

Casual Mineral Collecting on NFS land

Casual collecting-those activities causing very little surface disturbance. Examples: collecting a few pounds of rock samples using hand tools, hand panning, using a metal detector for purposes of mineral prospecting only (not for treasure trove use). Motorized access on roads open to the general public. In these cases, no prior notification of the FS or the BLM is required.

Where can I pan for gold or look for cool mineral samples? Most rocks and minerals of interest to collectors are hardrock minerals, and in most places on NFS or BLM land are subject to the 1872 mining law, with FS regulations at 36 CFR228A (Locatable Minerals) when located on NFS land. Exceptions include lands with acquired status (the gov't bought the land), which are not subject to the 1872 mining law. FS regulates these minerals under Leasing Law, and has more discretion with allowing/disallowing.

It is your responsibility to find out where you may explore for hardrock minerals. The Ouray RD has mixed ownership making it challenging to figure out ownership. In addition, sometimes the mineral ownership is severed from the surface ownership.

You may explore for hard rock minerals in areas open to mineral entry on National Forest System lands. Claims may not be filed on withdrawn lands closed to mineral entry. Examples of withdrawn lands include administrative sites, campgrounds, National Parks and National Monuments, areas designated as Wild and Scenic Rivers, and areas designated as Wilderness. Purchase a National Forest map to identify the forest boundary, private land, and to identify those areas closed to mineral entry. More detailed surface ownership information becoming available on-line:

ouraycountyco.gov > Government > GIS > google AND FS Mapviewer located at:
http://apps.fs.fed.us/fsmviewer/index.html?config=public-config/ALP_StatusAndEncumbrance.xml

Lands with acquired status, where the government has obtained both the surface and the mineral right and has not withdrawn the land from mineral entry, are available for casual collecting. You would need to check LR2000 or the county clerk and recorder's office on specific acquired claims to determine who owns the minerals.

In addition, you should avoid patented and unpatented mining claims. Claims should be posted on the ground with corner posts or monuments, and a notice of location should also be posted in a conspicuous place. Location notices are filed with the County Clerk and Recorder's office, and can be found using the BLM's LR2000 database or by looking at master title plats.

There are no designated casual collecting areas on the Ouray Ranger District. The BLM has a designated area called Pinon Bridge Recreational Placer Mining area on the San Miguel River. The Bachelor-Syracuse Mine offers mine tours and panning. The Old Hundred Mine near Silverton offers mine tours and gold/silver panning. The Cache Creek area on the Royal Gorge Field Office north of Salida.

When has an operation gone beyond casual collecting? When surface disturbance is occurring. i.e., suction dredging, use of motorized and mechanized equipment, requiring motorized travel on routes not open to the public. It's time to talk to the FS or the BLM before proceeding.

What are the two kinds of mineral claims?

Lode claim for vein deposits=normally a rectangle shape, not exceeding 1500 ' long, and 300' each side of centerline with discovery monument and 4 corner monuments.

Placer claim for mineral bearing sand and gravel deposits, up to 20 acres.

Requirements for posting an unpatented claim: There are both Federal and State requirements.

Federal: Post corner monuments and a location or discovery monument.

Post a Location notice

File Location certificate paperwork with BLM (and with county)

Pay yearly maintenance fee and do yearly assessment work.

Reference: "Mining Claims and Sites on Federal Lands " BLM publication is an excellent source of information for those interested in filing an unpatented claim.

State: Contact local County Recorder's Office for info on State requirements

Can I live on my unpatented claim? No. the claimant's right is only for developing and extracting a mineral deposit.

E-Bay advertisements of buying a mining claim and living on the National Forest or BLM land is not correct!