



Oregon Department of State Lands  
 775 Summer St. NE, Suite 100  
 Salem, OR 97301-1279  
 Telephone – 503-986-5200  
 Fax – 503-378-4844

AGENCY # \_\_\_\_\_

## APPLICATION TO ACQUIRE MINERAL AND GEOTHERMAL RESOURCE RIGHTS\*

*Please print clearly.*

Applicant Name(s): \_\_\_\_\_ Phone: \_\_\_\_\_  
 Address: \_\_\_\_\_ Fax: \_\_\_\_\_  
 \_\_\_\_\_ E-mail: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

I (we) hereby make application to obtain the mineral and geothermal resource rights from the following described land:

	County	Section	Township	Range	Tax Lot	Acres
(Attach additional sheets if necessary)				Total Acres		

I acknowledge that submission of this application provides no right of priority (except as determined by the State Land Board) and that no disposal will be completed without Land Board approval.

I have included an assessor's tax map of the property I wish to purchase along with the applicable non-refundable application fee (see instructions \$150 or \$750).

***\*Note: Please read the Instructions for Submitting an Application to Acquire Mineral & Geothermal Resource Rights before completing and submitting this application.***

I am a Qualified Residential Property Owner \*

\_\_\_\_\_  
 Applicant's Signature

\_\_\_\_\_  
 Date

**Send completed application and fee to:**  
 Oregon Department of State Lands  
 Land Management Division  
 Unit 18 PO Box 4395  
 Portland, OR 97208-4395

# **Application to Acquire Mineral and Geothermal Resource Rights**

## **Instructions and Procedures**

*Attached to these instructions is the application to purchase, exchange or release/transfer mineral and geothermal resources rights from the Oregon Department of State Lands*

The Department of State Lands (DSL) has an active land sale program and invites applications to acquire mineral and geothermal resource rights (also known as “mineral rights” or “subsurface interests”). The Land Board’s 2006-2016 Asset Management Plan and rules (OAR 141-067) govern and direct DSL’s sale, exchange or release/transfer of these rights and interests. Generally, it is the policy of the Land Board to retain mineral and geothermal resource rights; disposal of these rights, in whole or part is allowed only when the mineral resource potential is extremely limited or there is compensation given for these rights.

***Please note: Submittal of an application does not guarantee a sale will be authorized.***

### **Instructions**

To insure prompt processing of your application:

- Fill out the application legibly and completely
- Sign and date the application
- Provide an accurate description of the property location
- Provide a copy of the tax assessor’s map of the property with the parcel identified
- Remit a check for the applicable non-refundable application fee (either \$750 or \$150 depending on the applicant....see instructions for details).

### **Determining the Application Fee** (Note: all application fees are non-refundable)

For most applicants the application fee is \$750.

For certain qualified residential property owners, the application fee is \$150. To qualify, the applicant must be the owner (i.e. the record holder of the fee title interest or contract purchaser of residential property sold by the Department of State Lands) of residential property that is located within an urban growth boundary or within an area zoned for residential use on a lot or parcel that is three acres or smaller.

**Send the completed application and check to:**

**Oregon Department of State Lands  
Land Management Division  
Unit 18 PO Box 4395  
Portland OR 97208-4395**

## Procedures

- All applications are given careful and thoughtful consideration by DSL. Upon receipt of a complete application, DSL will initiate a mineral and geothermal resource potential analysis. The decision to retain or dispose of the subsurface interests is based on the results of the analysis.
- For Qualified Residential Property Owners (Owner):
  - If no significant mineral or geothermal resource potential exists, DSL will recommend to the Land Board that the subsurface interest be released with no further cost to the Owner.
  - If significant mineral or geothermal resource potential exists, the Owner may offer to purchase the subsurface rights or withdraw the application. If the Owner chooses to purchase the rights, DSL will determine the value by appraisal.
  - The Land Board must approve the final release or sale.
- For other applicants:
  - If no significant mineral or geothermal resource potential exists, DSL will recommend to the Land Board that the subsurface interest be sold to the applicant.
  - If the application concerns an exchange of subsurface interests, DSL will assure that the subsurface interests are at least of roughly equivalent potential.
  - In the case where significant mineral or geothermal resource potential exists, DSL may recommend: denial of the application; retention of that interest that is deemed by the analysis to have significant potential (e.g., oil and gas); or compensation based on a value determined by an appraiser.
  - The Land Board must approve the final release, sale or exchange.

## What are Mineral and Geothermal Resource Rights?

Commonly referred to as “mineral rights” or “subsurface rights” these are the property rights associated with the use, exploration or development of the property’s minerals, as defined.

For the purposes of mineral and geothermal resource rights owned or managed by DSL, these subsurface rights are defined in ORS 273.775(1) and OAR 141-067-0150 (29 ) as, including soil, clay, stone, sand, and gravel, and all geothermal resources, as defined in ORS 273.775(2), together with the right to make use of the surface as may be reasonably necessary for prospecting for, exploring for, mining, extracting, reinjecting, storing, drilling for, and removing, such minerals, materials, and geothermal resources.

Geothermal Resources, as defined in ORS 522.005, means the natural heat of the earth, the energy, in whatever form, below the surface of the earth present in, resulting from, or created by, or that may be extracted from, the natural heat, and all minerals in solution or other products obtained from naturally heated fluids, brines, associated gases, and steam in whatever form, found below the surface of the earth, exclusive of helium or of oil, hydrocarbon gas or other hydrocarbon substances, but including, specifically:

- (a) All products of geothermal processes, including indigenous steam, hot water and hot brines;
- (b) Steam and other gases, hot water and hot brines resulting from water, gas, or other fluids artificially introduced into geothermal formations;
- (c) Heat or other associated energy found in geothermal formations; and
- (d) Any by-product derived from them.

## **Who manages subsurface rights on state land In Oregon?**

The State Land Board and its administrative agency, the Department of State Lands, manage mineral rights on nearly all state-owned land in Oregon. State law allows the following state agencies, in special cases, to manage and control their own mineral rights: Oregon Department of Fish and Wildlife, Oregon Department of Transportation, Oregon Department of Veteran's Affairs, Oregon State Board of Higher Education. DSL is able to help an applicant determine which state agency has control over mineral rights in various locations throughout the state.



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