

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, 1963

COMPILED BY

ARIZONA DEPARTMENT OF MINERAL RESOURCES

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

FROM

GENERAL SERVICES ADMINISTRATION Report of February 17, 1964

STATE LAND COMMISSIONER'S 51st Annual Report

Fairgrounds, Phoenix, April, 1964

## INVENTORY OF ARIZONA LANDS AS OF JUNE 30, 1963

Compiled by: Arizona Department of Mineral Resources, April, 1964  
Sources: G.S.A. Inventory Report, 51st Annual Report of  
State Land Commissioner.

### LESS THAN 15 PER CENT 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 17, 1964. From the G.S.A. report, as well as from the 51st 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, 1963.

Of the 72,688,000 acres of land area in Arizona, it was found that the Federal Government owned and controlled 52,089,683 acres (including 19,650,423 acres of Indian Reservation or "trust lands." The federally owned lands amounted to 44.63% of the land area of the State, while the trust lands amounted to 27.03%, - total 71.66%. There were 9,275,635 acres under the control of the State Land Department, amounting to 12.76% of Arizona's land area. The remaining 11,322,682 acres, or 15.58%, 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, 12.98 million acres; forest and wildlife 12.93 million acres; military and airfields 3.56 million acres; reclamation, irrigation, flood control and power development 1.5 million acres; and parks and historic sites 1.4 million acres.

As of June 30, 1962, Arizona had the largest percentage (31.9%) outside of Alaska, of unsurveyed lands in any of the United States, a total of 23.18 million unsurveyed acres. (Table III)

### STATE LANDS

The total amount of lands granted to the State is estimated at 10,815,542 acres (See Table IV). Of this total the State has sold, patented and deeded 845,510 acres. Deducting 651,667 acres of Indemnity Base Land in Forest and 42,730 acres for Adjustment due to Exchange and Survey, leaves 9,275,635 acres owned by the State Land Department, as of June 30, 1963. Of the total land granted to the State, 8,332,438 acres are school lands, otherwise known as Grant N and S Lands.

University, College and other Institutional Grants amount to 2,453,434 acres. A total of 22,226 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 7,444 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 651,667 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, 1963. The total receipts from acreage under lease amounted to \$1,606,485.

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, 1963. The total of \$5,452,785 included \$671,373 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 mineral reservation.

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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."

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 third 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, 1963

Source: 51st Annual Report of State Land Commissioner  
G.S.A. Inventory Report of Real Property Owned by  
The United States, As of June 30, 1963

	<u>Acres</u>	<u>% of Total</u>
Federally Owned Lands	32,439,260	44.63
Federal Trust Lands (Indian)	19,650,423	27.03
State Owned Lands (State Land Dept.)	9,275,635	12.76
Other Lands *	11,322,682	15.58
Total Land Area	72,688,000	100.00

\* 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: 51st Annual Report of State Land Commissioner  
G.S.A. Inventory Report of Real Property Owned by The  
United States, as of June 30, 1963.

	<u>Acres</u>
Agricultural . . . . .	75.9
Grazing . . . . .	12,984,349.0
Forest & Wildlife . . . . .	12,930,693.0
Parks and Historic Sites . . . . .	1,406,032.1
Office Building Locations . . . . .	32.2
Military (except airfields) . . . . .	3,562,925.0
Airfields . . . . .	14,844.0
Power Development & Distribution . . . . .	536,288.3
Reclamation and Irrigation . . . . .	931,157.9
Flood Control and Navigation . . . . .	38,212.1
Vacant . . . . .	404.3
Institutional . . . . .	2,066.5
Housing . . . . .	52.9
Storage . . . . .	28,386.8
Industrial . . . . .	2,388.0
Research and Development . . . . .	28.1
Other Land . . . . .	<u>1,323.5</u>
Total Land	32,439,259.6

TABLE III

AREA OF SURVEYED AND UNSURVEYED LANDS IN ARIZONA

Source: U. S. Dept. of Interior  
Public Land Statistics - 1962

<u>SURVEYED</u>	<u>UNSURVEYED</u>	<u>%</u> <u>UNSURVEYED</u>
49,511,814	23,176,186	31.88

TABLE IV  
DISTRIBUTION OF ARIZONA LAND GRANTS

As of June 30, 1963

Source: 51st Annual Report of State Land Commissioner

		<u>Acres</u>
School Grants <u>1/</u>		8,332,438
Univ., College and Other Institutional Grants <u>2/</u>		2,453,434
Farm Loan Lands <u>3/</u>		22,226
Special Grants: Airfields <u>4/</u>		7,444
TOTAL LAND GRANTS		<u>10,815,542</u>
Less Land Sold By State (Patented)	845,510	
Indemnity Base Land in Forest	651,667	
Adjustment Due to Exchange & Survey	<u>42,730</u>	
Less Sub-Total	1,539,907	<u>1,539,907</u>
Total Land Owned By State Land Department		9,275,635

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 22,226 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, 1963

Source: 51st Annual Report of State Land Commissioner

	<u>Number of Acres</u>	<u>Sub-Total</u>
State Lands Under Certificate of Purchase	87,775	87,775
State Lands Under Lease:		
Grazing *	8,692,615	
Agriculture	214,136	
Homesites	290	
Commercial *	68,326	
Rights of Way & Special Use Permits	61,680	
U. S. Contracts	<u>101,724</u>	9,138,771
State Lands Not Leased	49,089	<u>49,089</u>
Total Land Owned By State Land Dept.		<u>9,275,635</u>
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* Oil and Gas Leases (Duplication of Grazing & other Leases)		1,246,187
* Mineral Leases (Duplication of Grazing and other Leases)		47,740
* Right of Way Leases Producing Revenue		61,520

Arizona Department of Mineral Resources

April, 1964

TABLE VI

RECORD OF STATE LAND DEPARTMENT ACREAGE UNDER LEASE AND RECEIPTS THEREFROM  
AS OF JUNE 30, 1963

Source: 51st Annual Report of State Land Commissioner

	<u>Acres</u>	<u>Receipts</u>
Agriculture	214,136	\$ 825,930
Grazing	8,692,615	516,178
Commercial	68,326	117,141
Homesites	290	1,466
Mineral	47,740	44,882 *
Oil and Gas	1,246,187	323,600 *
Rights of Way	61,520	78,533
Special Use Permits	160	9,584
U. S. Contracts	<u>101,724</u>	<u>57,652</u>
TOTALS	<u>10,432,698</u>	<u>\$ 1,974,966</u>
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* <u>Receipts from Sub-Surface Leases</u>		
Receipts per Acre		\$ 0.154
Mineral Receipts per Acre *		\$ 0.940
Oil and Gas Receipts per Acre *		\$ 0.260

\* Lease rental on mineral Claims is 75 cent per acre, per year, and on Oil and Gas Land is 25 cents per acre.



TABLE VII

GRAND TOTAL RECEIPTS, ALL SOURCES, REMITTED TO STATE TREASURER

JULY 1, 1962 to JULY 1, 1963

Source: 51st Annual Report of State Land Commissioner

	Net Receipts Remitted to Treasurer
<u>SCHOOLS &amp; INSTITUTIONS:</u>	
U.S. Easement Condemnation . . . . .	\$ 25,700.00
Timber Sales . . . . .	105.50
Royalties . . . . .	270,341.03
Sales - Principal . . . . .	1,372,200.47
Sales - Interest . . . . .	914,889.33
Lease Rental . . . . .	2,014,549.21
Penalty and Interest . . . . .	<u>11,752.42</u>
Total - Schools & Institutions . . . . .	\$ 4,609,537.96
<u>GENERAL FUND:</u>	
Sales - Principal . . . . .	\$ 37,049.17
Sales - Interest . . . . .	153.51
Lease Rental . . . . .	10,207.61
Penalty and Interest . . . . .	29.78
Gen. Fund and Other Receipts . . . . .	<u>33,284.06</u>
Total, General Fund . . . . .	\$ 80,724.13
OTHER RECEIPTS . . . . .	\$ 89,729.66
<u>A C P Reimbursement</u> . . . . .	<u>1,419.58</u>
TOTAL LAND DEPARTMENT RECEIPTS REMITTED TO TREASURER . . . . .	\$ 4,781,411.33
<u>FEDERAL GOVERNMENT RECEIPTS:</u>	
National Forest, School and Road Fund Act of 5/23/08 . . . . .	\$ 329,539.79
National Forest Receipts - Act of 6/30/10 . . . . .	80,141.80
Taylor Grazing Act . . . . .	33,383.26
Mineral Leasing Act of 2/25/20 . . . . .	211,976.92
Sales of Public Lands & Materials, Act of 6/26/34 . . . . .	16,331.52
TOTAL FEDERAL RECEIPTS REMITTED TO STATE TREASURER . . . . .	\$ 671,373.29
GRAND TOTAL RECEIPTS, ALL SOURCES . . . . .	<u>\$ 5,452,784.62</u>

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April, 1964