



Placer Mining Act

Guidelines for Claim Staking in Yukon



Placer Mining Act – Guidelines for Claim Staking

Before you set out to stake your own Yukon placer claim, please read these instructions. This brochure provides you with an overview of how to stake a claim and what requirements you must follow. District mining recorder's offices, also called mining lands offices, are key locations for obtaining information about the activities described in this document. Yukon government mining recorders staff these offices and are available to answer any questions you might have. Their contact information is available on the back of this publication.

Placer claim staking in the Yukon is 'on the ground' staking. You must travel to the area you intend to claim and put posts in the ground. There is no provision in the *Placer Mining Act* that allows 'map staking' or the staking of claims using maps only.



1. What is placer mining?

Placer mining involves mining where earth, soil or gravel may be removed, washed, shifted, refined or otherwise dealt with for the purpose of obtaining gold or other precious minerals or stones. It does not include the working of rock (or bedrock which relates to hard rock or lode mining), nor does it include the removal of gravels or soils for purposes other than obtaining precious minerals (gold) or stones, for example quarrying.

Please note: Staking a placer claim **does not give the claim holder surface rights** or the exclusive rights to the land; claims are not private property and you cannot build a permanent structure or residence on a claim. Placer claims cannot be used for commercial purposes (other than placer mining) and the owner of a claim cannot give permission to a third party to occupy the surface for any purpose other than placer mining.

General qualifications for placer staking

Anyone 18 years or older can stake a claim. There is no requirement for Canadian citizenship or Yukon residency.

Corporations proposing to do business in Yukon, which includes holding placer claims, must be registered with Yukon government's Corporate Affairs: www.community.gov.yk.ca/corp.

2. Where can you stake?

Before staking a claim, make sure the ground is open for staking. Visit yukonminingrecorder.ca to view existing claims in the area. Yukon government strongly recommends that you check with the district mining recorder's office before staking a claim to ensure that all of the maps are complete and up to date.

Staking is not permitted on the following:

- Over active placer claims or prospecting leases
- First Nation Category A settlement land
- Yard or land immediately adjacent to a house or dwelling
- Parks and special land management areas
- Cemeteries and burial grounds
- Lands withdrawn from staking for the settlement of land claims
- Within a municipal boundary
- Any land removed from staking by Order in Council (often referred to as OICs)

If you have any questions regarding where you can stake a claim, please contact the mining recorder's office for your district (see back page).

3. Check your kit before you leave

Ensure you have all the information and equipment you need before going out to stake a claim. Obtain a copy of the placer claim maps for your area of interest to help you identify possible claim locations. Maps are available online or at a mining recorder's office for a fee.

Safety preparations

Claim staking generally occurs in remote and wilderness areas with limited or no cell phone coverage or access to emergency services. Most claims are accessed via unpaved roads or trails which see varying levels of maintenance. Changes in weather can cause significant changes in road conditions within hours, which may render previously driveable sections of roads impassable.

Please use sound judgement when exploring areas and ensure you have appropriate supplies needed to stay safe; this includes safety supplies to deal with changing weather and road conditions, and wildlife encounters. Unless you are near a settled area with assured coverage, do not rely on cell phones for communications or mapping.

Mine roads and claim maps

Exercise caution while driving on mine access roads as heavy equipment and wide loads can be encountered at any time. Also be aware that there are no street signs or location markers on most mining roads.

Claim maps should not be relied upon for navigation as road and trail information is not kept up to date and roads within mined areas may be altered at any time to accommodate mining activities.

Base line vs. Location line – A base line, as noted in section “Location of Claims,” is either the imaginary line between survey pins, or for an unsurveyed base line, in the general direction of the creek. A location line must be created, in the form of a cut line, for every claim. When staking creek claims, the location line and base line will be in the same location. When staking bench claims, the location line will run parallel to the base line.

4. The Two Post Staking System

In Yukon, every placer claim must be marked on the ground by two legal posts, one at each end of a location line that runs along, or parallel to, a base line. The purpose of a location line is to ensure that another party interested in staking a claim in the vicinity will be able to cross the location line at any point and recognize they may be on a pre-existing claim.

a) Locations of Claims

Claims can be staked as creek claims, bench claims or river/lake claims in accordance with the center valley bottom of a creek or along the ordinary high water mark of a river or lake, known as the base line. If the base line is surveyed, it will run between the survey pins which define it. If the base line is unsurveyed, the base line is a projected line which follows the general direction of the creek valley bottom or the ordinary high water mark of rivers and lakes. Yukon government claim maps show surveyed base lines in purple and unsurveyed base lines in red.

Claims must be staked in conjunction with a base line and cannot be staked in the “middle of nowhere”. Claims and subsequent tiers of claims cannot cross over the height of land into the basin of another creek or water body.

Creek claims:

- Posts are staked at a maximum of 500 feet apart on the base line that runs up the middle for a standard claim.
- Posts mark the upstream and downstream end boundaries of the claim.
- End boundaries of the claim extend 1000 feet in both directions perpendicular to the base line.
- The total claim area of a standard creek claim is a rectangle 500 feet by 2000 feet.

River/Lake claims vs. Bench claims – Claims staked along the edge of a river or lake and bench claims are all technically the same kind of claim. They are referred to as “claims staked elsewhere than on a creek” by the *Placer Mining Act*. They are all limited to a 1000 foot throw in the direction away from the base line. We use river and lake claims to describe claims that are directly on the base line of a river or lake. A bench claim describes any claim staked on the tiers above a claim staked directly on the base line. A bench claim references the distance of the claim from the base line, and does not necessarily mean that a claim will be situated on the physical benches above a creek or river.

- There are no posts on the outer boundaries of a claim.
- If your claim boundaries extend into another valid claim, then only the open and available ground will be part of the claim.

Bench claims:

- Are staked on a tier on either side of a creek claim.
- Do not actually lie on a base line; instead they lie on a line parallel to a base line.
- Posts are staked along a location line at 1000 foot intervals away from and parallel to the base line.
- Bench claims always extend (throw) only one direction away from the base line. The total permitted size of a standard bench claim is 500 feet x 1000 feet.
- Bench claims can be staked in relation to creek, river or lake claims.

River claims/Lake claims:

- Are staked in the same manner as bench claims, but along either side of a river.
- The base line and location line will be along the ordinary high water mark of the water body.
- The total permitted size of a standard river claim is 500 feet x 1000 feet.

A river is defined as a water body over 150 feet wide. If you are unsure as to whether the area you are interested in staking is a river or a creek, please contact the district mining recorder. Maps showing a base line up the middle of the water body identify a creek. Maps showing a base line running up either side of the water body identify a river.

Special Note:

According to the *Placer Mining Act*, officially there are only two types of claims; “claims” (standard creek claims) or “claims situated elsewhere than on a creek” (everything else). The above noted terms; creek claims, bench claims, and river/lake claims are commonly used terms which help to clarify the location of and terms and conditions of each.

b) Types of claims

There are three different types of claims you can stake; a standard claim, a discovery claim or a co-discovery claim. The *Placer Mining Act* outlines the permitted lengths for each claim type.

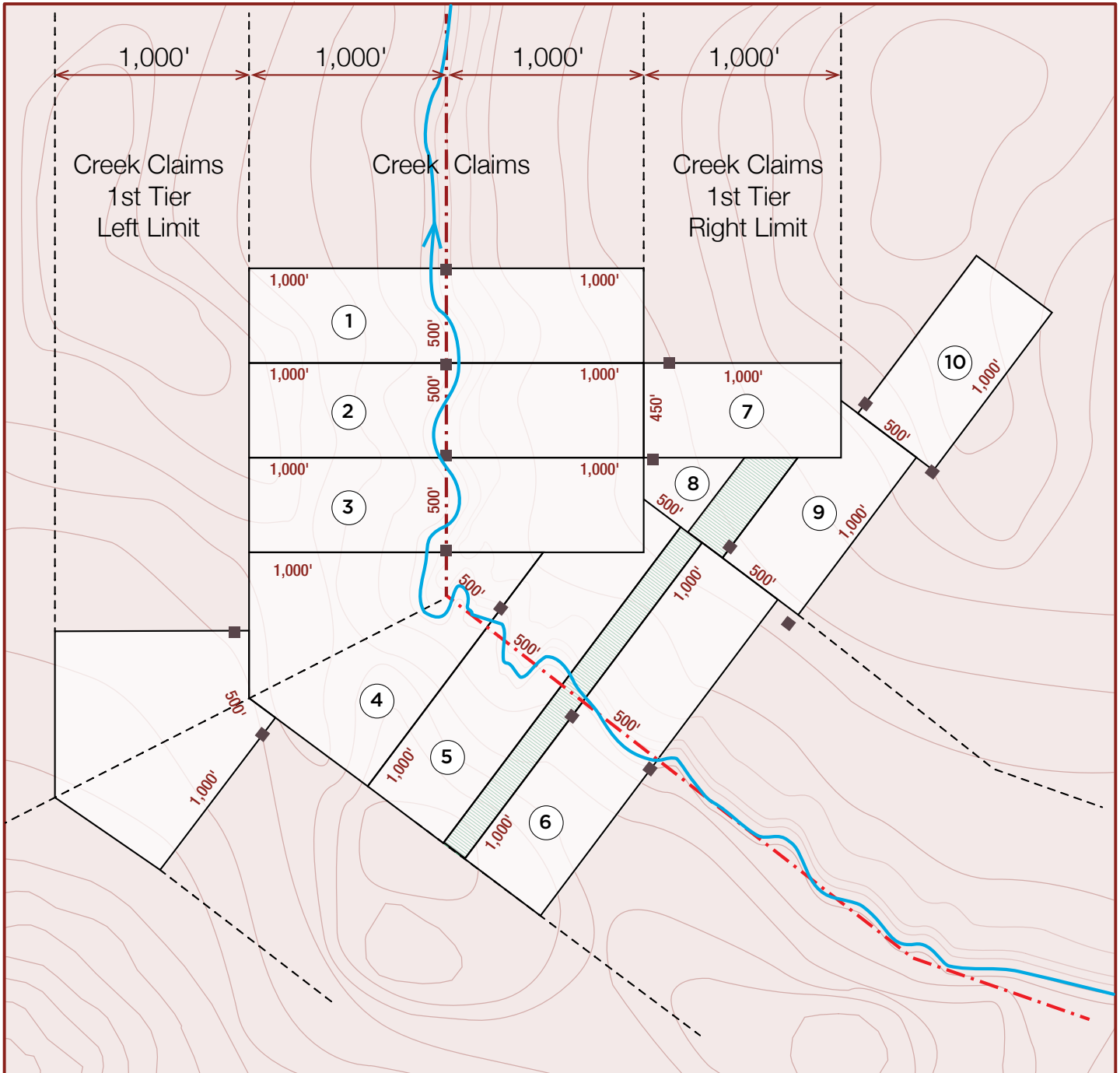
Standard claims allow a maximum of 500 feet between post one and post two. This distance may be less in order to fill in a ‘hole’ left between other claims. Work requirements and fees are standardized and the same rules apply to any size of claim.

Discovery claims can be staked on a creek or river without any pre-existing claims and allow a distance of 1500 feet between post one and post two. The size of discovery claims must be 1500 feet and cannot be undersize or shorter.

Co-discovery claims are permitted when working with a partner and allow a distance of 1250 feet between post one and post two. Co-discovery claims are 1250 feet each, they must be 1250 feet in length; they cannot be undersize or shorter. Co-discovery claims must be adjoining and must be staked and recorded together.

Please note: Each tier of bench claims may have its own discovery or co-discovery claim(s). Please see figures 1 and 2.

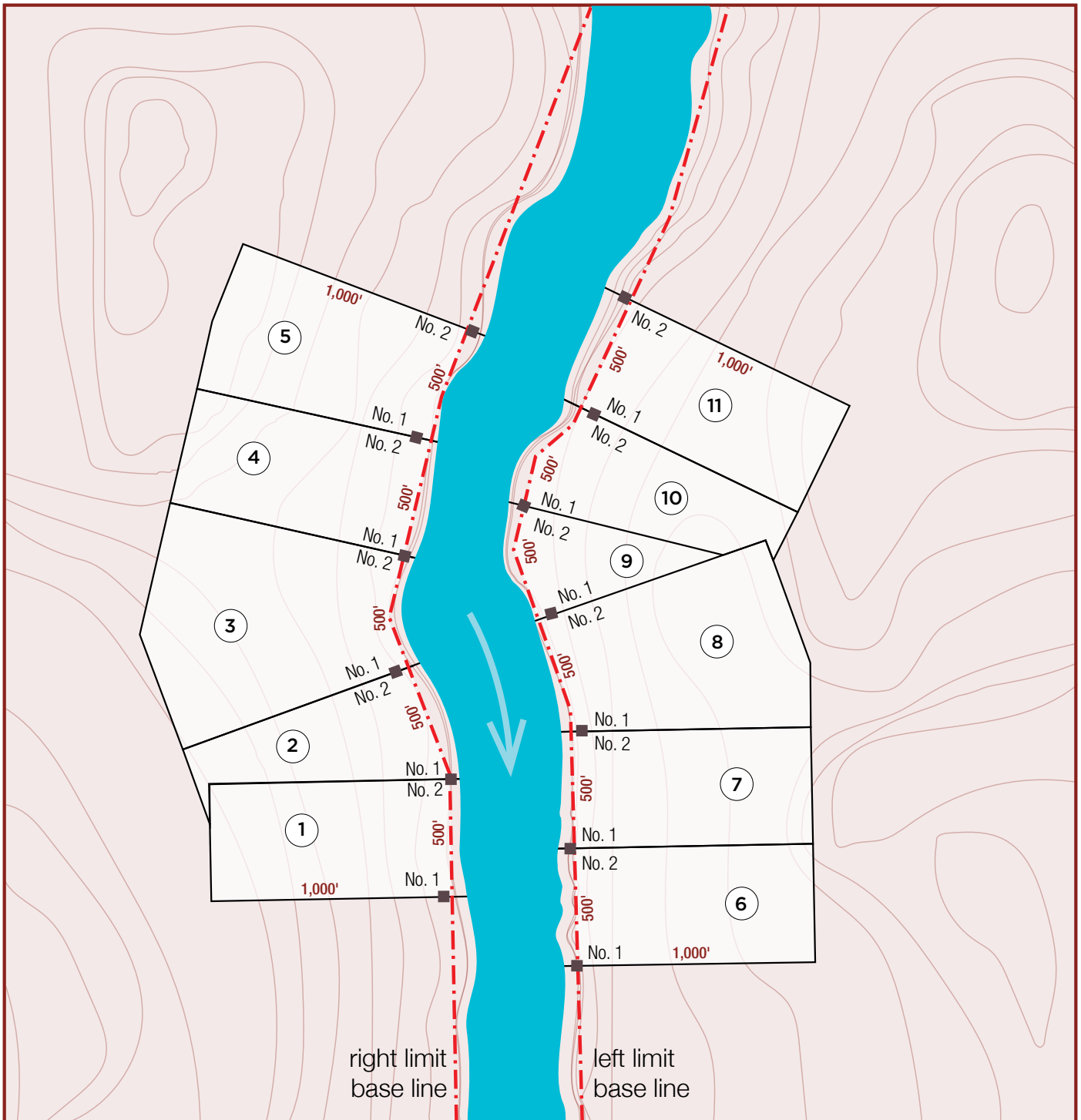
Figure 1: **Claims on a Creek**



Legend

- · - · - unsurveyed baseline
(claims staked on an unsurveyed baseline must locate posts in the centre bottom lands of the valley)
- - - - - surveyed baseline
(claims staked on a surveyed baseline must locate posts on baseline)
- ① staking order
(example only to demonstrate precedence / order)
- ||||| open ground
(Standard claims staked in excess of 500' are limited to 500' from Post 1. Any ground claimed over 500' becomes open ground. Posts do not move.)
- claim posts

Figure 2: **Claims on a River**



Legend

- - - unsurveyed baseline
(claims staked on an unsurveyed baseline must locate posts above the ordinary high water mark for the river)
- ① staking order
(example only to demonstrate precedence / order)
- river
- claim posts

c) Power of Attorney for Staking:

Claims can be staked for another individual or company under specific circumstances. If a power of attorney (POA) which meets the specific requirements of the mining recorder's office is recorded before staking occurs, a staker can stake claims for up to two other parties. A staker can stake a maximum of 3 claims per year using each POA.

It is highly recommended that persons intending to give power of attorney for staking use the form provided at www.yukonminingrecorder.ca. Please understand that generic power of attorney documents may not be accepted for the purpose of staking claims. If you give power of attorney for another party to stake a claim in your name you become responsible for the activities that occur on that claim, or in relation to it.

Important notes:

- Under no circumstances can you place either of your posts within another valid claim. If it is determined that either post or the location line is within a valid claim, the new claim will be refused.
- Stakers can only stake one claim per creek per person every 60 days. If you stake more than one claim on a creek within 60 days the subsequent staking will be refused. "Per person" refers to the claim owner. If you have a POA you can stake on the same creek for another party. If someone has used a POA to stake in your name on the same creek within 60 days, you cannot stake another claim.
- If a claim lapses, it cannot be re-staked by the former owner for one year from its lapse date.

5. Know the Rules

a) Claim Post Requirements

Claim posts must:

- Be a minimum of 5 inches in diameter and extend 4 feet above the ground.
- Have flattened faces on two sides with

face dimensions a minimum of 4 inches wide, extending 12 inches from the top.

- Be firmly fixed and secured in the ground so they will stand indefinitely.

If trees or stumps are used:

- The top of the tree must be cut off and sized to the height and facing requirements above.

If milled lumber is used:

- Milled posts must be a minimum of 5" x 5". If not available, 6" x 6" posts may be used.
- Scabbed posts (2" x 4" boards nailed together) do not constitute a legal post and are not permitted. Please see figure 3.

b) Inscription Requirements

The inscription on your claim post must exactly match the requirements of the legislation. Every post must have 5 pieces of information including:

1. Post #1 or Post #2
2. Claim name (the staker can choose any name)
3. The distance, in feet, between post #1 and post #2
4. The staking date (the date the post was planted in the ground)
5. The staker's full name. Please do not use nicknames or abbreviations. If staking under a power of attorney or for a company, the claim owner's name or company name must also be inscribed.

Inscriptions must be on the flattened side of the post which faces into the claim, along the location line, and towards the other claim post.

Important notes:

- Never reuse a post. Defacing an existing post may result in disbarment from staking or renewing claims.
- Every claim must have two posts, which are used only for that claim. If you are part of a group of stakers, you must still use two new posts for each claim, even back to back claims. Combining a post 1 and post 2 of adjoining claims will result in both claims being refused.

c) Location Line Requirements

A location line is the cut and brushed line that runs between post 1 and post 2 of your claim along the base line, or in the case of a bench claim, along the front of the claim parallel to the baseline. The purpose of a location line is to ensure that another party interested in staking a claim in the vicinity will be able to cross the location line at any point and recognize they may be on an existing claim.

Trees and brush should be cut or removed to leave a clearly visible and straight path through the bush, which marks the location line. The location line must be well cut or brushed. Lines should be cut to create a line of sight from one post to the other, if the terrain allows.

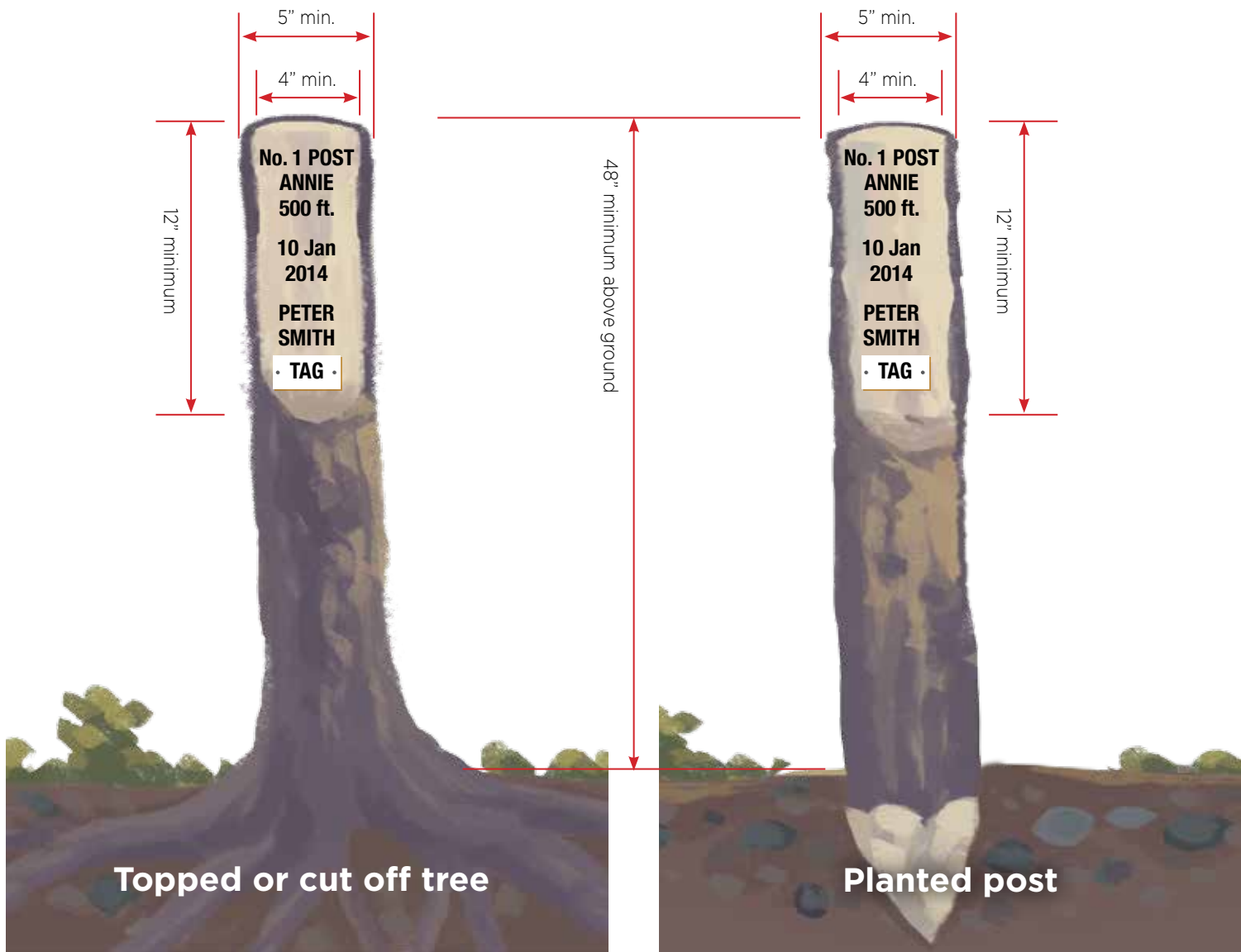
Important notes:

- Flagging tape alone is not acceptable to delineate a location line and is not permitted by the *Placer Mining Act*.
- Heavy equipment cannot be used to establish a location line.

6. Record Your Claim

After you stake your claim you are required to record your claim. Claims must be recorded at the applicable mining recorder's office within a specific period of time, called travel time. Travel time for placer claims is a minimum of 10 days, with an additional day for each ten miles distance (as the crow flies) from the mining recorder's

Figure 3: **Claim Post Requirements**



office. Before going out into the field, visit the mining recorder's office to confirm the amount of travel time assigned to the area you plan to stake in order to avoid missing the deadline to record your claim. Claims cannot be recorded after the allowable travel time has passed.

To record a mineral claim:

- Complete and submit a placer mining grant application form to the relevant mining recorder's office.
- Submit the fee of \$10.00 per claim to the relevant mining recorder's office.
- You will be required to provide the exact information inscribed on both claim posts.
- You must also be able to identify both post locations on the relevant claim map, referred to as a staking sketch.

Forms and fee schedules are available on the web at: www.yukonminingrecorder.ca.

Important note:

- Mining recorder's offices cannot hold partial applications. If the application is not complete it will be returned to the applicant and will not be recorded. *Recorded* means that complete applications and fees have been submitted to the mining recorder.

7. Keep Your Claim in Good Standing

Regulations and Operating Your Claim

After you have received your grant and claim tags, the tags must be securely affixed to the corresponding claim post. All work completed on a claim must comply with Schedule 1 Operating Conditions of the Placer Mining Land Use Regulation available on the web at: www.yukonminingrecorder.ca/mining_acts.html.

The operating conditions are a basic set of rules developed to ensure environmental and public safety. Every placer operation from small scale prospecting to fully operating placer mines, must abide by these mandatory procedures.

If any of your planned activities are identified on the Operation Class Criteria Table found in the regulations, you may require an approved Notification or Operating Plan (permitting). Please contact the mining recorder's office before proceeding with any work to confirm if your operation requires assessment or permitting, and for more information about the regulatory process applicable to placer operations.

Unless you have a Class 3 or 4 Mining Land Use Approval (permit) in place, all workings and activities must be reclaimed within one year.

If approved, a claim is in good standing for one year after the date it is recorded. The official recorded date is the date the mining recorder receives your application form, staking sketch and fees. During this one year period, the claim holder is required to do \$200.00 worth of representation work on the claim. Representation work can also be referred to as assessment work. Representation work must be completed by the anniversary date of the claim. For example, if the claim was recorded on June 1, 2015 the anniversary date will be June 1, 2016.

a) Representation work

There are many types of work that qualify as representation work, some of which will require the prior approval of the mining recorder. For a complete list of work that qualifies as representation work, visit the Schedule of Representation Work at www.yukonminingrecorder.ca/mining_acts.html or contact a district mining recorder for more information. The schedule assigns a dollar value to

Anniversary date vs. Expiry date – The anniversary date of the claim occurs yearly, whereas the expiry date of the claim may be several years ahead. For example: if you staked a claim and recorded it on July 29, 2012 the expiry date of the claim would be July 29, 2013 but the anniversary date of the claim would be July 29 yearly. The work done in the claim year must be filed by the anniversary date of the claim, not by the expiry date. Please contact the mining recorder to confirm claim anniversary or expiry dates.

different types and quantities of work in order to calculate the amount of assessment work that has been completed.

b) Applying work to a claim

To apply the representation work to a claim, a claim holder must file an application for renewal with the mining recorder. There is a \$10.00 fee per claim per year. Documentation required will depend on the type of work done, but will include a description of the work (e.g. mining cut sizes), the type of equipment used, who performed the work and a map of the work locations.

- If the claim is in its expiry year, claim holders can apply for more than one year of work at one time, up to a maximum of five years.
- If the claim is not scheduled to expire in the year of application, claim holders can apply for work up to a maximum of four years.
- Claim holders can also bank excess credits. Essentially extra work credits not required to renew the claim can be applied to a claim in \$200.00 increments and used for future renewals. Once an excess credit is assigned to a claim it is non-transferrable to any other claim.

c) Representation work application deadline

Applications and fees must be recorded with the applicable mining recorder's office by the anniversary date of the claim or the claim will expire. If you common date your claims, meaning you file a renewal which gives all the claims the same anniversary date, renewals will have to be filed by the new anniversary date of the claims.

There is a two week 'grace period' for the filing of work. Applications and all documentation must be received by the mining recorder no later than 14 days after the anniversary of the claim.

If a claim is allowed to lapse but the claim holder has done sufficient work to keep it in good standing, the claim holder can apply for a renewal grant and pay a late fee for the renewal. In this case the claim can only be renewed for one year, regardless of how

much work has been done. The renewal grant will cancel any new grant issued on the claim (or portions of the claim) provided the applicant pays the current claim holder for any expenses they incurred to obtain the claim and for any work done on the claim.

The late charges are \$30.00 if it is applied for within 3 months of the expiry date, or \$45.00 if it is applied for between three to six months after the expiry date. Please note that applications for renewals will not be accepted on claims expired for more than six months.

8. Grouping Your Claims

Placer claims may be grouped. The purpose of a grouping certificate is to allow a miner to concentrate his/her activities on one or more claims in an area without having to perform assessment work on each claim separately. Work done on any claim in the group can be applied to all claims in the group for the purposes of renewing a claim.

In order to group your claims you will be required to submit a grouping application and the following additional information:

For groupings of a maximum of ten adjoining claims:

- Provide a map of the claims.
- Show written permission from all the owners of claims included in application.

Groupings of claims which are not adjoining or which exceed ten in number:

- Claims must be on the same watershed.
- Provide a map of the claims.
- Show written permission from all the owners of claims included in application.
- Complete a grouping work program application and demonstrate how the claims are part of one operation.
- Groupings of non-adjoining or more than 10 claims are subject to approval by the mining recorder.

Important notes:

- Groupings must be recorded with the mining recorder's office before work begins or work will only apply to the claim on which it was performed.
- Transferring a claim or a portion of a claim to another party removes that claim from the grouping. Transferring all the claims or a percentage of all claims in a grouping dissolves the grouping.

9. What is a prospecting lease?

A prospecting lease offers an applicant the opportunity to prospect and test a large area and gain exclusive rights to stake and claim that area. Prospecting leases cannot be used to mine (e.g. sluicing), or for preparation for mining (e.g. stripping overburden).

Staking and maintaining a prospecting lease

Prospecting leases are staked in the same manner as placer claims, but they cover a greater distance – up to a maximum of five miles. Unlike placer claims, placer prospecting leases do not get 'named', and therefore don't need to have a lease name included on the post inscription. Sections from the Placer Mining Act regarding staking, power of attorney, relocation and abandonment of claims apply to prospecting leases. Please see sections 5 and 6 of this document for direction on how to stake a prospecting lease.

Prospecting lease specifics:

- Prospecting leases staked on creeks which have previously been prospected are issued for one year and can be renewed twice.
- A work program is submitted at the time of recording and renewal, which is subject to approval by the mining recorder.
- The approved testing program must be performed and filed by the expiry date of the lease in each year.

Representation work is calculated differently on prospecting leases than on claims; only work costs can be used. For example, you cannot claim mobilization or camp costs as representation work

on a prospecting lease.

Prospecting leases can be renewed or staked to claims as soon as the testing program for the current year is complete.

An individual may only stake one prospecting lease in the Yukon in his or her name. Until that lease has lapsed, is staked to claims or assigned (transferred) to another owner, the individual cannot stake another lease.

Assignments of prospecting leases will not be accepted prior to the completion and recording of the first year's testing program.

Power of attorney cannot be used for staking when staking a lease into claims. The current lease holder must be the claim staker. If the claim owner is a corporation/company, then a director of the company can stake the lease to claims, or, a power of attorney can be recorded to allow an individual to stake the lease to claims for the company.

Important notes:

- Mining is not permitted on a prospecting lease. Leases are only for prospecting activities.
- Applicants must wait for lease applications to be approved by the district mining recorder before beginning their testing program.

There is no grace period for prospecting leases. Affidavits of completed work, renewals, and if applicable, geological or drilling reports must be completed and recorded at the mining recorder's office by the expiry date. The staking of a lease to claims must be completed by the expiry date of the lease. Claims staked from a lease are subject to the same travel time requirements as any other claim.



Please contact the mining recorder's office before proceeding with miner-like work as permitting may be required.

For More Information...

District Mining Recorder Offices

Whitehorse Mining Recorder

Location: 102 - 300 Main Street
Mail: PO Box 2703 (K-102),
Whitehorse YT Y1A 2C6
Phone: (867) 667-3190
Email: whitehorsemining@gov.yk.ca

Dawson Mining Recorder

Location: 1242 Front Street
Mail: PO Box 249, Dawson City YT Y0B 1G0
Phone: (867) 993-5343
Email: dawsonmining@gov.yk.ca

Mayo Mining Recorder

Location: 207 - 6th Avenue
Mail: PO Box 10, Mayo YT Y0B 1M0
Phone: (867) 996-2256
Email: mayomining@gov.yk.ca

Watson Lake Mining Recorder

Location: 1007 Alaska Highway
Mail: PO Box 269, Watson Lake YT Y0A 1C0
Phone: (867) 536-7366
Email: watsonmining@gov.yk.ca



Note: This guide is not legal advice and should not be relied upon for legal purposes. It is intended to summarize certain aspects of the Placer Mining Act related to mineral rights and, as such, does not attempt to present all aspects of the act and Placer Mining Land Use Regulation. This document may be amended from time to time.

For complete information on all placer claim staking and mineral tenure, please refer to the Placer Mining Act and Placer Mining Land Use Regulation.