



## Fact Sheet: Staking Requirements for Mineral Locations

### What is a Mineral Location?

It is a mining claim (either a traditional claim, or MTRS claim) or leasehold location, that is located and posted to acquire the locatable mineral rights within the area of the location. The locatable mineral rights are acquired by discovery of a locatable mineral, staking of the location (AS 38.05.195, 11 AAC 86.205, and 11 AAC 86.210), recording the location certificate (AS 38.05.195(c) and 11 AAC 86.215), and payment of the first annual rental in accordance with the laws and regulations governing locatable minerals. A prospecting site may be located if the discovery of a locatable mineral has not yet occurred, but prospecting to see if locatable minerals are present is planned. A Mining Laws and Regulations Booklet can be found at [https://dnr.alaska.gov/mlw/mining/pdf/Mining\\_Statute\\_and\\_Regulation\\_Book.pdf](https://dnr.alaska.gov/mlw/mining/pdf/Mining_Statute_and_Regulation_Book.pdf). It is strongly recommended that you read the statutes and regulations for locating a mining claim prior to locating your claim, and follow the statutes and regulations carefully.

### How Do You Properly Stake a Mineral Location? (AS 38.05.195 and 11 AAC 86.205-215)

For a traditional claim, you must stake a 4-posted claim around your discovery so that the inferred lines connecting the four corners run in the cardinal directions; e.g. north-south, and east-west; and you must be certain that any two adjacent corner posts do not exceed 1,320 feet apart.

For an MTRS location or prospecting site, you must position the 4 posts denoting the corners of the claim at the aliquot corner locations for either a  $\frac{1}{4}$  section location or a  $\frac{1}{4} \frac{1}{4}$  section location. These aliquot corner locations must be based on precise latitude/longitude coordinates (GPS) or topographic map quadrants within a section.

Each corner of a location must be marked or posted with a monument that is at least 3 feet high, and a minimum of 2  $\frac{1}{2}$  inches in diameter. The corner posting may consist of plastic PCV pipe, a 4x4 post, a length of rebar with a 4x4 post on top, a tree that is blazed, or a rock cairn. The northeast corner of the location must include a notice, which may be a paper copy of the certificate of location that will be recorded, or a metal tag. The "posting" of the northeast corner with a notice must contain at a minimum the following information:

- 1) The name or number of the location;
- 2) the date of posting the notice of location;
- 3) if the mining claim is
  - A) a traditional location, the length and width of the mining claim or leasehold location in feet;
  - OR
  - B) a MTRS location, the meridian, township, range, section, and quarter section or quarter-quarter section of where the location is located;
- 4) a sketch depicting, to the best of the locator's knowledge, the relationship of the location to adjoining or contiguous locations; and
- 5) the name and current mailing address of each locator.

Each corner post must be marked, in addition to the northeast corner, with the name of the location and the corner # beginning with number one in the northeast corner, number 2 in southeast corner, number 3 in the southwest corner, and number 4 in the northwest corner.

**For locations that may overlap private land, either obtain the landowners permission prior to entering upon their property or use of a witness posts staked on nearby state land. Do not enter on private land when posting locations without the landowners permission.** Witness post are post located on state land that indicate the direction and distance to the location where a corner post should be located. A witness post must contain the same information that is required under 11 AAC 86.210 to be on the actual corner post.

### **What are the recording requirements?**

Within 45 days after posting your location, you must record a location certificate in the recording district in which the claim, leasehold location or prospecting site is located. The location certificate must be recorded on a form provided by the Division of Mining, Land & Water, or a similar form that must contain the following information:

- 1) The name or number of the location;
- 2) the dates, including for each date the month, day, and year, of both the locator's discovery and posting of the notice of location;
- 3) for a traditional location, the length and width of the location in feet, and each meridian, township, range, section, quarter-section, and quarter-quarter section in which the location is situated;
- 4) for an MTRSC location, the meridian, township, range, section, quarter-section, and if applicable the quarter-quarter-section of the location;
- 5) the name and current mailing address of each locator, the signature of each locator or of the locator's agent; and, if the location is made on behalf of a trust, the name and mailing address of at least one trustee who is a person described in AS 38.05.190(a)(1);
- 6) the name of the recording district in which the location is situated; and
- 7) a map at an indicated scale of 1:63,360 (one inch = one mile) or a more detailed scale that shows the boundaries of the claim or leasehold location, the dominant physical features of the land, the surveyed section line or, if unavailable, the protracted section lines surrounding the location, and, to the best of the locator's knowledge, the relationship of the location to adjacent or contiguous mining claims, leasehold locations, mining leases, prospecting sites, mineral orders, and non-state land; if the locator is simultaneously recording contiguous locations, a single map showing all locations may be attached to one of the certificates of location and that certificate must be cross-referenced on each other certificate of location to which the map applies.

### **When do I make the first annual rental payment?**

The first rental payment must be made within 45 days of posting , otherwise the location is deemed abandoned under AS 38.05.265. The first rental payment amount is \$40 for a traditional claim or a ¼ ¼ section MTRSC claim; \$165 for a ¼ section MTRSC claim; and \$305 for a prospecting site. This first rental payment covers the period of time from the date of posting to the next September 1<sup>st</sup> (except for a prospecting site, the rental covers the full two-year term of the site). You must include a copy of the location certificate (recorded or unrecorded) with the first payment for a new claim; or you may submit the rental payment to the recording office with a rental payment worksheet at the time of recording the location certificate. Annual rental payments for each year thereafter are billed to the owner of record, due September 1<sup>st</sup>, and must be paid no later than November 30<sup>th</sup>; otherwise the claim is deemed abandoned by operation of law. The first annual rental payment may be made in one of three ways.

Payments made in person, by cash, check, Visa or Mastercard, may be made at one of the following offices:

#### **Anchorage Public Information Center**

Department of Natural Resources  
Public Information Center  
550 West 7<sup>th</sup> Avenue, Suite 1360  
Anchorage, Alaska 99501-3561  
Monday thru Friday / 8:00 AM to 4:30 PM  
(907) 269-8400  
dnr.pic@alaska.gov

#### **Fairbanks Public Information Center**

Department of Natural Resources  
Public Information Center  
3700 Airport Way  
Fairbanks Alaska 99709-4699  
Monday thru Friday / 8:00 AM to 4:30 PM  
(907) 451-2705  
fbx-pic@alaska.gov

Statewide TTY – 711 for Alaska Relay or 1-800-770-8973

Payments made by mail may be sent to: Department of Natural Resources

Support Services Division  
550 West 7<sup>th</sup> Avenue, Suite 1410  
Anchorage, AK 99501-3561  
Attention: Financial Services

The first rental payment may be sent to the applicable recording office with the certificate of location upon recording (with a rental payment worksheet).

Failure to timely make an annual rental payment or failure to timely record a certificate of location results in ABANDONMENT of the location. The locator of an abandoned location or a successor in interest may not relocate the location until one year after the abandonment.