



Karol Kahalley

Of Counsel
303.290.1060
Denver
kkahalley@hollandhart.com



Andrea Grave

Associate
307.778.4254
Cheyenne
ANGrave@hollandhart.com

BLM Raises Fees for Unpatented Mining Claims, Mill Sites and Tunnel Sites Impacting Payments Due September

Insight — July 3, 2024

On July 1, 2024, the Bureau of Land Management (BLM) issued a final rule to adjust location and maintenance fees for federal unpatented mining claims, mill sites, and tunnel sites. The Mining Law of 1872, 30 U.S.C. § 28j(c) requires periodic adjustments to such fees to reflect changes in the Consumer Price Index. Affected parties should ensure compliance with the new rule.

Under the new rule, for new claims and sites located on or after September 1, 2024, location fees will increase from \$40 to \$49. For maintenance year 2025, the annual claim maintenance fees will increase from \$165 to \$200 per claim for each lode claim or site and \$200 for each 20 acres or portion thereof for each placer claim.

Mining claimants who timely pay claim maintenance fees for the 2025 assessment year, relying on the fee in effect immediately before the adjustment was made, will be given an opportunity to cure any payment deficiencies without penalty upon notice from the BLM. Locators also will have an opportunity to cure deficient location fee payments until December 31, 2024.

For claims, mill sites, and tunnel sites located before September 1, 2024, for the 2025 assessment year:

- If payment for maintenance fees for the 2025 assessment year has not yet been paid, newly adjusted fees will go into effect and must be reflected in the annual claim maintenance fees due on or before September 3, 2024 (September 1 is a Sunday and September 2 is a Federal holiday).
- If payment for maintenance fees for the 2025 assessment year has already been paid, affected parties should take steps to submit any additional payments required as a result of the fee increases.

For more information on the claim maintenance fee adjustments, see the Federal Register notice of the new rule.

Subscribe to get our Insights delivered to your inbox.

This publication is designed to provide general information on pertinent legal topics. The statements made are provided for educational purposes only. They do not constitute legal or financial advice nor do they necessarily reflect the views of Holland & Hart LLP or any of its attorneys other than the author(s). This publication is not intended to create an attorney-client relationship between you and Holland & Hart LLP. Substantive changes in the law subsequent to the date of this publication might affect the analysis or commentary. Similarly, the analysis may differ depending on the jurisdiction or circumstances. If you have specific questions as to the application of the law to your activities, you should seek the advice of your legal counsel.