

## § 3836.24

(2) The land over which you are seeking a right-of-way by legal subdivision if the land is surveyed;

(3) Why present use of the right-of-way is denied or prevented;

(4) The steps you have taken to acquire the right to cross the lands; and

(5) Whether any other right-of-way is available and if so, why it is not feasible to use that right-of-way.

(c) If you are submitting the petition because of other legal impediments to your access to the claim, you must describe the legal impediments and submit copies of any documents you have that evidence the legal impediments.

(d) You must record in the local recording office a notice that you are petitioning BLM for a deferment of assessment work.

(e) You must attach a copy of the notice required by paragraph (d) of this section to the petition you submit to BLM.

(f) At least one of the claimants of each of the mining claims for which you request a deferment must sign:

(1) The petition you submit to BLM; and

(2) The original notice you record with the local recording office.

(g) You must pay a processing fee with each petition. (See the table of service charges and fees in § 3830.21 of this chapter.)

[68 FR 61077, Oct. 24, 2003, as amended at 70 FR 58879, Oct. 7, 2005]

### **§ 3836.24 If BLM approves my petition, what else must I do to obtain a deferment of assessment work?**

You must record a copy of BLM's decision regarding your petition in the local recording office.

### **§ 3836.25 What if BLM denies my petition for deferment of assessment work?**

If BLM denies your petition for deferment of assessment work, and the assessment year has ended, BLM will give you 60 days from the date you receive the BLM decision denying the petition in which to pay the maintenance fee to maintain your claim.

## 43 CFR Ch. II (10–1–13 Edition)

### **§ 3836.26 How long may a deferment of assessment work last?**

(a) BLM may grant a deferment for up to one assessment year. However, the deferment ends automatically if the reason for the deferment ends.

(b) The deferment period will begin on the date you request in the petition unless BLM's approval sets a different date.

(c) You may petition to renew the deferment for one additional assessment year if a valid reason for a deferment continues. BLM cannot renew your deferment of assessment work more than once.

### **§ 3836.27 When must I complete my deferred assessment work?**

(a) You may begin the deferred assessment work any time after the deferment ends. However, you must complete it before the end of the following assessment year. For example, if your deferment ends on July 15, 2008, you must complete all the deferred assessment work by September 1, 2009, in addition to completing the regular assessment work due on that date.

(b) You may also choose to pay the annual maintenance fees for the years deferred instead of performing the deferred assessment work.

## **PART 3837—ACQUIRING A DELINQUENT CO-CLAIMANT'S INTERESTS IN A MINING CLAIM OR SITE**

### **Subpart A—Conditions for Acquiring a Delinquent Co-Claimant's Interests in a Mining Claim or Site**

Sec.

3837.10 Conditions for acquiring a delinquent co-claimant's interests.

3837.11 When may I acquire a delinquent co-claimant's interest in a mining claim or site?

### **Subpart B—Acquisition Procedures**

3837.20 Acquisition.

3837.21 How do I notify the delinquent co-claimant that I want to acquire his or her interests?

3837.22 How long does a delinquent co-claimant have after notification to contribute a proportionate share of the assessment work, expenditures, or maintenance fees?