

§ 3861.1

- 3862.4-1 Newspaper publication.
- 3862.4-2 Contents of published notice.
- 3862.4-3 Authorized officer to designate newspaper.
- 3862.4-4 Charges for publication.
- 3862.4-5 Proof by applicant of publication and posting.
- 3862.4-6 Payment of purchase price and statement of charges and fees.
- 3862.5 Entry and transfers.
- 3862.5-1 Allowance of entry; transfers subsequent to application not recognized.
- 3862.6 Diligent prosecution.
- 3862.6-1 Failure to prosecute application with diligence.
- 3862.7 Application processing upon contest or protest.
- 3862.7-1 Resumption of patent proceedings after suspension due to adverse claim or protest.
- 3862.8 Patents for mining claims.
- 3862.8-1 Land descriptions in patents.
- 3862.9 Public availability of information.

Subpart 3863—Placer Mining Claim Patent Applications

- 3863.1 Placer mining claim patent applications: General.
- 3863.1-1 Application for patent.
- 3863.1-2 Proof of improvements for patent.
- 3863.1-3 Data to be filed in support of application.
- 3863.1-4 Applications for placers containing known lodes.

Subpart 3864—Millsite Patents

- 3864.1 Millsite patents: General.
- 3864.1-1 Application for patent.
- 3864.1-2 Millsites applied for in conjunction with a lode claim.
- 3864.1-3 Millsites for quartz mills or reduction works.
- 3864.1-4 Proof of nonmineral character.

AUTHORITY: 5 U.S.C. 552; 30 U.S.C. 22 *et seq.*

Subpart 3861—Surveys and Plats

SOURCE: 35 FR 9754, June 13, 1970, unless otherwise noted.

§ 3861.1 Surveys of mining claims.**§ 3861.1-1 Application for survey.**

The claimant is required, in the first place, to have a correct survey of his claim made under authority of the proper cadastral engineer, such survey to show with accuracy the exterior surface boundaries of the claim, which boundaries are required to be distinctly marked by monuments on the ground. He is required to have a correct survey

where patent is applied for and where the mining claim is in vein or lode formation, or covers lands not surveyed in accordance with the U.S. system of rectangular surveys, or where the mining claim fails to conform with the legal subdivisions of the federal surveys. Application for authorization of survey should be made to the appropriate land office (see § 1821.2-1 of this chapter).

[Circ. 2220, 31 FR 16785, Dec. 31, 1966]

§ 3861.1-2 Survey must be made subsequent to recording notice of location.

The survey and plat of mineral claims required to be filed in the proper office with application for patent must be made subsequent to the recording of the location of the claim (if the laws of the State or the regulations of the mining district require the notice of location to be recorded), and when the original location is made by survey of a mineral surveyor such location survey cannot be substituted for that required by the statute, as above indicated. All matters relating to the duties of mineral surveyors, and to the field and office procedure to be observed in the execution of mineral surveys, are set forth in Chapter X of the Manual of Instructions for the Survey of the Public Lands of the United States, 1947.

§ 3861.1-3 Plats and field notes of mineral surveys.

When the patent is issued, one copy of the plat and field notes shall accompany the patent and be delivered to the patentee.

§ 3861.2 Surveys: Specific.**§ 3861.2-1 Particulars to be observed in mineral surveys.**

(a) The following particulars should be observed in the survey of every mining claim:

(1) The exterior boundaries of the claim, the number of feet claimed along the vein, and, as nearly as can be ascertained, the direction of the vein, and the number of feet claimed on the vein in each direction from the point of discovery or other well-defined place on the claim should be represented on