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## OFFICE OF THE DISTRICT ATTORNEY

LINCOLN COUNTY, NEVADA

March 24, 2015

Leslie Boucher Lincoln County Recorder Pioche, NV 89043

Dear Leslie:

You requested an opinion regarding whether a locator filing a map for a lode mining claim must file an original or a copy.

NRS 517.040 states, "Within 90 days after the posting of the notice of location, the locator shall file both *copies of the map* with the county recorder in the county in which the claim is located..." This statute, on its face, permits the filing of copies rather than originals.

Furthermore, NRS 517.040 states, "The county recorder shall not refuse to accept a map submitted by a locator unless the county recorder can affirmatively show that the map submitted does not accurately reflect the location of all the claims." Thus, it seems that the only reason not to file a map would be for inaccuracy.

Here, a locator has submitted maps for a lode mining claim. The maps are clearly copies. The copies, however, appear to satisfy the requirements of NRS 517.040. There are no issues apparent regarding the accuracy of the map and the locations denoted therein.

Thus, it is my opinion that you should file the map.

Sincerely,

Daniel M. Hooge, Esq.

Lincoln County District Attorney

cc: Daniel Diamond (danieldiamond08@yahoo.com)