

Bureau of Land Management, Interior

§ 3850.0-9

(a) Where nonmineral land not contiguous to the vein or lode is used or occupied by the proprietor of such vein or lode for mining or milling purposes, such nonadjacent surface ground may be embraced, and included in an application for a patent for such vein or lode, and the same may be patented therewith, subject to the same preliminary requirements as to survey and notice as are applicable to veins or lodes; but no location made of such nonadjacent land shall exceed five acres, and payment for the same must be made at the same rate as fixed by sections 21-24, 26-28, 29, 30, 33-48, 50-52, and 71-76 of this title for the superficies of the lode. The owner of a quartz mill or reduction works, not owning a mine in connection therewith, may also receive a patent for his mill site, as provided in this section.

(b) Where nonmineral land is needed by the proprietor of a placer claim for mining, milling, processing, beneficiation, or other operations in connection with such claim, and is used or occupied by the proprietor for such purposes, such land may be included in an application for a patent for such claim, and may be patented therewith subject to the same requirements as to survey and notice as are applicable to placers. No location made of such nonmineral land shall exceed five acres and payment for the same shall be made at the rate applicable to placer claims which do not include a vein or lode. (As amended Mar. 18, 1960, Pub. Law 86-390, 74 Stat. 7.)

[35 FR 9752, June 13, 1970]

§ 3844.1 Required use.

A millsite is required to be used or occupied distinctly and explicitly for mining or milling purposes in connection with the lode or placer claim with which it is associated. A custom or independent millsite may be located for the erection and maintenance of a quartz mill or reduction works.

[35 FR 9752, June 13, 1970]

PART 3850—ASSESSMENT WORK

Sec.

3850.0-1 Purpose.

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Subpart 3851—Assessment Work: General

3851.1 Assessment work requirements.

3851.2 Inclusion of surveys in assessment work.

3851.3 Effect of failure to perform assessment work.

3851.4 Failure of a co-owner to contribute to annual assessment work; or to the payment of maintenance fees.

3851.5 Assessment work not required after allowance of mineral entry.

3851.6 Assessment work not required for active duty military personnel.

Subpart 3852—Deferment of Assessment Work

3852.0-3 Authority.

3852.1 Conditions under which deferment may be granted.

3852.2 Filing of petition for deferment, contents.

3852.3 Notice of action on petition to be recorded.

3852.4 Period for which deferment may be granted.

3852.5 When deferred assessment work is to be done.

AUTHORITY: 30 U.S.C. 22 *et seq.*; 30 U.S.C. 28-28k; 50 U.S.C. Appendix 565; 107 Stat. 405.

§ 3850.0-1 Purpose.

The purpose of this part is to recite the requirements of the General Mining Law of 1872, as amended, for the performance of assessment work; to identify the methods provided by statute for qualifying assessment work; to provide for the deferment or suspension of assessment work under certain conditions; and to advise the claimant of the consequences of failing to perform the work.

[58 FR 38202, July 15, 1993]

§ 3850.0-9 Information collection.

(a) The collections of information contained in part 3850 have been approved by the Office of Management and Budget under 44 U.S.C. 3501 *et seq.* and assigned clearance number 1004-0104 and subsequently consolidated with 1004-0114. The information will be used to allow the BLM to process petitions for the deferment of assessment work, determine if the assessment work required by statute (30 U.S.C. 28-28(e)) was indeed performed, and to determine the ownership of a mining claim or site in cases of delinquency of co-owners under 30 U.S.C. 28. A response is required to obtain a benefit in accordance with Section 2324 of the Revised Statutes, as amended (30 U.S.C. 28-28(e)) and 43 CFR part 3850.

(b) Public reporting burden for this information is estimated to average 8 minutes per response, including time for reviewing instructions, searching