

INVENTORY OF ARIZONA LANDS AS OF JUNE 30, 1958

Compiled by: Arizona Department of Mineral Resources, February, 1959

Source: G.S.A. Inventory Report, Report of Director of U.S. Bureau of Land Management, and 46th Annual Report of State Land Commissioner.

LESS THAN 15% OF ARIZONA LAND AREA IS POTENTIALLY TAXABLE PROPERTY

The General Services Administration has made a complete inventory of Federal real property holdings, and has rendered a report, February 16, 1959. From this report as well as from the 46th Annual Report of the Arizona State Land Commissioner, and the 1957 Report of the Director of the U. S. Bureau of Land Management, the Arizona Department of Mineral Resources has compiled some tables summarizing Arizona's land distribution as of June 30, 1958.

Of the 72,688,000 acres in Arizona, it was found that on June 30, 1958, the Federal Government owned and controlled 51.97 million acres (including 19.41 million acres of Indian Reservations, or "trust lands"). The federally owned lands amounted to 44.80% of the total land area of the State, while the trust lands amounted to 26.70% of the State's total land area. The State itself owned slightly less than ten million acres, or 13.72% of the total land area. This leaves only 10,741,096 acres, or 14.78%, in the form of potentially taxable property in the State.

Table II shows the distribution of federally owned land by predominant usage. The largest acreage consisted of grazing lands, 13.2 million acres; forest and wildlife, 12.9 million acres; military and airfields 3.5 million acres; reclamation, irrigation, flood control and power development 1.4 million acres; and parks and historic sites, 1.5 million acres.

As of June 30, 1957, Arizona had the largest percentage (32.57%) of unsurveyed lands in the United States, a total of 23.68 million unsurveyed acres. (Table III)

STATE LANDS

The total amount of lands granted to the State is estimated at 10,789,662 (See Table IV). Of this total the State has sold and patented to individuals 816,184 acres, including 9,516 acres of farm loan lands. This leaves 9,973,528 acres owned by the State, as of June 30, 1958. Of the total land granted to the State, 8,311,930 acres are school lands, otherwise known as "Grant N and S Lands"

University, College and other Institutional Grants amounted to 2,446,080 acres. Special grants, which are Papago, Douglas, McNeal, Stoval, Ryan, Valle, Luke and Marana airports, amount to 8,633 acres. A total of 23,019 acres were acquired by the State through a Farm Loan program enacted by the State Legislature, March 14, 1944.

Table V shows the distribution of Arizona State owned land, the largest items being grazing land, land and oil leases, agricultural land, mineral leases, etc. Included are 671,970 acres of State lands in National Forests and administered by the Forest Service.

ARIZONA MINERAL LANDS

Federal lands open to mineral location are subject to innumerable restrictions brought about by many Acts of Congress, and consequent changes in regulations by the many Agencies controlling Federal Lands.

For a good summary of these various acts and regulations, see this Department's booklet "Laws and Regulations Governing Mineral Rights in Arizona." The author recommends that the official U. S. Land Office records at Phoenix be consulted for reservations or land entries. If the land to be located is public domain it should be examined for possible adverse ownership prior to making a location.

If the desired area is found to be State land, then inquiry must be made of the State Land Commissioner as to procedure. Such land is no longer 'unappropriated, public land'. It belongs to the State, and the general mining laws do not apply thereto. This is true also of the railroad grant lands.

Lands within certain types of Government withdrawals, or reservations, are not subject to location under any of the mining laws.

A mining location, to be valid, must be upon 'vacant, unoccupied, unreserved' public lands. In Arizona, there are large areas of 'public land' (i.e., it belongs to the United States) that are nevertheless not open to mining location. This is because of various withdrawals made for governmental uses and purposes. Such withdrawals are: National Parks and Monuments; Spanish Land Grants; Military Reservations, Reclamation withdrawals; Power Site; Recreational Areas; Administrative Sites; Spring and Water Holes. Lands subject to restricted locations are Indian Reservations, State Lands, Railroad lands etc.

There is no map showing the areas open to restricted or unrestricted mineral location. Personal inquiry at the U. S. Land Office or the Arizona State Land Office in Phoenix would have to be made to determine if any particular area is open. Even then accurate information would be difficult to obtain, owing to the fact that hundreds of mining locations are recorded only at the Recorder's Office of the County where the claim is located. No record is made at the U. S. Bureau of Land Management until the claim is patented. A visit to the Recorder's Office should therefore follow that to the Land Office. As even this might not suffice, this Department advises a personal examination of the land to determine whether or not it is embraced within a valid claim.

Public Domain of the United States

Deposits of coal, oil, gas, oil shale, sodium, phosphate, and potash cannot be located under the general mining laws but may be acquired under the

leasing laws from the United States. All other minerals, except the common varieties of sand, stone, gravel, pumice, pumicite, cinders, clay, and similar surface resources, may be located under the mining laws. The acquisition of the common varieties of sand, stone, etc., is by lease under the terms of the Material Disposal Act.

Lands of the State of Arizona

Valuable mineral deposits on State lands may be located as "mineral claims." The term "mineral" includes mineral compound and mineral aggregate. Oil and gas are covered by special legislation. However, a lease must be obtained before minerals, oil and gas may be extracted.

TABLE I
DISTRIBUTION OF ARIZONA LANDS
AS OF JUNE 30, 1958

Source: 46th Annual Report of State Land Commissioner
Director of Bureau of Land Management

	<u>Acres</u>	<u>% of Total</u>
Federally Owned Lands	32,561,685	44.80
Federal Trust Lands (Indian).	19,411,691 *	26.70
State Owned Lands	9,973,528	13.72
Privately Owned Lands	10,741,096	14.78
	<u>72,688,000</u>	<u>100.00</u>

* Includes 102 acres of H. E. W. trust properties.

TABLE II
DISTRIBUTION OF FEDERALLY OWNED LANDS IN ARIZONA
As of June 30, 1958 - By Predominant Usage - Source: G.S.A.

<u>Arizona</u>	<u>No of Acres</u>
Agricultural	70.9
Grazing	13,194,492.0
Forest & Wildlife	12,908,078.0
Parks & Historic Sites	1,481,302.2
Office Building Locations	92.5
Military (except airfields)	3,527,931.0
Airfields	15,126.0
Power Development and Distribution	712,728.9
Reclamation and Irrigation	633,646.6
Flood Control and Navigation	47,098.1
Vacant5
Institutional	8,669.3
Housing	8.6
Storage	28,423.0
Industrial	2,513.0
Other Land	1,504.3
Total Land	<u>32,561,684.9</u>

TABLE III

AREA OF SURVEYED AND UNSURVEYED LANDS IN ARIZONA

Source: 1957 Report of Director of U. S. Bureau of Land Management
As of June 30, 1957

<u>Surveyed</u>	<u>Unsurveyed</u>	<u>%</u> <u>Unsurveyed</u>
49,011,271	23,676,729	32.57%

TABLE IV

DISTRIBUTION OF ARIZONA LAND GRANTS

As of June 30, 1958

Source: 46th Annual Report of State Land Commissioner

	<u>Acres</u>
School Grants <u>1/</u>	8,311,930
Univ., College and Other Institutional Grants <u>2/</u> . .	2,446,080
Special Grants: <u>3/</u> Papago Park 1176;* Douglas 320; McNeal 640; Stoval 640; Ryan 906; Valle Airport 640; Luke Auxiliary 2,512; Marana Auxiliary 1,799 . . .	8,633
Farm Loan Lands <u>4/</u>	23,019
TOTAL LAND GRANTS	10,789,662
Less Land Sold By State-(Patented) 806,618	
Less Farm Loan Lands sold 9,516	816,134
TOTAL LAND OWNED BY STATE, as of June 30, 1958	9,973,528

1/ Grant for the Support of Common Schools. The enabling Act of June 20, 1910, granted to the State of Arizona specific lands for the support of the Common Schools, namely; Sections 2, 16, 32 and 36 in every Township, upon being surveyed; and where the lands were not otherwise entered upon, sold, reserved, or otherwise appropriated at the date of this Act and, also, excepting all or any part thereof as classified mineral in character. The restraint from taking title to lands mineral in character, remained in force until the Act of January 25, 1927. Where the lands granted to the State were preempted, sold, or otherwise disposed of, the State was given the right to other lands by a lieu selection of open public domain lands; and where a Township was short in the proportion of school land acres to the surveyed area of the Township, the State was granted the right to claim deficiency acreage in such cases.

2/ University, Colleges and Other Institutional Grants. By an Act of February 18, 1881, the Territory of Arizona was granted 72 Sections of the unappropriated public lands within said Territory, to be immediately selected and withdrawn from sale, and located under the direction of the Secretary of the Interior, and with the approval of the President of the United States, for the use and support of a University in said Territory, when it shall be admitted as a State into the Union. In addition to the Grants mentioned above, the Enabling Act also made a specific acreage grant for the support of various Institutions of the State.

- 3/ Special Grants. From the time of Statehood, the State has acquired parcels of land by grant and Quit-Claim Deeds. Other than the grant of Papago Park for recreational purposes, the lands turned over to the State were airports that had been declared surplus by the War Assets Administration.
- * Administration intrusted to Arizona State Parks Board March 18, 1958 by authority of State Legislative Act, Chapter 89, Laws of 1958 (Sec. 41.511.15 through 41.511.18 ARS)
- 4/ Farm Loan Lands. Resulting from a Farm Loan Program enacted by the State Legislature, March 14, 1944, the State acquired 23,019.33 acres.

TABLE V

DISTRIBUTION OF ARIZONA STATE-OWNED LAND
As of June 30, 1958

Source: 46th Annual Report of State Land Commissioner

	<u>No. of Acres</u>	<u>Sub-Total</u>
State Lands Under Certificate of Purchase		67,530
State Lands Under Lease:		
Grazing *	8,511,094	
Agriculture	238,138	
Homesite	625	
Commercial *	58,529	
Miscellaneous	665	
To U. S. Government	152,247	8,961,298
State Lands Not Leased		72,276
Lands Not Subject to Lease By the State:		
Institutional Lands to be Selected	2,161	
Unsurveyed Lands and Federal Withdrawals		
(School Sections)	45,218	
Special Grants Not Subject to Lease (No Rental)	1,176	
State Lands in National Forest (Administered		
By Forest Service)	671,970	
Land in Process of Exchange (No Rental)	151,899	872,424
TOTAL LAND OWNED BY STATE		9,973,528
* Oil and Gas Leases (Duplication of Grazing		
and Other Leases)	1,755,890	
* Mineral (Duplication of Grazing		
and Other Leases)	54,766	
Right of Way Leases Producing Revenue	40,362	