

UNITED STATES  
DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT

Release  
3 - 319

MANUAL TRANSMITTAL SHEET

Date  
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Subject 3830 - LOCATION, RECORDING AND MAINTENANCE  
OF MINING CLAIMS, MILL AND TUNNEL SITES - (Public)

1. Explanation of Material Transmitted: This release updates, revises, and replaces the existing Manual Section 3830 - Location of Mining Claims. The new Manual Section now conforms to the recent release of new regulations that revise and renumber the former Subparts 3830 and 3833. This Manual Section was last revised in 1986.
2. Reports Required: Yes, see section .07 of this release.
3. Material Superseded: Rel. 3-145, All.
4. Filing Instructions: File as directed below.

REMOVE

3830

(Rel. 3-145, all)

Insert

3800

(Total: 4 Sheets)

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3830 – LOCATION, RECORDING AND MAINTENANCE  
OF MINING CLAIMS, MILL AND TUNNEL SITES – (Public)

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H-3830-1 -- LOCATION, RECORDING AND MAINTENANCE OF MINING CLAIMS, MILL  
AND TUNNEL SITES (Reserved).

3830 – LOCATION, RECORDING AND MAINTENANCE  
OF MINING CLAIMS, MILL AND TUNNEL SITES – (Public)

.01 Purpose. This Manual Section contains the Bureau’s policies and procedures for the location, recording, maintenance, and forfeiture of mining claims, mill, and tunnel sites on the public lands and reserved mineral estates in lands previously patented under various authorities.

.02 Objectives. The Bureau will timely adjudicate all documents submitted for recording, amending, transferring, and maintaining all mining claims, mill, and tunnel sites; and collect the fees required by statute or regulation to keep the mining claims, mill or tunnel sites in good standing under the regulations. Administrative decisions will be promptly issued for mining claims, mill or tunnel sites that are defective and/or are forfeited under the various land and mineral laws. Our main objective is to possess an accurate and up-to-date mining claim recordation system.

03. Authority.

A. Statutes.

1. The General Mining Law of May 10, 1872, as amended (19 Stat. 91, 30 U.S.C. §§ 21-54).
2. The Act of April 8, 1948 [O and C Lands Act] (62 Stat. 162).
3. The Surface Resources Act of July 23, 1955 [P. L. 84-167] (69 Stat. 367, 30 U.S.C. §§ 611-615).
4. The Mining in the Parks Act of September 28, 1976 (90 Stat. 1342, 16 U.S.C. § 1901).
5. The Federal Land Policy and Management Act of October 21, 1976 [FLPMA] (90 Stat. 2743, 2769, 43 U.S.C. § 1744).
6. The Stockraising Homestead of December 29, 1916, as amended [SRHA] (39 Stat. 864, 107 Stat. 60, 43 U.S.C. § 299).
7. The Mining Claim Rights Restoration Act of August 11, 1955 [P. L. 84-359] (69 Stat. 682, 30 U.S.C. §§ 621-625).

B. Regulations.

1. 43 CFR Parts 3710, 3730, and 3740.
2. 43 CFR Parts 3810 and 3820
3. 43 CFR Parts 3830 – 3839

.03C

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C. Delegations. The Secretary of the Interior’s authority to administer the public land and mineral laws has been delegated to the Director, Bureau of Land Management by Departmental Directives 135 DM 1.3B, 209 DM 7, and 235 DM 1.1A.

.04 Responsibility.

A. Assistant Director for Minerals, Realty, and Resource Protection is responsible for the overall management, oversight, and technical matters pertaining to administration of the General Mining Laws. The Assistant Director is also responsible for reviewing and approving the technical and policy content of mineral training courses given through the National Training Center and elsewhere.

B. State Directors, by delegations issued pursuant to Manual Section 1203, may take all actions on mining claims pursuant to the General Mining Laws and the Federal Land Policy and Management Act. All mining law adjudication actions under these provisions may not be delegated further. State Directors may not sign mineral patents or final certificates, as the authority to sign these documents remains with the Director.

.05 References. (reserved).

.06 Policy. Our policy is to maintain an accurate and up-to-date mining claim recording system in all respects. An accurate mining claim record system is essential to the proper administration of mining claim rights and privileges on the public lands and reserved Federal mineral interests. This policy will also encourage the domestic mining industry to explore, develop, and extract minerals from the public lands, and reserved Federal mineral estates; knowing that our mining claim records will display an accurate rendition of the mining claim status of any particular land parcel they may have an interest in.

.07 Status Reports for Congressional Inquiries.

A. In order to answer regulations questions from the House and Senate oversight and authorization committees without burdening the State Offices with numerous requests for mining claim recording data, a quarterly reporting system is implemented that continues the reporting of units on a quarterly basis. All electronic files submitted will contain the following designation so that a rapid compilation may occur by the program office: xx-yyzz-aaa. Letters xx is the State Office code (AK, AZ, etc.), yy is the fiscal quarter (01, 02, 03, or 04), zz is the fiscal year (04, 05, 06, etc.) and aaa is “mcr” to distinguish the report from other quarterly reports arriving at the same time that concern other functional areas. The program office is currently WO 320, the Solids Minerals Group.

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- B. The required format for report presentation is:
1. No. of new claims recorded.
  2. No. of actual waiver documents received.
  3. No. of claims covered by above waiver documents.
  4. No. of existing claims paying maintenance fees not included in No. 1 above.
  5. No. of transfers received.
  6. No. of amendments received.
  7. No. of affidavits of labor received.
  8. No. of Notices of intent to hold received.
  9. No. of Notices of Intent to Locate Received (Stockraising Homestead Act, as amended).
  10. No. of deferment petitions received.
  11. No. of claims contained within the deferment petitions received in No. 10 above.