

#7

## PROSPECTING IN MISSOURI

1956

This paper is prepared in answer to the many inquiries which have been received at various state and federal offices in Missouri. In general these inquiries have been of a similar nature: How does one obtain permission to prospect on federal or state-owned lands? How does one stake a claim in Missouri? Is there any public land in Missouri?, etc. These questions are best answered by officials of the interested agencies involved and their respective policies are given below.

### PRIVATELY OWNED LANDS

by

Thomas R. Beveridge, State Geologist  
Missouri Geological Survey and Water Resources, Rolla, Missouri

#### CLAIMS CANNOT BE STAKED ON PRIVATELY-OWNED LANDS.

Anyone wishing to prospect on private land must first obtain permission of the owner. If he does not obtain permission, he is trespassing when he sets foot on such land. A mineral deposit on private land is the property of the one who owns the land and/or mineral rights; an agreement must be made between the owner and the prospector regarding the mining of the mineral. The prospector has no claim to the deposit solely by virtue of finding it. Thus, the owner of the property and/or mineral rights in no way jeopardizes his ownership of mineral deposits when he permits prospecting on his land.

No state agency distributes mineral lease forms; these are printed to order by major printing firms or drawn up by the parties concerned with the aid of such expert advice as may be needed. Interested parties may refer to the 1949 Revised Statutes of the State of Missouri and subsequent Laws of Missouri as passed by General Assemblies for mining laws. These laws are published in Mine Inspection Laws of the State of Missouri, which may be obtained from the Division of Mine Inspection, Jefferson City, Missouri.

### STATE FOREST LANDS OF THE MISSOURI CONSERVATION COMMISSION

by

George O. White, State Forester  
Missouri Conservation Commission, Jefferson City, Missouri

The Missouri Conservation Commission has a relatively small acreage of State Forest land totaling about 165,000 acres in scattered tracts. The greater proportion of these State-owned lands are located in Shannon, Reynolds, Carter, Wayne, and Iron Counties. On some of these lands the State does not hold the mineral rights; however, on the greater portion of the land the rights are vested in the State.

Some of the land in the State Forests is used for specific purposes in forestry and wildlife management on which mining might be a conflicting use. Most of the State Forest lands, however, are unfenced and are open to normal use by the public provided no acts of trespass are committed. Surface examinations of most of the State Forest lands would not require a permit; however, any amount of digging or drilling can be made only after securing a special use permit. **YOU CANNOT STAKE A CLAIM ON STATE FOREST LANDS.** Maps of State Forest lands are not available for distribution. However, District Foresters at Eminence, Ellington, and Piedmont have maps which can be studied in their offices for state land in their particular districts.

In the event that extensive exploratory work is needed, an application should be made to the State Forester, Conservation Commission, Jefferson City. The description of the land by forty-acre tracts should be included, as well as other pertinent data. Applications will be referred by the State Forester to the Conservation Commission for their approval or rejection. In the past a number of special use permits have been issued on the basis of a yearly rental of one dollar per acre, minimum \$40.00, and with a royalty of 5% of the value of the mineral at the surface when it is removed.

#### STATE PARK AREAS IN MISSOURI

by

C. W. Boutin, Chairman, Missouri State Park Board  
Jefferson City, Missouri

The Missouri State Park Board is vested only with such authority as granted by the Statutes and Constitution of Missouri. It is authorized to acquire land, but cannot convey it. Minerals being a component part of land prevents the Board from conveying same. Only the General Assembly of Missouri can convey such rights.

The Board may possibly permit one to prospect for mineral on land under its jurisdiction, so long as it does not in any manner conflict with the operation and management of said land, however, this is a matter within the sound discretion of said Board.

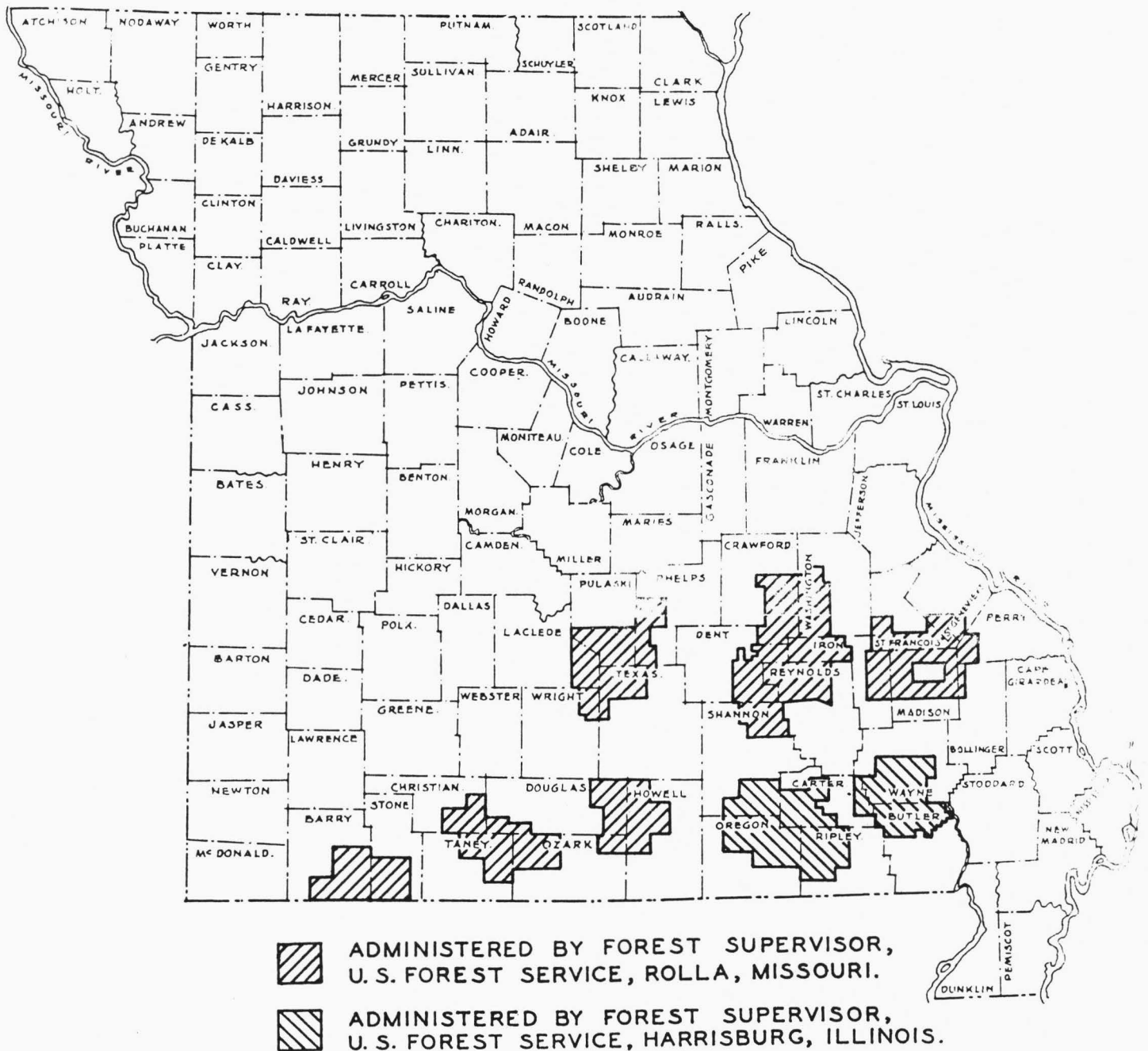
#### NATIONAL FOREST LANDS IN MISSOURI

by

Byron L. Groesbeck, Forest Supervisor  
U. S. Forest Service, Rolla, Missouri

The National Forest lands in Missouri have been purchased from private owners. **YOU CANNOT STAKE A CLAIM ON THESE LANDS.** To date, about 40% of the land within the boundaries of the National Forests has been purchased by the federal government. Some of the former owners have reserved the mineral rights and the right to search for the minerals. Maps showing the

# NATIONAL FOREST LANDS IN MISSOURI



location of the National Forest lands are on display at all the Ranger Stations and Forest Supervisor's headquarters at Rolla, Missouri, and can be examined there. However, because the ownership is constantly changing, copies have not been printed for distribution.

In the event you want to prospect for or mine minerals on land which has been acquired by the federal government, you should make application to the Director, Bureau of Land Management, Department of the Interior, Washington, D. C. In the event you desire to prospect for or mine minerals under National Forest Land, the mineral rights to which have been reserved by the former owners of the land, you will need to give prior notice to the Forest Supervisor in charge of the lands and submit to him satisfactory evidence of the authority to exercise the mineral rights. In most cases you will also need to secure a permit and pay for any damage to the trees and surface values.

In the event you want to prospect or mine on private lands within the boundaries of the National Forests, you should secure the permission of the owners.

The Forest Service has no objection to your making a search for minerals on National Forest land provided that you do not damage the timber and other cover on the land, disturb the soil, leave any open holes, or cause any erosion. Before doing any serious prospecting or mining within the boundaries of the National Forests of Missouri, it is advisable to make a careful study of land and mineral ownership and secure permission of the owners of both the surface and mineral rights. The need to make this careful study is not caused by Federal Government ownership of a portion of the land, but by the long chain of ownership prior to its acquisition by the Government.

The accompanying map shows the exterior boundaries of the National Forests in Missouri.

## PUBLIC LANDS

There is no map or list showing Public Lands in Missouri. The total area was less than 160 acres at the time the Bureau of Land Management compiled their last list. Further information can be obtained by writing the United States Department of the Interior, Bureau of Land Management, Eastern States Office, Washington 25, D. C.