



Law Revision

In 2000 the State of Alaska enacted mining law changes to establish a new mining claim located on the basis of legal description called an MTRSC (meridian, township, range, section and claim) location. The law created two sizes of MTRSC locations: $\frac{1}{4}$ section (~160 acres), and $\frac{1}{4}$ - $\frac{1}{4}$ section (~40 acres). Although located by legal description, MTRSC locations still require posting of the claim corners on the ground, which ultimately control the actual claim location and mineral rights acquired.

Locating MTRSC locations

It is thought that most MTRSC claims 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 claim in, they can acquire the coordinates for latitude and longitude to section corners which may be further subdivided for $\frac{1}{4}$ section 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 MTRSC locations.

Location Information in DNR Records

Status plats and legal description for MTRSC claims in DNR's LAS (Land Administration System) database will depict protracted quadrants in DNR's legal MTRS (meridian, township, range and section) subdivision system. In other words, MTRSC claims will be located in the records in only one township, range, section and quadrant, and not multiple legal descriptions as may be required for traditional mining locations.

Recording and Rental

MTRSC location certificates must be recorded in the recording district office in which the claim 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 as the recording fees change from time to time. You may also check on recording fees through the internet at the following web site address: www.dnr.alaska.gov/ssd/recoff/. **Use only certificates with a revision date of 07/2007 or later.**

The first annual rental payment must also be received with 45 days of the posting date on the certificate. Rental under regulation 11 AAC 86.215 and 11 AAC 86.221 will either be **\$35** ($\frac{1}{4}$ - $\frac{1}{4}$ section location) or **\$140** ($\frac{1}{4}$ section location), and must be paid according to the instructions on the back of the certificate form. The first rental payment may be paid at the time of recording if accompanied by the required worksheet. The first rental will cover the period from the date of posting the claim to the following September 1st. Thereafter, each year the Department will attempt to mail each locator a courtesy billing/payment form that lists every claim name and ADL number shown in their name. Claimants should cross out claims not being paid, and write in any claim names and ADL numbers not listed on the form.

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 \$35 (¼-¼ section location) or \$140 (¼ section location) on State-selected land that 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 claim 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.

Leasehold Locations

Certain areas of Alaska have been designated to be available for mining only under an upland mining lease. These areas have been so designated because of circumstances such as non-state surface ownership or environmental issues that might create a conflict between other surface uses and mining. In these areas mining may not begin until the leasehold location has been converted to an upland mining lease with stipulations to avoid or minimize the potential conflicts. Many areas have been designated for mining only under lease through the issuing of leasehold location orders. These orders are labeled on Alaska Mapper as LLO and a number, such as LLO 19. In addition, any land that is a municipal entitlement, that is land where the surface is owned by a borough or municipality, is a leasehold location under 11 AAC 86.135 (b). Please see Upland Mining Leasehold Location fact sheet for further information.

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