



Kurt J. Hoffman Mining Services

Web: kjhmining.com

Email: kjhmining@gmail.com

Nevada Mining Statutes

DISCLAIMER: PROVIDED FOR INFORMATIONAL PURPOSES ONLY. NO WARRANTIES ARE MADE OR IMPLIED. MINING LAWS AND REGULATIONS ARE SUBJECT TO CHANGE. CONSULT THE NEVADA STATUTES AND/OR THE NEVADA BLM STATE OFFICE FOR THE LATEST INFORMATION REGARDING THE STAKING OF MINING CLAIMS IN NEVADA.

CHAPTER 517 - MINING CLAIMS, MILL SITES AND TUNNEL RIGHTS

GENERAL PROVISIONS

[NRS 517.003](#) "Division" defined.

LOCATION OF MINING CLAIMS, MILL SITES AND TUNNEL RIGHTS

LODE CLAIMS

[NRS 517.010](#) Person entitled to locate; requirements for location.
[NRS 517.030](#) Monumenting of claim; required removal of plastic monuments.
[NRS 517.040](#) Map: Specifications; filing; distribution; use of filing fee.
[NRS 517.050](#) Certificate of location: Recording; contents; effect of insufficiency.
[NRS 517.080](#) Relocation of abandoned lode claim.

PLACER CLAIMS

[NRS 517.090](#) Requirements for location.
[NRS 517.100](#) Map: Specifications; filing; use of filing fee.
[NRS 517.110](#) Certificate of location: Recording; contents; effect of insufficiency.

TAILINGS AND WASTE

[NRS 517.115](#) Evidence of abandonment; acquisition after abandonment.

MILL SITES

[NRS 517.120](#) Location of nonmineral land as mill site.
[NRS 517.130](#) Requirements for location.
[NRS 517.140](#) Certificate of location: Recording; contents; effect of insufficiency.

TUNNEL RIGHTS

[NRS 517.150](#) Requirements for location.
[NRS 517.160](#) Definition of boundaries; erection of monuments.
[NRS 517.170](#) Recording of certificate of location; filing of map; effect of insufficiency.
[NRS 517.180](#) Location of blind or unknown lode or vein in tunnel.



Kurt J. Hoffman Mining Services

Web: kjhmining.com

Email: kjhmining@gmail.com

GENERAL PROVISIONS

<u>NRS 517.185</u>	Fee for each document filed; disposition.
<u>NRS 517.190</u>	Notice of location: Filing; evidentiary effect.
<u>NRS 517.195</u>	Separate notices and certificates of location; effect of combining locations in notice or certificate.
<u>NRS 517.200</u>	Validation of defective certificate of location or change of boundaries: Filing of amended certificate of location; effect of amendment; correction of common error.
<u>NRS 517.210</u>	Survey of location; evidentiary effect of survey and surveyor's certificate.
<u>NRS 517.213</u>	Inclusion of patented mines and mining claims on county map; conformity of discrepancy between county map and record of survey showing location of mine or claim; duty of county recorder to provide map to county assessor.
<u>NRS 517.215</u>	Comparison of record of survey to county map of mining claims; notice of proposal to change county map; change to county map if no hearing requested; hearing upon request.
<u>NRS 517.230</u>	Affidavit of work performed or improvements made; affidavit of owner or claimant; evidentiary effect of affidavits.
<u>NRS 517.280</u>	Certificates of location need not be sworn to; no required form.
<u>NRS 517.290</u>	Applicability of <u>NRS 517.010</u> to <u>517.280</u> , inclusive.
<u>NRS 517.300</u>	Unlawful acts; penalties.

EFFECT OF PREVIOUSLY RECORDED DOCUMENTS; CONVEYANCES

<u>NRS 517.350</u>	Written instruments recorded in office of county recorder before February 20, 1873, deemed to impart notice to subsequent purchasers and encumbrancers.
<u>NRS 517.360</u>	Records of mining claims, mill sites or tunnel rights made by mining district recorder or county recorder before March 16, 1897, declared valid; evidentiary effect of record.
<u>NRS 517.370</u>	Conveyances of mining claims: Formalities; construction and proof of conveyances before December 12, 1862.
<u>NRS 517.380</u>	Validity of previous conveyances of mining claims or locations by minors more than 18 years of age.

SALES BY COUNTIES OF PATENTED MINING CLAIMS

<u>NRS 517.390</u>	Affidavit and petition to explore and develop mine or claim.
<u>NRS 517.400</u>	Determination of amount of taxes, penalties and costs.
<u>NRS 517.410</u>	Permission to explore and develop claim; limitations.
<u>NRS 517.420</u>	Execution of deed to convey title to petitioner; consideration and limitations; disposition of proceeds of sale.
<u>NRS 517.430</u>	Renewal of prospecting permits: Limitations and extensions.
<u>NRS 517.450</u>	Sale of mine or claim not subject to prospecting permit: Affidavit and petition.
<u>NRS 517.460</u>	Sale of mine or claim not subject to prospecting permit: Order for and notice of sale; conveyance to purchaser; disposition of proceeds.

GENERAL PROVISIONS

NRS 517.003 “Division” defined. As used in this chapter, unless the context otherwise requires, “Division” means the Division of Minerals of the Commission on Mineral Resources.

(Added to NRS by [1999, 3628](#))



Kurt J. Hoffman Mining Services

Web: kjhmining.com

Email: kjhmining@gmail.com

LOCATION OF MINING CLAIMS, MILL SITES AND TUNNEL RIGHTS

Lode Claims

NRS 517.010 Person entitled to locate; requirements for location. Any person who is a citizen of the United States, or who has legally declared his or her intention to become a citizen of the United States, who discovers a vein or lode may locate a lode mining claim thereon by:

1. Defining the boundaries of the claim in the manner and within the time prescribed by [NRS 517.030](#);
2. Erecting or constructing at the point of the discovery a monument of the size and character of any of the several monuments prescribed in [NRS 517.030](#); and
3. Posting in or upon the monument of location a notice of the location, which must contain:
 - (a) The name of the claim.
 - (b) The name of the locator and the locator's mailing address.
 - (c) The date of location.
 - (d) The number of linear feet claimed in the length along the course of the vein, each way from the point of discovery, with the width claimed on each side of the center of the vein and the general course of the lode or vein, as near as may be.

[1:89:1897; A 1907, 418; 1919, 386; 1925, 29; R 1927, 7; A 1941, 92; 1931 NCL § 4120] — (NRS A [1971, 218](#); [1985, 1494](#))

NRS 517.030 Monumenting of claim; required removal of plastic monuments.

1. Within 60 days after posting the notice of location, the locator of a lode mining claim shall distinctly define the boundaries of the claim by placing a valid legal monument at each corner of the claim. A valid legal monument may be created by:

(a) Blazing and marking a tree, which has a diameter of not less than 4 inches, not less than 3 feet above the ground;

(b) Capping a rock in place with smaller stones so that the rock and stones have a height of not less than 3 feet; or

(c) Setting a wooden or metal post or a stone.

2. If a wooden post is used, the dimensions of the post must be at least 1 1/2 inches by 1 1/2 inches by 4 feet, and the post must be set 1 foot in the ground.

3. If a metal post is used, the post must be at least 2 inches in diameter by 4 feet in length and be set 1 foot in the ground. If the metal post is hollow, it must:

(a) Be securely capped or crimped in a manner that securely closes the top of the post; and

(b) Have no open perforations.

4. If it is practically impossible, because of bedrock or precipitous ground, to sink a post, it may be placed in a mound of earth or stones. If the proper placing of a monument is impracticable or dangerous to life or limb, the monument may be placed at the nearest point properly marked to designate its right place.

5. If a stone is used which is not a rock in place, the stone must be not less than 6 inches in diameter and 18 inches in length and be set with two-thirds of its length in the top of a mound of earth or stone 3 feet in diameter and 2 1/2 feet in height.

6. Except as otherwise provided in subsection 7, a durable plastic pipe that was set before March 16, 1993, for the purpose of defining the boundaries of a lode mining claim shall be deemed to constitute a valid legal monument if:

(a) The pipe is at least 3 inches in diameter by 4 feet in length and is set 1 foot in the ground; and

(b) The pipe is securely capped with no open perforations.

7. The locator of a lode mining claim located before March 16, 1993, the boundaries of which are defined by a durable plastic pipe described in subsection 6, or the locator's successor in interest, shall, on or before November 1, 2011, remove the durable plastic pipe and replace the monument of location and the corner monuments with valid legal monuments in the manner prescribed pursuant to subsection 1. If the locator or the locator's successor in interest replaces the durable plastic pipe on or before that date, the locator or the locator's successor in interest shall, within 60 days after the replacement, record a notice of remonumentation with the county recorder of the county in which the claim is located and pay the fee required by [NRS 247.305](#). The notice must contain:



Kurt J. Hoffman Mining Services

Web: kjhmining.com

Email: kjhmining@gmail.com

- (a) The name of the claim;
- (b) The book and page number or the document number of the certificate of location or the most recent amendment to the certificate of location;
- (c) The book and page number or the document number of the map filed pursuant to [NRS 517.040](#); and
- (d) A description of the monument used to replace each monument that is removed.

↪ The notice may include more than one claim. Any durable plastic pipe that is removed pursuant to this subsection must be taken from the lode mining claim and disposed of in a lawful manner.

8. After November 1, 2011, any durable plastic pipe that is not removed pursuant to subsection 7 may be removed and placed on the ground immediately adjacent to the location from which it is removed to preserve evidence of its use as a monument for the lode mining claim.

9. The replacement of a durable plastic pipe or the recording of a notice pursuant to subsection 7 does not:

- (a) Amend or otherwise affect the legal validity of the claim for which the monuments were created;
- (b) Modify the date of location of the claim; or
- (c) Require the filing of an additional or amended map pursuant to [NRS 517.040](#).

[Part 2:89:1897; A 1899, 93; 1901, 97; 1907, 418; RL § 2423; NCL § 4121] — (NRS A [1971, 2197](#); [1985, 1495](#); [1993, 24, 25](#); [1995, 119, 121](#); [2009, 829](#))

NRS 517.040 Map: Specifications; filing; distribution; use of filing fee.

1. Within 90 days after posting the notice of location, the locator of a lode mining claim shall prepare two copies of a map of the claim on a scale of not less than 500 feet to the inch, which sets forth the position of the monuments in relation to each other and establishes numbers of the boundary monuments. If the land has been surveyed by the United States, the description must be connected by courses and distances to an official corner of the public land survey. If the land has not been surveyed by the United States or if official corners cannot be found through the exercise of due diligence, the description must be tied by courses and distance to a natural landmark or a readily identifiable artificial landmark which is customarily shown on a map, including, without limitation, a bench mark or the point at which two roads intersect. The description must also state the township and range, and if the lands are surveyed lands, the quarter section and section in which the landmark and the mining claim are situated. The locator is not required to employ a professional surveyor or engineer, but each locator shall prepare a map which is in accordance with the locator's abilities to map and properly set forth the boundaries and location of the locator's claim. The size of each sheet must be 8 1/2 by 14 inches or 24 by 36 inches. Any 8 1/2- by 14-inch sheet must be capable of being photocopied. Any 24- by 36-inch sheet must be a mylar print or other material capable of being reproduced by standard means.

2. Within 90 days after the posting of the notice of location, the locator shall file both copies of the map with the county recorder in the county in which the claim is located together with a filing fee of \$15 for each claim whose boundaries and location are set forth on the map.

3. Using the proceeds of these filing fees, the county:

(a) Shall establish and maintain, in accordance with the regulations of the Division, a map of the mining claims in the county that must accurately record the location of all mining claims filed after July 1, 1971;

(b) Shall purchase and maintain the necessary equipment used in establishing, maintaining and duplicating the map; and

(c) May use any remaining money for any purpose determined by the county recorder.

↪ The map is a public record.

4. The county recorder shall not refuse to accept a map submitted by a locator unless the county recorder can affirmatively show that the map submitted does not accurately reflect the location of all the claims.

5. The county recorder shall send one copy of the locator's map and one copy of the certificate of location to the county surveyor as soon as practicable after its receipt.

[Part 2:89:1897; A 1899, 93; 1901, 97; 1907, 418; RL § 2423; NCL § 4121] — (NRS A 1960, 291; 1961, 100; [1971, 2198](#); [1973, 868](#); [1983, 1609](#); [1985, 1496, 1691](#); [1987, 318](#); [1993, 1685](#); [1999, 3628](#))



Kurt J. Hoffman Mining Services

Web: kjhmining.com

Email: kjhmining@gmail.com

NRS 517.050 Certificate of location: Recording; contents; effect of insufficiency.

1. When the locator files his or her map pursuant to [NRS 517.040](#), the locator shall present to the county recorder for recording, together with the usual recording fees, duplicate certificates of location which contain:

- (a) The name of the lode or vein.
- (b) The name of the locator and the locator's mailing address.
- (c) The date of the location.
- (d) The number of linear feet claimed in length along the course of the vein each way from the point of discovery with the width on each side of the center of the vein, and the general course of the lode or vein as near as may be.
- (e) A statement that the work of location consisted of making the maps as provided in [NRS 517.040](#).
- (f) The location and description of each corner, with the markings thereon.

2. Any record of the location of a lode claim which does not contain all the requirements named in this section recorded on or after July 1, 1971, is void, and every location of a mining claim recorded on or after July 1, 1971, is void unless a certificate of location thereof substantially complying with the above requirements is recorded with the county recorder of the county in which the claim is located within 90 days after the date of location.

3. This section does not invalidate a record of location of a mining claim which was validly located and recorded before July 1, 1971.

[Part 3:89:1897; A 1907, 418; 1941, 92; 1931 NCL § 4122] — (NRS A 1960, 292; 1961, 100; [1971, 2199](#); [1983, 1610](#); [1985, 1497](#))

NRS 517.080 Relocation of abandoned lode claim.

1. The relocation of an abandoned lode claim must be made by preparing two copies of a map of the claim as provided by [NRS 517.040](#), and erecting new boundaries or adopting the old boundaries by renewing the monuments if they have been removed or destroyed. In either case, a new monument of location must be erected.

2. Two copies of the claim map must be filed with duplicate certificates of location with the county recorder of the county in which the claim is situated, accompanied by a filing fee as prescribed in [NRS 517.040](#).

[7:89:1897; C § 214; RL § 2428; NCL § 4126] — (NRS A [1971, 2200](#); [1983, 349](#); [1985, 1498](#))

Placer Claims

NRS 517.090 Requirements for location.

1. The location of a placer claim shall be made in the following manner:

(a) By posting thereon, upon a monument meeting the requirements of [NRS 517.030](#), erected at any point along the north boundary, a notice of location containing:

- (1) The name of the claim;
- (2) The name of the locator or locators, together with the post office address of such locator or locators;
- (3) The date of location; and
- (4) The number of feet or acres claimed; and

(b) By marking the boundaries and the location point in the same manner and by the same means as required by the laws of this state for marking the boundaries of lode claim locations.

2. Where the United States survey has been extended over the land embraced in the location, the claim may be taken by legal subdivisions, and, except the marking of the location point as prescribed in subsection 1, no other markings than those of such survey shall be required.

[13:89:1897; A 1899, 93; C § 220; RL § 2434; NCL § 4132] — (NRS A [1971, 2200](#))

NRS 517.100 Map: Specifications; filing; use of filing fee. Within 90 days after posting the notice of location of a placer claim, the locator shall:

1. Prepare two copies of a map of the claim which must be of a scale of not less than 500 feet to the inch. If the United States survey has been extended over the land embraced in the location, the claim may be taken and described on the map by legal subdivisions as provided in [NRS 517.090](#). If the land has not been surveyed by the United States or if official corners cannot be found through the exercise of due diligence, the map must set forth the position of the monuments in relation to each other and establish numbers of monuments, and the descriptions must be tied to a natural landmark or a readily identifiable artificial landmark as provided in [NRS 517.040](#).



Kurt J. Hoffman Mining Services

Web: kjhmining.com

Email: kjhmining@gmail.com

2. File the maps with the county recorder in the county in which the claim is located together with a filing fee of \$1 per acre. One-half of the filing fee must be used by the county to establish and maintain, in accordance with the regulations of the Division, a map of the mining claims in the county that must accurately record the location of all mining claims filed after July 1, 1971, which is a public record. The remaining part of the fee may be used for the same purposes as any other general revenue of the county.

[Part 14:89:1897; A 1899, 93; C § 221; RL § 2435; NCL § 4133] — (NRS A [1971, 2200](#); [1985, 1498](#); [1993, 1686](#); [1999, 3629](#))

NRS 517.110 Certificate of location: Recording; contents; effect of insufficiency.

1. When the locator files his or her maps pursuant to [NRS 517.100](#), the locator shall present to the county recorder for recording, together with the usual recording fees, duplicate certificates of location which state:

- (a) The name of the claim, designating it as a placer claim.
- (b) The name of the locator and the locator's mailing address.
- (c) The date of location.
- (d) The number of feet or acres claimed.

2. This certificate, or the record thereof, or a certified copy of the record is prima facie evidence of the recitals therein.

3. If the certificate does not state all the facts required by this section to be stated, it is void.

[Part 14:89:1897; A 1899, 93; C § 221; RL § 2435; NCL § 4133] — (NRS A [1971, 2201](#); [1983, 1611](#); [1985, 1499](#))

Tailings and Waste

NRS 517.115 Evidence of abandonment; acquisition after abandonment.

1. Whenever the tailings of any mining claim or the waste of any mine has been deposited upon the unappropriated public domain and remains unworked for a period of 10 successive years, it is prima facie evidence of abandonment of title or the right of possession thereto.

2. After abandonment, the right of possession or title to the mining tailings or waste may be acquired by locating the site on which the tailings or waste is deposited by complying with the provisions of [NRS 517.090](#), [517.100](#) and [517.110](#).

(Added to NRS by 1957, 569; A [1985, 1499](#))

Mill Sites

NRS 517.120 Location of nonmineral land as mill site. The proprietor of a mine or mining claim or the owner of a mill or reduction works, may locate 5 acres of nonmineral land as a mill site.

[15:89:1897; C § 222; RL § 2436; NCL § 4134] — (NRS A [1985, 1499](#))

NRS 517.130 Requirements for location. The locator of a mill site shall locate his or her claim by:

1. Posting a notice of location thereon, which must contain:
 - (a) The name of the locator and the locator's mailing address;
 - (b) The name of the mine or mining claim of which the locator is the proprietor, or the name of the mill or reduction works of which the locator is the owner;
 - (c) The date of the location; and
 - (d) The number of feet or acres claimed; and
2. Marking the boundaries of his or her claim in the same manner as provided in this chapter for the marking of the boundaries of a placer claim, so far as applicable thereto.

[16:89:1897; C § 223; RL § 2437; NCL § 4135] — (NRS A [1971, 2201](#); [1985, 1499](#))



Kurt J. Hoffman Mining Services

Web: kjhmining.com

Email: kjhmining@gmail.com

NRS 517.140 Certificate of location: Recording; contents; effect of insufficiency.

1. Within 90 days after the date of his or her location, the locator of a claim or location of a mill site shall record his or her location with the county recorder of the county in which the location is situated, by duplicate certificates of location.

2. When the locator records his or her certificates of location the locator shall file two copies of a map not to exceed 3 feet by 4 feet and pay the filing fees which comply with the requirements set forth in [NRS 517.040](#) and [517.050](#).

3. Any record of a location of a mill site which does not contain the name of the locator, the name of the mine or mining claim of which the locator is the proprietor, or the name of the mill or reduction works of which the locator is the owner, the number of feet or acres claimed, and a description which identifies the claim with reasonable certainty is void.

[17:89:1897; C § 224; RL § 2438; NCL § 4136] + [18:89:1897; C § 225; RL § 2439; NCL § 4137] — (NRS A [1971, 2201](#); [1983, 1611](#); [1985, 1500](#))

Tunnel Rights

NRS 517.150 Requirements for location. The locator of a tunnel right or location shall locate his or her tunnel right or location by posting a notice of location at the face or point of commencement of the tunnel, which notice must contain:

1. The name of the locator and the locator's mailing address.
2. The date of the location.
3. The proposed course or direction of the tunnel.
4. The height and width thereof.
5. The position and character of the boundary monuments.
6. A description of the tunnel by reference to a natural landmark or a readily identifiable artificial landmark which identifies the claim or tunnel right.

[19:89:1897; C § 226; RL § 2440; NCL § 4138] — (NRS A [1971, 2202](#); [1985, 1500](#))

NRS 517.160 Definition of boundaries; erection of monuments.

1. Within 60 days after the posting of the notice of location, the locator of a tunnel right or location shall define the boundaries of the tunnel by monuments placed at intervals of not more than 300 feet from the face or point of commencement of the tunnel to the terminus of 3,000 feet therefrom.

2. The monuments must be of the same size and character as those provided for lode or placer claims in this chapter.

[20:89:1897; C § 227; RL § 2441; NCL § 4139] — (NRS A [1985, 1500](#))

NRS 517.170 Recording of certificate of location; filing of map; effect of insufficiency.

1. Within 90 days from the date of the location, the locator of a tunnel right or location shall record his or her location with the county recorder of the county in which the location is situated.

2. When the locator records his or her certificate of location the locator shall file two copies of a map that complies with the requirements set forth in [NRS 517.040](#).

3. Any record of a tunnel right or location which does not contain all the requirements named in this section is void.

[21:89:1897; C § 228; RL § 2442; NCL § 4140] — (NRS A [1971, 2202](#); [1985, 1500](#))

NRS 517.180 Location of blind or unknown lode or vein in tunnel. All blind lodes, or veins or lodes not previously known to exist, discovered in a tunnel run for the development of a vein or lode, or for the discovery of mines, and within 3,000 feet from the face of such tunnel, shall be located upon the surface and held in like manner to other lode claims under the provisions of this chapter.

[22:89:1897; C § 229; RL § 2443; NCL § 4141]



Kurt J. Hoffman Mining Services

Web: kjhmining.com

Email: kjhmining@gmail.com

General Provisions

NRS 517.185 Fee for each document filed; disposition.

1. In addition to any recording fee, each filing pursuant to [NRS 517.050](#), [517.080](#), [517.110](#), [517.140](#), [517.170](#), [517.200](#) and [517.230](#) must be submitted with a filing fee in an amount established pursuant to subsection 2. The county recorder shall collect the filing fee and, on or before the fifth working day of each month, deposit with the county treasurer all such fees collected during the preceding month. The county treasurer shall quarterly pay the money collected to the Division. The Division shall deposit with the State Treasurer, for credit to the Account for the Division of Minerals created pursuant to [NRS 513.103](#), all money received pursuant to this section.

2. The Commission on Mineral Resources shall, by regulation, establish the filing fee required pursuant to subsection 1 in an amount not to exceed \$6 per claim.

(Added to NRS by [1985, 1494](#); A [1989, 1595](#); [1991, 1780](#); [1993, 298, 1686](#); [1995, 579](#); [1999, 891, 3629](#); [2001, 66](#))

NRS 517.190 Notice of location: Filing; evidentiary effect. A locator of a mining claim or a claim for a mill site or tunnel right may file with the county recorder a notice of location which is prima facie evidence in all courts of justice of the first location of that claim.

[Part 3:89:1897; A 1907, 418; 1941, 92; 1931 NCL § 4122] — (NRS A [1985, 1501](#))

NRS 517.195 Separate notices and certificates of location; effect of combining locations in notice or certificate.

1. A locator shall:

- (a) Post a separate notice of location; and
- (b) Record a separate certificate of location,

↳ for each location of a lode or placer claim or of a claim for a mill site or tunnel right.

2. Where a notice or certificate of location includes more than one location, it is void as to all locations except the first described in the notice or certificate. If the descriptions are combined so that it cannot be determined from the notice or certificate which location is described first, the notice or certificate is void as to all of the locations.

(Added to NRS by [1985, 1493](#))

NRS 517.200 Validation of defective certificate of location or change of boundaries: Filing of amended certificate of location; effect of amendment; correction of common error.

1. If at any time the locator of any mining claim located before, on or after March 16, 1897, or the locator's assigns, apprehends that the locator's original certificate of location was defective or erroneous, or that the requirements of the law had not been complied with before filing, or if he or she is desirous of changing his or her surface boundaries or of taking in any part of an overlapping claim which has been abandoned, or in case the original certificate of location was made before March 16, 1897, and he or she is desirous of securing the benefits of this chapter, the locator, or the locator's assigns, may file an amended certificate of location, subject to the provisions of this chapter, if the amendment does not interfere with the existing rights of others at the time of the amendment.

2. The amendment or the record thereof does not preclude the claimant from proving any title the claimant held under previous locations.

3. Where a common error occurs in more than one certificate of location, the locator may record one document which describes the error, makes reference to the claims by name and the date, book and page of recording and states the desired amendment.

[6:89:1897; C § 213; RL § 2427; NCL § 4125] — (NRS A [1969, 498](#); [1985, 1501](#))



Kurt J. Hoffman Mining Services

Web: kjhmining.com

Email: kjhmining@gmail.com

NRS 517.210 Survey of location; evidentiary effect of survey and surveyor's certificate. Where a locator, or a locator's assigns, has the boundaries and corners of his or her claim established by a United States Mineral Surveyor, or a licensed surveyor of this state, and his or her claim connected with a corner of the public or minor surveys of an established initial point, and incorporates into the record of the claim the field notes of the survey, and attaches to and files with the certificate of location a certificate of the surveyor setting forth:

1. That the survey was actually made by the surveyor, giving the date thereof;
2. The name of the claim surveyed and the location thereof; and
3. That the description incorporated in the declaratory statement is sufficient to identify,

→ the survey and certificate become a part of the record, and the record is prima facie evidence of the facts therein contained.

[8:89:1897; C § 215; RL § 2429; NCL § 4127] — (NRS A [1985, 1502](#))

NRS 517.213 Inclusion of patented mines and mining claims on county map; conformity of discrepancy between county map and record of survey showing location of mine or claim; duty of county recorder to provide map to county assessor.

1. The county recorder shall include all patented mines and mining claims in the county on the county map of mining claims in a manner which clearly distinguishes the patented mines and mining claims from the unpatented claims.

2. When a record of survey filed with the county by a registered surveyor shows the location of a patented mine or mining claim, the county recorder shall conform the county map to the record of survey if there is any discrepancy between the two maps concerning the location of the mine or claim.

3. A county recorder who records a map pursuant to this section shall, within 7 working days after the county recorder records the map, provide to the county assessor at no charge:

(a) A duplicate copy of the map and any supporting documents; or

(b) Access to the digital map and any digital supporting documents. The map and supporting documents must be in a form that is acceptable to the county recorder and the county assessor.

(Added to NRS by [1985, 1494](#); A [1989, 50](#); [2001, 1566](#); [2003, 2792](#))

NRS 517.215 Comparison of record of survey to county map of mining claims; notice of proposal to change county map; change to county map if no hearing requested; hearing upon request.

1. When a record of survey filed with the county recorder by a professional land surveyor shows the location of a mining claim, the county recorder shall compare that record of survey to the county map of mining claims and ascertain whether the location of the claim is accurate according to the record of survey.

2. If the county map inaccurately shows the location of the claim, the county recorder shall propose a change to the county map and mail a notice to all persons whose claims would be affected by the proposed change.

3. The notice must include:

(a) A description of the proposed change; and

(b) A statement advising the owner of the claim that the proposed change will be made unless the owner makes a written request to the county recorder for a hearing within 30 days.

4. If a request for a hearing is not received by the county recorder within 30 days after he or she mailed the notice, the county recorder shall make the proposed change to the county map.

5. Upon receipt of a request for a hearing the county recorder shall request the board of county commissioners to hold a hearing on the proposed change.

6. Upon receipt of such a request the board of county commissioners shall, after notifying the county recorder and the owner of the mining claim at least 30 days in advance, hold a hearing and determine whether the proposed change is to be made.

(Added to NRS by [1985, 1494](#); A [1989, 797](#))



Kurt J. Hoffman Mining Services

Web: kjhmining.com

Email: kjhmining@gmail.com

NRS 517.230 Affidavit of work performed or improvements made; affidavit of owner or claimant; evidentiary effect of affidavits.

1. On or before November 1 of the year for which labor is performed or improvements are made as required by law for a mining claim annually, the person in whose behalf the labor was performed or improvements made, or someone in the person's behalf, shall make and have recorded by the county recorder, in books kept for that purpose in the county in which the mining claim is situated, an affidavit setting forth:

- (a) The amount of money expended, or value of labor or improvements made, or both.
- (b) The character of expenditures or labor or improvements.
- (c) A description of the claim or part of the claim affected by the expenditures or labor or improvements.
- (d) The year for which the expenditures or labor or improvements were made and the dates on which they were made.
- (e) The name of the owner or claimant of the claim at whose expense the improvements or labor was made or performed.
- (f) The names of the persons, corporations, contractors or subcontractors who performed the work or made the improvements.

2. An affidavit made and recorded pursuant to subsection 1 or a copy thereof, certified by the county recorder, is prima facie evidence of the performance of the labor or the making of the improvements, or both.

3. On or before November 1 of each year that the performance of labor or the making of improvements is not required by law for a mining claim, the owner or claimant of the mining claim who intends to hold the claim, or someone in the owner or claimant's behalf, shall make and have recorded by the county recorder, in books kept for that purpose in the county in which the mining claim is situated, an affidavit setting forth:

- (a) The name and address of the owner or claimant of the mining claim.
- (b) The name of the mining claim, and the serial number, if any, assigned to the claim by the United States Bureau of Land Management.
- (c) The date that the affidavit was made.
- (d) A statement that the owner or claimant of the mining claim intends to hold the claim.

4. An affidavit made and recorded pursuant to subsection 3 or a copy thereof, certified by the county recorder, is prima facie evidence that the owner or claimant of the mining claim intended to hold the claim from 12 p.m. on September 1 of the year before the affidavit was made and recorded, until 11:59 a.m. on September 1 of the year that the affidavit was made and recorded.

[10:89:1897; C § 217; RL § 2431; NCL § 4129] — (NRS A 1960, 319; 1961, 422; [1969, 1003](#); [1971, 2202](#); [1985, 1502](#); [1993, 299](#))

NRS 517.280 Certificates of location need not be sworn to; no required form. Certificates of location need not be sworn to, and are not required to be in any specified form nor to state facts in any specific order, but must truly state the required facts.

[24:89:1897; added 1899, 93; C § 231; RL § 2445; NCL § 4143] — (NRS A 1961, 422)

NRS 517.290 Applicability of [NRS 517.010 to 517.280](#), inclusive. The provisions of [NRS 517.010 to 517.280](#), inclusive, shall be construed as equally applicable to all classes of locations, except where the requirement as to any one class is manifestly inapplicable to any other class or classes.

[23:89:1897; C § 230; RL § 2444; NCL § 4142]

NRS 517.300 Unlawful acts; penalties.

1. A person who willfully antedates or puts any false date or date other than the one on which the location is made upon any notice of location of any mining claim in this state is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

2. A person who willfully and knowingly makes a false material statement on the certificate of location or on any map required by this chapter is guilty of a category D felony and shall be punished as provided in [NRS 193.130](#).

[1911 C&P § 410; RL § 6675; NCL § 10362] — (NRS A [1971, 2203](#); [1979, 1484](#); [1985, 1502](#); [1995, 1303](#))



Kurt J. Hoffman Mining Services

Web: kjhmining.com

Email: kjhmining@gmail.com

EFFECT OF PREVIOUSLY RECORDED DOCUMENTS; CONVEYANCES

NRS 517.350 Written instruments recorded in office of county recorder before February 20, 1873, deemed to impart notice to subsequent purchasers and encumbrancers. All instruments of writing relating to mining claims copied into books of mining records or other records in the office of the county recorders of the several counties prior to February 20, 1873, shall, after February 20, 1873, be deemed to impart to subsequent purchasers and encumbrancers and all other persons whomsoever notice of the contents thereof. Nothing contained in this subsection shall be construed to affect any rights acquired or vested prior to February 20, 1873.

[1:20:1873; B § 320; BH § 2664; C § 2736; RL § 1635; NCL § 2136] + [2:20:1873; B § 321; BH § 2665; C § 2737; RL § 1636; NCL § 2137] — (NRS A [1971, 810](#))

NRS 517.360 Records of mining claims, mill sites or tunnel rights made by mining district recorder or county recorder before March 16, 1897, declared valid; evidentiary effect of record.

1. All records of lode or placer mining claims, mill sites or tunnel rights made by any mining district recorder or any county recorder prior to March 16, 1897, are hereby declared to be valid and to have the same force and effect as records made in pursuance of the provisions of [NRS 517.010](#) to [517.280](#), inclusive.

2. Any such record, or a copy thereof duly verified by a mining district recorder or duly certified by a county recorder, shall be prima facie evidence of the facts therein stated.

[Part 3:89:1897; A 1907, 418; 1941, 92; 1931 NCL § 4122]

NRS 517.370 Conveyances of mining claims: Formalities; construction and proof of conveyances before December 12, 1862.

1. After December 12, 1862, conveyances of mining claims shall require the same formalities and shall be subject to the same rules of construction as the transfers and conveyances of other real property.

2. All conveyances of mining claims made prior to December 12, 1862, by bills of sale or other instruments in writing, with or without seals, recorded or unrecorded, shall be construed in accordance with the lawful local rules, regulations and customs of the miners in the several mining districts of the Territory of Nevada; and if, prior to December 12, 1862, regarded as valid and binding in such mining districts, shall have the same force and effect between the parties thereto, as prima facie evidence of sale, as if such conveyances had been made by deed under seal.

3. The location and transfers of mining claims made prior to December 12, 1862, shall be established and proved in contestation before courts by the local rules, regulations and customs of the miners in the several mining districts of the Territory of Nevada in which such location and transfers were made.

[1:14:1862; B § 307; BH § 2650; C § 2720; RL § 1100; NCL § 1561] + [2:14:1862; B § 308; BH § 2651; C § 2721; RL § 1101; NCL § 1562] + [3:14:1862; B § 308; BH § 2652; C § 2722; RL § 1102; NCL § 1563]

NRS 517.380 Validity of previous conveyances of mining claims or locations by minors more than 18 years of age. In all cases in this state since July 1, 1867, where minors over the age of 18 years have sold interests acquired by them in mining claims or locations within this state, by virtue of their having located such claims, or having been located therein by others, and have executed deeds purporting to convey such interests, such deeds, if otherwise sufficient in law, shall be held valid and sufficient to convey such interest fully and completely, notwithstanding the minority of the grantor, and without any power or right of subsequent revocation. This section does not apply to cases where any fraud was practiced upon such minor, or any undue or improper advantage was taken by the purchaser or any other person to induce such minor to execute such deed.

[1:49:1869; B § 317; BH § 2653; C § 2723; RL § 1103; NCL § 1564] + [2:49:1869; B § 318; BH § 2654; C § 2724; RL § 1104; NCL § 1565] — (NRS A [1973, 1579](#))

SALES BY COUNTIES OF PATENTED MINING CLAIMS

NRS 517.390 Affidavit and petition to explore and develop mine or claim.

1. Whenever a patented mine or mining claim has become the property of a county through operation of the revenue laws of this state, any citizen of the United States may file with the board of county commissioners of such county an affidavit and petition to explore and develop the mine or claim, provided the mine or claim has been the property of the county for less than 1 year, at the time of such filing.

2. The affidavit and petition shall state:



Kurt J. Hoffman Mining Services

Web: kjhmining.com

Email: kjhmining@gmail.com

(a) That the petitioner is a citizen of the United States.

(b) That there is belonging to the county, as shown by the official records thereof, a patented mine or mining claim, sufficiently identifying it, which has become the property of the county through operation of the revenue laws of this state.

(c) The amount of the tax, penalties and costs, if any, for which the mine or claim became the property of the county.

(d) That it is the petitioner's bona fide intention to explore and develop the mine or claim.

[Part 1:44:1933; A 1935, 25; 1945, 351; 1943 NCL § 4309] — (NRS A [1971, 76](#); [1989, 50](#))

NRS 517.400 Determination of amount of taxes, penalties and costs. After March 7, 1947, the amount or sum for which a patented mine or mining claim became the property of the county is hereby defined to mean 1 year's taxes, plus penalties and costs.

[Part 1(a):44:1933; added 1947, 46; 1943 NCL § 4309.01] — (NRS A [1989, 50](#))

NRS 517.410 Permission to explore and develop claim; limitations.

1. Upon receipt of an affidavit and petition as required by [NRS 517.390](#), the board of county commissioners, by an order appearing in its minutes, may give such petitioner permission to enter upon any such claim or claims and explore the same for valuable minerals for a period of 6 months without any charge therefor.

2. No ore or valuable mineral, in excess of 500 pounds, shall be removed from any mining claim or claims until title thereto shall have been acquired by the petitioner as provided in [NRS 517.420](#).

[Part 1:44:1933; A 1935, 25; 1945, 351; 1943 NCL § 4309]

NRS 517.420 Execution of deed to convey title to petitioner; consideration and limitations; disposition of proceeds of sale.

1. At the expiration of 6 months, or sooner if the petitioner so desires, the county treasurer shall make and execute a deed conveying the title of the county to such mine or claim to the petitioner for the sum for which the property became the property of the county.

2. A deed shall not be executed for any less number of mines or claims than the number named in the 6 months' prospecting permit referred to in [NRS 517.410](#).

3. All money received from the sale of such patented mines or mining claims must be credited to the county's general fund.

[Part 1:44:1933; A 1935, 25; 1945, 351; 1943 NCL § 4309] — (NRS A [1965, 124](#); [1971, 76](#); [1989, 51](#))

NRS 517.430 Renewal of prospecting permits: Limitations and extensions.

1. No person or agent of any person shall be granted a new prospecting permit upon the same claims, or any of them, under the provisions of [NRS 517.390](#) to [517.430](#), inclusive:

(a) If such claims, or any of them, at the time of any subsequent application, have been the property of the county for a year or more.

(b) Until 30 days shall have elapsed between the date of the termination of the former prospecting permit and the date of application for a subsequent permit.

2. If at the time of the expiration of a prospecting period actual development work, by drilling or otherwise, is being carried on, then the board of county commissioners shall, upon application, grant an additional 6 months' prospecting period to the same applicant or applicants.

[Part 1:44:1933; A 1935, 25; 1945, 351; 1943 NCL § 4309] — (NRS A [1971, 76](#))

NRS 517.450 Sale of mine or claim not subject to prospecting permit: Affidavit and petition.

1. Whenever a patented mine or mining claim has been, for a year or more, the property of a county through operation of the revenue laws of this state and no prospecting permit granted under the provisions of [NRS 517.410](#) or [517.430](#) is in force with respect to the mine or claim, any citizen of the United States may file with the board of county commissioners of the county an affidavit and petition to have the mine or claim advertised for sale to the highest bidder.

2. The affidavit and petition must state:

(a) That the petitioner is a citizen of the United States.



Kurt J. Hoffman Mining Services

Web: kjhmining.com

Email: kjhmining@gmail.com

(b) That for the past year or more there has belonged to the county, as shown by the official records thereof, a patented mine or mining claim, sufficiently identifying it, which has become the property of the county through operation of the revenue laws of this state.

(c) That no prospecting permit granted under the provisions of [NRS 517.410](#) or [517.430](#) is in force with respect to the mine or claim.

(d) The amount of the tax, penalties and costs, if any, for which the mine or claim became the property of the county.

(Added to NRS by [1971, 77](#); A [1989, 51](#))

NRS 517.460 Sale of mine or claim not subject to prospecting permit: Order for and notice of sale; conveyance to purchaser; disposition of proceeds.

1. Upon receipt of an affidavit and petition as required by [NRS 517.450](#), the board of county commissioners, by an order appearing in its minutes, shall direct the county treasurer to sell the patented mine or mining claim described in the affidavit and petition, after giving notice of the sale, for a total amount not less than the amount of the taxes, costs, penalties and interest legally chargeable against the mine or claim so stated in the order.

2. Notice of the sale must be posted in at least three public places, including one at the courthouse and one on each claim, for a period of not less than 20 days before the day of sale or, in lieu of such posting, by publication of such notice for a like period in some newspaper published within the county, if the board of county commissioners by its order so directs.

3. Upon compliance with the order the county treasurer shall make, execute and deliver to any purchaser, upon payment to the county treasurer of a consideration not less than that specified in the order, a deed conveying the title of the county to the mine or claim.

4. All moneys received from the sale of such patented mines or mining claims must be credited to the county's general fund.

(Added to NRS by [1971, 77](#); A [1989, 51](#))