



Arizona State Land Department

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FREQUENTLY ASKED QUESTIONS

Applying for a Temporary Common Variety Minerals Right-of-Entry onto Arizona State Trust Land

The Arizona State Land Department (Department) encourages all prospective applicants to review these frequently asked questions (FAQs) prior to applying for a Temporary Common Variety Minerals Right-of-Entry (ROE). The FAQs are only intended to provide guidance and are not intended to provide legal or technical advice. A meeting may be scheduled with the Department to answer questions regarding applying for a ROE.

1. What is a ROE?

A ROE permits access to State Trust Land (STL) to conduct archaeological, native plant, and biological surveys and allows for the exploration of common variety mineral materials under an approved Geologic Field Operation Plan (GFOP) prior to submitting a Common Variety Mineral Materials (Aggregate) Lease application. Please see the FAQs for *“Common Variety Mineral Materials Leases (Aggregate) Application on Arizona State Trust Land”*

2. What activities are not permitted through the issuance of a ROE?

A ROE **does not** allow for any geologic exploration activities **except** under an approved Geologic Field Operations Plan (GFOP), please see the FAQs for *“Geologic Field Operations Plan”*.

3. What steps are necessary for applying for a ROE?

- **Step 1:** Make an in-person appointment with the Department’s Public Records Section to determine if the desired area is available.
- **Step 2:** Visit the *“ASLD Community Portal”* on the Department website and create an account or log into an existing account if one has already been established
- **Step 3:** Go to the ASLD Community Portal and select *“Right of Entry”*.
- **Step 4:** Follow the prompts for a ROE, then choose *“New KE-29 (Limited Right of Entry)”*
- **Step 5:** Using Salesforce Map to choose the section(s), modify the legal description (using the Public Land Survey System [PLSS]) and acreage to conform to the map discussed below.
- **Step 6:** Submit a U.S.G.S. topographic map that depicts, at a minimum, the following information:
 - The proposed ROE boundaries
 - The ingress and egress routes, including available roads
 - A north arrow
 - Map scale
 - Water sources
 - Structures such as residences, utilities, old mine workings and etc.,

- **Step 7:** Submit the \$100.00 application fee

4. What are the fees and costs associated with a ROE?

The application fee for a ROE is \$100.00. There is no annual rent and no requirement for financial assurance for reclamation, however, an Insurance Certificate (IC) must be provided to the Department for approval. Additional costs associated with a ROE may also include, but are not limited to, the following:

- Resource data collection and evaluation
- Cultural resource survey(s)
- Native plant survey(s)
- Biological survey
- American Land Title Association (ALTA) survey
- Phase I Environmental Site Assessment and geotechnical sample collection

5. How much acreage can be included in a ROE?

In general, there is no limit on the amount of acreage that can be included in a ROE application. However, the Department recommends that all STL included in any one ROE application should be contiguous or represent a single mining unit. Any acreage that is isolated and/or independent tracts must be applied for under a separate ROE. Prior to applying for large acreages, greater than four sections, please contact the Mineral Section.

6. What kind of commodities may be explored for under a ROE with an Approved GFOP?

The common variety mineral materials are generally those materials that do not possess a distinct or special economic value. Common variety mineral materials include, but are not limited to, the following:

- Sand & gravel
- Boulders (primarily granite)
- Decomposed granite
- Fill dirt
- Crushed rock
- Cinders
- Pumice or pumicite (fine-grained pumice)
- Waste rock
- Petrified wood
- Landscaping material (e.g., crushed granite)
- Ornamental rock
- Dimension stone
- Decorative rock
- Common clays (e.g., to make pottery, bricks, etc.)
- Low grade limestone (limestone which cannot be used to make cement, limestone that cannot be used in metallurgical processes or chemical production processes)

Arizona Revised Statutes (A.R.S.) § 27-271

7. Am I required to reclaim any land disturbed while conducting exploration work?

Yes, all disturbances must be reclaimed under an approved reclamation plan prior to the expiration of the ROE, even if the exploration work leads to the discovery of a valuable mineral resource. Reclamation plans are approved through the GFOP process, please see the FAQ's for "*Geologic Field Operations Plan*".

8. What are the insurance requirements for a ROE?

Prior to receiving a ROE, an IC must be provided to the Department, please see the FAQs for “*Insurance Certificate for Right-of-Entry*”.

9. How long is a ROE active?

A ROE is active for one year from the date it is approved by the Department. If the geologic exploration activities are not completed within the one-year timeframe and additional time is needed, a new ROE application must be submitted and approved.