

# GOLD RUSH

The Modern Prospector's Guide to



MountainManMining.com

# MINING CLAIMS

*"Wealth isn't just found in the depths of the earth, but in the grit of the soul that refuses to stop digging. Every strike of the pick is a promise to your future: the fortune you seek is waiting for the courage to uncover it."*

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# INTRODUCTION

Dear Reader,

This guide will cover some of the things you need-to-know to be a mining claim owner. You'll also gain some valuable tips and tricks that I've learned over years of mining and prospecting.

Other authors have done a great job detailing a variety of gold recovery techniques, geology and known spots of where to find gold through the US, so I won't be covering those topics here.

In the following pages you'll gain some valuable insights...

Many men have shared with me over the years ....

When I first got started with mining and prospecting personally I was never interested in mining or finding gold in particular.... I just wanted to get out of the office and explore the great outdoors. One weekend while hiking around in the mountains I ran across a wooden stake in the ground, that seemed to have some paperwork attached. Curious I read the paperwork and found out I was on someone's mining claim.

"You're telling me there is gold here?!"

I bought a book about finding gold in the desert, a gold pan and started visiting the creeks and streams around my house. I'll never forget the first time I saw a bunch of shiny gold flakes at the bottom of my pan...

Of course it didn't take long to find out what I really had was iron-sulfide, also known as *Fool's Gold*! I returned many times to the creeks and streams my literature insisted there was gold in until one day I finally discovered a real gold flake at the bottom of my pan. All it took was that one real gold flake and I was hooked! I had caught the *gold fever*!

Encouraging words...

Mining and prospecting encompasses many disciplines. On this path you'll learn more about geology, chemistry, engineering, milling operations, finance, independence, mountaineering, and navigation. You'll likely spend many hours outdoors enjoying public lands and getting to know more about the riches contained in the earth, and the riches contained in yourself!

For many men they initially take up mining as a path to wealth, not realizing how much self discovery and adventure awaits them along the way. I encourage anyone drawn to the great outdoors and the pursuit of wealth and freedom to take up the challenge of mining. There is a tremendous amount to learn, and you might even ***find a bit of gold along the way!***



# THE BASICS

The basic kit every miner has is a pick, a shovel, a pan, and some portable water!

The basic kit contains everything a miner needs to find the type and approximate the amount of precious minerals are found in an area. It also highlights exactly what a miner must do to find his loot:

1. Find and harvest the host rock (*using your pick and shovel!*).
2. Break down the host rock (*using your pick!*).
3. Sort and remove large sentiments (*using your water and pan!*).
4. Classify until your host rock is primary fine sands in your pan.
5. Identify and remove precious minerals from the pan (*did you bring tweezers?*).
6. Measure and estimate precious minerals remaining in the host rock.

And voila! You've found and harvested precious minerals from the earth! You also may have a greater understanding of about *how much* remains in the spot you sampled from.

Once you've found the good stuff, and a good amount of it, you merely need to repeat steps 1-6 on a larger scale – and now look at you, you're mining!

## **Advanced Tools:**

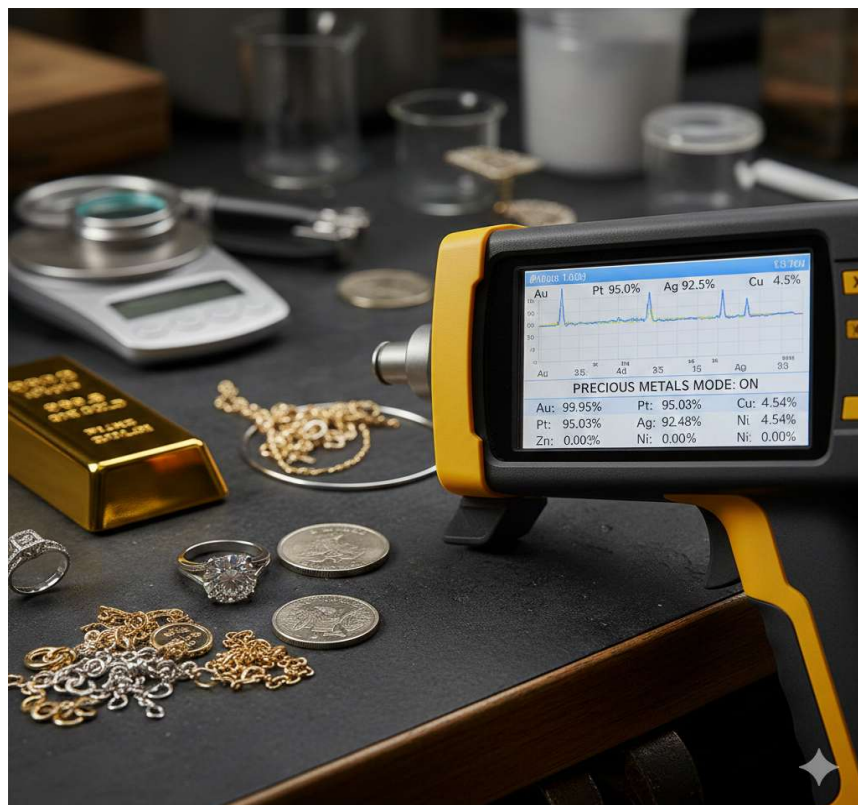
Mining using the basic kit is what is considered “hands-and-pans” mining, and can be performed anywhere without issue.

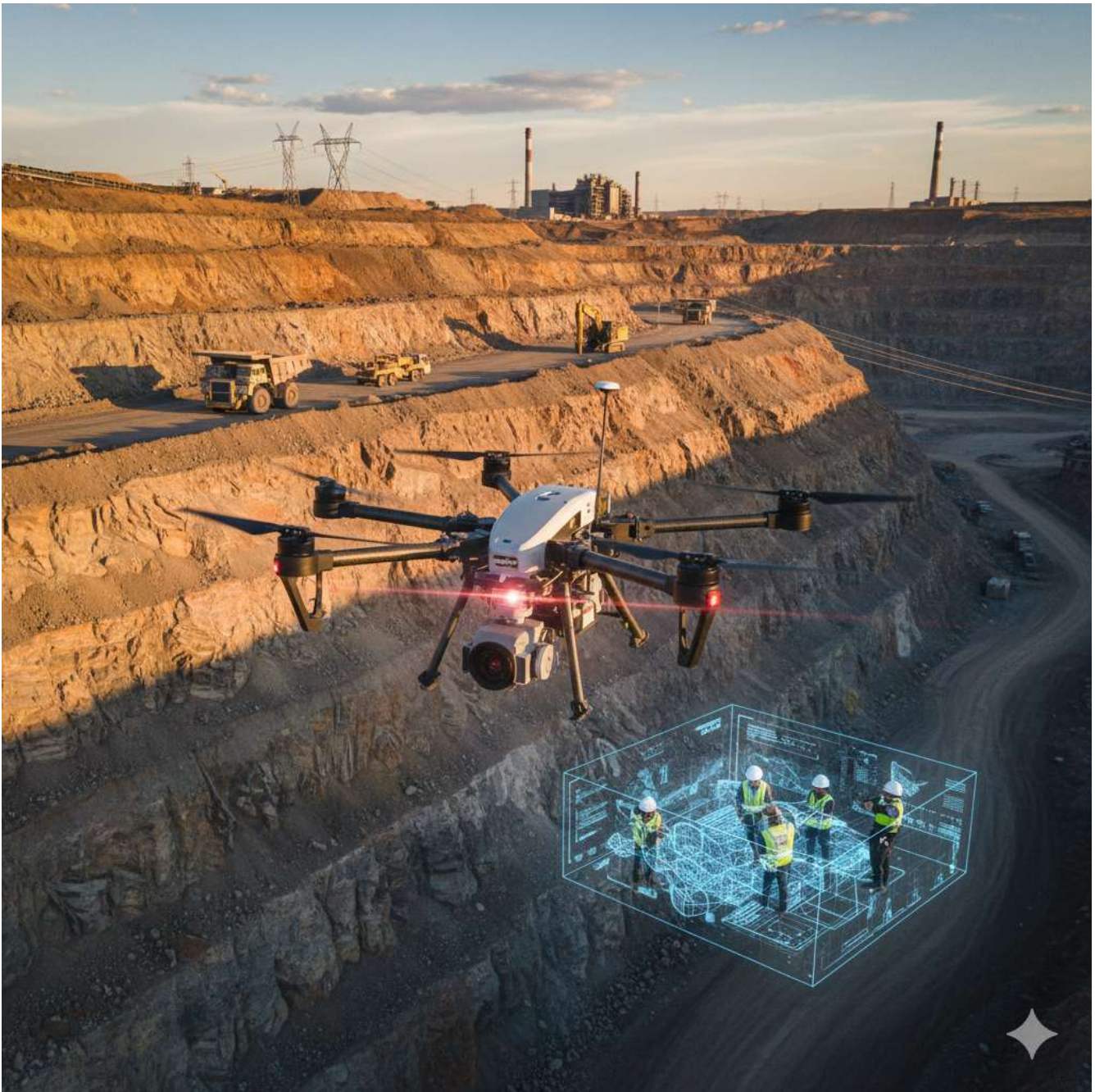
Using powered and motorized tools comes with additional regulations that have been passed by the BLM and other local land and water authorities across the U.S.

Every state has different rules and regulations concerning the use of these advanced tools, as well as natural water resources that are often used in tandem with them. **Do your research and use these tools within the confines of the law!**

- **Metal Detectors & Battery-Powered Sensors** – Great for finding nuggets and specimens on the surface. Larger devices can detect entire deposits underground! Amazing for dry plains. *GENERALLY ALLOWED EVERYWHERE.*

- **Sluice-Boxes, High-Bankers, and Gold-Cubes** – These shaker tables can automatically remove larger sentiments, classify rocks, and collect precious minerals using flowing water and sometimes a motor! Great for placers on a river.
- **Dozers and Backhoes** – Sometimes you need to move just a little more dirt than a bucket at a time. Dozers and backhoes can speed up progress significantly, and can be used to “trench” the earth; looking for exposed veins near the surface!
- **Dredgers** – Dredgers pick up sentiment from the bottom of waterways and can be used to find all sorts of things, from metal junk and lost rings to gold nuggets! The [49’ers were famously using their dredgers to find gold nuggets](#) in California’s rivers.
- **XRF Guns** – Don’t want to break a rock down to find out what’s in it? Point an XRF gun at it and pull the trigger! These fancy scientific tools can tell you with a high degree of accuracy exactly what’s in the rock using x-rays!





## Using Drones for Reconnaissance

A new favorite tool among modern prospectors is the drone. With a drone, you can:

- Survey large areas quickly.
- Spot old workings or diggings.
- Scout access roads and trails.
- Create 3D maps of your terrain.

Some models even allow for photogrammetry to help you identify and measure the tonnage of subtle geological features or left-behind tailings piles.

Using a drone in the United States is also subject to regulation and is primarily overseen by the Federal Aviation Administration (FAA). Be sure to have the proper certifications, licensing, and training required to operate the drone you want to use.

Drones have transitioned from niche experimental tools to essential assets in modern mining. As of 2026, they are used to automate dangerous tasks, provide high-precision data, and significantly reduce operational costs.

## 1. Surveying and Mapping

Drones have revolutionized how mines are planned and measured. What used to take ground crews weeks can now be accomplished in hours.

- **3D Modeling:** Equipped with **LiDAR** or high-resolution cameras, drones create "digital twins" of mine sites, including elevation models and contour maps.
- **Stockpile Management:** Drones use photogrammetry to calculate the volume of ore piles with centimeter-level accuracy, providing real-time inventory data for financial reporting.
- **Exploration:** Sensors like **magnetometers** help detect mineral deposits underground without the need for initial expensive drilling or manned helicopter flights.

## 2. Safety and Hazard Monitoring

Mining remains one of the world's most hazardous industries, and drones are the primary tool for keeping workers out of harm's way.

- **High-Wall Inspections:** Drones inspect the steep walls of open-pit mines to detect early signs of cracks or instability, preventing catastrophic collapses.
- **Post-Blast Analysis:** After an explosion, drones are sent in first to check for "misfires" (unexploded charges) and to assess rock fragmentation before crews enter.

- **Underground Exploration:** Specialized drones like the **Elios 3** can navigate dark, dusty, and GPS-denied environments to inspect shafts, ore passes, and blocked tunnels.

### 3. Environmental and Operational Oversight

Drones provide a "bird's-eye view" that helps manage the long-term impact of a mine.

- **Tailings Dam Monitoring:** Drones monitor the structural integrity of waste dams, using thermal sensors to find internal leaks or moisture buildup that could lead to a breach.
- **Haul Road Optimization:** By analyzing road grades and widths from the air, engineers can optimize truck routes to reduce fuel consumption and machinery wear.
- **Reclamation:** Once a mine closes, drones track revegetation efforts and soil stability to ensure the land returns to a healthy ecological state.

Laws regarding camping on public property in the United States have undergone significant shifts as of early 2026. The legal landscape is generally divided into **Recreational Camping** (regulated by federal and state land agencies) and **Public Space Camping** (governed by municipal codes and recent Supreme Court rulings).



## Camping and Comfort on Your Claim

For many, the joy of mining also lies in camping and spending extended time outdoors. Some claims are next door to beautiful fishing and hunting spots! While camping is allowed on unpatented mining claims, it can only be done 14 days at a time (comes with [exceptions](#) depending on activity). Consider bringing:

- A sturdy tent or rooftop camper.
- Portable cooking gear.
- Solar panels for power.
- Water filtration systems.

These additions help turn a rough outing into a more comfortable adventure and allow for longer stays. Mining can take time and effort, and having a place nearby to settle down after a tough day of breaking and sorting rocks is invaluable.

## 1. Recreational Camping (BLM, USFS, NPS)

For those camping for leisure on federal lands, laws are primarily focused on conservation and fair access.

- **The 14-Day Rule:** On most Bureau of Land Management (BLM) and U.S. Forest Service (USFS) lands, "dispersed camping" is legal but limited to **14 days within a 28-day period**. After 14 days, you must typically move your camp at least 25 miles away.  
+1
- **Stay Limits:** National Parks are much stricter; camping is usually only allowed in designated spots with a permit, often limited to 7–14 days.
- **Leave No Trace:** Federal law requires campers to dispose of waste properly. As of 2026, many regions have increased fines for "micro-littering" and improper human waste disposal to protect fragile ecosystems.

## 2. Municipal Camping & Homelessness (City/Local)

The most significant legal changes involve camping on city sidewalks, parks, and streets.

- **The Grants Pass Ruling (2024):** A landmark Supreme Court decision (*City of Grants Pass v. Johnson*) ruled that cities **can** legally ban camping on public property and impose criminal penalties (fines or jail), even if there are no available shelter beds. This overturned previous protections that argued such bans were "cruel and unusual punishment."  
+2
- **Time, Place, and Manner Restrictions:** Many cities (like Portland and Los Angeles) have implemented specific "TPM" ordinances. These may allow

sleeping in certain areas overnight but require tents to be taken down during the day (e.g., 6:00 AM to 9:00 PM) and prohibit camping near schools or building entrances.

- **Vehicle Dwelling:** Laws regarding sleeping in cars vary wildly. Many cities prohibit "vehicle habitation" on residential streets or within a certain distance of parks/schools, often enforced through 72-hour parking limits.

## **Selling Your Minerals**

After a successful season, you might have gold or other precious minerals to sell! Some options include:

- Local coin and precious metals shops.
- Refineries.
- Private buyers (be cautious and vet them carefully).
- Online marketplaces (e.g., eBay, though fees can be high).

Always weigh your gold accurately and know current spot prices – and consider holding some back as a hedge or for future price hikes on the market!

## **Understanding Mineral Rights vs. Surface Rights**

One of the first and most important distinctions to understand as a new claim holder is the difference between mineral rights and surface rights. On public land, a mining claim gives you the exclusive right to extract minerals, but not necessarily the right to use or occupy the surface land however you want.

This is why it's critical to coordinate with agencies like the BLM or the U.S. Forest Service when planning any surface disturbances (like building a cabin or permanent structure). Always file a Notice of Intent (NOI) or Plan of Operations (POO) if your activities might significantly disturb the surface.

**Now you've got a grasp on the basics!** You have your land, know how big it is, where to find it, and what to do with it. You also know what to do with some of the *good stuff*, some other activities you can do on your claim, and a little bit about the law.

Having been to a few claims ourselves at Mountain Man Mining, we've found a number of tools and practices to be invaluable as we've navigated from one claim to another.

Below, we'll go over some of those tools and practices that might save you some time, or maybe even your skin!

Also, we have a detailed section about **maintaining your claim with the BLM, waivers to make maintaining cheaper, and other helpful information, books, and videos** toward the bottom. While not necessary to get started, we highly recommend you read it.

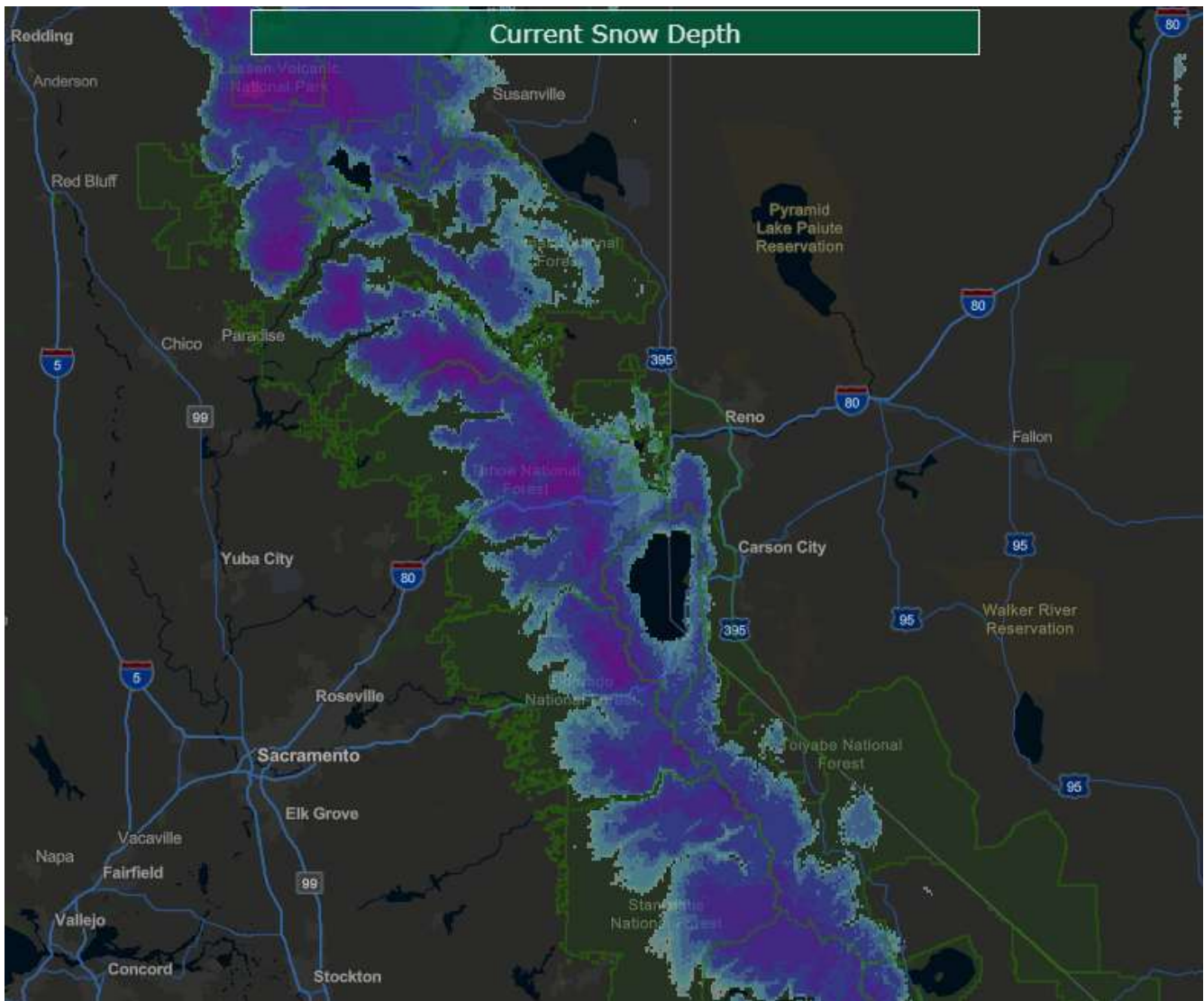
**Good luck out there, and as always, HAVE FUN!**

## **Check Local Road & Weather Conditions**

After many hours of driving to your claim, you may be disappointed to discover on the last 5-mile stretch, the roads leading into your claim are closed for the winter or construction zones obstruct your path!

Checking road and weather conditions before making the trek out to your claim WILL save you time and money! Always check the path is clear before your departure!

The US Forest Service provides a handy real-time map of current snow coverage and depths you can quickly reference, that looks like this:



Check out the [USFS Snow Depth Map](#) here.

Check out [local weather and road conditions](#) for your area here.

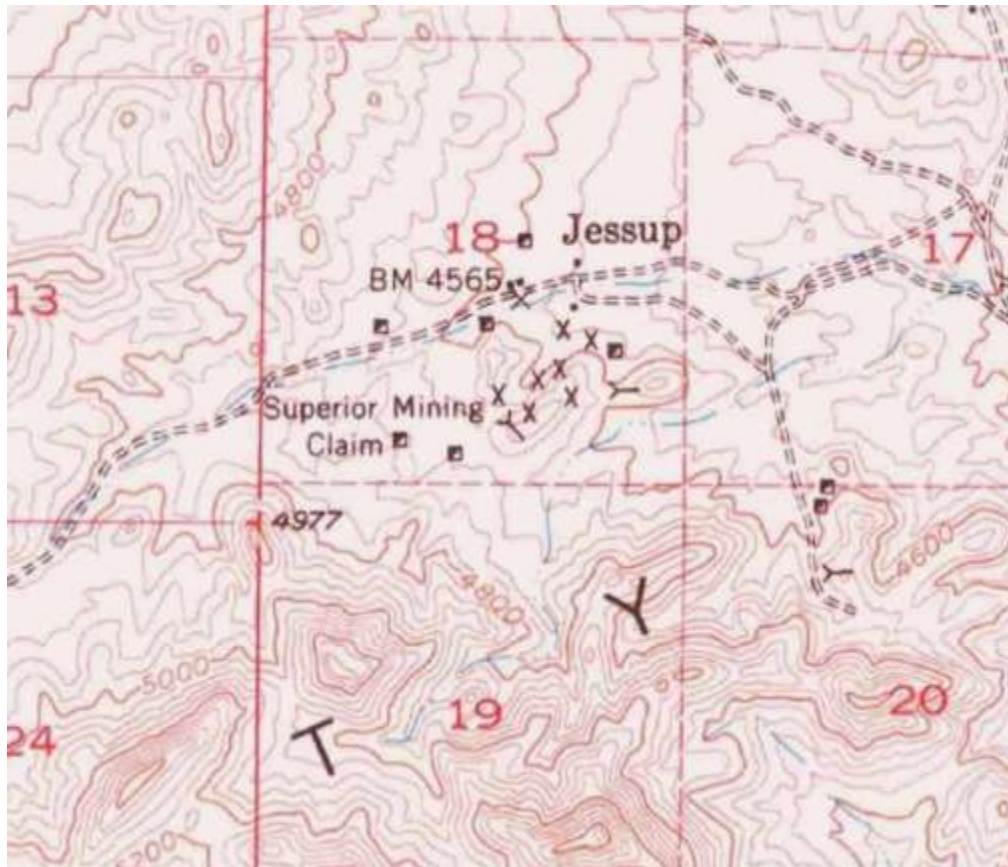
## **Examine Local Terrain & Topography**

It can be a good idea to familiarize yourself with the local terrain surrounding your claim, lest you be surprised by steep cliffs or sheer-face climbs to get to your claim!

Checking out the topography of the region can not only help you see what the ground looks like before you get there, but depending on the age of the topographic map, could help you discover old features on or around your mineral claim that were unknown. We've even discovered mines that were lost to time, that were only able to be found on the topographic map! Hidden adits, shafts, and relics galore! Excelsior!

Lastly, putting your eyes on the topographic map might help you identify water sources or flat building zones for your projects.

See what you can find by checking out the [local topography of your region here](#). You can view maps online, or offline by downloading them to your computer.



*A topographic map from 1951, showing the Jessup Mine on the Trinity Mt. Range in Nevada.*

## **NAVIGATION AND TOOLS:**

Due to the fact that many mining claims can be “off the beaten track” or in remote desert and mountain locations, you may stumble into locations with little or no cell phone reception.

During such occasions, you’ll appreciate having a host of different tools at your disposal to help smartly lead you to your destination – or extract you from a sticky situation!

### **Handheld GPS Units:**

Many places outside of developed urban and rural areas have little to no cellphone service, despite what many cell carriers will try to convince you of! Worse; mountains, structures, and even large bodies of water can degrade cell signals entirely, depriving you of your lifeline to the outside world. In unfamiliar terrain, this could spell disaster.

Having a handheld GPS unit for navigation and safety purposes at the bare minimum is a good idea. With one, you can easily:

- **Find your way** to your claim and back through rough terrain with step tracking.
- **Mark important locations** (like your parked vehicle or your recent gold discovery!).
- **Observe topography and plan routes** from the comfort of your camp or car.
- **Utilize GPS or GLONASS satellite systems** – so you'll never get lost, anywhere!

It doesn't have to be terribly fancy, either. Here is a brand and model you can purchase on Amazon that runs about \$170 but can last a lifetime:

### [Garmin eTrex 22](#)



*The Garmin eTrex 22*

## **Phone & Computer Applications**

### **OnX:**

In addition to a GPS unit, there is a little-known app prized by people who explore and off-road called [OnX](#). It's a mapping and navigation tool designed to leave the pavement of the cities. As a subscription service, it'll set you back \$35/year, however it is well worth the money when checking land status, claim boundaries and off-road routes in remote locations. With this smart phone application, you can also plan routes, check local campsites, cabins, get the names/address of private and patented land owners and much more. An absolute must-have for any serious outdoorsman, hunter, or prospector.

You can check it out and download it for yourself here: <https://www.onxmaps.com/>

## Google Earth Pro:

For desktop and laptop users, you'll want to get a free copy of *Google Earth Pro*. When you purchase a claim from **Mountain Man Mining**, you'll also receive a "KMZ" or "KML" file that can be opened in Google Earth which will conveniently show you the boundaries and discovery markers for your claims. You'll also be able to get a satellite overview of the location leading out to your claims, notable terrain features, elevation, nearby water sources, a time-lapse feature to show you terrain changes over time, and a lot more. This powerful and indispensable piece of software is a necessity for any miner or prospector -- and the best part? It's completely free.

Download it here: <https://www.google.com/earth/about/versions/>

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# ***Congratulations!*** **You Own a Mining Claim**

You've bought your very own mining claim!

Now you may be asking...

***What did I just buy?***

***How much land do I have?***

***Where is it? How do I find it?***

*And most importantly...*

***What can I do with it?***

All these questions and more will be answered in just a few short pages.  
Let's get started!

First...

### **What did I just buy?**

A mining claim is a legal claim to the mineral rights of an area and is partially considered real property. Most claims are *unpatented*, and only give rights to the minerals of the land. However, some are **patented**, and can give you additional ownerships and rights to the land on top of the mineral rights.

Almost all unpatented claims are leased from the Bureau of Land Management (BLM). This means maintenance payments (or “rent”) must be paid yearly to the BLM to maintain ownership of the mineral rights.

These rights are exclusive, and come on a first-come, first-serve basis. If you are the first to legally claim an area and register your new unpatented claim with the BLM, you are the sole owner of those mineral rights for as long as you pay the lease to the BLM!

**These rights are VALUABLE!**

Since the Federal Government has stopped selling patented land to individual citizens since 1994, these unpatented land claims are the closest thing a man can come to owning his own newly-claimed gold-bearing land in the United States!

This is what you own. Now...

### **How much land do I have?**

The Notice of Location (NOL) is a legal document filed with the BLM that tells both you and the BLM where your mining claim is and how much land it contains. The maximum amount of land a single mining claim can be depends on its type:

- A single placer claim can be a maximum of 20 acres (or 1320ft x 660ft).
- A single lode claim can be a maximum of 20.66 acres (or ~1360ft x 660ft).

Claims can be smaller than the maximum, but not above the maximum. There are exceptions to this when two or more people file jointly on a single claim, called an “association claim”, where each person is entitled to 20 acres within a single claim. The maximum size of an association claim is 160 acres, or eight people to a single claim.

- **NOTICE:** In California, there’s a big caveat with association claims! If two people file on a single claim and want to sell it later, they must find two people to

jointly hold the claim! Likewise, a 160-acre association claim must find EIGHT buyers to be sold!

So you have your Notice of Location in hand, and you know how much land you have, but...

### **Where is my mining claim? How do I find it?**

All NOLs have a legal land description affixed to them. This legal land description comes from the Public Land Survey System (PLSS); a grid-like system of measuring and describing land that's been placed over the entirety of the United States and is upkept by the BLM.

**The legal land description will define the boundaries of your mining claim.** If your mining claim has been captured in an area that contains “Lots”, you’ll also have a *metes-and-bounds* description affixed to your NOL. The metes-and-bounds description adds clarity to your claim’s boundaries in the event that lots disrupt the perfectly square layout of the PLSS grid.

The Wisconsin Department of Natural Resources published this incredibly helpful, illustrated guide to learn how to *read and use* the PLSS effectively. Use it!

<https://dnr.wisconsin.gov/sites/default/files/topic/ForestManagement/PLSSTutorial.pdf>

Your NOL will also have your mining claim number on it (e.g CA123343321). Punching your mining claim number into the BLM’s [Mineral and Land Records System \(MLRS\)](#) will give you the recorded legal land description. You can also enter your mining claim number into the search bar of their [real-time map](#) and be shown the location and boundaries of your claim.

### **NEED HELP?**

If you understand your legal land description but still have trouble finding it on a map, there are online tools to help you out such as:

**Earth Point:** Input your legal land description, click “View”, and you’ll be given GPS coordinates for the center of a Section as well as the corners! You can also use Google Earth to “Fly to” an area.

<https://www.earthpoint.us/TownshipsSearchByDescription.aspx>

Earth Point also has a downloadable PLSS grid you can overlay onto your Google Earth to help you find exactly where your claim is and what the terrain around it looks like.  
<https://www.earthpoint.us/Townships.aspx>

These are the tools we use at Mountain Man Mining. If they work for you, great! Otherwise, Google is your friend!

**Now, the most important question of all:**

## ***What can I do with my mining claim?***

**Mine it, of course!**

If you're new to mining, that may seem like a tall order. But it's easier than you think!

Below we'll go over some means and methods to get started finding and mining right away, and how you can grow and develop your mine into a massive operation!



# **MAINTAINING YOUR CLAIM**

The Bureau of Land Management requires maintenance fee payments for the continued ownership of the mineral rights on public lands maintained by the BLM; in other words, all unpatented mining claims.

The current maintenance fee as of 2026 is \$200/year per claim held

Claim holders are required to pay this annual fee before September 1<sup>st</sup> of each year that they desire to continue to hold their claim, mill, or tunnel site. These fees can be paid by mail or online using the BLM's *Mineral & Land Records System*, or [MLRS](#) (*except in Alaska, where the Fairbanks District Office takes payment*). To do this, you can sign up for a free online account with the BLM through [Login.gov](#).

Failure to pay these maintenance fees results in forfeiture of your claims.

Thankfully, **there are ways to reduce this fee** down to a meager \$10/claim by filing a [Small Miner's Waiver \(Form 3830-002\)](#) with the BLM, in lieu of the maintenance fees. This waiver must be submitted to the BLM before September 1<sup>st</sup>, just like a regular maintenance fee payment must.

## **To qualify for the waiver, one and their related parties must:**

- Hold less than 10 claims nationwide.
- Have performed work that equates to or exceeds \$100 worth on each claim held.
- Have recorded the work performed on property on an “[Affidavit of Assessment Work](#)” ([Form 3830-004](#)) and submitted it to the BLM before December 30<sup>th</sup>.
  - The use of the affidavit form requires a “processing fee” of \$15 per claim.
  - The affidavit is not necessary for mills and tunnel sites.
  - The affidavit *must* be notarized.
    - The assessment form is submitted AFTER the small miner's waiver!

The BLM defines qualifying assessment work as being:

**“Any labor or improvement that tends to benefit the claim  
or group of claims and discloses or develops valuable  
minerals will qualify as assessment work.”**

To help you identify what work is acceptable and what isn't, we've created a non-exhaustive list for you on the next page!

## **QUALIFYING AND NON-QUALIFYING ASSESSMENT WORK:**

| <b>QUALIFYING WORK:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>NON-QUALIFYING WORK</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>• Sinking shafts, pits, or trenches.</li> <li>• Running adits or drifts.</li> <li>• Mining ore.</li> <li>• Drilling.</li> <li>• Value of consumed materials in mining operations (like explosives).</li> <li>• Cost of labor at local prevailing wage rates.</li> <li>• Salary of security guards or watchmen.</li> <li>• Purchase and installation of necessary equipment or buildings.</li> <li>• Dewatering workings.</li> <li>• Building roads.</li> <li>• Sampling and assaying.</li> <li>• Geological, geochemical, or geophysical work conducted by qualified experts.</li> <li>• <i>Surveys of a geo-logical, -chemical, or -physical nature can be used, but not:</i> <ul style="list-style-type: none"> <li>◦ For more than 2 consecutive years.</li> <li>◦ For a total of more than 5 years.</li> </ul> </li> </ul> | <ul style="list-style-type: none"> <li>• <b>IN SHORT: Activities that do not expose valuable minerals or develop the property for the purpose. Such as:</b></li> <li>• Annual road maintenance.</li> <li>• Clearing of local flora.</li> <li>• Costs of negotiations. <ul style="list-style-type: none"> <li>◦ i.e.; Removal of water before buyer inspection.</li> </ul> </li> <li>• Legal, travel, or personal expenditures.</li> <li>• Groceries, utensils, bedding.</li> <li>• Amount paid for horses used.</li> <li>• Amount paid for iron tools or rails.</li> <li>• Material delivered to claim but unused.</li> <li>• Recon surveys.</li> <li>• Waste disposal on claim from other claims.</li> </ul> <p><u>And for you cunning, clever types out there:</u></p> <ul style="list-style-type: none"> <li>• Labor or work performed by a trespasser.</li> </ul> |

Lastly, there are four conditions in which one must file a Notice of Intent to Hold (NOI/NOIH) with the BLM to stay in compliance with the law.

The four conditions are:

- It is the first year you have located your claim, and a small miner waiver has been filed for the upcoming year (assessment work is not required the first year of location).
- A small miner waiver has been filed on a tunnel or mill site claim.
- The maintenance fee was paid for the past year, and a small miner waiver is being filed for the upcoming assessment year (*switching from paying maintenance fee to filing as a small miner waiver*).
- The BLM has issued a decision granting a deferment of assessment work.

While there is no official form for NOIs, Sierra County of California has created a form they utilize that most other counties will accept, with some adjustments:

<https://www.sierracounty.ca.gov/DocumentCenter/View/4304/Notice-of-Intent-to-Hold>

And that's all there is to it!

## **Frequently Asked Questions:**

### **What Is and Is Not Allowed on Your Mining Claims:**

Activities specifically forbidden on mining claims include, but are not limited to: non-mining related habitation, cultivation, animal maintenance, or pasturage; development of small trade or manufacturing concerns; storage, treatment, processing, or disposal of non-mineral, hazardous, or toxic materials or waste that was generated elsewhere and brought onto public lands; recycling or reprocessing materials such as scrap electronic parts, appliance, photographic film, and chemicals; searching for buried treasure, treasure trove, or archaeological specimens; operating hobby and curio shops; cafes; tourist stands; and hunting and fishing camps (43 CFR § 3715.6). Also, except when necessary to conduct prospecting or mining related operations, timber and other vegetation cannot be removed from an unpatented mining claim (30 USC 612). Prospecting activities are not permitted to adversely affect plants, animals, or cultural/archaeological resources which have regulatory protection.

**A claim holder does have the right to prevent others from prospecting and mining on his or her claim and also the right and duty to safely secure his or her operation from trespassers.** However, the claim holder cannot prevent others from crossing his or her claim for uses recognized under the Multiple Surface Use Act of 1955 (30 USC 611-615) or engaging in lawful recreational activities provided that they do not interfere with the claim holder's operations (United States v. Curtis-Nevada Mines, Inc., 415 F. Supp. 1373 [E.D. Cal. 1976]. Aff'd in part, rev'd in part, 611 F. 2nd 1277 [9th Cir. 1980]).

### **Prospecting Permits & Dredging in Nevada?**

No. Permits are required for "weekend" or "amateur" prospecting and rock collecting including using hand tools, pans, and metal detectors on land open to prospecting (Nevada BLM "Collecting on Public Lands," BLM/NV/GI-98/0031). If you are planning to use a dredge of any kind, you must contact the Nevada Department of Wildlife, 6980 Sierra Center Pkwy #120, Reno, NV 89511; Telephone: (775) 688-1500 for information and permits for that type of prospecting.

Additionally, dredging within certain designated waterbodies requires a permit from the Nevada Division of State Lands, who can be contacted at 901 S. Stewart St., Suite 5003, Carson City, NV 89701; telephone: (775) 684-2720. These types of activities are referred to as "casual use".

## **Is an unpatented mining claim considered real property?**

Yes. The discovery of a valuable mineral deposit within the limits of a mining claim located on Public Lands in conformance with state and Federal statutes validates the claim; and the locator acquires an exclusive possessory interest in the mineral deposits within the claim. Further, the claim is property in the fullest sense of that term; and may be sold, transferred, mortgaged, and inherited without infringing any right or title of the United States...so long as [the claimant] complies with the provisions of the mining laws [United States Supreme Court case of *Wilbur v. U.S. ex rel Krushnic*, 280 US 306 (1930)]. The owner of an unpatented claim is entitled to mine, remove, and sell all valuable mineral deposits within his claim boundaries provided he follows the regulations for Surface Management under 43 CFR § 3809, and is entitled to such surface rights necessary for mining operations.

## **Can I file a mining claim to get my own land in the mountains?**

No. A mining claim on Public Lands is a "possessory mineral interest." This means that a mining claimant has a limited right to the location for mining or milling purposes only. No deed accompanies this right. If the surface use is not otherwise encumbered, anyone may enter upon a claim on Public Lands for any purposes other than mining locatable minerals.

**Casual Use Definition:** This concept is applicable only to BLM-managed lands. Activities ordinarily resulting in no or negligible disturbance of the public lands or resources. Casual use includes the collection of geochemical, rock, soil, or mineral specimens using hand tools, hand panning, or non-motorized sluicing. Casual use may include the use of small portable suction dredges (NOTE: all suction dredges require a state permit). Casual use also includes the use of metal detectors, gold spars, or other battery-operated devices for sensing the presence of minerals. Hand and battery-operated dry washers are also used in a casual use scenario. Operators may use motorized vehicles for casual use activities provided the use is consistent with the regulations governing such use, off-road vehicle use designations contained in land use plans, and the terms of temporary closures ordered by either the BLM or Forest Service. Casual use does NOT include the use of mechanized earth-moving equipment, truck-mounted drilling equipment, or motorized vehicles in areas when designated as closed to "off-road vehicles", or the use of chemicals or explosives.

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# ADDITIONAL RESOURCES

## Free Mining (e)Book Libraries:

- 1) [MountainManMining's Library](#)
- 2) [Miner's Mansion](#)
- 3) [Mine Mountain](#)
- 4) [Project Gutenberg Library](#)

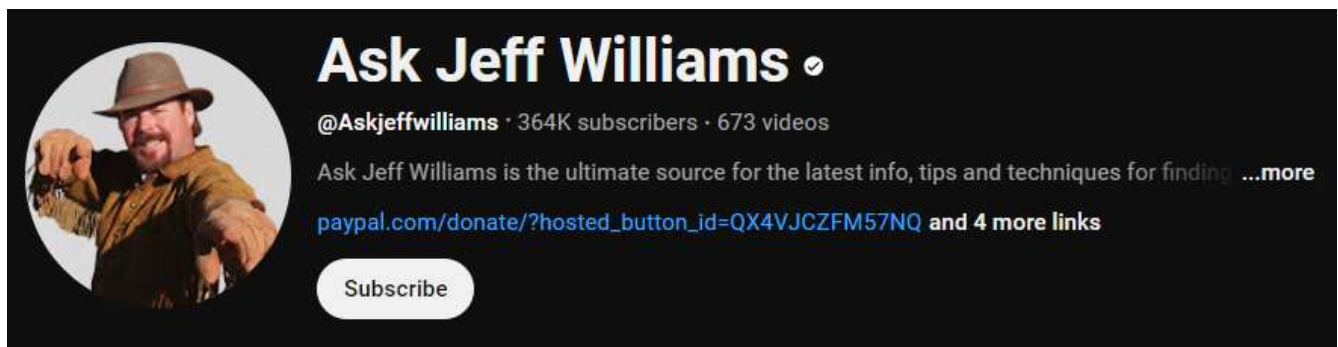
## Helpful Online Tools:

- 1) [Mineral Resources Data System \(MRDS\)](#)
- 2) [Mineral & Land Records System \(MLRS\)](#)
- 3) [Mindat.org](#)
- 4) [TheDiggings](#)

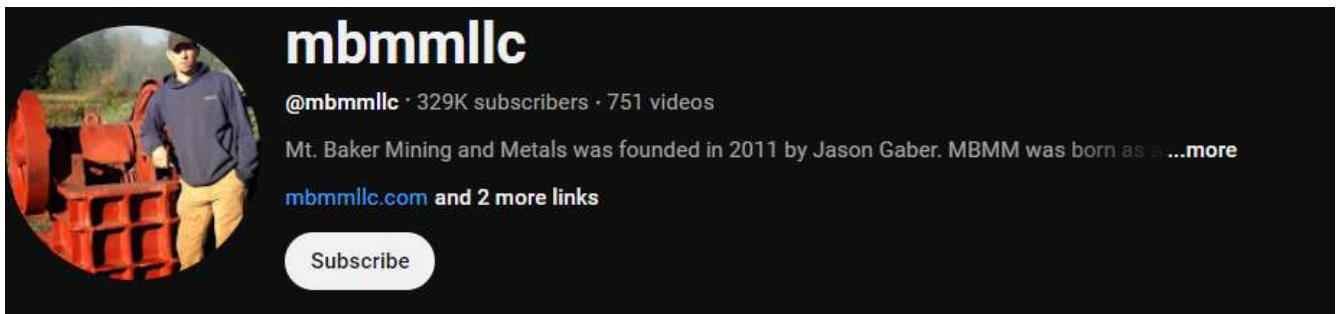
## Recommended Youtube Channels:



<https://www.youtube.com/@GhostTownLiving>



<https://www.youtube.com/@Askjeffwilliams>



<https://www.youtube.com/@mbmmllc>

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Remember, mining is more than a hobby — it's an adventure, a passion, a career. You'll meet unique people, learn old and new skills, and gain a new appreciation for the wild places most people will never see. You'll unearth rocks and minerals no man has ever felt or laid eyes on, and you'll be creating value where other men just saw useless dirt.

It isn't for everyone. It's hard, dirty, and sometimes dangerous.

But that's what you're here for, isn't it?

And remember - you're paid in gold.

**God Bless & Good Luck Out There!**

