.

Federal land and mineral ownership is shown on intermediate scale maps (1:100,000) and on Master title Plats which are available for inspection or purchase from the BLM Oregon State Office and district offices.

Information about specific mining claims is not provided over the telephone and BLM does not abstract or interpret the legal effect of record entries. Mining claim conflicts are decided by state courts; it is improper for BLM employees to comment on such matters.

Information about mineral resource inventories on federal lands can be obtained from BLM district offices.

EXAMPLES OF WORK THAT QUALIFY AS ASSESSMENT WORK

You must file a **Notice of Intent to Operate**, with the appropriate BLM District Office/Forest Service Ranger District, before beginning to mine. The examples listed below are just a few of the things that may or may not be considered assessment work. For more detailed information on assessment work, please contact the local office for the area in which your mining claim is located.

1. **A building that benefits and improves the claim.** Bryan V. McCraig, 10 Colo 309, 15 P 413 (1887).
2. **Reasonable value of meals to miners who receive board in addition to salary.** Fredricks v. Klauser, 52 Or 110; 96 P 679 (1908).
3. **Value of blasting supplies.** Id.
4. **Construction of road to mining claim.** U.S. v. 9,947.71 Acres of land, More or less, in Clark County, State of Nev., 220 F. Supp. 328 (DC Nev 1963); Silliman v. Powell, Utah, 642 P2d 388, 393 (1982).
5. **Maintenance of access roads to mining claim.** Pinkerton v. Moore, 66 NM 11, 340 P2d 844 (1959).
6. **Sinking shafts and running tunnels or drifts.** James v. Krook, 42 Ariz 322 (1933).
7. **Installation of mining machinery or fixtures.** Id.
8. **Employment of a watchman when necessary to protect structures or property used in developing a claim.** Ingersolt v. Scott, 13 Ariz 165, 108 P 460 (1910).
9. **Drilling and removal of samples from a mining claim.** Eveleigh v. Darneille, 81 Cal Reprtr 301 (Cal App 1969).

EXAMPLES OF WORK OR IMPROVEMENTS THAT DO NOT QUALIFY AS ANNUAL LABOR ON A MINING CLAIM

1. **Removal of water from a mine for inspection of prospective buyer.** Evalina Gold Mining Co. v. Yosemite Gold Mine Co., 15 Cal App 714, 115 P 946 (1911).
2. **Erection of a house outside the boundaries of a claim for the shelter of miners.** Remington v. Baudit, 6 Mont 138, 9 P 819 (1886).
3. **Eating utensils, groceries, and bedding.** Fredricks v. Klauser, 52 Or 110, 96 P 679 (1908).
4. **Amount paid for horses used in development work; however value of their use will qualify.** Id.
5. **Payment for iron rails or tools, but their value in developing the mine may qualify.** Id.
6. **Material taken to a claim but not used.** Id.
7. **Sampling and assaying.** Bishop v. Baisley, 28 Or 119, 41 P 936 (1895).
8. **Reconnaissance surveys of mining claims.** Pinkerton v. Moore, 66 NM 11, 340 P2d 844 (1959).
9. **Use of a claim to deposit wastes from other claims and building a flume to carry tailings to claim.** Jackson v. Roby, 109 US 440 (1883).
10. **Employment of a watchman to prevent relocation.** Justice Mining Co. v. Barclay, 82 F 554 (CC Nev 1897); or where there is no valuable improvement or machinery to protect. James v. Krook, 42 Ariz 322, 25 P2d 1026 (1933).

ACCESS ROADS AND QUALIFIES

The construction of access roads as well as improvement of existing access roads qualifies as assessment work, even though the road is not on the claims. For example, the cost of installation of water bars on an existing road to prevent erosion and reduce the need to rehabilitate or maintain the road is sufficient improvement to qualify as assessment work. United States v. Herr, 130 IBLA 349, 365-65 (1994).

FROM: MINERAL LAW, by Terry S. Maley

LAWS AND REGULATIONS GOVERNING RECREATION ACCESS

Public Lands

Grazing regulations pertaining to lands managed by the Bureau of Land Management state:

1. "The following acts are prohibited on the federal range: Interference with licensed hunters or fisherman to enter, and hunt and fish on the federal range covered by such (grazing) license or permits;..."

2. "A grazing lease does not alter or restrict the authorized public use of the leased land including, but not limited to, hunting, fishing, camping, or hiking on such lands in accordance with the laws of the United States or of the state in which the lands are located, nor may the lessee interfere in any manner with the proper exercise of such rights. Neither shall the lessee maintain locked gates, signs, or other devices which prevent public use of the leased lands."

In addition, the BLM grazing lease form stipulates: "The lands shall at all times be open to use by others for prospecting, mineral leasing, and mining purposes, access to and egress from other federal lands, hunting, fishing, recreation, and for all other lawful purposes, without hindrance or interference by the lessee."

Violation of these regulations can lead, after failure to show cause, to cancellation of or revocation of grazing licenses, permits, or leases.

The federal mining laws permit bonafide prospectors to locate mining claims on lands that are not specifically withdrawn from mineral location. A mining claimant has a right to use his claim for mining purposes only. The purpose of the claim is to protect the miner's discovery. He/she may restrict public recreational use of/or public access across claims or portions of claims that are actively used for prospecting, mining, or processing operations in the following situations:

1. Where public recreational use of a claim would endanger or materially interfere with legitimate mining pursuits or;
2. In cases where the mining operation is hazardous and could lead to personal injury. The claimant may protect his mining equipment and operations area with appropriate signs or other lawful means.

Recreationists may use the surface of most mining claims for any legal recreational pursuit, including hunting and fishing, but must respect the rights of mining claimants.

The right to manage the surface of most unpatented mining claims is vested with the federal government. Recreation is a recognized use of the public lands, specifically on claims located after 1955 and certain other claims located earlier, and is authorized by statute and regulation.

A mining claimant may not fence or other wise discourage free access and use of the land, within the bounds described above. A mining claimant is required under state and federal laws to provide adequate warning devices when using explosives during prospecting or mining operations.

Persons who are denied access to or across unpatented mining claims should verify their location and report the situation to the nearest office of the Bureau of Land Management.

The public cannot cross private land to reach public land, where no public thoroughfare exists, unless the landowner's permission has been granted.

THE OREGON/WASHINGTON STATE OFFICE
ACCEPTS

VISA MASTERCARD DISCOVER
AND
AMERICAN EXPRESS

USE IT TO:

ORDER MAPS, COPIES, COMPUTER PRINTOUTS, ETC.
PAY FILING FEES FOR MINING CLAIM LOCATIONS,
ASSESSMENTS, AND TRANSFERS OF INTEREST

FOR MAPS, SURVEY NOTES, COPIES, ETC.
CALL (503) 808-6008 OR FAX (503) 808-6422

OR MAIL TO:

BUREAU OF LAND MANAGEMENT
OREGON STATE OFFICE
POST OFFICE BOX 2965
PORTLAND, OR 97208

FOR ACCOUNT INFORMATION CALL (503) 808-6008

District Offices for Oregon and Washington
(503) 808-6008

BURNS DISTRICT OFFICE
HC 74-12533 Hwy 20
Hines, OR 97738
Phone: (541) 573-4400

ROSEBURG DISTRICT OFFICE
777 N. W. Garden Valley Blvd.
Roseburg, OR 97470
Phone: (541) 440-4930

COOS BAY DISTRICT OFFICE
1300 Airport Lane
North Bend, OR 97459-2000
Phone: (541) 756-0100

SALEM DISTRICT OFFICE
1717 Fabry Rd.
Salem, OR 97306
Phone: (503) 375-5646

EUGENE DISTRICT OFFICE
2890 Chad Drive
P O Box 10226
Eugene, OR 97440
Phone: (541) 683-6600

TILLAMOOK RESOURCE AREA
4610 Third
P O Box 404
Tillamook, OR 97141
Phone: (503) 815-1100

LAKEVIEW DISTRICT OFFICE
1301 S. "G" St.1103
Lakeview, OR 97630
Phone: (541) 947-2177

SPOKANE DISTRICT OFFICE
1103 N. Fancher Rd.
Spokane, WA 99212-1275
Phone: (509) 536-1200

KLAMATH FALLS RESOURCE AREA
2795 Anderson Ave., Suite
Klamath Falls, OR 97603-7891
Phone: (541) 883-6916

WENATCHEE RESOURCE AREA
915 Walla Walla St.
Wenatchee, WA 98801-1521
Phone: (509) 665-2100

MEDFORD DISTRICT OFFICE
3040 Biddle Rd.
Medford, OR 97504
Phone: (541) 618-2200

VALE DISTRICT OFFICE
100 Oregon St.
Vale, OR 97918
Phone: (541) 473-3144

PRINEVILLE DISTRICT OFFICE
3050 N E Third St.
P O Box 550
Prineville, OR 97754
Phone: (541) 416-6700

BAKER RESOURCE AREA
3825 11th St.
PO Box 947
Baker City, OR 97814
Phone: (541) 523-1938

Mining Claim Requirements

For Further Information: www.blm.gov/or/pubroom/miningclaims.php

NEW CLAIM FILING

DOCUMENT NEEDED	DATE DUE	CHARGE/FEE
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For claims located between June 30 and August 31, 2009

Notice of location	Within 90 days of location	1) \$ 15/claim - Recordation Fee 2) \$ 30/claim - Location Fee 3) \$125/claim - Maintenance fee \$170/claim – Total
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For claims located September 1, 2009 and later

Notice of location	Within 90 days of location	1) \$ 15/claim - Recordation Fee 2) \$ 34/claim - Location Fee 3) \$140/claim - Maintenance fee \$189/claim – Total
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NOTE: For any NEW claims located prior to September 1, but filed with the BLM after September 1, you must file your waiver certification with the location notice (in the same envelope). If you do not qualify for a waiver, you must pay an additional \$140 maintenance fee per claim. If you file a waiver form, you must also file a notice of intent to hold or proof of labor on or before December 30 with a \$10 per claim service fee.

WAIVER FROM PAYMENT OF MAINTENANCE FEE

(You **must** own 10 or fewer claims including sites)

DOCUMENTS NEEDED	DATE DUE	CHARGE/FEE
Form 3830-2	On or before September 1	None
Proof of Labor/Affidavit of Assessment	On or before December 30	\$10/claim
Notice of Intent to Hold*	On or before December 30	\$10/claim

* acceptable only for the first calendar year for lode or placer claims, acceptable annually for tunnel or mill sites

ANNUAL MAINTENANCE FEE FOR NON-EXEMPT CLAIMS

(You **must** pay maintenance fee if you own more than 10 claims and/or sites)

(You **may** pay the maintenance fee instead of filing a waiver and proof of labor if you own 10 or fewer claims/sites)

DOCUMENT NEEDED	DATE DUE	CHARGE/FEE
Letter listing claims and serial numbers	Must be paid in this office, on or before September 1 of <u>each</u> calendar year	\$140/Claim

TRANSFER OF INTEREST/AMENDED NOTICE OF LOCATION

DOCUMENT NEEDED	DATE DUE	CHARGE/FEE
Copy of QCD		\$10/Claim from each purchaser
County Recorded copy of Amended Notice	Within 90 Days	\$10/Claim

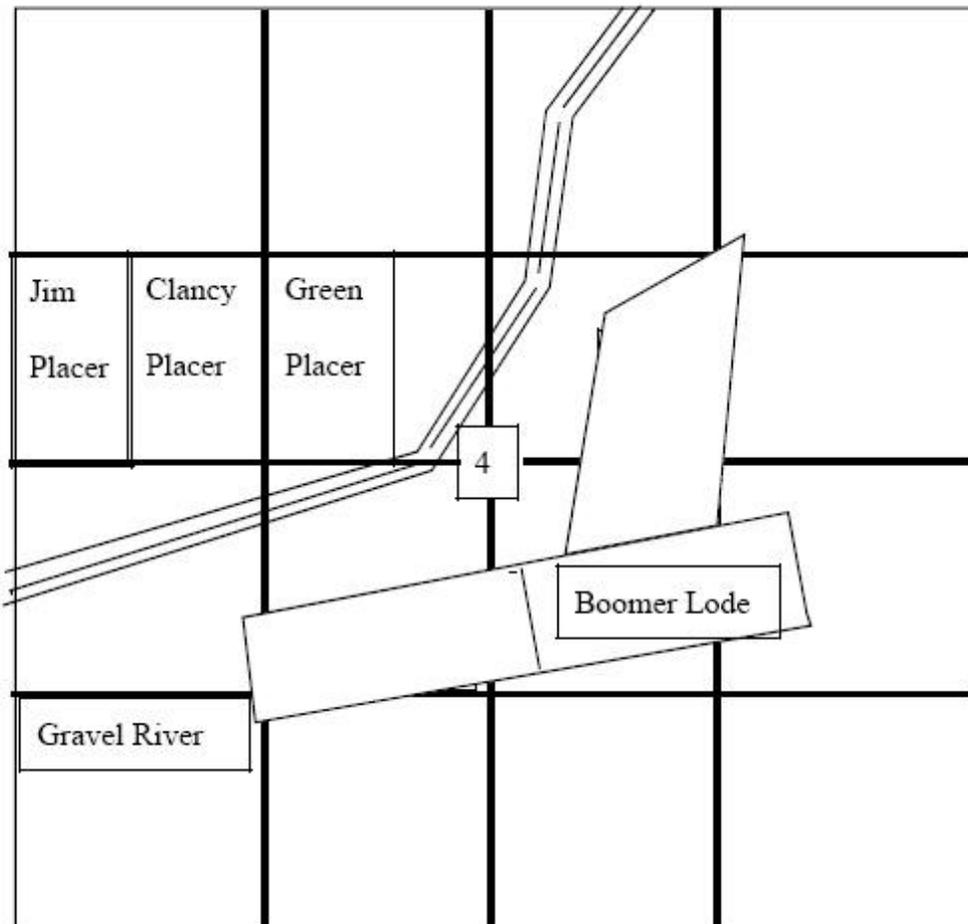
Please contact our office for more information: Bureau of Land Management, Oregon State Office - Land Office

Business Hours: 8:45 am to 4:30 pm PST Monday through Friday - except federal holidays	Mailing Address: PO Box 2965 Portland, OR 97208	Street Address: 333 SW First Ave. Portland, OR 97204	Telephone: 503-808-6017 Fax: 503-808-6422 Email: orwaland@or.blm.gov
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NOTE: The BLM will not accept a document as filed without the correct fees.

Signature of Claimant John Smith Date 5/16/2001

Township 12 N Range 15 E Section 4 State of WA



(THIS IS A SAMPLE OF HOW LODES AND PLACERS WOULD APPEAR.)

SAMPLE ONLY

Important Notice: Because applicable state laws determine certain requirements, check with your local State and Federal agencies to ensure that all requirements are met.

Sketch Map of Mining Claim(s)

Signature of Claimant: _____ Date: _____

Claim(s) Number(s): ORMC _____

Township _____ Range _____ Section _____ State _____

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

When drawing your claim(s), use an ordinary ruler. 1/8 of an inch equals 100 feet. Therefore a full sized lode claim (600' x 1500') would be 3/4" by 1-7/8". A full size, 20-acre placer claim (660' x 1320' - not an association placer mining claim) would be 1-5/8" by 13/16".

SAMPLE ONLY

Important Notice: Because applicable state laws determine certain requirements, check with your local State and Federal agencies to ensure that all requirements are met.

MAP OF CLAIMS

TOWNSHIP _____ RANGE _____ SECTION _____ TOWNSHIP _____ RANGE _____ SECTION _____

NWNW	NENW	NWNE	NENE	NWNW	NENW	NWNE	NENE
SWNW	SEnw	SWNE	SENE	SWNW	SEnw	SWNE	SENE
NWSW	NESW	NWSE	NESE	NWSW	NESW	NWSE	NESE
SWSW	SESW	SWSE	SESE	SWSW	SESW	SWSE	SESE
Sec.				Sec.			
NWNW	NENW	NWNE	NENE	NWNW	NENW	NWNE	NENE
SWNW	SEnw	SWNE	SENE	SWNW	SEnw	SWNE	SENE
NWSW	NESW	NWSE	NESE	NWSW	NESW	NWSE	NESE
SWSW	SESW	SWSE	SESE	SWSW	SESW	SWSE	SESE
Sec.				Sec.			

TOWNSHIP _____ RANGE _____ SECTION _____ TOWNSHIP _____ RANGE _____ SECTION _____

WHEN DRAWING YOUR CLAIMS, USE AN ORDINARY RULER.

THE PLAT SCALE : 1/6"=100'

