How to Stake and File a Mining Claim in New Mexico

To stake and file a mining claim in New Mexico, you post a notice on the claim, mark its corners, record a notice of location and a map with the county clerk, and file with the Bureau of Land Management (BLM). You have 90 days from the day you post the notice to finish all of it. A new lode claim costs $274 in BLM fees, plus the county's $25 recording fee.

New Mexico also requires a filing with the county clerk each year after the year you stake, even if you pay BLM's yearly fee.

Last checked November 9, 2026. This is a plain-words summary of New Mexico and federal law, not legal advice. Fees and rules change, so confirm dates and costs with your county clerk or BLM before you rely on them. The newest version of our New Mexico filing guide is at goldmapsonline.com/how-to-stake-a-mining-claim-in-new-mexico.html. Check it before you file, since fees and rules can change after you download your maps.

The steps at a glance

Step	Where	Deadline	Cost
1. Post your location notice	On the claim	This starts the clock	No fee
2. Mark the corners	On the claim	Before you record	Your posts or stones
3. Draw your claim map	At home	Before you record	No fee
4. Record the notice and map	County clerk	90 days after posting	$25 per document
5. File with BLM	Online in MLRS, or BLM in Santa Fe	90 days after posting	$274 for a lode claim
Keep it each year	BLM	September 1	$200 per lode claim or per 20 acres of placer
File with the county each year	County clerk	December 30	$25 per document

Start with your map

A filled closed box on your New Mexico map means that section has no active claims today, which makes it a good place to start looking. Its pop-up gives you what the paperwork asks for: the county, the township, range and section, and the BLM code.

One example from the November 2026 map is a closed placer box in Sierra County at T16S R7W Sec 13, New Mexico Principal Meridian, with the BLM code 23 0160S 0070W 013. A box covers a section of about 640 acres

and doesn't show a claim's exact edges, so the map tells you where to look and your own checks tell you whether you can stake there.

Check the ground first

1. **Look it up in BLM's records.** Go to reports.blm.gov/reports/MLRS, choose Mining Claims – Geographic Report, enter the BLM code, and tick Active and Filed. Our step-by-step MLRS guide walks through each screen.
2. **Check that the land is open to mining.** BLM's Master Title Plats, on the GLO Records website, show what's open. You can't stake in national parks, national monuments, wilderness areas, Indian reservations or military land, and it's up to you to stay off private land.
3. **Watch for New Mexico state land.** Federal mining claims don't work on state trust land. The State Land Office leases minerals there instead, and no one may explore or mine on it without a lease.
4. **Walk the ground.** A new claim can take up to 90 days to reach BLM's records, so look for fresh posts and notices before you put up your own.
5. **Make a discovery.** Every claim needs a discovery of a valuable mineral. BLM's test is whether a sensible person would spend more time and money trying to develop a mine there, and recording a claim and paying the fees won't make it valid without one.

Lode or placer

A lode claim covers gold in solid rock, like a quartz vein, and can be up to 1,500 feet long and 600 feet wide. A placer claim covers loose gold in sand and gravel, and can be 20 acres per person, up to 160 acres for a group of eight or more. The notice and the markers differ, so pick the type that fits what you found.

Step 1: Post your location notice

The day you post the notice is your location date, and every deadline counts from it. Where the notice goes and what it has to say depend on the kind of claim.

- **Lode claim:** post a written notice where it's easy to see on the claim. It has to give the name of each locator, say that you intend to locate the claim, and describe where it is by reference to a natural object or permanent monument.
- **Placer claim:** put the notice at a corner you choose. It has to give the claim's name, what you're claiming and the kind of material, such as gold, and your name. On surveyed land, describe the claim by its legal subdivision. On land that hasn't been surveyed, describe its edges by measurements tied to a known object or monument.

BLM says a posted notice should also give the claim's name, the date of location and your mailing address, so put all three on either kind.

Step 2: Mark the corners

New Mexico's law gives no day count for marking the corners. The placer rule reads as if they go up when you post the notice, so mark them the same day if you can, and always before you record.

- **Lode claim:** four solid posts or monuments, one at each corner, so the edges are easy to trace on the ground. The law gives no size for these, so the placer size is a safe choice.
- **Placer claim:** a post at each corner that stands at least 4 feet high and is set firmly in the ground, or a solid stone monument.

BLM doesn't allow perforated or uncapped pipe as markers, because of wildlife deaths.

Step 3: Draw your claim map

New Mexico requires a map, sketch or written description with the notice you record. You don't need a surveyor or an engineer, and you can use either of these:

- A USGS topographic map, or a copy of one, with the claim drawn on it
- A sketch or written description of the claim, tied to a hill, stream, road or other feature

Either way, it has to show the claim's edges and position well enough that someone could find the claim on the ground, and it can't be bigger than 8.5 by 14 inches. One map can show several claims in the same area, as long as each one is clearly marked.

BLM says there's no official form for the posted notice, and we didn't find a New Mexico form for the recorded one, so you can write your own.

Step 4: Record with the county clerk

Within 90 days of posting, file a written notice of location with the county clerk in the county where the claim sits, with your map attached. It has to give all of these:

- The name you've given the claim
- The owner's name and current mailing address
- Whether it's a lode or a placer claim
- The date of location, which is the day you posted
- The meridian, township, range and section, plus each quarter section the claim is in, which BLM also needs

Sign the original and record that, not a copy. State law says a location notice you've signed doesn't need a notary, but a 2013 change to the general recording law makes that less clear. To be safe, sign it in front of a notary, or ask the clerk first.

State law sets the fee at $25 per document, paid before the clerk records it. A document that needs more than 10 entries in the county's index costs $25 more for each extra group of up to 10, so ask the clerk how it counts a notice that covers several claims.

The clerk counts a paper as recorded on the day it arrives, not the day you mail it, so leave time for the mail before day 90.

Step 5: File with BLM

BLM needs its own filing by the 90th day, and it advises recording with the county first. Send BLM a copy of the recorded notice, your map and the fees. You can file online in MLRS at mlrs.blm.gov with a login.gov account, or by mail or in person at BLM's New Mexico State Office in Santa Fe.

Claim	Fees	Total
Lode	$25 + $49 + $200	$274
Placer, up to 20 acres	$25 + $49 + $200	$274
Placer, 21 to 40 acres	$25 + $49 + $400	$474

The three fees are the processing fee, the location fee and the first maintenance fee, for claims located on or after September 1, 2026. Each added 20 acres of placer, or part of 20 acres, adds $200.

A claim that isn't recorded with BLM and the county by the 90th day is abandoned and void under federal law, even if the ground is good. BLM says it refunds the location and maintenance fees in that case, after the appeal period.

Re-staking a closed claim

Re-staking a closed claim means making a brand-new claim, and none of the old owner's rights carry over. New Mexico's law says a relocation is made the same way as an original location, so all five steps apply. It gives no shortcut for old markers or old shafts, so put up your own.

New Mexico dropped its discovery shaft rule in 1981, so older guides that call for digging one are out of date. An owner can also give up a claim by recording a notarized certificate with the county clerk, which opens the ground to anyone unless a mortgage or lien was on the claim. You can search county records free at the clerk's office during business hours.

Keeping your claim each year

On or before September 1 each year, pay BLM $200 per lode claim, or $200 for each 20 acres of a placer claim, or the claim is forfeited. If you stake before September 1 but file with BLM after it, you'll owe two maintenance fees at once, one for each year, unless you qualify for the small miner waiver and file it when you record the claim.

New Mexico also requires a county filing every year after the year you stake, whether you pay BLM's fee or do the work. By December 30, record one of these with the county clerk:

- A notice of intent to hold the claim, signed in front of a notary
- An affidavit of your work, saying it was done before noon on September 1 and giving when it was done, what it was, what it cost and who did it
- A detailed report of geological, geophysical or geochemical surveys

If you do the work but skip the affidavit, you'll have to prove the work was done if anyone challenges the claim.

With 10 or fewer claims nationwide, you can do at least $100 of work on each claim instead of paying. File the free waiver form with BLM by September 1, on paper because it can't be filed online, then file an affidavit of the work with BLM by December 30 at $15 per claim. Record an affidavit with the county clerk by December 30 too, with the details state law asks for.

A claim doesn't give you a free hand on the surface. Anything beyond casual use, which means little or no ground disturbance, can need a notice or a plan of operations, so talk to the local BLM field office or Forest Service ranger district first. New Mexico's Mining Act also requires state permits for hard rock mining and exploration, through the Mining and Minerals Division. If you drill a hole 10 feet or deeper and hit water, state law says to plug it and report it in writing within 90 days to the State Engineer and the Bureau of Geology and Mineral Resources in Socorro.

Who to ask

- **BLM New Mexico State Office:** Call 505-954-2000, or visit 301 Dinosaur Trail, Santa Fe, NM 87508, from 8 a.m. to 12:30 p.m. or 1 to 4 p.m., Monday to Friday.
- **New Mexico State Land Office:** Call 505-827-5760, or visit 310 Old Santa Fe Trail, Santa Fe. It handles mineral leases on state trust land, where federal claims don't apply.
- **New Mexico Mining and Minerals Division:** Write to 1220 South St. Francis Drive, Santa Fe, NM 87505, or use the contact form on its website. It handles state permits under the Mining Act.

Where these rules come from

- New Mexico Statutes, Chapter 69, Article 3, sections 69-3-1 to 69-3-18: location notices, markers, recording, relocation and yearly filings
- New Mexico Statutes, Chapter 14, Article 8, sections 14-8-1 to 14-8-15: county clerks, notaries, recording dates and fees
- 19.2.2 NMAC: mineral leases on state trust land
- BLM's New Mexico State Office and mining claim fees
- 43 U.S.C. 1744 and 30 U.S.C. 28f: the yearly filing and the maintenance fee

New Mexico county clerks

In New Mexico the county clerk is also the county recorder, and a claim is recorded in the county where the ground is. Call before you mail anything, since offices move and hours change. A star marks an office we couldn't fully confirm on the county's own website, so check its phone number first.

County	Clerk's address	Phone
Bernalillo	415 Silver Ave SW, 2nd Floor, Albuquerque, NM 87102	(505) 468-1290
Catron	100 Main Street, Reserve, NM 87830 Mail: PO Box 197, Reserve, NM 87830	(575) 533-6400
Chaves	1 St. Mary's Place, Suite #110, Roswell, NM 88203 Mail: P.O. Box 580, Roswell, NM 88202	575-624-6614
Cibola	700 East Roosevelt, Suite 50, Grants, NM 87020 Mail: PO Box 190, Grants, NM 87020	(505) 285-2535
Colfax	333 Savage Ave, Raton, NM 87740 Mail: P.O. Box 159, Raton, NM 87740	(575) 445-5551
De Baca *	Mail: P. O. Box 347, Fort Sumner, NM 88119	(575) 355-2601
Doña Ana	845 N. Motel Blvd., Las Cruces, NM 88007	(575) 647-7421
Eddy	325 S Main Street, Carlsbad, NM 88220	575-885-3383
Grant	1400 Highway 180 East, Silver City, NM 88061 Mail: P.O. Box 1286, Silver City, NM 88062	575-574-0042
Guadalupe	1448 Historic Rt. 66, Santa Rosa, NM 88435	575.472.3791
Harding	35 Pine St., Mosquero, NM 87733 Mail: PO Box 1002, Mosquero, NM 87733	575.673.2301
Hidalgo	300 Shakespeare, Lordsburg, NM 88045	(575) 542-9213
Lincoln	310 11th St., Carrizozo, NM 88301 Mail: P.O. Box 338, Carrizozo, NM 88301	575-648-2394 ext. 3
Luna	700 S. Silver Ave., Deming, NM 88030 Mail: Box 7, Deming, NM 88030	575-546-0491
McKinley	207 West Hill Ave, Gallup, NM 87301	505-863-6866
Mora *	Mail: P.O. Box 360, Mora, NM 87732	(575) 387-2448
Otero	1104 N White Sands Boulevard, Suite C, Alamogordo, NM 88310	575-437-4942
Quay	300 S. Third Street, Tucumcari, NM 88401 Mail: PO Box 1225, Tucumcari, NM 88401	(575) 461-0510
Rio Arriba	Tierra Amarilla Court House, Tierra Amarilla, NM 87575 Mail: P.O. Box 158, Tierra Amarilla, NM 87575	(575) 588-7724
San Juan *	Mail: P.O. Box 550, Aztec, NM 87410	(505) 334-9471

County	Clerk's address	Phone
San Miguel	500 W. National Ave., Suite 113, Las Vegas, NM 87701	(505) 425-9331
Sandoval	1500 Idalia Road, Building D, Bernalillo, NM 87004 Mail: P.O. Box 40, Bernalillo, NM 87004	(505) 867-7572
Santa Fe	240 Grant Ave, Santa Fe, NM 87501 Mail: Post Office Box 1985, Santa Fe, NM 87501	(505) 986-6280
Sierra	1712 N. Date, Suite A, Truth or Consequences, NM 87901	575-894-2840
Socorro	200 Church St, Socorro, NM 87801 Mail: PO Box I, Socorro, NM 87801	575-835-0423 x2504
Taos	105 Albright Street, Suite D, Taos, NM 87571	575-737-6380
Torrance	205 S Ninth Street, Estancia, NM 87016 Mail: PO BOX 767, Estancia, NM 87016	(505) 544-4350
Union	200 Court Street, Clayton, NM 88415 Mail: PO Box 430, Clayton, NM 88415	575.374.8896 ext 4
Valencia	444 Luna Avenue, Los Lunas, NM 87031 Mail: P.O. Box 969, Los Lunas, NM 87031	505-866-2073