

## § 3581.0-3

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### Subpart 3586—Sand and Gravel in Nevada

- 3586.1 Applicable law and regulations.
- 3586.2 Existing leases.
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AUTHORITY: 16 U.S.C. 90c-1, 460n-5, 460q-5, 460dd-2, 460mm-4; 30 U.S.C. 189, 293, 359; 31 U.S.C. 9701; 43 U.S.C. 1201, 1732(b), 1733, 1740; 47 Stat. 1487.

SOURCE: 51 FR 15256, Apr. 22, 1986, unless otherwise noted.

### Subpart 3581—Gold, Silver, or Quicksilver in Confirmed Private Land Grants

#### § 3581.0-3 Authority.

Authority for leasing gold, silver, or quicksilver in confirmed private land grants is shown in § 3500.0-3(c)(1) of this title.

#### § 3581.1 Lands to which applicable.

The regulations in this subpart apply to lands in private land claims patented pursuant to decrees of the Court of Private Land Claims where the grant did not convey the rights to deposits of gold, silver and quicksilver and where the grantee has not otherwise become entitled in law or in equity to the deposits.

#### § 3581.2 Who may obtain a lease.

Applications shall only be filed by, and leases issued to, the owner of the lands under the confirmed land grant; that is, the original grantee or his/her record transferee or successor in title.

#### § 3581.3 Application for lease.

(a) Applications for leases shall be filed in triplicate in the proper BLM office and may include all or any part of the grant for which the applicant holds title on the date of the application. No specific form is required.

(b) Applications shall set forth the name and address of the applicant, describe the lands in which the deposits occur by legal subdivision of the public surveys, if so surveyed, otherwise by metes and bounds; or if for the entire area in the grant, the name of the

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grant, area and date of patent shall suffice. The mineral deposits also shall be fully described, giving character, mode of occurrence, nature of the formation, kind and character of associated minerals, if any, proposed mining methods, estimate of amount of investment necessary for successful operation of the mine(s) contemplated, estimated amount of production of gold, silver and quicksilver, or any of them, and such other pertinent information as the applicant may desire to set forth, including what he/she considers a reasonable royalty rate under the lease.

(c) The applicant also shall file with his/her application a duly authenticated abstract of title showing present ownership of the lands or a certificate of the county recorder of deeds that the record title stands in the applicant's name.

#### § 3581.4 Leases.

##### § 3581.4-1 Lease terms.

The lease shall be issued for a period of 20 years with a preference right in the lessee to renew for a 10-year term at the end of the initial term and at the end of each 10-year period thereafter.

[51 FR 15213, Apr. 22, 1986; 51 FR 25204, July 11, 1986]

##### § 3581.4-2 Rate of royalty; investment determined.

If the authorized officer finds the application sufficient to authorize the issuance of a lease, he/she shall establish a rate of royalty of not less than 5 percent or more than 12½ percent of the value of the output of gold, silver or quicksilver at the mine and also shall establish the amount of investment required under the lease.

##### § 3581.4-3 Lease form and execution.

A lease on a form approved by the Director shall be furnished to the applicant, who shall be allowed 30 days from notice within which to execute and return the lease to the proper BLM office and to furnish the required bond.

##### § 3581.5 Bond.

Prior to lease issuance, the lessee shall furnish a bond of not less than

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\$2,000 conditioned upon compliance with all terms and conditions of the lease, including the prescribed investment requirement. The authorized officer reserves the right to increase the bond amount.

### Subpart 3582—National Park Service Areas

#### § 3582.0-3 Authority.

Authority for leasing mineral deposits within certain national recreation areas administered by the National Park Service is found in §3500.0-3(c)(3) of this title.

#### § 3582.1 Other applicable regulations.

##### § 3582.1-1 Leasable minerals.

Except as otherwise specifically provided in this subpart, leasing of deposits of leasable minerals shall be governed by regulations in parts 3500, 3510, 3520, 3530, 3540 and 3550 of this title.

##### § 3582.1-2 Hardrock minerals.

Except as otherwise specifically provided in this subpart, leasing of deposits of hardrock minerals shall be governed by regulations in parts 3500 and 3560 of this title.

#### § 3582.2 Lands to which applicable.

##### § 3582.2-1 Boundary maps.

The areas subject to the regulations in this subpart are those areas of lands and water which are shown on the following maps on file and available for public inspection in the Office of the Director of the National Park Service and in the Superintendent's office of each area. The boundaries of these areas may be revised by the Secretary as authorized in the Acts cited under §3500.0-3(c)(3) of this title.

(a) Lake Mead National Recreation Area—the map identified as “boundary map 8360—80013A, revised December 1979.”

(b) Whiskeytown Unit of the Whiskeytown-Shasta-Trinity National Recreation Area—the map identified as “Proposed Whiskeytown-Shasta-Trinity National Recreation Area,” numbered BOR-WST 1004, dated July 1963.

(c) Ross Lake and Lake Chelan National Recreation Areas—the map iden-

tified as “Proposed Management Units, North Cascades, Washington,” numbered NP-CAS—7002, dated October 1967.

(d) Glen Canyon National Recreation Area—the map identified as “Boundary Map Glen Canyon National Recreation Area,” numbered GLC—91,006, dated August 1972.

[51 FR 15213, Apr. 22, 1986; 51 FR 25204, July 11, 1986]

#### § 3582.2-2 Excepted areas.

The following areas shall not be opened to mineral leasing:

(a) *Lake Mead National Recreation Area.* (1) All waters of Lakes Mead and Mohave and all lands within 300 feet of those lakes measured horizontally from the shoreline at maximum water surface elevations.

(2) All lands within the area of supervision of the Bureau of Reclamation around Hoover and Davis Dams and all lands within any developed and/or concentrated public use area or other area of outstanding recreational significance as designated by the Superintendent on the map (NRA-L.M. 2291A, dated July 1966) of Lake Mead National Recreation Area which is available for inspection in the Office of the Superintendent.

(b) *Whiskeytown Unit of the Whiskeytown-Shasta-Trinity National Recreation Area.* (1) All waters of Whiskeytown Lake and all lands within 1 mile of that lake measured from the shoreline at maximum surface elevation.

(2) All lands classified as high density recreation, general outdoor recreation, outstanding natural and historic, as shown on the map numbered 611-20, 004B, dated April 1976 entitled “Land Classification, Whiskeytown Unit, Whiskeytown-Shasta-Trinity National Recreation Area.” This map is available for public inspection in the Office of the Superintendent.

(3) All lands within section 34 of Township 33 north, Range 7 west, Mt. Diablo Meridian.

(c) *Ross Lake and Lake Chelan National Recreation Areas.* (1) All of Lake Chelan National Recreation Area.