



AFFIDAVIT OF ANNUAL LABOR FOR MINING

Complete this affidavit and attach additional pages as needed to ensure compliance with State laws and regulations: AS 38.05.035(a), AS 38.05.210, 11 AAC 86.220 and 11 AAC 06.040

A. Affidavit Year and Type
1. For Year Ending at 12:00 PM September 1, 20

B. Recording Information *(Index "MI" Mining)*
1. Recording District:

C. Owner Name & Address *(Return Documents To)*
1. Owner Name:
2. Current Address:
3. City, State, Zip:
4. Is this Change of Address? Yes No

D. Labor Type(s) Applied
1. Was Labor Performed? Yes No
2. Cash In Lieu of Labor Paid? Yes No
3. Past Excess Value Applied? Yes No
Cash in Lieu is Due Before 9/1

Attach and Record Additional Pages for Co-Owner Names, Addresses and Additional ADL Numbers

E Location/Lease ADL No.(s) *(Index ADL "Grantee")*
ADL No.(s) Name (Optional)
1.
2.
3.
4.
5.

F. Location/Lease Legal Descriptions - MTRS
Meridian Township Range Section(s)
1.
2.
3.
4.
5.

G. Labor Performance Dates:(Mo/Day/Yr–Mo/Day/Yr):

H. Labor Description:

I. Required, Declared and Available Excess Values
1. REQUIRED VALUE DUE: \$
2. DECLARED Value This Year: \$
3. PAST Excess Value Available: \$
4. Past Excess Year(s): 1. 2.
(Enter If Applicable) 3. 4.

J. Values to be APPLIED to Affidavit Year
1. Cash in Lieu Amount Paid: \$
2. DECLARED Value Applied: \$
3. PAST Excess Value Applied: \$
(Add Lines 1, 2 and 3)
TOTAL Applied Values:

K. Oaths I, _____ swear under penalty of perjury that the foregoing is true.
(Print Affiant Name)

(Sign Affiant Name) This ___ Day of _____, 20____

Signature of Notary: _____
My commission expires: _____

Do Not Write Outside of the Margins

Do Not Write Out Side of Margins

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INSTRUCTIONS FOR USE/COMPLETION OF AFFIDAVIT OF ANNUAL LABOR FOR MINING FORM

This Affidavit for Annual Labor for Mining Form reflects 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 Affidavit of Annual Labor form and fill it out completely.

Failure to timely record and provide the essential facts required by regulation on an Affidavit of Annual Labor within 90 Days of the end of the Assessment (usually November 30th) will result in Abandonment of the claim(s) or leasehold location(s) by operation of state law (AS 38.05.265). The lease(s) may be placed in default. The Affidavit must be timely recorded within the Recording District where the location, leasehold location, or lease is situated.

GENERAL INFORMATION:

1. The terms “**claim**” and “**location**” on this form and instructions mean both mining claims and leasehold locations.
2. If there is not enough space on the affidavit of annual labor form for the information, the required information must be included as an additional page and recorded with the affidavit.
3. The Affidavit of Annual Labor may be filled out by the owner of a claim/leasehold location or by a person having knowledge of the facts.
4. **Every claim/leasehold location owner and co-owner or leaseholder must be listed on the affidavit. You must attach additional pages for co-owners. Failure to list all owners constitutes abandonment or default.**
5. 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 a claim/ leasehold location is located on August 30, 2015, the first assessment year actually begins 9/1/2015 and ends 9/1/2016.
 - If a claim/ leasehold location is located on September 1, 2016, the first assessment year ends 9/1/2017.
6. Alaska statutes allow miners on state claims/ leasehold locations and leases to carry over the value of excess work for up to four years.
7. An affidavit of annual labor must be recorded each year under state law AS 38.05.21, including years excess labor is applied or cash in lieu is paid.
8. If you have questions, contact the Public Information Center at 269-8400 in Anchorage, 451-2705 in Fairbanks.

ANNUAL LABOR AND REQUIREMENTS

The Required Value of Labor is equal to the cash amount required if cash were paid in lieu of performing labor.

HOW TO CALCULATE AMOUNT REQUIRED VALUE

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

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

| 2. Mining Lease(s) | | | | |
|------------------------------------|-------------------|----------------------|-----------------------------|-----------------------------|
| <u>Quantity of Lease Type</u> | <u>Lease Type</u> | <u>Lease Acreage</u> | <u>Value Per 1-40 Acres</u> | <u>Required Labor Value</u> |
| | Offshore | | X \$100 = | |
| | Upland | | X \$100 = | |
| Total Required Labor Value: | | | | _____ |

| |
|--|
| 3. TOTAL AMOUNT REQUIRED VALUE OF LABOR |
| Add Totals from Box 1 and 2: _____ |

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

| |
|--|
| <p>A. Affidavit Year and Type: Indicate the year and type of affidavit that is being recorded in this section.</p> <p>1. Affidavit for Year Ending September 20__</p> <ul style="list-style-type: none">• Write the assessment year the affidavit is being recorded for.• This is the current year unless the affidavit is being recorded after 12/31 or amended for a different year. |
| <p>B. Recording Information: The affidavit is required to be recorded in the Recording District in which the location(s) / lease(s) is situated under state law AS 38.05.210.</p> <p>1. Recording District: Identify the Recording District where the location(s) / lease(s) is situated.</p> <ul style="list-style-type: none">• Multiple affidavits need to be recorded if the claim/leasehold location or lease is included within multiple recording districts.• Remember to record additional pages for required information in the proper recording district. |
| <p>C. Owner Name and Address Information: The names and addresses of EVERY claim / leasehold location / lease owner must be listed on the affidavit. Attach & Record additional pages for Co-Owner Information.</p> <p>1. Owner Name: List the Owner Name(s).</p> <p>2. Current Address: Write the current mailing address for each Owner.</p> <p>3. City, Street, Zip: Include the City, State and Zip Code for each Owner.</p> <p>4. Is this a Change of Address?: If Owner(s) address has changed, check "Yes". If not, check "No".</p> |
| <p>D. Labor Type(s) Applied: Labor performance of payment in lieu of labor is required under state law AS 38.05.210.</p> <p>1. Was Labor Performed?: If Owner performed labor or paid for labor performance, check "Yes". If no labor was performed, check "No".</p> <p>2. Cash in Lieu of Labor Paid?: If Owner paid cash in lieu of performing labor, check "Yes". If not, check "No".</p> <ul style="list-style-type: none">• Cash in Lieu must be paid before 9/1.• Cash in Lieu may only be paid for five consecutive years. <p>3. Past Excess Value Applied?: If Owner is applying excess labor values from a previous year, check "Yes". If Owner is not applying past excess labor values, check "No".</p> <ul style="list-style-type: none">• Excess labor values may only be carried forward for 4 years.• "Junior" locators may only pay cash in lieu unless they have received an owner authorization from the "senior" locator to perform labor. |
| <p>E. Location or Lease Identification: Claims, leasehold locations and leases must be identified on a recorded affidavit annually under state law AS 38.05.210. This form allows for up to five (5). Attach and record additional pages for all other locations and leases.</p> <p>1-5. List the first five (5) state ADL Numbers, Names or Lease Tract Numbers that the affidavit is for.</p> <ul style="list-style-type: none">• List the ADL Numbers listed sequentially (for example: 111222, 111223, 111234 etc.).• You may include the location names or lease tract numbers.• The Recorder's Office will index six entries including Owners name and ADL/Claim Names at no charge.• You will be charged a fee to index additional ADL No.s. |
| <p>F. Location & Lease Legal Descriptions – MTRS: List the Meridian, Township, Range and Sections for every claim, leasehold location and lease on the affidavit as required under state regulation 11 AAC 86.220. This form allows for up to five (5) MTRS. Attach and record additional pages for all other legal descriptions (MTRS).</p> <p>1-5. List the first five (5) legal descriptions for the claims, leasehold locations or leases on the affidavit.</p> <ul style="list-style-type: none">○ The MTRS may be listed individually or grouped if multiple locations are included within the same Meridian, Township and Range. (Ex. Fairbanks 1N, 1W, sec. 7-10) |
| <p>G. Labor Performance Dates: (Mo/Day/Yr – Mo/Day/Yr): List the starting and ending dates of the labor performed for the assessment year that the affidavit is for. Note: <i>The assessment year ends on 9/1.</i></p> |
| <p>H. Labor Description: Describe the labor performed and how it benefited all locations/leases listed on the affidavit.</p> <ul style="list-style-type: none">○ If labor was not performed, write "Cash in Lieu" or "Excess Labor" or "N/A".○ The Fact Sheet for Annual Labor provides examples of activities that qualify as annual labor. It is available at the Public Information Centers and online at: http://dnr.alaska.gov/mlw/mining/index.cfm○ Provide details about the work to support the declared value on the affidavit; for example, "sunk shaft 10 feet," "stripped 150 cubic yards of overburden with D-6 cat to prepare for mining," "core drilling 150 feet," "sluiced 5000 cubic yards of gravel".○ Review Annual Labor requirements in AS 38.05.210 – 242 and 11 AAC 86.220 to verify that the description provided meets the statutory and regulatory requirements.• Transportation of workers or equipment to or from the location / lease does not qualify as annual labor per state regulation 11 AAC 86.220(b).• Do not include transportation costs in the Declared Value of Labor. |

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- **Claim and leasehold location staking, posting, corner marking and the maintenance of claim posts and corner markers** are required under state law AS 38.05.195 and **not** considered as annual labor.
- Do **not** include costs associated with staking and maintenance in the Declared Value of Labor.

I. Required, Declared and Past Excess Values Summary: This section is used to identify the labor value amount required for affidavit year and the labor values that are available to be applied to that required labor value.

1. The **Required Value** is equal to the total amount required for all of the locations and leases listed on the affidavit as required under state law AS 38.05.210 for Annual Labor. (*See Worksheet Above to Calculate*).
2. The **Declared Value** is equal to the total amount of qualifying labor and financial expenditures made during the labor years of the affidavit year.
 - This amount must have benefited all mining locations and leases listed on the affidavit.
 - Do not include the costs associated with location staking or maintenance of location / lease markers.
 - To calculate personal labor, use an average wage per hour for the type of labor performed.
3. The **Past Excess Value Available** is the combined total amount of excess labor values available from the previous four labor years.
 - It is Owners responsibility to track and calculate this amount.
4. The **Past Excess Years** are the 1 to 4 years the Past Excess Value Available amount entered into section I3 were accrued. If you do not have any past excess values, write N/A.
 - State law AS 38.05.210 allows excess labor values to be carried forward for up to four (4) years.
 - If excess labor values are being applied, write the year(s) in which the excess values were accrued.

J. Values to be Applied to the Affidavit Year: This section is used to determine the values to be applied toward the Required Value of for all the locations/listed on the affidavit under state law AS 38.05.210.

1. **Cash in Lieu Amount Paid** means the amount of cash being paid in lieu of performing annual labor and applied to the Total Required Value as entered into Section I1.
 - **Cash in lieu may not be paid after 9/1.**
 - **If you pay Cash in Lieu after 9/1 your claims or leasehold locations will be abandoned after 12/1 by operation of law AS 38.05.265.**
 - "Junior" locators may only pay cash in lieu unless provided an owner authorization from the senior locator.
2. The **Declared Value Applied** means the amount that is being subtracted from the Declared Value and applied toward the Total Required Value as entered into Section I1.
 - If the Declared Value is in excess of the Required Value, that remaining excess may be used for future years.
3. The **Past Excess Value Applied** means the amount that is being subtracted from the Past Excess Value Available as written in Section I3 and applied toward the Total Required Value in Section I1.
 - If the Past Excess Value Applied is in excess of the Required Value, that remaining excess may be used for future years.
4. The **Total of All Applied Values** is the sum of all of the values being applied to the Required Value.
 - **The Total Amount Applied Must Equal the Required Value.**

K. Oaths: An affidavit of annual labor must be signed by the affiant and notarized prior to recording pursuant to state regulation 11 AAC 86.220.

Consider e-Recording your affidavit!

For more information see the Alaska Department of Natural Resources Recorder's Office website:

<http://dnr.alaska.gov/ssd/recoff/eRecording.cfm>