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Arkansas Statutes

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2017 Arkansas Code

Title 15 - Natural Resources and Economic Development

Subtitle 5 - Mineral Resources Generally

Chapter 56 - Mineral Lands and Interests

Subchapter 2 - Mining Claims on Public Lands

§ 15-56-201. Recording mining claim notices

In every county in this state in which lands containing minerals still belong to the United States Government, the recording of mining claim notices of all kinds may be done with the ex officio recorders of the various counties in which the lands are situated.

§ 15-56-202. Recording fees

(a) The fees for recording mining location notices shall be one dollar (\$1.00) for notice, to be paid in United States currency, one-half (1/2) of which shall go into the county treasury to the credit of the record fund.

(b) The fees for recording all other mining notices shall be the same as allowed by law for recording deeds.

§ 15-56-203. Affidavit of assessment work

On or before December 31 of any year in which the time in which the assessment work or improvement required by law to hold the claim expires, the owner of the claim or, in his or her absence, his or her agent or the party who was in charge of the work for the claimant may make an affidavit and file it for record in the recorder's office in the county in which the claim is situated. This affidavit shall be, in substance, as follows:

The affidavit when so filed and recorded, shall be prima facie evidence of the performance of such labor or the making of such improvements.



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§ 15-56-204. Establishment of possessory right to claim -- Right of action against claimant

(a) When any owner or claimant of any mining claim on any of the lands subject to location as mining claims in this state under the laws of the United States shall have had possession of a claim for a period of three (3) years and shall have performed the necessary amount of annual labor or improvement to hold the claim, as required by law for the time period, such possession and labor or improvement shall be sufficient to establish his or her possessory right to the claim.

(b) However, if the claimant shall have performed the necessary work for one (1) year during the specified three-year time period and shall have resumed work at any time before the rights of others intervene, then he or she shall be entitled to the possessory right to the claim.

(c) No person shall maintain an action against a claimant for the recovery of a mining claim unless the action is commenced within one (1) year after his or her right of action accrues.

§ 15-56-205. Indexed plat book

(a)

- (1) It shall be the duty of the recorder of any county in which mining location notices and proof of labor performed are recorded to keep a suitable bound plat book properly arranged, showing all the legal subdivisions affected by notices, in which he or she shall keep a complete index of all instruments recorded, showing the number of the book and page on which they are recorded. This index shall be kept up to date of recording.
- (2) Any recorder who shall neglect, refuse, or fail to keep the index provided for in this subsection shall be guilty of a misdemeanor and upon conviction shall be fined in any sum not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100).

(b) The recorder shall make the plat book available for the free use of all miners who may wish to examine it.