

Placer Claim Staking Forum
March 22, 2018
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Bureau of Land Management, Nevada State Office

43 CFR 3832.12 – When I record a mining claim or site, how do I describe the lands I have claimed?

(a)(1) All claims and sites. You must describe the land by state, meridian, township, range, section and by aliquot part to the quarter section. To obtain the land description, you 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. If you cannot describe the land by aliquot part (e.g., the land is unsurveyed), you must provide a metes and bounds description that fixes the position of the claim corners with respect to a specified claim corner, discovery monument, or official survey monument. In all cases, your 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;

(c) *Placer claims.* (1) You must describe placer claims by aliquot part and complete lots using the U.S. Public Land Survey System and its rectangular subdivisions **except** when placer claims are – (i) On unsurveyed Federal lands; (ii) Gulch or bench placer claims; or (iii) Bounded by other mining claims or non-mineral lands.

(2) For placer mining claims that are on unsurveyed Federal lands or are gulch or bench placer claims: (i) You must describe the lands by protracted survey if the BLM has a protracted survey of record; or (ii) You may describe the lands by metes and bounds, if a protracted survey is not available or if the land is not amenable to protraction.

(3) If you are describing an association placer claim by metes and bounds, you must meet the following requirements, according to the number of persons in your association, as described in *Snow Flake Fraction Placer*, 37 Pub. Lands Dec. 250 (1908), in order to keep your claim in compact form and not split Federal lands into narrow, long or irregular shapes: (i) a location by 1 or 2 persons must fit within the exterior boundaries of a square 40-acre parcel; (ii) A location by 3 or 4 persons must fit within the exterior boundaries of 2 square 40-acre contiguous parcels; etc.

43 CFR 3832.21 – How do I locate a lode or placer mining claim?

(b) *Placer claims.* (1) Your placer claim is not valid until you have made a discovery.

(2) Each 10-acre aliquot part of your placer claim must be mineral-in-character.

43 CFR 3832.22 – How much land may I include in my mining claim?

(b) *Placer claims.* (1) An individual placer claim may not exceed 20 acres in size.

(2) An association placer claim may not exceed 160 acres. Within the association, each person or business entity may locate up to 20 acres. To obtain the full 160 acres, the association must

consist of at least eight co-locators. You may locate smaller association claims. Thus, three co-locators may jointly locate an association placer claim no larger than 60 acres. You may not use the names of other persons as dummy locators (fictitious locators) to locate an association placer claim for your own benefit.

30 USC 35 – in part, placer claims shall conform as near as practicable with the United States system of public-land survey, and the rectangular subdivisions of such surveys, and no such location shall include more than twenty acres for each individual claimant; but where placer claims cannot be conformed to legal subdivisions, survey and plat shall be made as on unsurveyed land.

Locating Placer Mining Claims on Unsurveyed Protracted Townships

This is assuming none of the other acceptable reasons are present for describing a placer claim by metes & bounds description. 43 CFR 3832.12 (c)(1)

If the placer claim is located in an unsurveyed township, but on a protracted map (all of Nevada is either surveyed or protracted) we will accept the location being described as follows:

If the section appears to be a full section – 640 acres and square (depicted on the protraction diagram as a square with only a section number, no acreage show, then it must be described by Aliquot Part.

If the section appears to be more than or less than 640 acres and not square (and inside the section lines the acreage shown is more or less than 640), then it can be described by either aliquot part or metes and bounds. The metes and bounds description should be rectangular in form and run in an ordinal direction, making some attempt to conform to the PLSS. The aliquot part description must follow what Cadastral would draw.

Example - Locating a placer mining claim on T. 6 N. R. 55 E. MDM (unsurveyed township)

- *Claims located in sections: 8-12, 13-17, 20-24, and 25-29 would be described by aliquot part.*
- *Claims located in sections: 1-7, 18, 19, and 30-36 would be described by metes and bounds or described by aliquot part up to the section that would be lotted if it were surveyed.*

Locating Placer Mining Claims in lots

A lot is the smallest legal subdivision of the Public Land Survey System.

Placer claims may be located in complete lots or portions of lots, but they may not be located in portions of 2 lots.

Rule of Approximation

Generally, if you are over by less than 5 acres you would be allowed the extra acreage, but you would have to pay the additional maintenance within 90 days of location.

Any questions can be directed to Lacy Trapp at 775-861-6599, or ltrapp@blm.gov

UNSURVEYED TOWNSHIP 6 NORTH RANGE 55 EAST OF THE MOUNT DIABLO MERIDIAN, NEVADA

PROTRACTION DIAGRAM NO 112

NYE COUNTY
BATTLE MTN GR DIST

STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES

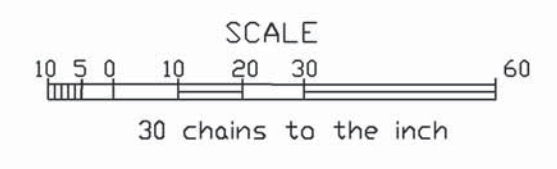
MT PLAT

6 633	5 656	4 666	3 656	2 656	1 656
7 614	8	9	10	11	12
18 612	17	16	15	14	13
19 610	20	21	22	23	24
30 608	29	28	27	26	25
31 594	32 630	33 632	34 634	35 637	36 639

RESURVEY		ORIGINAL SURVEY			
TRACT NO	T	R	SEC	SUBDIVISION	

FOR ORDERS EFFECTING DISPOSAL OR USE OF UNIDENTIFIED LANDS WITHDRAWN FOR CLASSIFICATION, MINERALS, WATER AND/OR OTHER PUBLIC PURPOSES, REFER TO INDEX OF MISCELLANEOUS DOCUMENTS.

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R-0022



WARNING STATEMENT
This plot is the Bureau's Record of Title and should be used only as a graphic display of the township survey data. Records hereon do not reflect title changes which may have been effected by lateral movements of rivers or other bodies of water. Refer to the cadastral surveys for official survey information.

Lat. 38°19'40.942"N
Long. 115°43'10.716"W

CURRENT TO	BY
6/29/11	MS

N-060
T-6N
R-55E