

I N V E N T O R Y O F A R I Z O N A L A N D S

As of June 30, 1961

COMPILED BY

ARIZONA DEPARTMENT OF MINERAL RESOURCES

Frank P. Knight, Director - Frank J. Tuck, Statistical Consultant

FROM

GENERAL SERVICES ADMINISTRATION Report of February 21, 1962.

STATE LAND COMMISSIONER'S 49th Annual Report.

Fairgrounds, Phoenix, August, 1962

INVENTORY OF ARIZONA LANDS AS OF JUNE 30, 1961

Compiled by: Arizona Department of Mineral Resources, August, 1962
Source: G.S.A. Inventory Report, 49th Annual Report of
State Land Commissioner.

LESS THAN 12 PERCENT 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 21, 1962. This report has since been amended to correct the Federal holdings for military usage in Arizona, which, in turn, has corrected the total Federal holdings in Arizona, and these amendments have been incorporated in this report. From the G.S.A. report, as amended, as well as from the 49th 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, 1961.

Of the 72,688,000 acres of land area in Arizona, it was found that the Federal Government owned and controlled 53,933,548 acres (including 21,491,516 acres of Indian Reservations or "trust lands". The federally owned lands amounted to 44.63% of the land area of the State, while the trust lands amounted to 29.57%, - total 74.20%. There were 9,943,557 acres under the control of the State Land Department, amounting to 13.68% of Arizona's land area. The remaining 8,810,895 acres, or 12.12%, consists of privately owned lands and other lands belonging to State and City Agencies other than the State Land Department.

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

As of June 30, 1961, Arizona had the largest percentage (32.1%) outside of Alaska, of unsurveyed lands in the United States, a total of 23.3 million unsurveyed lands in the United States, a total of 23.3 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, patented and deeded 844,929 acres, including 10,581 acres of farm loan lands. This leaves 9,943,557 acres owned by the State Land Department, as of June 30, 1961. 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 amount 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 airfields 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, for the year ending June 30, 1961. The total receipts from acreage under lease amounted to \$1,625,352.

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 ending June 30, 1961. The total of \$4,385,417 included \$996,783 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 2/ to cover possible damages to crops or permanent improvements. It 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.

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".
2/ Forms for this bond can be obtained at the Bureau of Land Management.

Because land records change continually the Bureau of Land Management, now on the 3rd floor, Federal Building, 231 N. 1st Avenue, 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, 1961

Source: 49th Annual Report of State Land Commissioner.
G.S.A. Inventory Report of Real Property Owned by
The United States, As of June 30, 1961

	<u>Acres</u>	<u>% of Total</u>
Federally Owned Lands	32,442,032	44.63
Federal Trust Lands (Indian)	21,491,516	29.57
State Owned Lands (State Land Dept.)	9,943,557	13.68
Other Lands *	8,810,895	12.12
Total Land Area	<u>72,688,000</u>	<u>100.00</u>

* Patented and owned by individuals and corporations, or deeded to State and Local Gov't. Agencies (other than State Land Dept.).

TABLE II

DISTRIBUTION OF FEDERALLY OWNED LANDS IN ARIZONA

Source: General Services Administration

As of June 30, 1961

	<u>Acres</u>
Agricultural	45.9
Grazing	13,060,763.0
Forest & Wildlife	12,923,555.2
Parks & Historic Sites	1,404,132.0
Office Building Locations	60.3
Military (except airfields)	3,565,216.0
Airfields	14,994.0
Power Development & Distribution	536,271.7
Reclamation and Irrigation	864,518.0
Flood Control & Navigation	38,141.3
Vacant	10.0
Institutional	2,004.3
Housing	46.8
Storage	28,384.3
Industrial	2,398.0
* Research and Development	26.4
Other Land	1,464.3
 TOTAL LAND	 <u>32,442,031.5</u>

* New category established in 1961

TABLE III

AREA OF SURVEYED AND UNSURVEYED LANDS IN ARIZONA

Source: Statistical Appendix to Annual Report of
Director, Bureau of Land Management, 1961

<u>Surveyed</u>	<u>Unsurveyed</u>	<u>%</u> <u>Unsurveyed</u>
49,346,414	23,341,586	32.1

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TABLE IV

DISTRIBUTION OF ARIZONA LAND GRANTS

As of June 30, 1961

Source: 49th 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: Airfields <u>4/</u>	7,457
 TOTAL LAND GRANTS	 10,788,486
Less Land Sold By State (Patented) 831,202	
Less Farm Loan Lands Sold 10,581	
Less Special Grants - Deeded (By State) 3,146	844,929
 TOTAL LAND OWNED BY STATE LAND DEPT.....	 9,943,557

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.

TABLE V
DISTRIBUTION OF ARIZONA STATE-OWNED LAND
AS OF JUNE 30, 1961

Source: 49th Annual Report of State Land Commissioner

	<u>No. of Acres</u>	<u>Sub-Total</u>
State Lands Under Certificate of Purchase	81,403	81,403
State Lands Under Lease:		
Grazing *	8,680,404	
Agriculture	215,919	
Homesite	402	
Commercial *	73,670	
Miscellaneous	34	
To U. S. Government	86,291	9,056,720
State Lands Not Leased	92,497	92,497
Lands Not Subject to Lease By the State:		
Institutional Lands to be Selected	2,237	
State Land in National Forest (Administered by Forest Service)....	671,970	
Land in Process of Selection (No Rental)	38,730	712,937
TOTAL LAND OWNED BY STATE LAND DEPT.		<u>9,943,557</u>

* Oil and Gas Leases (Duplication of Grazing and Other Leases).....	1,645,110
* Mineral Leases (Duplication of Grazing and Other Leases).....	50,038
* Right of Way Leases Producing Revenue.	49,842

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TABLE VI

RECORD OF STATE LAND DEPARTMENT ACREAGE UNDER LEASE AND RECEIPTS THEREFROM

AS OF JUNE 30, 1961

Source: 49th Annual Report of State Land Commissioner - pages 34 & 35

	<u>Acres</u>	<u>Receipts</u>
Agriculture	215,918.74	\$ 516,760.05
Commercial	73,669.74	106,110.35
Grazing	8,680,403.80	523,375.49
Homesites	402.44	2,955.72
Mineral	50,037.77	40,011.78
Oil and Gas	1,645,109.94	406,729.38
Rights of Way	49,842.22	17,310.08
Special Use Permits	33.70	5,830.00
U. S. Contracts	86,291.40	5,309.51
TOTALS	10,801,709.75	\$ 1,625,352.37
Penalty & Interest		11,985.21
GRAND TOTAL RECEIPTS FROM ACREAGE UNDER LEASE		\$ 1,637,337.58
Receipts per Acre		\$ 0.1516
Mineral Receipts Per Acre *.....		\$ 0.8000
Oil and Gas Receipts per Acre *		\$ 0.2472

* Lease rental on mineral claims is 75 cents per acre, per year and on Oil and Gas land is 25 cents per acre.

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TABLE VII

GRAND TOTAL RECEIPTS, ALL SOURCES, REMITTED TO STATE TREASURER

JULY 1, 1960 to JULY 1, 1961

Source: 49th Annual Report of State Land Commissioner - pages 36-37

	Net Receipts Remitted to Treasurer
<u>SCHOOLS & INSTITUTIONS:</u>	
Timber Sales	\$ 13,315.36
Royalties	59,750.49
Sales - Principal	995,804.40
Sales - Interest	543,371.63
Lease Rental	1,615,882.75
Penalty and Interest	11,884.99
Total- Schools & Institutions	\$ 3,240,009.62
<u>GENERAL FUND:</u>	
Sales - Principal	\$ 2,048.77
Sales - Interest	226.62
Lease Rental	9,469.62
Penalty and Interest	100.22
Gen. Fund and Other Receipts	30,421.45
Total, General Fund	\$ 42,266.68
OTHER RECEIPTS	\$ 106,357.34
TOTAL LAND DEPARTMENT RECEIPTS REMITTED TO TREASURER	\$ 3,388,633.64
<u>FEDERAL GOVERNMENT RECEIPTS:</u>	
National Forest, School and Road Fund Act of 5/23/08 ...	\$ 561,433.86
National Forest Receipts - Act of 6/30/10	138,922.29
Taylor Grazing Act.....	41,731.99
Mineral Leasing Act of 2/25/20	139,841.50
Sales of Public Lands & Materials, Act of 6/26/34	54,853.72
TOTAL FEDERAL RECEIPTS REMITTED TO STATE TREASURER	\$ 996,783.36
GRAND TOTAL RECEIPTS, ALL SOURCES	\$ 4,385,417.00

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