

SUMMARY OF MINING LAWS

Here are answers to some of the most frequently asked questions on mining laws.

1. How many claims can an individual locate? Ans. There is no limit, but \$100 worth of work must be spent on each claim each year to hold it.
2. What is the size of a claim? Ans. Placer claims are 20 acres, quartz or lode claims are 300 feet wide on either side of the center line and 1,500 feet long.
3. How do I locate a quartz claim? Ans. The following steps must be done in order and within the time given: (1) At the point of discovery post a location notice. (2) Within 30 days erect stakes at the corners and center ends of the claim. Posts must be at least 4 inches in diameter and 3 feet high. (3) Within 60 days from date of discovery dig a shaft 4 feet square and 10 feet deep or a cut 4 feet wide, 10 feet long, and 6 feet deep along the vein and file a copy of the original location notice at the county clerk's office in the county in which the claim is located.
4. How do I locate a placer claim? Ans. (1) Post location notice at point of discovery. (2) Within 30 days claim (if area has not been surveyed) must be staked with materials similar to those used for quartz claims. Stakes must not be more than 1,320 feet apart and must be erected at corners and angles. If area has been surveyed, no stakes are required. (3) Within 60 days from date of discovery, at least 5 cubic yards of material must be excavated to expose the deposit. A copy of the location notice must also be filed, as for quartz claims.
5. What about assessment work? Ans. At least \$100 worth of work of a mining nature or of benefit to the claim must be performed on each unpatented claim each assessment year. An assessment year begins at noon Sept. 1. Claims that side line or end line each other may have all of the assessment work concentrated on one claim, provided such work is of benefit to all of the others. Upon completion of the work a Proof of Labor should be filed.
6. How do I know whether ground is open for location? Ans. Unless a claim is patented, \$100 worth of work must be performed on it each assessment year and a Proof of Labor filed with the county recorder. This work should be quite apparent, but it must be remembered that a claimant could do his work at the beginning of an assessment year and then wait nearly two years to do some more work at the end of the following assessment year. Many claim holders do two years' work by starting late in August and continuing on into September until \$200 worth of work has been done. Separate Proof of Labor filings should be made, however. If the ground shows no evidence of having been worked for several years and there are no records of Proofs of Labor, it is fairly safe to assume that the ground is open. Oftentimes local inquiry will help determine the status of ground in the area.
7. What is an association placer claim? Ans. An association placer claim may be located by several locators, each of whom is entitled to an area of 20 acres. In other words, two locators may locate a 40-acre association claim, three could locate 60 acres. A maximum of eight co-locators is allowed for one association placer claim. Only \$100 must be expended annually on an association claim.
8. Can a claim be located on private land? Ans. This depends on the status of the mineral rights to the parcel of land. If the surface and mineral rights have not been severed, no claim can be located. If the surface and mineral rights have been severed and the mineral rights are reserved

to the federal government, it is technically possible to prospect the ground and to locate a claim. A person prospecting or locating a claim is liable for any damages to crops, livestock, etc., but the landowner must provide access to any claim that is located.

9. Can a claim be located on State land? Ans. Some, but not all, State land is open to mineral entry. Following discovery, a location is made in the same manner as for claims on federal forests. A lease agreement must be obtained from the State Land Board, State Capitol Building, Salem, before any mining can be done.
10. How can I patent my claim? Ans. The best information on patenting procedures is contained in the pamphlet "Information Relative to the Procedure of Obtaining Patent to a Mining Claim" issued by the U. S. Bureau of Land Management and available from the Bureau's Land Office, 710 N. E. Holladay Street, Portland 12, Oregon.

The diagrams below show two typical plans for quartz claims. In diagram "A" the endlines are at right angles to the sidelines. In diagram "B" the endlines are at an oblique angle to the sidelines. In either case the endlines must be parallel to each other. Note in "B" that the endlines are longer than 600 feet, but that the width of the claim is only 600 feet--the maximum permitted by law.

The location cut and the location monument (Post No. 1) must be somewhere along the center line. The distance from the location monument to the center end stake (No. 2) and also the distance from the location monument to center end stake (No. 5) must be given in the spaces provided on the claim location notice.

Adjoining claims must have their own set of claim posts, but the location notice should state that the one claim either endlines or sidelines the other.

