

**PROPOSED REGULATION OF THE
COMMISSION ON MINERAL RESOURCES**

LCB FILE NO. R108-19I

**The following document is the initial draft regulation proposed
by the agency submitted on 12/02/2019**

NEVADA DIVISION OF MINERALS
PROPOSED REVISIONS
TO NAC CHAPTER 517 – MINING CLAIMS
Submitted to LCB for review on November 27, 2019
(Additions in *blue italics*, deletions in ~~red strikethrough~~)

GENERAL PROVISIONS

NAC 517.010 Definitions. (NRS 517.100) As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 517.020 to 517.110, inclusive, have the meanings ascribed to them in those sections.

(Added to NAC by Dep't of Minerals, eff. 9-1-88)

NAC 517.020 “Base map” defined. (NRS 517.100) “Base map” means a sheet of Mylar® or other permanent material capable of being reproduced by standard means, which depicts the locations of all patented and unpatented mining claims recorded in a township, fractional township or portion of a township included within the boundaries of a county.

(Added to NAC by Dep't of Minerals, eff. 9-1-88)

NAC 517.030 “Claim” defined. (NRS 517.100) “Claim” means any patented or unpatented mining claim.

(Added to NAC by Dep't of Minerals, eff. 9-1-88)

NAC 517.040 “Claimant” defined. (NRS 517.100) “Claimant” means a person who is the holder of the right to sell or transfer all or any part of his or her interest in an unpatented mining claim or is the owner of a patented mining claim.

(Added to NAC by Dep't of Minerals, eff. 9-1-88)

NAC 517.050 “County map of mining claims” defined. (NRS 517.100) “County map of mining claims” means the set of maps established and maintained by a county, pursuant to the regulations of the Division of Minerals of the Commission on Mineral Resources, which accurately delineates the location of all claims recorded in the county after July 1, 1971. The map consists of all the base maps and overlays which are required to depict adequately all areas of land which contain claims located within the county.

(Added to NAC by Dep't of Minerals, eff. 9-1-88)

NAC 517.060 “Fractional township” defined. (NRS 517.100) “Fractional township” means a township ~~whose area is more or less than 36 square miles~~ *containing less than 36 normal sections* as established by the Federal Government.

(Added to NAC by Dep't of Minerals, eff. 9-1-88)

NAC 517.065 “Government lot” defined. *“Government lot” means a subdivision of a section which is not described as an aliquot part of the section, but which is designated by number, e.g., LOT 2. A government lot may be regular or irregular and its acreage varies from that of regular subdivisions.*

NAC 517.066 “Master title plat” defined. “Master title plat” means a composite of the federal government survey plats of a township on which is shown the ownership and land status.

NAC 517.070 “Overlay” defined. (NRS 517.100) “Overlay” means a sheet of Mylar® or other permanent material capable of being reproduced by standard means, with the township and range identified and the section lines shown, upon which claims may be plotted if the base map becomes cluttered because of a congestion of claims in one or more areas.

(Added to NAC by Dep’t of Minerals, eff. 9-1-88)

NAC 517.080 “Patented mining claim” defined. (NRS 517.100) “Patented mining claim” means a lode or placer claim or mill site for which a patent has been issued by the Federal Government.

(Added to NAC by Dep’t of Minerals, eff. 9-1-88)

NAC 517.090 “Person” defined. (NRS 517.100) “Person” means a natural person, any form of business or social organization and any other legal entity including, but not limited to, a corporation, partnership, association, trust, unincorporated organization, government, governmental agency or political subdivision of a government.

(Added to NAC by Dep’t of Minerals, eff. 9-1-88)

NAC 517.091 “Protraction diagram” defined. “Protraction diagram” means a diagram prepared by the federal government, and filed in the Nevada State Office of the Bureau of Land Management, representing the plan for the extension of the rectangular system over unsurveyed lands.

NAC 517.095 “Section” defined. “Section” means the unit of subdivision of a township with boundaries conforming to the rectangular system of surveys, nominally one square mile, containing 640 acres.

NAC 517.100 “Township” defined. (NRS 517.100) “Township” means ~~land originally divided by the Federal Government by lines intersecting true north and south lines at right angles so as to form parcels measuring 6 miles square. Each township is subdivided into 36 sections, each 1 mile square and containing 640 acres as nearly as may be and must be numbered, respectively, beginning with the number 1 in the northeast section and proceeding west and east alternately through the township with progressive numbers to and including 36 located in the southeast section~~ *the unit of survey of the public lands; normally a quadrangle approximately 6 miles on a side with boundaries conforming to meridians and parallels within established limits, containing thirty-six sections, some of which are designed to correct for the convergence of meridians or range lines.*

(Added to NAC by Dep’t of Minerals, eff. 9-1-88)

NAC 517.110 “Unpatented mining claim” defined. (NRS 517.100) “Unpatented mining claim” means a lode or placer claim, tunnel right or mill site located pursuant to 30 U.S.C.A. §§ 22 to 54, inclusive, for which a patent has not been issued.

(Added to NAC by Dep’t of Minerals, eff. 9-1-88)

MAPS

NAC 517.120 Basic drafting standards. (NRS 517.100)

1. The name of the county, township and range must appear at the top of each base map or overlay.
2. Section lines must be accurately drawn for each township, *or fractional township, and conform to those depicted on federal government master title plat, or protraction diagram for unsurveyed lands*, and section numbers must be properly labeled in each section.
3. Each new claim plotted after July 1, 1987, must be drawn in black permanent ink. The outline of each claim plotted before July 1, 1987, must be drawn in permanent waterproof ink and be clearly distinguishable if reproduced by standard means.
4. Except as otherwise provided in subsection 5, each claim must be plotted at a scale of 1 inch equaling 2,000 feet or 30 chains equaling 1 inch.
5. The Administrator of the Division of Minerals of the Commission on Mineral Resources may, upon request, approve an alternate scale.
(Added to NAC by Dep't of Minerals, eff. 9-1-88)

NAC 517.130 Designation of townships containing no claims; inclusion of extraneous information. (NRS 517.100)

1. For each township or fractional township which does not contain any claims there must be one base map or a statement that the township or fractional township does not contain any claims. If such a statement is included, it must be placed in the master index for the county map of mining claims.
2. A base map or overlay must not include topographic features or other extraneous information. If master title plats, *or protraction diagrams*, obtained from the Bureau of Land Management are used as base maps or overlays and those plats contain information other than the information required pursuant to this chapter, that information is not required to be removed from the map.
(Added to NAC by Dep't of Minerals, eff. 9-1-88)

NAC 517.140 Identification of patented and unpatented claims. (NRS 517.100)

1. Each patented mining claim must be identified on the base map or overlay by the appropriate patented mining claim number assigned by the Bureau of Land Management and must be described in the manner prescribed in NAC 517.160.
2. The location of each unpatented mining claim which is recorded in the county must be drafted on the proper base map or overlay from the location map furnished by the claimant. Each unpatented mining claim must be identified on the base map or overlay by the name of the claim or the number or letter assigned to the claim by the county surveyor.
3. Crosshatching, stippling or any other similar method of drafting must be used to distinguish between patented and unpatented claims.
(Added to NAC by Dep't of Minerals, eff. 9-1-88)

NAC 517.150 Preparation of overlays. (NRS 517.100)

1. If an area of a base map becomes cluttered by a congestion of claims, an overlay of the same material and construction as the original must be prepared in the same manner and at the

same scale as the base map and used for all future plotting. If that overlay becomes cluttered, additional overlays must be similarly made and used.

2. Each overlay so constructed must:

- (a) Be numbered sequentially for each base map for which they are used;
- (b) Include the year in which the first claim was plotted on the overlay; and
- (c) Precede the base map for which it overlays.

3. No information may be included on the base map or overlay to distinguish among a lode or placer claim, mill site or tunnel right. The information may be included in the description of the claim as prescribed in NAC 517.160.

(Added to NAC by Dep't of Minerals, eff. 9-1-88)

NAC 517.160 Descriptions of claims. (NRS 517.100)

1. Except as otherwise provided in NAC 517.170, the description of each claim depicted on a base map or overlay must be drafted in the space provided on the right-hand side of the map or on a separate facing page.

2. Information contained in the description must include:

- (a) The number or letter assigned to the claim by the county surveyor;
- (b) The name of the claim;
- (c) The name of the original locator of an unpatented claim; and
- (d) The mineral survey number for each patented claim.

3. If the space provided on the right-hand side of the base map or overlay is not sufficient to describe each of the claims shown on a base map or overlay, a separate sheet must be used to describe the additional claims.

4. The separate sheet must be:

- (a) The same size and contain the same information as the space originally provided; and
- (b) Affixed permanently to the base map or overlay in such a manner that all the descriptions of the claims are visible at the same time.

5. All lettering in the description of the claim must be done in a neat, legible and uniform manner.

(Added to NAC by Dep't of Minerals, eff. 9-1-88)

NAC 517.170 Use of separate sheet to describe claims. (NRS 517.100) The county surveyor may use a separate sheet for placing the description of a claim on a base map or overlay if:

1. That procedure is used for the complete county map of mining claims;
2. The sheet is the same size as the sheet used for the base map or overlay;
3. The sheet is placed in the binder in front of and facing the base map or overlay to which it applies;

4. A separate facing sheet is used for each base map or overlay; and

5. The sheet is properly identified with the base map or overlay and contains the information required pursuant to NAC 517.160.

(Added to NAC by Dep't of Minerals, eff. 9-1-88)

NAC 517.180 Notifying claimant of deficiency in map; filing amended map. (NRS 517.100) If a claim location map is recorded by a locator and that map does not provide adequate information for plotting on the county map of mining claims, the county surveyor shall promptly notify the claimant of the deficiency. The claimant shall file with the county recorder an amended

map which contains the necessary information pursuant to subsection 2 of NRS 517.040. *For the purposes of determining deficiency of a map depicting placer claims, placer claims may be described on the map by:*

- 1) Aliquot parts for surveyed sections; or*
- 2) Aliquot parts for unsurveyed sections depicted on a protraction diagram; or*
- 3) Metes and bounds for unsurveyed sections depicted on a protraction diagram which are denoted as having more than or less than 640 acres; or*
- 4) Complete government lots for the allowed acreage of the claim; or*
- 5) Metes and bounds for a portion of a government when the lot is greater than 20 acres.*

(Added to NAC by Dep't of Minerals, eff. 9-1-88)

NAC 517.190 County map of mining claims: Updating; maintenance of original and copy. (NRS 517.100)

1. Each county map of mining claims must be updated and all new claims must be added to the map at least once each month.
2. The original of each county map of mining claims must be kept in good condition and in a safe place.
3. A complete and accurate copy of the map must be:
 - (a) Kept at the county seat;
 - (b) Available for use by the public;
 - (c) Updated once each month in the same manner as the original map; and
 - (d) Maintained in a secure binder in numerical order by township and range.

(Added to NAC by Dep't of Minerals, eff. 9-1-88)

FEES

NAC 517.200 Filing fee. (NRS 513.063, 517.185) The amount of the filing fee that is imposed pursuant to subsection 1 of NRS 517.185 is \$6 per claim.

(Added to NAC by Comm'n on Mineral Resources by R069-99, eff. 8-19-99; A by R080-01, 1-16-2002; R199-08, 8-26-2008, eff. 8-27-2008)