

## Mining Law of 1872 (the “Hardrock” Minerals Act) 30 U.S.C. §§22-54

Except as otherwise provided, all **valuable mineral deposits** in lands belonging to the United States shall be free and open to **exploration and purchase**, and the lands in which the minerals are found shall be open to occupation and purchase, by U.S. citizens. [*Note*: The 1922 U.S. Supreme Court case of *Oklahoma v. Texas*, 258 U.S. 574, ruled that the Mining Law of 1872 is applicable only to lands “held for disposal” under the general land laws.]

The locators of all mining locations on the public domain shall have the **exclusive right of possession** and enjoyment of the surface included within the lines of their locations. The statute describes the extent of the locator’s right to the minerals beneath the surface.

Locators, in order to hold possession of their mining claims, must distinctly mark the boundaries of their claims on the ground. Records of mining claims shall contain the name of the locator, the date of the location, and a description of the claim. Locators must invest at least **\$100 per year** in labor or improvements on each unpatented claim.

The statute establishes the application process through which locators may obtain **patents** to the lands they have claimed and located for valuable deposits.

The statute provides for special rules governing patents for placer claims.