

BLM Increase in Mining Claim Fees

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On July 27, 2014, the Bureau of Land Management (BLM) issued a final rule amending location and maintenance fees for unpatented mining claims, mill sites, and tunnel sites. The rule increases the location and maintenance fees that mining claimants must pay for federal unpatented mining claims by over 9%, and reflects BLM's authority to increase mining claim fees pursuant to changes in the Consumer Price Index as permitted by 30 U.S.C. § 28j(c). Highlights of the final rule include:

- The new claim maintenance fee is \$155 for each lode mining claim, mill site, or tunnel site and \$155 for each 20 acres or portion thereof for each placer mining claim.
- The new location fee is \$37 for each mining claim or site.
- Mining claimants must pay the new location and maintenance fee for any mining claim or site located on or after September 1, 2014.
- Mining claimants must pay the new maintenance fee for existing mining claims and sites to maintain those claims and sites, beginning with the 2015 assessment year.
- The maintenance fee for existing claims and sites is due on or before September 1, 2014.
- Claimants who have already submitted fee payments for the 2015 assessment year, or those who timely pay the 2015 assessment year maintenance fee based on the fee in effect immediately before the adjust was made, will be given an opportunity to pay the additional amount without penalty upon notice from the BLM.
- BLM will allow claimants an opportunity to cure deficient maintenance and location fee payments for new claims or sites located on or after September 1, 2014, and timely received on or before December 31, 2014.
- Failure to cure the payments within the time allowed will cause the affected mining claims or site to be forfeited.
- After December 31, 2014, the full maintenance and location fees payments, based on the new amounts, are required at the time of recording along with the required processing fees.

The final rule is effective as of the date of publication in the Federal Register, which is scheduled to be July 30, 2014 and can be found [here](#). For more information, please contact Karol Kahalley at (303) 290-1060 or kkahalley@hollandhart.com.

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