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RICHARD PERRY
Administrator

September 22, 2014

TO: All State of Nevada County Recorders

Re: Clarification of fees for recording of mining documents

Thank you for the recent request for clarification on fees for amended certificates of location. We have listed below the fees to be collected by County Recorders on behalf of the Nevada Division of Minerals:

- 1) The filing fee is \$8.50, as currently set by the Commission on Mineral Resources in NAC 517.200 and NAC 513.315.
- 2) NRS 517.185 stipulates the mining documents to which this filing fee applies:
 - a. NRS 517.050 - Certificate of location (lode claims) - \$8.50 per claim
 - b. NRS 517.080 - Relocation of abandoned lode claim - \$8.50 per claim
 - c. NRS 517.110 - Certificate of location (placer claim) - \$8.50 per claim
 - d. NRS 517.140 - Certificate of location (mill site) - \$8.50 per mill site
 - e. NRS 517.170 - Certificate of location (tunnel right) - \$8.50 per tunnel right
 - f. NRS 517.200 - Amended certificate of location - \$8.50 per document*
 - *Because this filing references certificates of location of claims for which the per claim filing fee was already paid, only the per document filing fee is to be collected.
 - *This includes changes to surface boundaries of a claim or the taking of a previously overlapping claim which is now abandoned.
 - g. NRS 517.230 - Affidavit of Annual Assessment Work and Affidavit of Notice of Intent to Hold - \$8.50 per claim

As a reference, the pertinent statutes and regulations noted above are attached. This letter and attachment has been added to our new website (<http://minerals.nv.gov>) and can be found in the Mining Program under "Claims". If you have any questions, please don't hesitate to contact us at 775-684-7040 or by email at ndom@minerals.nv.gov. Thank you for all you do in collecting these mining claim fees.

Sincerely,

Rich Perry
Administrator

Attachment - List of filing fee statutes and regulations

Nevada Division of Minerals – Mining Document Fees

NRS 517.185 Fee for each document filed; disposition.

1. In addition to any recording fee, each filing pursuant to [NRS 517.050](#), [517.080](#), [517.110](#), [517.140](#), [517.170](#), [517.200](#) and [517.230](#) must be submitted with a filing fee in an amount established pursuant to subsection 2. The county recorder shall collect the filing fee and, on or before the fifth working day of each month, deposit with the county treasurer all such fees collected during the preceding month. The county treasurer shall quarterly pay the money collected to the Division. The Division shall deposit with the State Treasurer, for credit to the Account for the Division of Minerals created pursuant to [NRS 513.103](#), all money received pursuant to this section.

2. The Commission on Mineral Resources shall, by regulation, establish the filing fee required pursuant to subsection 1 in an amount not to exceed \$6 per claim.

(Added to NRS by [1985, 1494](#); A [1989, 1595](#); [1991, 1780](#); [1993, 298](#), [1686](#); [1995, 579](#); [1999, 891](#), [3629](#); [2001, 66](#))

NAC 517.200 Filing fee. ([NRS 513.063](#), [517.185](#)) The amount of the filing fee that is imposed pursuant to subsection 1 of [NRS 517.185](#) is **\$6 per claim**.

(Added to NAC by Comm'n on Mineral Resources by R069-99, eff. 8-19-99; A by R080-01, 1-16-2002; R199-08, 8-26-2008, eff. 8-27-2008)

NRS 513.094 Additional fee; Administrator to establish program to discover dangerous conditions of nonoperating mines; employment of qualified assistant; regulations.

1. An additional fee, in an amount established pursuant to subsection 4, is imposed upon all filings to which [NRS 517.185](#) applies. Each county recorder shall collect and pay over the additional fee, and the additional fee must be deposited in the same manner as provided in that section.

2. The Administrator shall, within the limits of the money provided by this fee, establish a program to discover dangerous conditions that result from mining practices which took place at a mine that is no longer operating, identify if feasible the owner or other person responsible for the condition, and rank the conditions found in descending order of danger. The Administrator shall annually during the month of January, or more often if the danger discovered warrants, inform each board of county commissioners concerning the dangerous conditions found in the respective counties, including their degree of danger relative to one another and to those conditions found in the State as a whole. In addition, the Administrator shall work to educate the public to recognize and avoid those hazards resulting from mining practices which took place at a mine that is no longer operating.

3. To carry out this program and these duties, the Administrator shall employ a qualified assistant, who must be in the unclassified service of the State and whose position is in addition to the unclassified positions otherwise authorized in the Division by statute.

4. The Commission shall establish by regulation:

(a) The fee required pursuant to subsection 1, in an amount not to exceed \$4 per claim.

(b) Standards for determining the conditions created by the abandonment of a former mine or its associated works that constitute a danger to persons or animals and for determining the relative degree of danger. A condition whose existence violates a federal or state statute or regulation intended to protect public health or safety is a danger because of that violation.

(c) Standards for abating the kinds of dangers usually found, including, but not limited to, standards for excluding persons and animals from dangerous open excavations.

(Added to NRS by [1987, 1867](#); A [1993, 298](#), [1683](#); [1995, 579](#); [1999, 890](#), [3627](#); [2001, 66](#))

NAC 513.315 Additional fee. ([NRS 513.063](#), [513.094](#)) The amount of the additional fee that is imposed on filings pursuant to subsection 1 of [NRS 513.094](#) is **\$2.50 per claim**.

(Added to NAC by Comm'n on Mineral Resources by R069-99, eff. 8-19-99; A by R080-01, 1-16-2002; R199-08, 8-26-2008, eff. 8-27-2008)

Documents to which filing fee applies

NRS 517.050 Certificate of location: Recording; contents; effect of insufficiency.

1. When the locator files his or her map pursuant to [NRS 517.040](#), the locator shall present to the county recorder for recording, together with the usual recording fees, duplicate certificates of location which contain:

- (a) The name of the lode or vein.
- (b) The name of the locator and the locator's mailing address.
- (c) The date of the location.
- (d) The number of linear feet claimed in length along the course of the vein each way from the point of discovery with the width on each side of the center of the vein, and the general course of the lode or vein as near as may be.
- (e) A statement that the work of location consisted of making the maps as provided in [NRS 517.040](#).
- (f) The location and description of each corner, with the markings thereon.

2. Any record of the location of a lode claim which does not contain all the requirements named in this section recorded on or after July 1, 1971, is void, and every location of a mining claim recorded on or after July 1, 1971, is void unless a certificate of location thereof substantially complying with the above requirements is recorded with the county recorder of the county in which the claim is located within 90 days after the date of location.

3. This section does not invalidate a record of location of a mining claim which was validly located and recorded before July 1, 1971.

[Part 3:89:1897; A 1907, 418; 1941, 92; 1931 NCL § 4122]—(NRS A 1960, 292; 1961, 100; 1971, 2199; 1983, 1610; [1985, 1497](#))

NRS 517.080 Relocation of abandoned lode claim.

1. The relocation of an abandoned lode claim must be made by preparing two copies of a map of the claim as provided by [NRS 517.040](#), and erecting new boundaries or adopting the old boundaries by renewing the monuments if they have been removed or destroyed. In either case, a new monument of location must be erected.

2. Two copies of the claim map must be filed with duplicate certificates of location with the county recorder of the county in which the claim is situated, accompanied by a filing fee as prescribed in [NRS 517.040](#).

[7:89:1897; C § 214; RL § 2428; NCL § 4126]—(NRS A 1971, 2200; 1983, 349; [1985, 1498](#))

NRS 517.110 Certificate of location: Recording; contents; effect of insufficiency.

1. When the locator files his or her maps pursuant to [NRS 517.100](#), the locator shall present to the county recorder for recording, together with the usual recording fees, duplicate certificates of location which state:

- (a) The name of the claim, designating it as a placer claim.
- (b) The name of the locator and the locator's mailing address.
- (c) The date of location.
- (d) The number of feet or acres claimed.

2. This certificate, or the record thereof, or a certified copy of the record is prima facie evidence of the recitals therein.

3. If the certificate does not state all the facts required by this section to be stated, it is void.

[Part 14:89:1897; A 1899, 93; C § 221; RL § 2435; NCL § 4133]—(NRS A 1971, 2201; 1983, 1611; [1985, 1499](#))

NRS 517.140 Certificate of location: Recording; contents; effect of insufficiency.

1. Within 90 days after the date of his or her location, the locator of a claim or location of a mill site shall record his or her location with the county recorder of the county in which the location is situated, by duplicate certificates of location.

2. When the locator records his or her certificates of location the locator shall file two copies of a map not to exceed 3 feet by 4 feet and pay the filing fees which comply with the requirements set forth in [NRS 517.040](#) and [517.050](#).

3. Any record of a location of a mill site which does not contain the name of the locator, the name of the mine or mining claim of which the locator is the proprietor, or the name of the mill or reduction works of which the locator is the owner, the number of feet or acres claimed, and a description which identifies the claim with reasonable certainty is void.

[17:89:1897; C § 224; RL § 2438; NCL § 4136] + [18:89:1897; C § 225; RL § 2439; NCL § 4137]—(NRS A 1971, 2201; 1983, 1611; [1985, 1500](#))

NRS 517.170 Recording of certificate of location; filing of map; effect of insufficiency.

1. Within 90 days from the date of the location, the locator of a tunnel right or location shall record his or her location with the county recorder of the county in which the location is situated.

2. When the locator records his or her certificate of location the locator shall file two copies of a map that complies with the requirements set forth in [NRS 517.040](#).

3. Any record of a tunnel right or location which does not contain all the requirements named in this section is void.

[21:89:1897; C § 228; RL § 2442; NCL § 4140]—(NRS A 1971, 2202; [1985, 1500](#))

NRS 517.200 Validation of defective certificate of location or change of boundaries: Filing of amended certificate of location; effect of amendment; correction of common error.

1. If at any time the locator of any mining claim located before, on or after March 16, 1897, or the locator's assigns, apprehends that the locator's original certificate of location was defective or erroneous, or that the requirements of the law had not been complied with before filing, or if he or she is desirous of changing his or her surface boundaries or of taking in any part of an overlapping claim which has been abandoned, or in case the original certificate of location was made before March 16, 1897, and he or she is desirous of securing the benefits of this chapter, the locator, or the locator's assigns, may file an amended certificate of location, subject to the provisions of this chapter, if the amendment does not interfere with the existing rights of others at the time of the amendment.

2. The amendment or the record thereof does not preclude the claimant from proving any title the claimant held under previous locations.

3. Where a common error occurs in more than one certificate of location, the locator may record one document which describes the error, makes reference to the claims by name and the date, book and page of recording and states the desired amendment.

[6:89:1897; C § 213; RL § 2427; NCL § 4125]—(NRS A 1969, 498; [1985, 1501](#))

NRS 517.230 Affidavit of work performed or improvements made; affidavit of owner or claimant; evidentiary effect of affidavits.

1. On or before November 1 of the year for which labor is performed or improvements are made as required by law for a mining claim annually, the person in whose behalf the labor was performed or improvements made, or someone in the person's behalf, shall make and have recorded by the county recorder, in books kept for that purpose in the county in which the mining claim is situated, an affidavit setting forth:

(a) The amount of money expended, or value of labor or improvements made, or both.

(b) The character of expenditures or labor or improvements.

(c) A description of the claim or part of the claim affected by the expenditures or labor or improvements.

(d) The year for which the expenditures or labor or improvements were made and the dates on which they were made.

(e) The name of the owner or claimant of the claim at whose expense the improvements or labor was made or performed.

(f) The names of the persons, corporations, contractors or subcontractors who performed the work or made the improvements.

2. An affidavit made and recorded pursuant to subsection 1 or a copy thereof, certified by the county recorder, is prima facie evidence of the performance of the labor or the making of the improvements, or both.

3. On or before November 1 of each year that the performance of labor or the making of improvements is not required by law for a mining claim, the owner or claimant of the mining claim who intends to hold the claim, or someone in the owner or claimant's behalf, shall make and have recorded by the county recorder, in books kept for that purpose in the county in which the mining claim is situated, an affidavit setting forth:

(a) The name and address of the owner or claimant of the mining claim.

(b) The name of the mining claim, and the serial number, if any, assigned to the claim by the United States Bureau of Land Management.

(c) The date that the affidavit was made.

(d) A statement that the owner or claimant of the mining claim intends to hold the claim.

4. An affidavit made and recorded pursuant to subsection 3 or a copy thereof, certified by the county recorder, is prima facie evidence that the owner or claimant of the mining claim intended to hold the claim from 12 p.m. on September 1 of the year before the affidavit was made and recorded, until 11:59 a.m. on September 1 of the year that the affidavit was made and recorded.

[10:89:1897; C § 217; RL § 2431; NCL § 4129]—(NRS A 1960, 319; 1961, 422; 1969, 1003; 1971, 2202; [1985](#),
[1502](#); [1993](#), [299](#))