

§ 3710.0-3

Subpart 3714—Rights of Mining Claimants

- 3714.1 Recording by mining claimant of request for copy of notice.
- 3714.2 Waiver of rights by mining claimants.
- 3714.3 Protection of existing rights; exclusion of reservation in patents.

Subpart 3715—Use and Occupancy Under the Mining Laws

- 3715.0-1 What are the purpose and the scope of this subpart?
- 3715.0-3 What are the legal authorities for this subpart?
- 3715.0-5 How are certain terms in this subpart defined?
- 3715.0-9 Information collection.
- 3715.1 Do the regulations in this subpart apply to my use or occupancy?
- 3715.2 What activities do I have to be engaged in to allow me to occupy the public lands?
 - 3715.2-1 What additional characteristic(s) must my occupancy have?
 - 3715.2-2 How do I justify occupancy by a caretaker or watchman?
 - 3715.2-3 Under what circumstances will BLM allow me to temporarily occupy a site for more than 14 days?
- 3715.3 Must I consult with BLM before occupancy?
 - 3715.3-1 At what point may I begin occupancy?
 - 3715.3-2 What information must I provide to BLM about my proposed occupancy?
 - 3715.3-3 How does BLM process the information I submit about my proposed occupancy?
 - 3715.3-4 How will BLM notify me of the outcome of its review process?
 - 3715.3-5 What will BLM's notification include?
 - 3715.3-6 May I begin occupancy if I have not received concurrence from BLM?
- 3715.4 What if I have an existing use or occupancy?
 - 3715.4-1 What happens after I give BLM written notification of my existing occupancy?
 - 3715.4-2 What if I do not notify BLM of my existing occupancy?
 - 3715.4-3 What if BLM does not concur in my existing use or occupancy?
 - 3715.4-4 What if there is a dispute over the fee simple title to the lands on which my existing occupancy is located?
- 3715.5 What standards apply to my use or occupancy?
 - 3715.5-1 What standards apply to ending my use or occupancy?
 - 3715.5-2 What happens to property I leave behind?
- 3715.6 What things does BLM prohibit under this subpart?
- 3715.7 How will BLM inspect my use or occupancy and enforce this subpart?

43 CFR Ch. II (10-1-99 Edition)

- 3517.7-1 What types of enforcement action can BLM take if I do not meet the requirements of this subpart?
- 3715.7-2 What happens if I do not comply with a BLM order?
- 3715.8 What penalties are available to BLM for violations of this subpart?
- 3715.8-1 What happens if I make false statements to BLM?
- 3715.9 What appeal rights do I have?
- 3715.9-1 Does an appeal to IBLA suspend a BLM decision?

Subpart 3710—Public Law 167; Act of July 23, 1955: General

§ 3710.0-3 Authority.

The Act of July 23, 1955 (69 Stat. 367, 30 U.S.C. sec. 601), was enacted "to amend the Act of July 31, 1947 (61 Stat. 681) and the mining laws to provide for multiple use of the surface of the same tracts of the public lands, and for other purposes." The regulations in this part are intended to implement only sections 3 to 7, inclusive, of said Act hereinafter more fully identified. The word "Act" when used in this subpart refers to the Act of July 23, 1955. Sections 1 and 2 thereof relate specifically to the Materials Act of July 31, 1947.

[35 FR 9731, June 13, 1970]

Subpart 3711—Common Varieties

§ 3711.1 Provisions of act.

(a) The Act in section 3 provides: A deposit of common varieties of sand, stone, gravel, pumice, pumicite or cinders shall not be deemed a valuable mineral deposit within the meaning of the mining laws of the United States so as to give effective validity to any mining claim hereafter located under such mining laws: *Provided, however*, That nothing herein shall affect the validity of any mining location based upon discovery of some other mineral occurring in or in association with such a deposit. "Common varieties" as used in this act does not include deposits of such materials which are valuable because the deposit has some property giving it distinct and special value and does not include so-called "block pumice" which occurs in nature in pieces having one dimension of two inches or more.