



Fact Sheet: MTRS Prospecting Site Locations

Enabling Law

Alaska Statute 38.05.245 was enacted to provide a preference right to any mineral title that may be discovered during prospecting. If a locatable mineral is discovered, the locator of a prospecting site may acquire title to the locatable mineral from the state by locating a mining claim or leasehold location. A prospecting site is an exclusive right to prospect by geophysical, geochemical and similar methods on State land. The locator of a prospecting site has the exclusive right to stake a mining claim(s) or leasehold location(s) within the boundaries of the site. Regulations detailing requirements for prospecting sites are 11 AAC 86.400 through 11 AAC 86.435.

Several years ago (2000), the State of Alaska amended AS 38.05.245 to fix the term that a site could be located for, enacted a required rental, and eliminated the number in a township that one locator could hold at one time. Another change that was made was to require the establishment of a prospecting site be based on the basis of legal description, or MTRS

(meridian, township, range, and section) location. The amendment left the size of a prospecting site approximately the same (~160 acres), but required the site be located on the basis of the aliquot $\frac{1}{4}$ part or $\frac{1}{4}$ - $\frac{1}{4}$ of a section. Although now required to be located by MTRS legal description, a site still requires the posting of the corners on the ground, which ultimately control the actual site location and preference to any mineral rights acquired.

Locating MTRSC Prospecting Sites

It is thought that most MTRS sites will be located on the ground using satellite GPS (global positioning system) technology. After a locator has predetermined the meridian, township, range and section they want to stake a site in, they can acquire the coordinates for latitude and longitude to section corners which may be further subdivided for $\frac{1}{4}$ or $\frac{1}{4}$ - $\frac{1}{4}$ section aliquot part corners which may be used for establishing GPS coordinate corners to facilitate the staking of MTRS locations. The web site for obtaining these coordinates is: <http://akmining.info/>

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.

Location Information in DNR Records

Now that there is a rental, DNR will process and plot prospecting sites with the same work commitment as mining claims. Prospecting sites will be depicted in the legal MTRS (meridian, township, range and section) subdivision system in DNR's LAS (Land Administration System) and database as protracted quadrants. In other words, MTRS prospecting sites will be located in the records in only one township, range, section and quadrant, and not multiple legal descriptions as in the past.

Term

Prospecting sites are located with a fixed two-year term, and cannot be extended. Upon expiration, a site cannot be renewed by the locator until after one-year from the date of expiration.

Recording and Rental

MTRS prospecting site location certificates must be recorded in the recording district office in which the site is located within 45 days of the posting date. If mailing the certificate to the recording office, check with the office beforehand so you can submit the correct fee. The recording fees change from time to time. You may also check on recording fees through the internet at the following web site address: <http://dnr.alaska.gov/ssd/recoff/fees>. Rental must also be received within 45 days of the posting date on the certificate. Rental under the law is now \$305, and must be paid according to the instructions on the back of the certificate form. Use only certificates with a revision date of 08/2009 or later. The rental will cover the entire term of the site. The rental may be paid at the recording office at the time of recording if accompanied by the required worksheet.

Rental in the Case of State-selected land

Locations made on State-selected land do not require rental payments until the State receives conveyance of the land from the federal government. **PLEASE NOTE: THE FIRST RENTAL PAYMENT BECOMES DUE ON THE DATE OF CONVEYANCE.** This first rental payment must be made within 90 days after the date of conveyance and covers the period of time from the date of conveyance to the next September 1. **It is your responsibility to know the date of conveyance.** Due to the time it takes to follow up on when conveyance may occur, it is recommended that all locators make a **non-refundable** deposit of the required rental which will be credited to your first annual rental payment if the State receives conveyance to the selection. This saves you the trouble of constantly checking land status to find out if the selection has been conveyed. However, there are risks. Please consult the Fact Sheet "*Mining on State-Selected Land*" for more information.

Consequences of Untimely Recording and Payment of Required Rental

A certificate of location that is recorded late or the rental is paid late (more than 45 days after posting) results in the site being considered abandoned by operation of law under Alaska Statute 38.05.265. Late payments will only be refunded if the Department receives a written request for the refund within 90 days after the date of payment. A locator of an abandoned location or a successor in interest may not relocate the location until one year after abandonment.

For further questions, please contact one of our public information offices below:

Anchorage Public Information Center

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