



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

# Transfers of Interest



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## What is a Transfer of Interest ?

A transfer of interest is a sale, assignment, transfer through inheritance, or conveyance of total or partial ownership, or legal interest in a mining claim or site.



# Why do I need a Transfer of Interest?

The Supreme Court has ruled that despite the fact that the Federal Government holds the title, unpatented mining claims are real property and therefore can be bought, sold, transferred, willed, and inherited, the same as any other real estate. (Forbes v. Gracy, 94 US 762 [1876])

## **NRS 517.370 Conveyances of mining claims: Formalities; construction and proof of conveyances before December 12, 1862.**

- ❖ After December 12, 1862, conveyances of mining claims shall require the same formalities and shall be subject to the same rules of construction as the transfers and conveyances of other real property.



## Effective Date

State Law governs the transfer of mining claims or sites.

A transfer is effective in the manner and on the date provided by state law, not the date you file it with the BLM.



## **The Advantage of filing a Transfer of Interest**

The BLM will treat the last owner of record as the responsible party for the claim or site.

You cannot claim that the BLM failed to give you notice of any BLM action, decision, or contest regarding a claim or site if you fail to file a transfer showing your interest, before the BLM took action.



## How do I file a Transfer of Interest?

- ❖ You file with the BLM State Office a Quit Claim Deed (QCD) or any other legal document (i.e. a Will, or a decision from a Court). Include the claim name, the BLM serial number (*if available*), the Grantee's name, the Grantor's signature, the notary stamp, and the Grantee's current mailing address.
- ❖ A non-refundable processing fee of \$15 per claim / per grantee. Example: If you are transferring one claim to three grantees, then the filing fee is \$45. If you are transferring three claims to five grantees, then the filing fee is \$225.
- ❖ Grantor/Seller/Transferor.
- ❖ Grantee/Buyer/Transferee.



# Death of a Claimant

## Documents other than a deed

- Death certificate (please redact social security number)
- Additional document
  - Will
  - State Probate Proceedings of the estate decree
  - Notarized statement signed by the heirs that they are the only heirs (notarized)

NV community property state – surviving spouse automatically acquired the deceased party's possessions and property (death certificate needs surviving spouse listed)



## Association Placer Claims

If you transfer an association placer mining claim to an individual or an association that is smaller in number than the association that located the claim you-

- ❖ Must provide evidence of a valuable mineral deposit from before the transfer; or
- ❖ Upon notice from the BLM, you must reduce the acreage of the claim, if necessary, so that you meet the 20 acre per locator limit. The size can be reduced by filing an Amended COL.





## Transferring of claims under wavier

- ❖ If you purchase, inherit or otherwise obtain a claim that is subject to a waiver you must also qualify for the waiver in order for the BLM to apply it to the claims.
- ❖ If you do **NOT** qualify for the waiver you must pay the Annual Maintenance Fee for the current year **AND** the upcoming assessment year by September 1st following the date of the transfer.



## Non Curable Errors

- ❖ No name for Grantor or Grantee
- ❖ No signature for the Grantor
- ❖ No Notary signature/stamp
- ❖ No address provided for the Grantee
- ❖ No Claim Name or BLM Serial Number

and assigns forever, a production royalty (the "Royalty") of two percent (2.0%) of the Net Smelter Returns from all Products produced and sold from the Property. The Royalty is further defined in, and is subject to, the terms and conditions set forth in that certain royalty agreement executed between Grantor and Grantee (the "Nevada Select Royalty Agreement"), a memorandum of which is recorded in the real property records of Esmeralda County, Nevada.

DATED effective this 8<sup>th</sup> day of June, 2023.

**GRANTOR:**

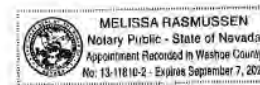
NEVADA SELECT ROYALTY, INC., a Nevada corporation

By: Gerald Baughman  
Gerald Baughman, Vice President

STATE OF NEVADA     )  
                                  ) ss.  
COUNTY OF WASHOE    )

The foregoing instrument was acknowledged before me on this 8<sup>th</sup> day of June, 2023, by Gerald Baughman, as Vice President of Nevada Select Royalty, Inc.

Melissa Rasmussen  
NOTARY PUBLIC





## Curable Errors

- ❖ No fees submitted with the Transfer
- ❖ Insufficient fees submitted with the Transfer
- ❖ Incorrect Claim Name or BLM Serial Number

### DEED (Special Warranty)

FOR THE CONSIDERATION of Ten Dollars (\$10.00) and other valuable consideration, **NEXGEN MINING INCORPORATED**, a Montana corporation, whose address is 3983 S McCarran Blvd, Ste 458, Reno NV 89502 ("**Grantor**") does hereby convey to **BULL MOUNTAIN RESOURCES, LLC**, an Arizona limited liability company ("**Bull Mountain**"), whose address is 3349 S Stallion Dr, Kingman AZ 86401, the property described in **Exhibit "A"** hereto;

TOGETHER WITH all associated rights, water rights, tenements, hereditaments and appurtenances thereto belonging, or otherwise appertaining thereto, but reserving therefrom a one percent (1.0%) net smelter returns royalty, subject to a payment cap, all as further described in that certain Net Smelter Returns Royalty Agreement, of even date herewith, between Grantor and Bull Mountain, a copy of which is in the possession of the Grantor,

#### SUBJECT TO:

1. Current taxes;
2. All matters of record in the official records of Nye County, Nevada, or would be apparent by an inspection of the property conveyed hereby;
3. Reservations in patents from the United States of America or the State of Nevada.

TO HAVE AND TO HOLD the same, together with the appurtenances and privileges thereunto incident, unto the Grantee, its successors and assigns forever.



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# QUESTIONS?