Revised 10/26
DNR 102-4065
Annual Labor

STATE OF ALASKA

DEPARTMENT OF NATURAL RESOURCES

STATEMENT OF ANNUAL LABOR FOR MINING

Failure to timely complete and record an affidavit will result in abandonment under AS 38.05.265

ATTACH AND RECORD ADDITIONAL PAGES AS NECESSARY

Please review AS 38.05.240 for examples of what may be included as labor, and AS 38.05.210(b) for what must be included on the statement of annual labor.

A. Mining Labor Year Ending September 1, 20____

B. Owner Name & Address (Return Documents)

1. Owner's Name: _____
2. Current Address: _____
3. City, State, Zip: _____

C. Recording Information

1. Recording District: _____

D. Location/Lease ADL No(s) (Index ADL Grantee)

ADL No.(s) and Name

1. _____
2. _____
3. _____
4. _____
5. _____

E. Location/Lease Legal Description MTRS

Meridian Township Range Section(s)

1. _____
2. _____
3. _____
4. _____
5. _____

F. Labor Description: Labor performed during the labor year specified in section A.

_____

_____

_____

G. Labor Value REQUIRED (AS 38.05.210)

$100 per partial & whole 40 Acre Location or Lease
$400 per 160 Acre MTRSC Location

Size	**Amt.**	Value	**Subtotal**
Amt. of 40 Acre:	_____	X $100= $	_____+
Amt. of 160 Acre:	_____	X $400= $	_____+

1. **Total Value Required this Year:** $ _____

H. Calculate Labor Values Available to APPLY

1. Value of the New Labor Performed this Labor Year: $ _____+
2. Cash in Lieu Amt Paid by 9/1: $ _____+
3. Past 4 Years Excess Value: $ _____+
4. **Total All Available Value:** $ _____
5. **Your Value to Apply is:** $ _____

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

_____
(Sign Affiant Name)

NOTARY BLOCK

The foregoing Affidavit of Annual Labor was subscribed and sworn before me on this _____ Day of _____, 20_____

Signature of Notary: _____

My commission expires: _____

(Recorder Instructions)

PLEASE DO NOT RECORD THIS PAGE

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

This statement for Annual Labor for Mining Form reflects the required information under AS 27.10.150 – 240, AS 38.05.210 – 242 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 statement of Annual Labor form and fill it out completely.

The labor year ends at noon on September 1. Failure to timely record within 90 Days (November 30th) will result in automatic 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 statement 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 statement of annual labor form for the required information for all your mining locations, you must include that information on additional page(s) and record it with your statement.
3. The statement 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. The labor 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 June 30, 2017, the first labor year began 9/1/2017 and ended 9/1/2018.
5. Alaska statutes allow miners on state claims/leasehold locations and leases to carry forward the value of excess value of work for up to **four** subsequent years.
6. A statement of annual labor must be timely and properly recorded each year under state law AS 38.05.210, including years that excess labor is applied or cash in lieu is paid.
7. If you have questions, contact the Public Information Center at 907-269-8400 in Anchorage, 907-451-2705 in Fairbanks.

ANNUAL LABOR AND REQUIREMENTS

Under **AS 38.210(a)**, the cash amount required if cash were paid in lieu of performing labor is equal to the Required Value of Labor

WORKSHEET 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)

Quantity of Location	Location Type and Size		Value Per Claim/Leasehold		Required Labor Value
	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)

Quantity of Lease Type	Lease Type	*Lease Acreage/40*	Value Per 1-40 Acres		Required Labor Value
	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 Statement of Annual Labor for Mining Form:

A. Statement Year Indicate the year of statement that is being recorded in this section.

1. **Statement for Year Ending Noon September 1, of the labor year for which the statement is being recorded.**
   - Write the labor year the statement is being recorded for.
   - This is the current year unless the statement is being recorded for a different year.

B. Owner Name and Address Information: The names and addresses of a claim / leasehold location / lease **owner designated to receive notice** must be listed on the statement.

1. **Owner Name:** List the Owner Name.
2. **Current Address:** Write the current mailing address of the Owner.
3. **City, State, Zip:** Include the City, State and Zip Code of the Owner.
4. **Optional:** List the Owner's phone number and email address.

C. Recording Information: The statement 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.

1. **Recording District:** Identify the Recording District where the location(s) / lease(s) is situated.
   - If your location / lease is located across more than one recording district, a statement needs to recorded in **each** recording district that the mineral property is located.
   - **Remember** to record additional pages for required information in each recording district.

D. Location or Lease Identification: All 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) claims, leasehold locations or leases. Attach and record additional pages for all other claims, leasehold locations or leases being included in the statement.

1-5. List the first five (5) state ADL Numbers, Names and Lease Tract Numbers that the statement is for.
   - List the ADL Numbers listed sequentially (for example: 111222, 111223, 111234, etc.).
   - Include the location names or lease tract numbers.
   - The Recorder's Office only indexes 6 items at no charge, such as an owner, ADL number or Claim Name.
   - You will be charged a fee to index additional ADL Numbers.

E. Location & Lease Legal Descriptions – MTRS: List the Meridian, Township, Range and Section for every claim, leasehold location and lease on the statement as required under AS 38.05.210(b). This form allows for up to five (5) MTRS. Attach and record additional pages for all other legal descriptions (MTRS).

1-5. List the first five (5) legal descriptions for the claims, leasehold locations or leases on the statement. 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)

F. Labor Description: Describe the labor performed and how it benefited all locations/leases listed on the statement.

- 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: https://dnr.alaska.gov/mlw/cdn/pdf/factsheets/annual-labor.pdf
- Provide details about the work to support the declared value on the statement; 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 to verify that the description provided meets the statutory requirements.

AS 38.05.240 provides examples of acceptable labor:
"In AS 38.05.210-.235, "labor" includes work performed or improvements made in good faith on or for the benefit of a mining claim, leasehold location, or mining lease that is directly related to exploring for, developing, or producing minerals, including
(1) excavating, tunneling, drilling, or clearing land;
(2) constructing or maintaining roads, trails, or landing strips;
(3) extracting or producing ore;
(4) performing a metallurgical analysis, an environmental study, or an economic feasibility study, or conducting engineering or permitting activity;
(5) constructing settling ponds, water supplies, or other utilities;
(6) providing worker housing;
(7) performing reclamation activities under a reclamation plan approved under AS 27.19.030;
(8) transporting workers and equipment in the state to or from a mining site; the claimed value of transportation under this paragraph may not exceed 50 percent of the total value of labor in a statement of annual labor recorded under AS 38.05.210(b) for the assessment work year;
(9) conducting a geological, geochemical, geophysical, or airborne survey by a qualified expert and verified by a report filed in the recording district office in which the claim, leasehold location, or mining lease is located that sets out
(A) the location of the survey in relation to the boundaries of the claim, leasehold location, or mining lease;
(B) the nature, extent, and cost of the survey; and
(C) the name, address, and professional background of the person conducting the work; the commissioner, by regulation, shall define the nature of acceptable survey work and the qualifications of a person competent to perform the work; an

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airborne survey conducted under this paragraph shall be nonrepetitive of any previous survey on the same claim, leasehold location, or mining lease."

- **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.
- ***Do not include labor performed after the end of this affidavit's labor year.***

G. Calculate Labor Value REQUIRED (AS 38.05.210) This section is provided for you to calculate the value of annual labor you are required to perform or pay, as required under the Annual Labor statute (AS 38.05.210). The amount of annual labor required is: *$100 per partial & whole 40-acre Location or Lease or $400 per 160-acre MTRSC Location*.

1. Write down the amount of traditional 40-acre claims or Qtr-Qtr section MTRSC claims you have. (For leases, divide the total acreage by 40 and round **up** to the nearest whole number). Multiple the amount by $100.
2. Write down the amount of 160-acre MTRSC claims that you have. Multiply the amount by $400.
3. Add the subtotals for the two sizes of mineral properties together. This is the value required.

FOR EXAMPLE:

G. Labor Value Required (AS 38.05.210)
$100 per partial or whole 40 Acre Location or Lease
$400 per 160 Acre MTRSC Location

Size	Amt.	Value	Subtotal
1. Amt. of 40 Acre:	4	X $100 =	$ 400 +
2. Amt. of 160 Acre:	2	X $400 =	$ 800 +
3. **Total Value Required this Year:**			$ 1,200

H. Calculate Labor Values Available to APPLY: This section is provided for you to calculate your available labor and to determine which values to be applied toward the Required Value for all the locations listed on the affidavit under state law AS 38.05.210.

1. **Value of the New Labor you Performed this Labor Year** means the amount of labor you performed or the value of improvements you made to the mineral property during the reported labor year.
2. **Cash in Lieu Amount Paid by 9/1** means the amount of cash being paid in lieu of performing annual labor.
   - **Cash in Lieu may not be paid after 9/1.**
   - **If you pay Cash in Lieu after 9/1 your claims of leasehold locations will be abandoned by operation of law AS 38.05.265.**
   - "Conflicting" locators (aka "junior" locators) may only pay cash in lieu unless provided an owner authorization from the senior locator.
3. The **Past 4 Years Excess Value** means the amount of excess labor you have available for the previous four years of annual labor.
4. The **Total of all Available Values** is the sum of all of the values you have available to apply.
5. The **Value to Apply** must be equal to Total Required Value and less than or equal to Total All Available Values.

FOR EXAMPLE:

H. Calculate Labor Values Available to APPLY

1. Value of the New Labor You Performed this Labor Year:	$ 1,500 +
2. Cash in Lieu Amt Paid by 9/1:	$ 0 +
3. Past 4 Years Excess Value:	$ 0 +
4. **Total All Available Values:**	$ 1,500
5. **The Value to Apply Is:**	$ 1,200

Note: In this example, you would have $300 excess labor available for the next labor year.

K. Oaths: A statement 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 statement!
For more information see the Alaska Department of Natural Resources Recorder's Office website:
https://dnr.alaska.gov/ssd/recoff/eRecording

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