

AMENDED State of Alaska Affidavit of Annual Labor

A. OWNER INFORMATION: *Include the address that correspondence should be sent to below.*
 Owner Name: _____ **Assessment Year Ending September 1, 20** _____
 Mailing Address: _____ Recording District: _____
 City, State Zip: _____ *Other Owner Information Attached?* Yes ___ No ___

B. MINERAL LOCATION INFORMATION:		C. LEGAL DESCRIPTION:			
<u>ADL Number(s)</u>	<u>Claim Name or Lease Tract</u>	<u>Meridian</u>	<u>Township</u>	<u>Range</u>	<u>Sections</u>
1. _____	_____	_____	_____	_____	_____
2. _____	_____	_____	_____	_____	_____
3. _____	_____	_____	_____	_____	_____
4. _____	_____	_____	_____	_____	_____
5. _____	_____	_____	_____	_____	_____

Additional Mineral Location ADL Numbers, Claim Names and Lease Tracts Attached? Yes ___ No ___

D. LABOR PERFORMANCE: Was labor performed? Yes ___ No ___ Number of Person Days Worked: _____
 Date(s) Labor Performed (*Include MM/DD/YY*): _____

E. DESCRIPTION OF LABOR PERFORMED: _____

F. SUMMARY: LABOR PERFORMED, IMPROVEMENTS & PAYMENTS ***Do Not Include Location Maintenance or Transportation Costs***

1. Declared performed labor value during this labor year: \$ _____	Amount to Carry Forward: \$ _____
2. Current year performed labor value to be applied: \$ _____	Year(s) Excess Labor Recorded: _____
3. Excess labor value (credit) to apply from prior years: \$ _____	
4. Cash amount paid to state instead of performing \$ _____	
5. Total all values applied to this assessment year: \$ _____	(Total lines 2,3,& 4)

G. NAME(S) AND ADDRESSES OF PERSON(S) WHO PERFORMED THE LABOR:

Operator Name: _____	Operator Name: _____
Mailing Address: _____	Mailing Address: _____
City, State Zip: _____	City, State Zip: _____

H. SIGNATURES: I, _____ swear under penalty of perjury that the foregoing is true.
(Print Affiant Name)

Affiant Signature: _____

NOTARY BLOCK
 Subscribed and sworn before me
 this _____ day of _____, 20____
 Signature of Notary: _____
 My commission expires: _____

I. THIS DOCUMENT AMENDS: ORIGINALLY RECORDED DOCUMENT NUMBER BELOW
 Recorders Serial Number: _____ OR: Book: _____ Page(s): _____

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This AMENDED Affidavit for Annual Labor for Mining Form includes the required information under AS 27.10.150 – 240, AS 38.05.210 – 242 and 11 AAC 86.220 and may be used to fulfill the State of Alaska’s statutory and regulatory requirements for recording annual labor on state mining claims, leasehold locations, and leases. Please use the AMENDED Affidavit of Annual Labor form and fill it out completely if you are required to amend your labor affidavit. Failure to properly and timely record an Affidavit of Annual Labor within 90 Days of the end of the Assessment Year (usually November 30th) will result in Abandonment of your claim(s) by operation of state law (AS 38.05.265). **The Affidavit must be timely recorded within the Recording District where the location is situated.**

GENERAL INFORMATION:

- Throughout the form and instructions we use "location" to refer to mining claims, leasehold locations, and mining leases.
- If you do not have enough space on the Affidavit of Annual Labor form for your information, you must include it as a separate attachment.
- The Affidavit of Annual Labor may be filled out by the owner of a claim or by a person having knowledge of the facts.
- The first assessment year begins at noon on the September 1 after the date the notice of location was posted and ends at noon on the September 1 of the following year. For example, if you located your claim on August 30, 2011, your first assessment year began September 1, 2011 and ended September 1, 2012. If you located your claim on September 2, 2011, your first assessment year began September 1, 2012 and ended September 1, 2013.
- Alaska statutes allow miners on state claims to carry over the value of excess work for up to four years. You must, however, file an affidavit of annual labor each year. You may combine excess work from up to four previous years with work from this assessment year.
- If you have questions, contact the Public Information Center at 269-8400 in Anchorage, 451-2705 in Fairbanks.

ANNUAL LABOR AND REQUIREMENTS:

<u>Type of Location</u>	<u>Required Labor Value</u>	<i>The Required Labor Value is equal to the cash amount required if cash is paid in lieu of labor.</i>
MTRSC Qtr-Qtr (40 Acres)	\$100 per claim	
MTRSC Qtr (160 Acres)	\$400 per claim	
Traditional Claim	\$100 per claim	<i>You may carry labor forward from up to 4 prior years to cover costs rather than paying cash pursuant to 11 AAC 86.220(c).</i>
Mining Lease	\$100 per each partial or whole 40 acres (1 – 40 acres)	

HOW TO CALCULATE ANNUAL LABOR REQUIRED

Multiply the **Quantity** of the Location or Lease Type by the **Value** to determine the **Labor Value Required**.

1. Mining Claim(s)/Leasehold Location(s)			
Quantity of Location Type	Location Type and Size	Value Per Claim/Leasehold	Labor Value Required
	MTRSC Qtr-Qtr (40 Acres)	\$100	
	MTRSC Qtr (160 Acres)	\$400	
	Traditional Claim (1 – 40 Acres)	\$100	
Total Labor Value Required:			

2. Mining Lease(s)				
Quantity of Lease Type	Lease Type	Lease Acreage	Value Per 1-40 Acres	Labor Value Required
	Offshore		\$100	
	Upland		\$100	
Total Labor Value Required:				

3. TOTAL LABOR VALUE REQUIRED FOR ALL LOCATIONS	
Add Totals from Box 1 & 2:	
Amount Should Equal Line 5 of Section F on the Affidavit	

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How to Fill Out the Affidavit of Annual Labor for Mining Form:

A. OWNER INFORMATION: Fill in the Owner Name and Address, Assessment Year and the Recording District where your mining claims, leasehold locations, or mining leases are located. If there are additional claim owners, you must attach a list of the claim owners and their mailing addresses to your affidavit and have it recorded with your Affidavit.

B. MINING LOCATION INFORMATION: List all claims, leasehold locations and leases by name and ADL number. You may group claims (for example, Gold Rush 1-10, ADL 390000-390009). If you group claims, and it is not clearly indicated, credit will not be given.

AS 38.05.210(a) states, "Labor shall be performed or improvements made annually on or for the benefit or development of each mining claim, leasehold location, and mining lease on state land except that, where adjacent claims, leasehold locations, or mining leases are held in common, the expenditure may be made on any one claim, leasehold location, or mining lease." Locations that are not relevant to the work you describe, which may be in a separate geographic area, must be reported on a separate Affidavit.

NOTE: File an Affidavit of Annual Labor for all claims. If you do not file an Affidavit for Annual Labor for a claim, it will be abandoned under AS 38.05.265. If you do not have enough space for your locations, you must include a list as a separate attachment to your affidavit.

C. LEGAL DESCRIPTION: Include all Meridians, Townships, Ranges and Sections (MTRS) where your claims are located. Verify that the MTRS you have listed are situated within the Recording District listed in Section A. Locations situated across two Recording Districts must be recorded in both Recording Districts.

D. WORK PERFORMANCE: Indicate whether work was performed, the number of person-days worked (multiply number of days worked by number of persons) and include the dates that the work was performed (MM/DD/YY). Only list days that work was done. For example, only list August 6 through 28 if work was done each day during that period.

E. DESCRIPTION OF WORK PERFORMED: Describe the work that was performed. Review Annual Labor requirements in AS 38.05.210 – 242 and 11 AAC 86.220 to verify that the labor you performed meets the statutory and regulatory requirements. Describe work performed in detail to support the value you declare in the affidavit; for example, "sunk shaft 10 feet," "stripped 150 cubic yards of overburden with D-6 cat in preparation for mining," "core drilling 150 feet," "sluiced 5000 cubic yards of gravel".

Claim maintenance (brushing lines and reposting) is considered a duty that Alaska Statute 38.05.265 imposes on the claimant in addition to the annual labor requirement. Therefore, maintenance work is **not** acceptable as annual labor. If your affidavit lists work required to maintain the claim in good standing be sure to indicate that it is not included in the declared value of your annual performed labor. **Transportation of workers or equipment to or from the location does not qualify as annual labor pursuant to 11 AAC 86.220(b).**

If your labor does not meet these requirements, you will be required to either carry labor forward from a prior year or pay cash in lieu of annual labor. You may only pay "cash in lieu" for five consecutive years. If you have not performed work that benefits a location for five years, the location will be abandoned under AS 38.05.265. Cash payments made to the state in-lieu-of performing labor must be received or post marked by September 1.

F. SUMMARY FOR THE ASSESSEMENT YEAR: Fill this section out completely.

1. Identify the value of the labor performed during the current labor year by both yourself and your employees. This is the amount that you have actually performed or expended, not what the law requires. It could be any amount, like \$1,000.00
2. Identify the amount of the value of your performed labor that you are applying to the current assessment year in the first space **and** the amount you intend to carry forward to future years in the second space. The sum of these two values should equal the amount you provided on line 1.

For example, if you have one 40 acre location and you put in \$1,000.00 worth of work, required annual labor is \$100. If you are **not** carrying labor forward from a previous year, you would apply \$100 to this year and you would carry forward \$900.00, which could be used for up to four years on future affidavits of annual labor.

If you are carrying labor forward from a previous year, the amount you are applying would be based on the amount you are carrying forward. For example, you could choose to carry forward \$75 from a previous year. Then you would need only to apply \$25 from this labor year. The amount you could carry forward would be \$975. (Note: You may carry a different amount than \$75 forward. This is an example)

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How to Fill Out the Affidavit of Annual Labor for Mining Form Continued:

3. Identify the amount of excess labor (credit) you would like to apply from prior labor years **and** identify the years in which that labor was recorded. The credit balance will be removed from that recorded year. **Labor may only be carried forward for four years pursuant to 11 AAC 86.220(c). If you do not have excess labor from the past four years, you may leave this information blank or write "n/a"**
4. Identify the amount of cash payment that you have made to the state instead of performing annual labor. **Please note that cash payments may only be substituted for 5 consecutive years pursuant to AS 38.05.210. State regulation 11 AAC 86.220(h) states: (h) A cash payment made instead of performing annual labor must be received by the department as provided in 11 AAC 86.107 and must be received by the department on or before September 1st of each year.**
5. Identify the total performed labor value and cash in lieu you are applying by adding Lines 2, 3 and 4 of this section. This amount must equal the amount of annual labor required. For example, if you have one 40 Acre MTRSC location, the total amount would equal \$100.00.

EXAMPLES for Section F for FIVE 40 Acre Mineral Locations

Please note that your actual amounts may vary. These are examples.

If not applying excess labor credit:

F. SUMMARY: LABOR PERFORMED, IMPROVEMENTS & PAYMENTS	Do Not Include Location Maintenance or Transportation Costs
1. Declared performed labor value during this labor year: <u>\$1,000.00</u>	
2. Current year performed labor value to be applied: <u>\$500.00</u>	Amount to Carry Forward: <u>\$500.00</u>
3. Excess labor value (credit) to apply from prior years: <u>\$0</u>	Year(s) Excess Labor Recorded: <u>N/A</u>
4. Cash amount paid to state instead of performing <u>\$0</u>	
5. Total all values applied to this assessment year: <u>\$500.00</u>	(Add lines 2,3,& 4)

If applying partial labor from a previous year:

F. SUMMARY: LABOR PERFORMED, IMPROVEMENTS & PAYMENTS	Do Not Include Location Maintenance or Transportation Costs
1. Declared performed labor value during this labor year: <u>\$1,000.00</u>	
2. Current year performed labor value to be applied: <u>\$300</u>	Amount to Carry Forward: <u>\$700.00</u>
3. Excess labor value (credit) to apply from prior years: <u>\$200</u>	Year(s) Excess Labor Recorded: <u>2012</u>
4. Cash amount paid to state instead of performing <u>\$0</u>	
5. Total all values applied to this assessment year: <u>\$500.00</u>	(Add lines 2,3,& 4)

The value you carry forward from a previous year does **not have to be \$200.00. This is an example.**

If applying 100% labor from previous years:

F. SUMMARY: LABOR PERFORMED, IMPROVEMENTS & PAYMENTS	Do Not Include Location Maintenance or Transportation Costs
1. Declared performed labor value during this labor year: <u>\$1,000.00</u>	
2. Current year performed labor value to be applied: <u>\$0</u>	Amount to Carry Forward: <u>\$1,000</u>
3. Excess labor value (credit) to apply from prior years: <u>\$500.00</u>	Year(s) Excess Labor Recorded: <u>2010 and</u>
4. Cash amount paid to state instead of performing <u>\$0</u>	<u>2011</u>
5. Total all values applied to this assessment year: <u>\$500.00</u>	(Add lines 2,3,& 4)

G. NAME(S) AND ADDRESS INFORMATION OF PERSON(S) WHO PERFORMED THE WORK: Include the names and addresses of persons who performed the work. Make sure the address information is current.

H. SIGNATURES: The Affidavit of Annual Labor must be signed by the affiant, notarized and recorded in the appropriate recording district.

I. THIS DOCUMENT AMENDS: Originally Recorded Document Number: You must indicate the original Recorders Serial Number that the Amended Affidavit is amending.