

Bureau of Land Management, Interior

§ 3504.10

§ 3503.41 Will BLM disclose information I submit under these regulations?

All Federal and Indian data and information submitted to the BLM are subject to part 2 of this title. Part 2 includes the regulations of the Department of the Interior covering public disclosure of data and information contained in Department of the Interior records. BLM may make certain mineral information not protected from disclosure under part 2 of this title may be made available for inspection without a Freedom of Information Act (FOIA) request.

§ 3503.42 When I submit confidential, proprietary information, how can I help ensure it is not available to the public?

When you submit data and information that you believe to be exempt from disclosure by part 2 of this title, you must clearly mark each page that you believe contains confidential information. BLM will keep all data and information confidential to the extent allowed by § 2.13(c) of this title.

§ 3503.43 How long will information I give BLM remain confidential or proprietary?

The FOIA does not provide an express period of time for which information may be exempt from disclosure to the public. We will review each situation individually and in accordance with guidance provided by part 2 of this title.

§ 3503.44 How will BLM treat Indian information submitted under the Indian Mineral Development Act?

Under the Indian Mineral Development Act of 1982 (IMDA) (25 U.S.C. 2101 *et seq.*), the Department of the Interior will hold as privileged proprietary information of the affected Indian or Indian tribe—

(a) All findings forming the basis of the Secretary's intent to approve or disapprove any Minerals Agreement under IMDA; and

(b) All projections, studies, data, or other information concerning a Minerals Agreement under IMDA, regardless of the date received, related to—

(1) The terms, conditions, or financial return to the Indian parties;

(2) The extent, nature, value, or disposition of the Indian mineral resources; or

(3) The production, products, or proceeds thereof.

§ 3503.45 How will BLM administer information concerning other Indian minerals?

For information concerning Indian minerals not covered by § 3503.44 of this part, BLM will withhold such records as may be withheld under an exemption to the Freedom of Information Act (FOIA) (5 U.S.C. 552) when it receives a request for information related to tribal or Indian minerals held in trust or subject to restrictions on alienation.

§ 3503.46 When will BLM consult with Indian mineral owners when information concerning their minerals is the subject of a FOIA request?

BLM will notify the Indian mineral owner(s) identified in the records of the Bureau of Indian Affairs (BIA), and the BIA, and give them a reasonable period of time to state objections to disclosure, using the standards and procedures of § 2.15(d) of this title, before making a decision about the applicability of FOIA exemption 4 to protect:

(a) information obtained from a person outside the United States Government; when

(b) following consultation with a submitter under § 2.15(d) of this title, BLM determines that the submitter does not have an interest in withholding the records that can be protected under FOIA; but

(c) BLM has reason to believe that disclosure of the information may result in commercial or financial injury to the Indian mineral owner(s), but is uncertain that such is the case.

Subpart 3504—Fees, Rental, Royalty and Bonds

GENERAL INFORMATION

§ 3504.10 What fees must I pay?

(a) The following table shows fees for various documents in this part.

| Document | Processing fee |
|--|---|
| (1) Applications other than those listed below | As found in the fee schedule in § 3000.12 of this chapter. |
| (2) Prospecting permit application | Case-by-case basis as described in § 3000.11 of this chapter. |
| (3) Prospecting permit application amendment | As found in the fee schedule in § 3000.12 of this chapter. |
| (4) Prospecting permit extension | As found in the fee schedule in § 3000.12 of this chapter. |
| (5) Preference right lease application | Case-by-case basis as described in § 3000.11 of this chapter. |
| (6) Successful competitive lease application | Case-by-case basis as described in § 3000.11 of this chapter, and modified by §§ 3508.14 and 3508.21. |
| (7) Future or fractional interest lease application | Case-by-case basis as described in § 3000.11 of this chapter. |
| (8) Lease modification or fringe acreage lease | As found in the fee schedule in § 3000.12 of this chapter. |
| (9) Lease renewal application | As found in the fee schedule in § 3000.12 of this chapter. |
| (10) Assignment, sublease, or transfer of operating rights | As found in the fee schedule in § 3000.12 of this chapter. |
| (11) Transfer of overriding royalty | As found in the fee schedule in § 3000.12 of this chapter. |
| (12) Application to waive, suspend, or reduce your rental, minimum royalty, or royalty rate. | Case-by-case basis as described in § 3000.11 of this chapter. |
| (13) Use permit | As found in the fee schedule in § 3000.12 of this chapter. |

(b) Fees for exploration licenses are not administered under this section, but are administered under part 2920 of this chapter.

[72 FR 50887, Sept. 5, 2007]

§ 3504.11 What forms of payment will BLM and MMS accept?

Make your payments to BLM in cash, postal money order, negotiable instrument in U.S. currency, or such other method as BLM may authorize. See MMS regulations at 30 CFR part 218 for their payment requirements.

§ 3504.12 What payments do I submit to BLM and what payments do I submit to MMS?

(a) *Fees and rentals.* (1) Pay all filing and processing fees, all first-year rentals, and all bonus bids for leases to the BLM State Office that manages the lands you are interested in. Make your instruments payable to the U.S. Department of the Interior—Bureau of Land Management.

(2) Pay all second-year and subsequent rentals and all other payments for leases to the Minerals Management Service (MMS). See 30 CFR part 218 for MMS's payment procedures.

(b) *Royalties.* Pay all royalties on producing leases and all payments under

leases in their minimum production period to the MMS.

[64 FR 53536, Oct. 1, 1999, as amended at 70 FR 58877, Oct. 7, 2005]

RENTALS

§ 3504.15 How does BLM determine my rent?

We set your rent by multiplying the number of acres in your lease or permit by the rental rates shown below. The rates differ for different commodities and some rates increase over time. You must pay rent each year. We round up any fractional acreage to the next highest acre. If you do not know the exact acreage, compute the total acreage by assuming each of the smallest subdivisions is 40 acres. The minimum rental is \$20 per permit or lease for all commodities. Pay the minimum rental or the per-acre rental, whichever is greater.

(a) Annual rental rates for prospecting permits for all commodities are \$.50 per acre or fraction of an acre.

(b) Annual rental rates for leases for each commodity are shown in the table below. The rate shown is for each acre or fraction of an acre in the lease.

| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 to end |
|---------------------|--------|--------|--------|--------|--------|---------------|
| (1) Phosphate | \$0.25 | \$0.50 | \$0.50 | \$1.00 | \$1.00 | \$1.00 |
| (2) Sodium | 0.25 | 0.50 | 0.50 | 0.50 | 0.50 | 1.00 |
| (3) Potassium | 0.25 | 0.50 | 0.50 | 0.50 | 0.50 | 1.00 |
| (4) Sulphur | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 |
| (5) Gilsomite | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 | 0.50 |
| (6) Hardrock | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 | 1.00 |
| (7) Asphalt | 0.25 | 0.50 | 0.50 | 0.50 | 0.50 | 1.00 |