

## INVENTORY OF ARIZONA LANDS AS OF JUNE 30, 1960

Compiled by: Arizona Department of Mineral Resources, March, 1961.  
Source: G.S.A. Inventory Report, 48th Annual Report of State Land Commissioner

### LESS THAN ONE-EIGHTH 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 23, 1961. From this report, as well as from the 48th Annual Report of the Arizona State Land Commissioner, the Arizona Department of Mineral Resources has compiled some tables summarizing Arizona's land distribution as of June 30, 1960.

Of the 72,688,000 acres in Arizona, it was found that on June 30, 1960, the Federal Government owned and controlled 53,991,700 acres (including 21,491,520 acres of Indian Reservations, or "trust lands"). The federally owned lands amounted to 44.71% of the land area of the State, while the trust lands amounted to 29.57%, - total 74.28%. The State itself owned 9,949,547 acres, or 13.69% of the total land area. This leaves only 8,746,753 acres, or 12.03%, in the form of potentially taxable property in the State. (Table I). The General Services Administration's report of February 23, 1961 indicated an increase of 1,847,906.9 acres in "trust lands", which according to the G.S.A., was due primarily to the inclusion for the first time in the June 30, 1960 inventory of an additional 1,840,909.8 acres in the Hopi Indian Reservation. This acreage was inadvertently omitted from previous inventories by the Bureau of Indian Affairs, Department of the Interior. This inclusion has resulted in a radical reduction in the number of privately owned or taxable acres in Arizona. This figure had been obtained by subtracting the sum of federally owned land plus "trust lands" plus State-owned land, from the total State area of 72,688,000 acres.

Table II shows the distribution of federally owned land by predominant usage. The largest acreage consisted of grazing lands, 13.1 million acres; forest and wildlife, 12.9 million acres; military and air-fields 3.6 million acres; reclamation, irrigation, flood control and power development, 0.9 million acres; and parks and historic sites 1.4 million acres.

As of June 30, 1959, Arizona had the largest percentage (32.44%) of unsurveyed lands in the United States, a total of 23.6 million unsurveyed acres. (Table III)

### STATE LANDS

The total amount of lands granted to the State is estimated at 10,788,486 acres (See Table IV). Of this total the State has sold and patented to individuals 838,939 acres, including 10,582 acres of farm loan lands. This leaves 9,949,547 acres owned by the State, as of June 30, 1960. 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. A total of 23,019 acres were acquired by the State through a Farm Loan program enacted by the State Legislature, March 14, 1944. Special grants for use as air-fields and described under Table IV, amount to 7,457 acres.

Table V shows the distribution of Arizona State owned land, the largest items being grazing lands, 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.

Table VI shows the record of State Land Department acreage under lease, and receipts therefrom, as of June 30, 1960. The total receipts from acreage under lease amounted to \$1,820,235.

Table VII shows the grand total receipts from all sources by the State Land Department, and remitted to the State Treasurer for the fiscal year July 1, 1959 to June 30, 1960. The total of \$3,863,501, included \$841,346 Federal Government Receipts remitted direct to the State Treasurer.

#### ARIZONA MINERAL LANDS

At first glance, vast areas in Arizona appear to comprise vacant, unappropriated and unreserved public lands (or public domain) and would seem to be open to unrestricted prospecting and the location of mining claims; but the actual status of such lands may be quite complex. It is suggested that the best maps be obtained to determine the legal description of the land and that the Bureau of Land Management records be checked for withdrawals or restrictions to mining before making any extensive mineral exploration plans. The records of the county recorder's office should also be checked.

Federal lands that are vacant, unappropriated and unreserved are open to mineral location, while other federal lands are open to mining with restrictions brought about by many Acts of Congress and regulations by the controlling agencies. 1/ Large areas of government lands are withdrawn from mining. A few such withdrawals are: National Parks and Monuments, Military Reservations (or lands withdrawn for military purposes) Reclamation withdrawals, Recreational areas, Wildlife Refuges, Administrative sites, etc. Lands in Indian reservations are not subject to the United States mining laws; however mining can be done if approval is granted by the Tribal Council. Railroad lands and privately owned lands in most cases have their own mineral rights and mining can be done only with the owner's permission.

It is quite possible that the land does belong to the United States government and that a grazing lease has issued for the surface rights; but the mineral rights may belong to the State of Arizona, or in some cases to private parties. The same is true where the State of Arizona owns the surface; the minerals may belong to the United States Government. If the land is property of the State of Arizona, inquiry should be made to the State Land Commissioner, State Office Building, Phoenix for the regulations pertaining to mining leases on state land.

All minerals in lands patented under the Stock-Raising Homestead Act of December 29, 1916 contain a reservation of the minerals to the Government with the right to "prospect for, mine and remove the same". Surface use on these lands is limited to the land necessary for mining purposes and the owner of the surface may require a bond to cover possible damages to crops or permanent improvements. It

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1/ A good summary of these various acts and regulations can be found in this Department's booklet "Laws and Regulations Governing Mineral Rights in Arizona."

does not necessarily follow that all homestead lands patented after December 1916 contain such mineral reservations. Many enlarged, agricultural or reclamation homesteads, as well as desert land entries, were patented after 1916 and such patents contained no minerals reservation.

Because land records change continually the Bureau of Land Management, now at 1305 N. Central, Phoenix publishes no notes or maps showing lands open for prospecting or closed to prospecting. The records are open for public inspection and a well-qualified staff is available for assistance. Township plats are available that will show the act under which the land was patented and if the patent contained a mineral reservation, notation of such reservation is shown on the plat.

A personal examination of the land is suggested, as well as a check of the Recorder's Office records in the county in which the claims are located. No public record is made of an unpatented mining claim except on the claim itself and in the county recorder's office until such time as patent is applied for. Such application for patent is made through the Bureau of Land Management.

#### MINERAL LEASING

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, 1960

Source: 48th Annual Report of State Land Commissioner  
G.S.A. Inventory Report of Real Property Owned  
By The United States, As of June 30, 1960

	<u>Acres</u>	<u>% of Total</u>
Federally Owned Lands .....	32,500,180	44.71
Federal Trust Lands (Indian) .....	21,491,520	29.57
State Owned Lands .....	9,949,547	13.69
Privately Owned Lands .....	8,746,753	12.03
	<u>72,688,000</u>	<u>100.00</u>

TABLE II

DISTRIBUTION OF FEDERALLY OWNED LANDS IN ARIZONA

By Predominant Usage

As of June 30, 1960

Source: General Service Administration

	<u>Acres</u>
Agricultural .....	70.9
Grazing .....	13,060,803.0
Forest & Wildlife .....	12,908,538.2
Parks and Historic Sites .....	1,404,132.0
Office Building Locations .....	60.0
Military (except airfields) .....	3,564,566.0
Airfields .....	16,882.0
Power Development & Distribution .....	597,590.8
Reclamation and Irrigation .....	874,947.0
Flood Control and Navigation .....	38,141.4
Vacant .....	10.0
Institutional .....	2,004.3
Housing .....	46.8
Storage .....	28,343.0
Industrial .....	2,578.0
Other Land .....	1,467.0
Total Land .....	<u>32,500,180.4</u>

TABLE III

AREA OF SURVEYED AND UNSURVEYED LANDS IN ARIZONA

Source: Director of Bureau of Land Management

As of June 30, 1959

<u>Surveyed</u>	<u>Unsurveyed</u>	<u>%</u> <u>Unsurveyed</u>
49,105,432	23,582,568	32.44

TABLE IV

DISTRIBUTION OF ARIZONA LAND GRANTS

As of June 30, 1960

Source: 48th 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
Farm Loan Lands <u>3/</u> .....	23,019
Special Grants: <u>4/</u> (Douglas 320.00; McNeal 640.00; (Stoval 640.00; * Ryan 905.72; (Valle Airport 64000; * Luke Auxiliary 2,511.65; (Marana Auxiliary 1,799.30 .....	7,457
<b>TOTAL LAND GRANTS</b> .....	<b>10,788,486</b>
Less Land Sold By State (Patented) ..... 828,357	
Less Farm Loan Lands Sold ..... 10,582 .....	838,939
<b>TOTAL LAND OWNED BY STATE</b> .....	<b>9,949,547</b>

- 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/ Farm Loan Lands. Resulting from a Farm Loan Program enacted by the State Legislature, March 14, 1944, the State acquired 23,019 acres.
- 4/ 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
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- \* Ryan Field, Transferred to City of Tucson - 905.72 acres - Dec. 16, 1959.  
 \* Luke Auxiliary #5, Transferred to Town of Buckeye - 640.00 acres - Mar.11,1960.



TABLE V

DISTRIBUTION OF ARIZONA STATE-OWNED LAND  
AS OF JUNE 30, 1960

Source: 48th Annual Report of State Land Commissioner

	<u>No. of Acres</u>	<u>Sub-Total</u>
State Lands Under Certificate of Purchase .....	77,772	77,772
State Lands Under Lease:		
Grazing * .....	8,652,723	
Agriculture .....	215,761	
Homesite .....	535	
Commercial * .....	74,851	
Miscellaneous .....	219	
To U. S. Government .....	162,074	9,106,163
State Lands Not Leased .....	<u>30,798</u>	<u>30,798</u>
Lands Not Subject to Lease By State:		
Institutional Lands to be Selected .....	2,162	
State Land in National Forest (administered by Forest Service) .....	671,970	
Land in Process of Exchange (No Rental) .....	<u>60,682</u>	<u>734,814</u>
TOTAL LAND OWNED BY STATE .....		<u>9,949,547</u>

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* Oil and Gas Leases (Duplication of Grazing and Other Leases) .....	1,671,794
* Mineral (Duplication of Grazing and Other Leases) .....	50,376
* Right of Way Leases Producing Revenue .....	48,231

TABLE VI

RECORD OF STATE LAND DEPARTMENT ACREAGE UNDER LEASE AND RECEIPTS THEREFROM

AS OF JUNE 30, 1960

Source: 48th Annual Report of State Land Commissioner - pages 32 & 33

	<u>Acres</u>	<u>Receipts</u>
Agriculture .....	215,761.11	\$ 662,093.57
Commercial .....	74,851.39	83,398.81
Grazing .....	8,652,723.48	553,877.75
Homesite .....	534.50	2,724.85
Natural Products .....	178.00	91.00
Mineral .....	50,375.61	38,512.99
Oil and Gas .....	1,671,793.52	434,170.15
Rights of Way .....	48,231.15	37,050.26
Special Use Permits .....	41.01	5,595.12
U. S. Contracts .....	162,073.54	2,720.45
 TOTALS .....	 10,876,563.31	 \$ 1,820,234.95
 Penalty and Interest .....	 	 19,906.62
 GRAND TOTAL RECEIPTS FROM ACREAGE UNDER LEASE .....	 	 \$ 1,840,141.57
 Receipts per Acre .....	 	 \$ 0.1692
Mineral Receipts per Acre * .....		\$ 0.7645

\* Lease rental on mineral claims is 75 cents per acre, per year.

Compiled by -

Arizona Department of Mineral Resources

April, 1961

TABLE VII

GRAND TOTAL RECEIPTS, ALL SOURCES, REMITTED TO STATE TREASURER

JULY 1, 1959 to JUNE 30, 1960

Source: 48th Annual Report of State Land Commissioner - pages 34 & 35

	<u>Net Receipts Remitted to Treasurer</u>
<u>SCHOOLS &amp; INSTITUTIONS:</u>	
Timber Sales .....	\$ 52,878.27
Royalties .....	50,504.17
Sales - Principal .....	506,587.95
Sales - Interest .....	489,099.19
Declaration of Taken .....	2,567.88
Lease Rental .....	1,806,172.23
Penalty and Interest .....	19,848.59
Total, Schools & Institutions .....	<u>\$ 2,927,658.28</u>
<u>GENERAL FUND:</u>	
Sales - Principal .....	\$ 1,498.93
Sales - Interest .....	306.17
Lease Rental .....	14,062.72
Penalty & Interest .....	58.03
Total, General Fund .....	<u>\$ 41,516.86</u>
OTHER RECEIPTS .....	<u>\$ 52,980.13</u>
TOTAL LAND DEPARTMENT RECEIPTS REMITTED TO TREASURER .....	<u>\$ 3,022,155.27</u>
<u>FEDERAL GOVERNMENT RECEIPTS:</u>	
National Forest, School and Road Fund Act of May 23, 1908. ....	\$ 457,306.11
National Forest Receipts, Act of June 30, 1910 .....	113,240.67
Taylor Grazing Act .....	31,578.08
Mineral Leasing Act of Feb. 25, 1920 .....	205,775.99
Sales of Public Lands & Materials, Act of June 26, 1934 ..	33,445.30
TOTAL FEDERAL RECEIPTS REMITTED DIRECT TO STATE TREASURER ....	<u>\$ 841,346.15</u>
GRAND TOTAL RECEIPTS, ALL SOURCES .....	<u><u>\$ 3,863,501.42</u></u>

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