

Surveyor General Branch

Beyond Boundaries

NOTICE OF ADDENDUM

October 16, 2015

From: *Surveyor General of Canada Lands*

Addendum 1.1

Addendum to: *National Standards for the Survey of Canada Lands (1.0)*

Object: *Chapter 14: Mining Surveys - Yukon*

The following modifications, additions, omissions, clarifications and corrections herein shall constitute an official amendment to the document it refers to.

DETAIL

This Addendum is published to amend *Chapter 14: Mining Surveys - Yukon* of the *National Standards for the Survey of Canada Lands*. Chapter 14 was under development when the last version of *National Standards for the Survey of Canada Lands* was published in September 2014.

Chapter 14: MINING SURVEYS – YUKON

14.1 Introduction

1. There are three types of mining surveys made in Yukon: surveys of mineral claims granted under the *Quartz Mining Act*; surveys of placer claims granted under the *Placer Mining Act*; and surveys of placer base lines under the *Placer Mining Act*. A fourth type, rarely if ever surveyed, includes surveys of leases under the *Dredging Regulations*.
2. The term “mineral claim” is used to describe claims staked and granted under the *Quartz Mining Act*, and the term “placer claim” is used to describe claims staked and granted under the *Placer Mining Act*.
3. A mineral claim can overlap a placer claim. Mineral claims are granted for quartz (hard rock) mining of all types of minerals while placer claims are granted for placer mining of precious minerals (gold) or stones from gravel.
4. The *Placer Mining Act* uses the term “legal post” to describe the posts that are staked to mark the location of a placer claim. The *Quartz Mining Act* uses the terms “legal post” and “location post” to describe the posts that are staked to mark the location of a mineral claim. The term “legal post” shall be used for surveys of placer claims, and “location post” shall be used for the survey of quartz mineral claims.
5. Chapter 14 of the National Standards applies to the three types of mining surveys stated in paragraph 1.
6. Chapters 1 to 4 of the National Standards apply to mining surveys to the extent that their provisions are not inconsistent with the provisions of Chapter 14.
7. Specific survey instructions are required for all mining surveys. Every surveyed claim is designated by a lot number. When applying for specific instructions, the surveyor must provide the names, record numbers, and quad in which the claim or claims are situated.

8. Surveys of mineral claims and placer claims may be made to define the boundaries of the claims. Surveys of mineral claims are also required in order to apply for a quartz mining lease. Surveys of placer base lines are made to define the location of the base line.
9. Before submitting the plan to the Surveyor General Branch, the surveyor should obtain confirmation from the mining recorder that the surveyed claims comply with the legislation and policies that govern the staking and granting of claims, including: *Quartz Mining Act* Guidelines for Claim Staking and *Placer Mining Act* Guidelines for Claim Staking in Yukon, issued by Yukon Energy, Mines and Resources.

14.2 Claim Boundaries

10. The boundary position and dimensions of a mineral claim or placer claim are governed by the legislation in force at the time the claim was staked, and the survey must comply in every particular with that legislation.
11. No mineral claim or placer claim may consist of more than one parcel. Where a claim is separated by prior locations into two non-contiguous parcels, the parcel that adjoins or is closest to location post No. 1 must constitute the claim.
12. A claim includes all areas covered by water lying within its boundaries. The approximate location of islands, lakes, and water courses must be plotted on the survey plan using positioning, aerial photographs, or existing mapping. The ordinary high water mark of any water bodies close to a boundary being surveyed must be connected to and related to the boundary.
13. Every mineral claim is subject to reduction if, when the claim in question was staked, it encroached onto other prior mineral claims in good standing, or onto any other lands excluded from staking under section 15 of the *Quartz Mining Act*. Any overlapping prior mineral claim or section 15 lands must be excluded from the mineral claim being surveyed.
14. Every placer claim is subject to reduction if, when the claim in question was staked, it encroached onto other prior placer claims or prospecting leases in good standing. Any overlapping prior placer claim or prospecting lease must be excluded from the placer claim being surveyed.
15. Where an unsurveyed claim of prior location affects a claim under survey, the surveyor must survey the prior claim to an extent sufficient to determine the boundaries common to both claims. The surveyor must incorporate this data into the field notes, together with a copy of the application for the prior location.
16. In the case of a dispute, it is the duty of the surveyor to note all adverse overlapping claims as they are found, and to show them on the plan of survey. The surveyor has no authority to decide priority of rights.
17. In surveying a claim that is in dispute with another claim, the surveyor must record all the intersections of the boundaries of the two claims. If the other claim is unsurveyed, its boundaries must be surveyed to an extent sufficient to determine the positions of the intersections and the full extent of the overlap.

Monuments

18. Use CLS 77 posts, CLS 77 rock posts, or CLS standard posts as described in section 1.2, Chapter 1, of the National Standards to demarcate Placer base lines.
19. Use any of the following types of monuments to mark the position of found location (legal) posts and to demarcate the boundaries of a mineral claim or placer claim:
 - a. a CLS 77 post, CLS 77 rock post or CLS standard post as described in section 1.2, Chapter 1, of the National Standards; or
 - b. a mild steel bar not less than 1.5 cm square and 75 cm long driven into the ground so that no more than a 10 cm portion protrudes above ground level; or
 - c. a mild steel bar not less than 1.5 cm square and not less than 23 cm long cemented in rock so that no more than a 10 cm portion protrudes above ground level.
20. Unless otherwise provided in Chapter 14 of the National Standards, a monument must be placed, if possible, at each corner and deflection of the boundaries being surveyed. Intersections of boundaries defining subsurface rights with those defining surface rights need not be monumented, but the surface rights must be plotted on the plan.

21. A monument must be placed at all location (legal) posts that are used to define the claim being surveyed. Location (legal) posts of a claim constitute vital primary evidence and shall not be moved unless prior approval is granted by the mining recorder.
22. Where a location (legal) post or corner coincides with a monument established during the survey of an adjoining claim, the end point of the location line or corner being surveyed must be placed at the same point as the limit defining the adjoining surveyed claim.
23. If a corner or angle of a mineral claim or placer claim falls in an area covered by water or in any other locality unfavourable for the placing of a monument, it must be established by a witness monument placed on the boundary.
24. Where the witness monument replaces a witness location post, it must be placed at the same point as the witness location post or as near as possible on line between the No. 1 and No. 2 location posts.
25. Inscriptions on monuments must include the lot numbers and a distinguishing number. The inscription must be placed in the segment of the cap facing the claim for capped posts, or on the side of the post facing the claim for other posts. This inscription must be in the form (post#) L (quad lot#) — e.g., 3L1642.
26. The provisions in *Section 1.4: Ancillary Monumentation* of Chapter 1 in the National Standards apply to surveys of claims to the extent that they are not inconsistent with the provisions of Chapter 14. Where any two monuments marking a boundary line are less than 100 m apart, ancillary monumentation is to be established at only one of these monuments.
27. Where a group of adjoining mineral claims belong to the same owner, monumentation of internal corners may be omitted if such monumentation is impractical or is likely to be destroyed, but all claim corners on the perimeter of the group and all location posts defining the group must be monumented.
28. Cut out and blaze all perimeter boundaries of a group of adjoining mineral claims being surveyed. In addition cut out and blaze any surveyed interior boundary that separates mineral claims under different ownership.
29. When surveying a base line under the *Placer Mining Act*, monument the base line at the terminal and deflection points and at intervals not exceeding one kilometre. Mark monuments along the base line with the letters “BL” and identifying station numbers. A marker post shall be placed at each base line monument.
30. In addition to monumenting the base line itself, place reference posts at base line deflections and terminal points in locations where they are least likely to be destroyed. To reduce the possibility that stakers may mistake these reference posts for base line monuments, avoid making them overly conspicuous and identify them clearly with the letters “REF” and a unique number. A wooden stake should be placed at these reference posts rather than a marker post.

14.3 Placer Mining Surveys

Monuments

31. Placer claims are usually located along a creek or river and are referenced to a base line established by official survey. A base line usually consists of a series of segments where points of deflection are identified by station numbers.
32. Many base lines are historic, having been surveyed and established at the beginning of the 20th century. A survey may be required to resurvey an existing base line or to establish a new one.
33. A base line is located along the general direction of the central bottom lands of a valley, but not necessarily in the centre thereof. The base line must conform as closely as possible to any existing unsurveyed base line shown on a placer claim sheet available from the mining recorder.
34. Large deflections should be avoided as much as possible so that claims will not depart too much from rectangular. In addition, the location of the unsurveyed base line and any placer claims shown on a placer claim sheet must be considered so that the survey does not significantly change their location, shape and size. For a creek, the base line should be near enough to the stream to ensure that all creek claim locations include the full width of the creek. For a river, the base line on each bank shall follow the general trend of the bank, and should be within 50 m of the bank on the upland side.

Placer Claim Configuration and Survey Methods

35. Three kinds of placer claims are dealt with under the *Placer Mining Act*:
 - a. creek claims (those situated on a creek);
 - b. river claims (those fronting on a river); and
 - c. bench claims (those situated elsewhere).
36. Under the Act, a “river” is a stream with an average width of at least 45.7 m (150 feet). A claim fronting on a river is confined to one side of the river. The river bed cannot be included in a claim ([see figure 1](#)).
37. Two legal posts are used to define the limits of a claim. The distance between them may not exceed 152.4 m (500 feet) in length along the base line except in the case of discovery claims, which are staked in accordance with Section 25 of the *Placer Mining Act*.
38. The length of the location line is measured on the base line for creek or river claims, and on the front line parallel to the base line for bench claims. In all cases, the claim boundaries must conform to the base line as surveyed.
39. The end boundaries of claims pass through the two legal posts at right angles to the base line (subject to the maximum allowable length along the base line).
40. The side boundaries of creek claims are parallel to the base line and 304.8 m (1,000 feet) on each side of the base line ([see figure 2](#)).
41. The front boundary of a river claim follows the bank. The side (rear) boundary is parallel to the base line and 304.8 m (1,000 feet) from the base line.
42. A bench claim fronts on a line parallel to the base line lying either 304.8 m (1,000 feet), or a multiple thereof, distant from the base line. The side (rear) boundary is parallel to the front boundary and 304.8 m (1,000 feet) from the front boundary. Bench claims immediately adjoining the extremity of creek claims are known as Tier 1 bench claims, the next series of bench claims 1000 feet further from the base line are known as Tier 2 bench claims, etc. As bench claims may be located on either side of a base line, the terms “right limit” and “left limit” are used for claims lying right and left of the base line for an observer looking downstream along the base line. A typical designation would be “Tier 2, Right Limit, Gold Run Creek” ([see figure 2](#)).
43. Locate the base line and legal posts. Where the legal posts are not along the base line (or front boundary for bench claims), project their location onto the base line (or front boundary for bench claims) by lines at right angle thereto.
44. The length of a creek claim is measured along the base line. If the maximum length prescribed in paragraphs 37 and 38 above is exceeded, reduce it to the allowable length, measured along the base line and from the No. 1 legal post or its projection on the base line.
45. If a placer claim has been staked over length, the surveyor shall establish a monument at the No. 2 legal post and should not move No. 2 legal post when reducing the claim to the prescribed length.
46. There is no protection for gaps created during the staking of a group of placer claims where one or more of the claims have been staked longer than the permitted length measured along the base line. Over length areas (gaps) usually may only be acquired by staking the gap as a new claim. Alternatively, the owner of the group of claims may apply to the mining recorder for an extension of the claim boundaries pursuant to section 26 of the *Placer Mining Act*.

14.4 Quartz Mining Surveys

Claim Configuration and Survey Methods

47. The full size mineral claim is 457.2 m by 457.2 m (1,500 feet by 1,500 feet) and has a maximum area of 20.9 ha (51.65 acres).
48. A mineral claim is marked on the ground by two location posts erected at the ends of a location line. The maximum horizontal length of a mineral claim measured along the location line is 457.2 m (1500 feet), or lessor distance determined by the position of the location posts.

49. The location line of a claim may form one of the sides of the claim, or a portion of the claim may lie on either side of the location line.
50. The markings on the No. 1 location post will indicate the distance the claim extends on either the left or right side of the location line (commonly called the throw), the total extent of which is not to exceed 457.2 m (1,500 feet).
51. Left and right sides of the location line are defined from the perspective of standing at the No. 1 location post and facing the No. 2 location post.
52. A fractional mineral claim is used to acquire ground lying between previously located mineral claims. Adjoining claims govern the configuration of the fractional claim. The maximum area of a fractional claim surveyed under Section 90 of the *Quartz Mining Act* is 24.3 ha (60 acres).
53. If location post No. 2 is more than 457.2 m (1,500 feet) from location post No. 1, or more than 804.7 m in the case of a location for iron or mica, the surveyor must place a monument on the location line at a distance of 457.2 m or 804.7 m, as the case may be, from location post No. 1, but should not disturb the original location post No. 2. A monument shall be placed at location post No.2 to preserve its position.
54. A claim staked as a fractional mineral claim may be surveyed to include as nearly as possible all the unoccupied ground lying between the previously located mineral claims described in the locator's application and accompanying sketch, provided that the area of the claim as surveyed is less than 24.3 ha (60 acres).
55. Where the plan of survey reveals significant differences between the staker's apparent intentions as reflected in the application and sketch and the final surveyed fraction, before submitting the plan to the Surveyor General Branch, the surveyor should seek the confirmation of the mining recorder that the fraction as surveyed complies with the *Quartz Mining Act*.
56. Section 89 of the *Quartz Mining Act* provides that where location post No. 1 or location post No. 2 of a mineral claim is on the boundary line of a previously located claim, and that boundary line is not at right angles to the said location line, the fraction so created may be included in the claim being surveyed, provided that it is available and open to disposal and provided that the claim including the fraction will not exceed 24.3 ha (60 acres) ([see figure 3](#)).
57. The fraction referenced in paragraph 56 above is understood to be the gore of unoccupied land that would result if the two claims were surveyed strictly rectangular to the location lines. This gore would be defined by joining the respective corners of the two rectangles by a straight line and not in any case by producing the sides of the rectangles.
58. Where both claims affected are being surveyed, and the fraction could be added to either claim without exceeding the limit of area or it could be divided between them, the circumstances in each case will indicate to the surveyor how the fraction should be dealt with, and the matter is left to the surveyor's discretion.
59. Section 14 (2) of the *Quartz Mining Act* deals with claims that are contiguous and comprise a group recorded in the name of one owner ([see figure 3](#)):
- a. It covers the case in which a prospector stakes what is believed to be a solid row of claims, or parallel rows, and it happens inadvertently that the location lines of the contiguous claims do not form a straight line. In this case, the contiguity of the claims would not be disrupted, although fractions would be created. It is these fractions that are reserved to the recorded owner and that may on survey be included in a mineral claim under sections 14(2) and 89 of the Act. However, where the location line exceeds 457.2 m (1,500 feet) in length or the distance between parallel location lines exceeds the throw distances, the contiguity of the claim block is lost, the vacant ground lying between the claims is not a protected fraction under Section 14(2) of the Act, and it is available for staking by third parties; and
 - b. Under the portion of Section 14 (2) of the Act that reads "any such land may on survey be included in one or more of those claims by a Canada Lands Surveyor," the surveyor is allowed to include vacant fractions, created as described above in paragraph 59 (a), in either one or several adjoining claims, provided that the area of any of the claims does not exceed 24.3 ha (60 acres).

Location Line Surveys

60. Where a location line survey is made strictly for the client's information and not for public use, the surveyor is not required to place monuments or file returns with the Surveyor General Branch.
61. If monuments are placed, Field Notes of Survey of Location Lines must be prepared and submitted in accordance with the provisions of Chapter 14 and *Chapter 3: Field Notes* in the National Standards.
62. Surveys of mineral claim location lines may be made to preserve and document the position and condition of location posts and to identify any open ground without surveying the boundaries of the claim.

These surveys do not define the boundaries of the claim, but may be used as field note information for a subsequent survey of the claim.

14.5 Field Note Preparation

63. In addition to the information prescribed in *Chapter 3: Field Notes* in the National Standards, the following information is required in field notes of survey of mineral claim location lines, mineral claims or placer claims:
 - a. in the title, the name of the claim and the name of the person(s) or company for whom the survey was made; and
 - b. evidence of the position and condition of the found location or legal posts, the types of post, and the inscriptions and tags found on the posts. Photographs of the location or legal posts may be included with the survey report.
64. The abbreviations LP for location or legal post and WP for witness location post may be used without explanation.

14.6 Plan Preparation

65. Placer claim and mineral claim survey plans must be prepared in accordance with *Chapter 2: Survey Plans* in the National Standards.
66. The plan must be similar in form to the specimen plans referenced in the National Standards.
67. Include in the title of the plan:
 - a. the name of the claims, together with the lot and quad number;
 - b. the name of the person(s) or company for whom the survey was made; and
 - c. the mining district in which the claims are situated.
68. Show in the diagram of the plan:
 - a. all location posts, legal posts, witness location posts, and location lines involved in the survey, with bearings and distances sufficient to correlate these to the boundaries surveyed, including any location (legal) posts that are now not on the boundary because the location line has been reduced in length pursuant to Section 24 (5) of the *Placer Mining Act* or Section 36 (1) of the *Quartz Mining Act*;
 - b. the name of the claim together with the lot and quad number and the area of the claim shown within the claim boundaries;
 - c. evidence of the position and condition of the found location or legal posts, the types of post, and the inscriptions and tags found on the posts (post#, claim name, tag#, length and direction, date, locator). This may be shown in table form or stated beside the appropriate monument. Photographs of the location or legal posts may be included with the survey report;
 - d. the name and general configuration of each claim adjoining the subject claim or group of claims; and
 - e. topographic features sketched in sufficient detail to assist with identification of the geographical positions of the claim or claims.

14.7 Approvals and Certification

69. Place the appropriate endorsement certificates in the spaces indicated on the specimen plans referenced in the National Standards. For mineral claim surveys, the plan shall include the surveyor's certificate as required by section 93 of the *Quartz Mining Act*.

70. The owner, or the surveyor acting on behalf of the owner, must post and advertise mineral claim and placer claim surveys within six months of the completion of the field work and in accordance with the legislation.

Notice of surveys of placer mineral claims must be posted and advertised in accordance with Section 39 of the *Placer Mining Act*, and notice of surveys of quartz mineral claims must be posted and advertised in accordance with Section 70 or Section 87 of the *Quartz Mining Act*.

71. The surveyor must submit the final plan of survey of placer base lines to the Surveyor General Branch within six months of completing the field work. The Surveyor General Branch will make arrangements for the posting and advertisement of the survey of the base line.

72. The Minister of Energy, Mines and Resources, or person designated by the Minister, will approve a plan of survey of mineral claims, placer claims or placer base lines if the survey remains unprotested during the period of the advertisement.

73. Upon approval of a plan as specified above in paragraph 72, the Surveyor General, or a person designated by the Surveyor General, will confirm or approve the plan if the survey and plan conform to the National Standards and specific survey instructions of the Surveyor General. The plan will be deemed to be an Official Plan upon confirmation.

74. All field notes and plans of survey are recorded in the CLSR, and a copies of placer base line and placer claim surveys are sent to the Yukon Land Titles Office.

14.8 Survey Returns

75. Submit the survey returns to the regional office of the Surveyor General Branch in Whitehorse within six months of completing the field work.

76. The survey returns must consist of:

- a. the Plan;
- b. the Field Notes, if not included in the plan of survey;
- c. copies of the applications, together with the accompanying sketches, for all surveyed and surrounding mineral claims;
- d. a current copy of the claim sheet;
- e. a priority/history table that lists the priority, according to the location dates, of the claims being surveyed and of any other claims that affect, or may affect, the boundaries of the claims being surveyed; the table must include the grant number, claim name, location date, recording date, any lapse date, direction of location line, and left and right throws from the location line;
- f. a survey report, which may include photographs of the found location or legal posts, and
- g. any other items requested in specific survey instructions for the survey.

14.9 Specimen Plans

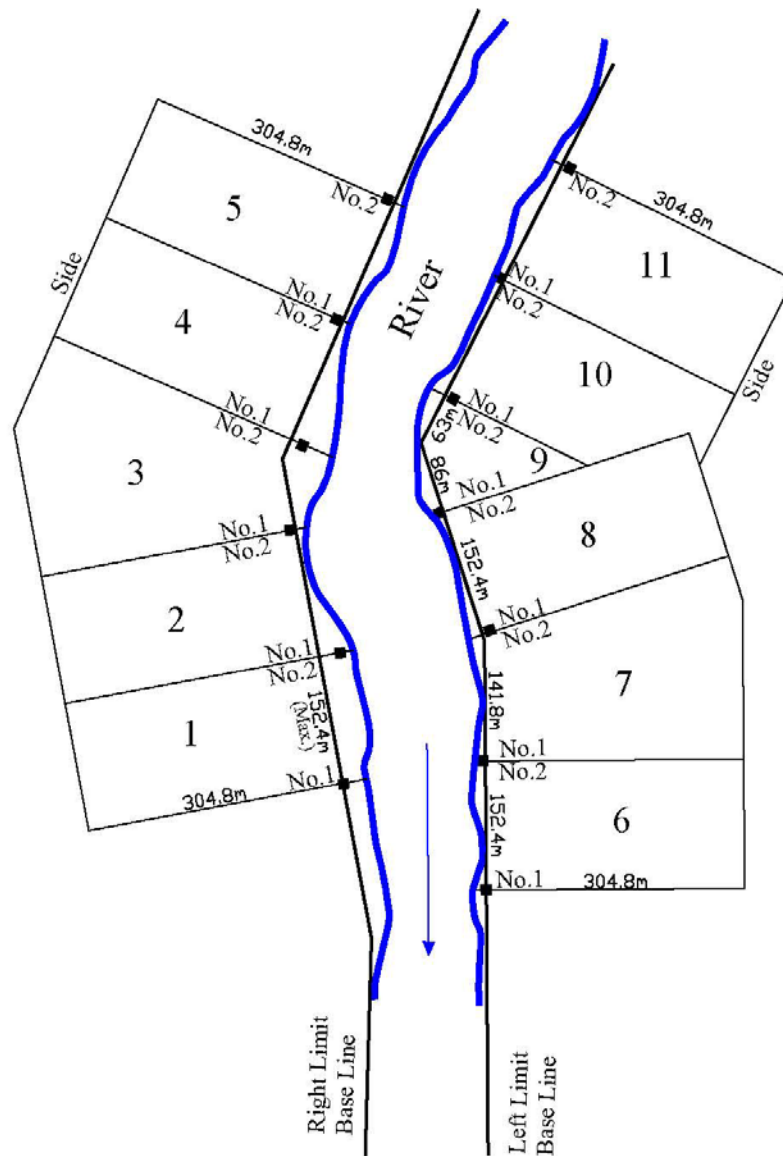
Links:

[#33 Plan of Survey of Mineral Claim in Yukon](#)

[#34 Plan of Survey Base Line in Yukon](#)

FIGURE 1

Placer Claims on a River



NOTE:

All Claims front on the river bank

Side boundaries are 304.8 metres from the baseline and parallel thereto

FIGURE 2

Placer Claims on a Creek

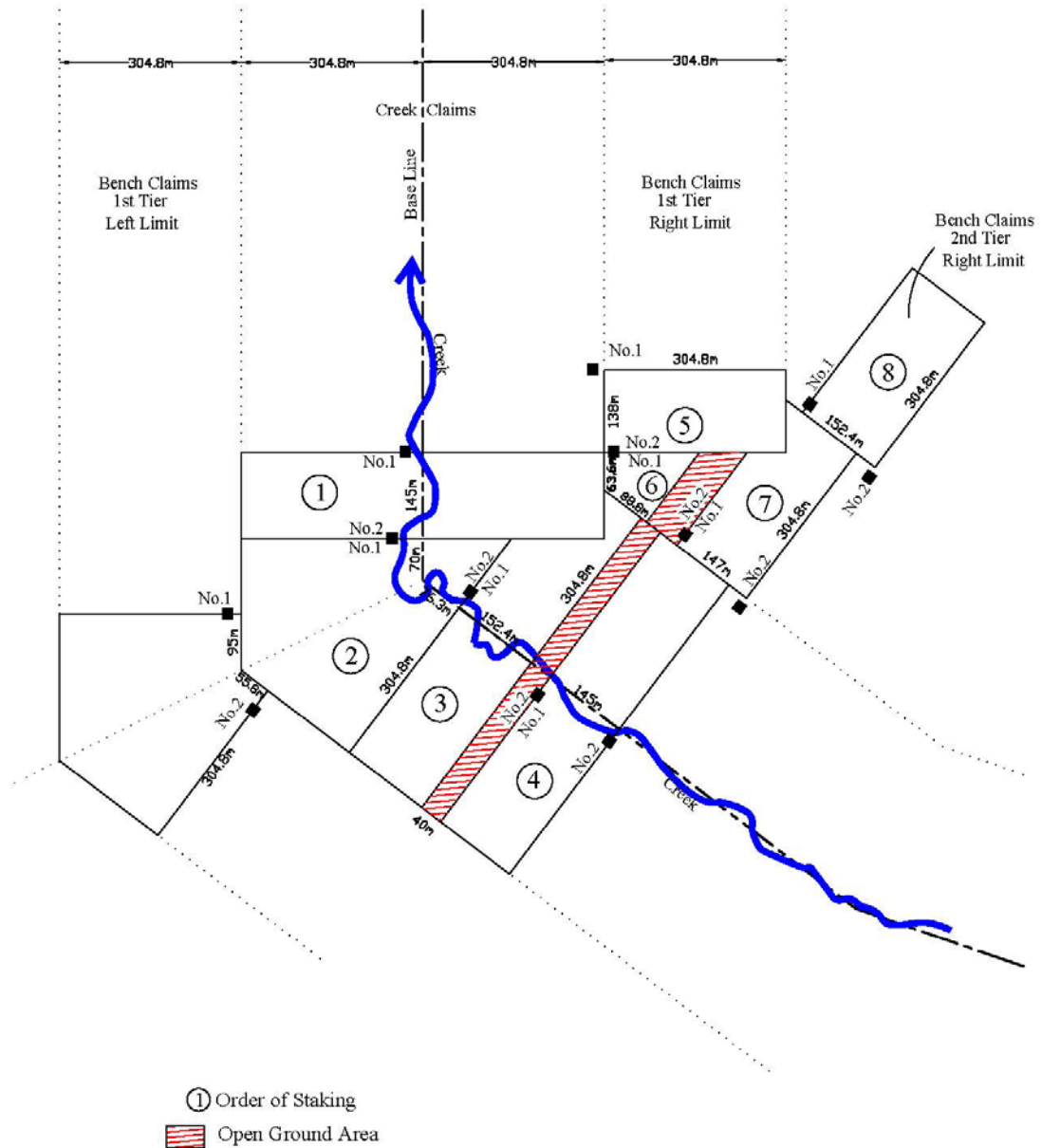
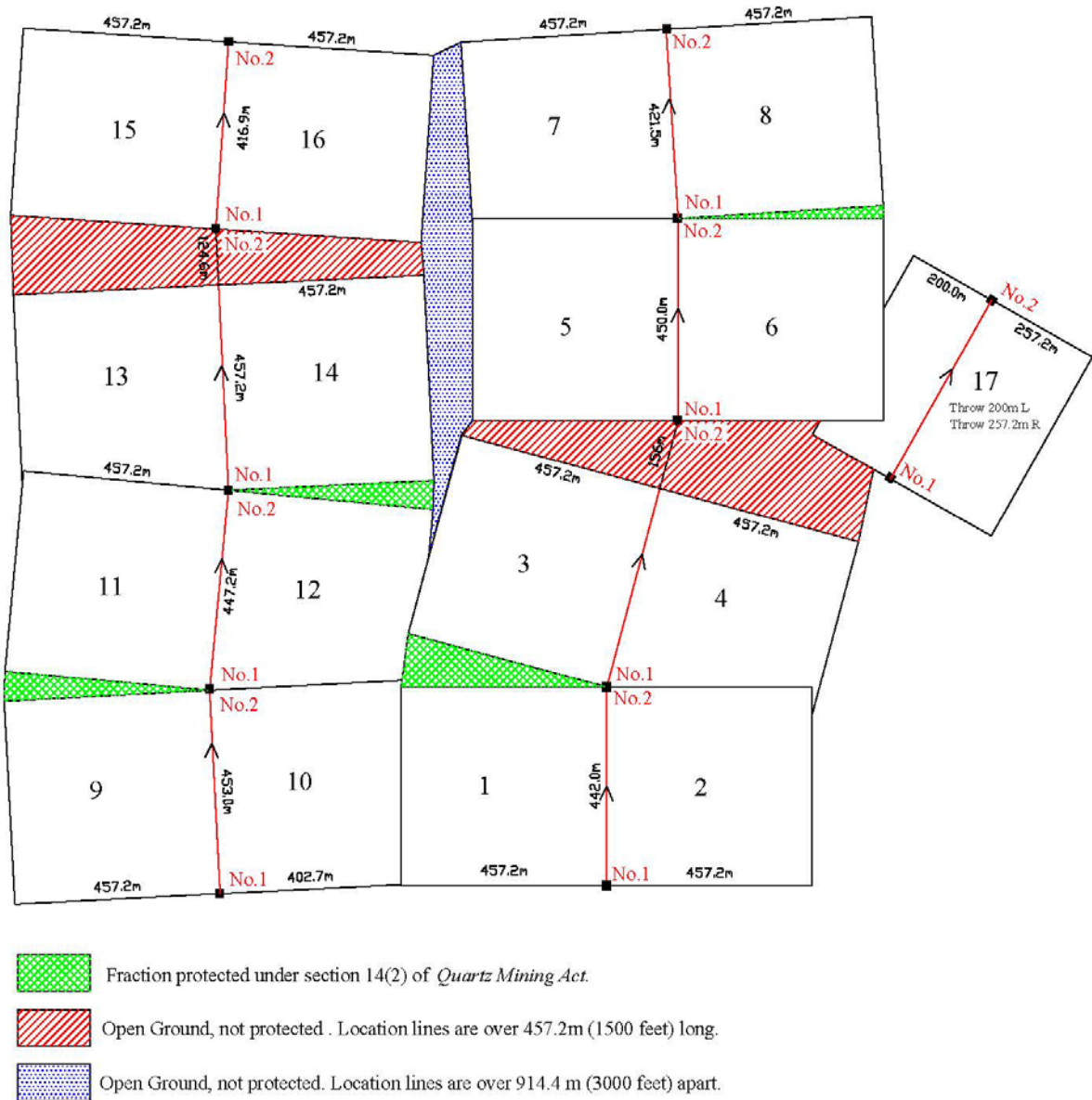


FIGURE 3

Quartz Mineral Claims



This Addendum will come into force on October 16 2015.

(Original Signed on October 16th 2015)

Peter J. Sullivan
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