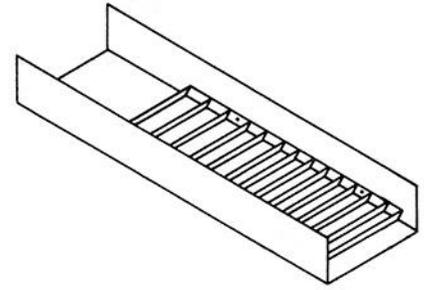




Prospectors Association

444 Winchester PMB 12-D,
Roseburg, OR 97470



THE SLUICE BOX

April 2015

DCPA meets on the 2nd Monday of each month at the Pine Grove Community Church, 1729 Buckhorn Road, Roseburg, OR 97470 at 7:00 pm. There is an optional potluck starting at 6:30 pm. The Board of Directors meeting is at 6:00 and open to all members.

Dues are \$12 per year for single or family. New members need to attend at least 4 functions (meeting, outing, gold show, picnic, etc.) to qualify to purchase claim cards at \$5 each. This allows you to cross claim a 25 foot radius area on a claim that's yours exclusively to mine for that year.

Sunshine:

If you know of anyone who is ill or has had a death in the family, etc let me know so I can send them a card. Walt: 541-459-3489 or wrevens@yahoo.com

From the March General Membership Meeting:

Membership:

We have about 49 members. I haven't had a chance to update the claim cards. I will hopefully have something ready for the next meeting.

Claims:

With an impending moratorium expected in 2016 for motorized equipment on "Open to the Public" areas we should be thinking about having more claims. We need volunteers to help with the research, "Leg Work", etc. needed to acquire new claims. There will be a Claims Committee meeting soon.

Raffle: Again, we had lots of goodies plus the 50/50. There is a Placer Gold Mining Supplies Sluice box that will be raffled off after we sell at least 75 tickets at a \$1 each.

Gold Show: Vendor applications are still coming in. The signs are going up. Radio and TV advertising has been taken care of as well as confirming the Food Vendor.

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No new business.

Cards were passed around for our Secretary Linda Coleman who is fighting to recover from an accident and former member Nikki Oden whose son passed away about 2.5 months ago.

Raffles held; meeting adjourned.

Outings: The Beach Mining outing at Whiskey Run was cancelled last month due to bad weather. It has been rescheduled for Saturday April 18th. We will meet everyone at the Dairy Queen in Winston at 8:00 am. You can bring your metal detectors if you want but I really haven't found more than beer bottle tops. The extended forecast is sunny, 56 degrees with no rain and wind to the north at 17 MPH.

We will not be having a Gold Mining outing in May. However, in the next couple of months we'll be visiting the Club's Claims to do our Annual Assessment Work.

Metal Detecting:

The Gold Detecting outing was scheduled for May 2. That's the same weekend as the Gem and Mineral show so we've moved it to Saturday May 16th. The rendezvous point is the McDonalds at the Riddle Exit 103 at 9:00 am.

We were supposed to have a combination Metal Detecting and Gold Mining outing at Whistlers Bend Park on May 30. However, I will be going to the East Coast GPAA Golds shows in North Carolina and Tennessee. We were planning on visiting my son, wife and grandkids this summer. The North Carolina Show is 1.5 hours from where they live. We can take a vacation, visit family and write the whole thing off! What could be better than that? I might be able to get a little detecting done in an area that has Colonial, Revolutionary, War of 1812 and Civil War History. Truly a dream come true!

I will try and have a Metal Detecting Outing every month after the Gold Shows are done in May, most likely two weeks after the Gold Mining Outing.

Dredge Permits and Impending Moratorium:

There were 536 DEQ700 PM permits sold in 2014. The decrease is mostly due to the additional \$150 surcharge levied to do studies to see whether we harm the fish, environment, etc. The hopes of the Environmental Groups and Politicians alike is to have a moratorium similar to the one in California which eventually turned in to an all-out ban. Ours would be worse. They want to stop the use of motorized equipment (gasoline, diesel and 12 volt) entirely.

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State of California vs Rinehart and other California cases proved through their rulings that the state, no matter which one, does not have jurisdiction on Federal Mining Claims. They may be able to stop mining in “Open to the Public” areas, but they can’t stop you from mining on your claim of those owned by any association you’re a member of.

That should also include areas open to mineral entry that are not claimed.

I spoke with Claims Chairman Mike Eschelman about DCPA acquiring more claims. At first I thought it was a bad idea because of the impending moratorium. Knowing that it won’t affect us if we’re mining on our claims changes the game entirely. We both agreed that the association should start looking for good claimable ground or possibly claims for sale. We brought it up before the General Membership and of course the Board would have to agree. So, if you know of any good ground or claims for sale, maybe you know of someone who didn’t renew their claim(s) let me or Mike know and we’ll get a group together to check it out.

Food for Thought:

I went to the Home and Garden Show in Roseburg several ago. They had both Douglas County Sand and Gravel Companies there. I asked each whether they used a sluice box. Knife River does. Umpqua doesn’t. They sell sand for \$20 a pick up load. I wonder if you’d get more than \$20 worth of fine gold out of it. I’d really love to check this out. Imagine going and buying a bunch of material already classified and getting more gold than you usually would mining!

Kerby’s Korner:

Kerby Jackson is an Author, Historian and Mining Rights Advocate. He is well versed in Mining Law. He posted in a “Thread” on a Facebook page some extensive paragraphs. With his permission I will include some each month.

“SB838 might have been signed by Kitzhaber (now being investigated for enviro corruption), but ... 838 stands as an impediment to the 1872 Act and related federal laws. We could go into this at length and probably will. That being said, as a consequence of attempting to impede the rights granted by the 1872, 838 has no more effect of law than the California moratorium. Both are in essence, only Color of Law, being bodies of unlawful rules that masquerade as law. The problem: It generally requires a court order to strike that Color of Law down by way of judicial opinion. The ultimate problem is that in order to maneuver ourselves into a position to do that, you must have suffered bonafide harm to gain standing in front of the court. In California, while several attempts were made to strike the law down, it required a miner to put his neck in a noose to have the standing to actually challenge the moratorium.”

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“Hence, Brandon Rinehart went and took one for the team and put himself in that position. Subsequently, the court did rule that the states cannot materially interfere with or impede the rights granted in the 1872 Act. (We already knew this and the arguments used in California v. Rinehart by our side are actually the very same arguments used in earlier California cases, as well as our Oregon case (Galice Mining District v. Kitzhaber, et. al) which failed only because harm had not been established yet. That being said, in our case, Judge Aikens did make a recommendation that the State of Oregon DOJ meet with her to review the issue. DOJ did not comply with the request. While not 100% settled yet, the current status of Brandon's case is ultimately to prove that the state's moratorium actually impeded his rights. To be continued ...”

Mining Association vs Prospecting Club:

I think that we need to start referring to ourselves as a “Mining Association” and not a “Prospecting Club”. The word club suggests Recreational Mining. An association sounds more serious.

Gold Show Follow-up Meeting:

There will be a Gold Show Committee meeting on Tuesday April 14th at Abbey's Pizza on Diamond Lake Boulevard starting at 6:00 pm. We will be reviewing our 2015 Show. Everyone is welcome.

SB830:

Senate Bill 830 is SB838 (Dredge Bill) with changes. I know we don't like to talk about politics but there is a public hearing scheduled on Thursday April 16 in the State Capital Building at 1:00 pm in Room HR-B. We need as many folks as possible. Tell all your friends! I have a 7 passenger Mini-Van if anyone needs a ride.

This is from Karen Darnell of Stream Savers:

“SB830 is deceptive, as the neat sounding removal of the moratorium for suction dredges is hindered in the details. It appears that SB830 as written will limit permitting only to one type of motorized equipment to the exclusion of other types. It seeks to severely limit allowed work areas, require exact GPS location of work area and the roads and trails to get there. It limits work areas to the least productive zones of waterways. Prohibits mining in federally-designated areas, "Withdrawn from Mineral Entry," where the federal intent of the designation is not to stop mining, but only to disallow the location of mineral claims, a possessory situation.

It determines available work areas through arbitrary decision making. It requires removal of hazardous substances, such as gasoline, from equipment when not in use.”

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“All operators must be covered by the permit, possibly the equipment itself, and all operators using the equipment must have a sticker on the equipment showing they are permitted to use it, easily searchable to the work area they were approved to work.

“Permit information – personal data, work location coordinates, etc. will become public record. Would you post the location and combination to your safe online?”

Rules will be decided annually through an unbalanced and unfair authoritative body made of states agencies and third parties publicly renowned for their anti-mining positions. No mining representatives are required in the rule making.

Permits will be granted through arbitrary review by each member group of the authority and may require by rule any information the body wishes from the permit applicants.

Establishes "management zones" for enforcement.

Will direct the Environmental Quality Commission to adopt by rule consolidated permitting program for motorized in-stream placer mining and motorized upland placer mining. Requires adoption of certain rules related to review of applications, issuance of permits and conditions on permits. Authorizes Department of Environmental Quality and certain other state agencies to enter memoranda of agreement assigning department duties related to permitting of motorized in-stream placer mining and motorized upland placer mining. Repeals moratorium on mining using motorized equipment. Requires operating permit to engage in motorized in-stream placer mining or motorized upland placer mining. Prohibits motorized in-stream placer mining or motorized upland placer mining in certain protected areas. Imposes civil penalties of not more than \$1,000 per day for violating permit provisions. Punishes violation of permitting provisions by maximum of \$2,000 fine. Becomes operative January 2, 2016. Authorizes Environmental Quality Commission to take certain actions prior to operative date. Declares emergency, effective on passage.

This bill, at the very least, represents a compromise of rights and lacks important safeguards to prevent full forfeiture of rights”

Check out the Bill here:

<https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/SB830/Introduced>

Dredging in California:

For those of you planning on dredging in California here’s an e-mail from Dave Mack of the New 49ers:

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“As you are probably aware, the San Bernardino Superior Court Ruled on 12 January 2015 that both the Legislature's Moratorium against gold dredging, along with the Department of Fish & Wildlife's (DFW) recent adoption of dredge regulations in 2012, are illegal and not enforceable as a matter of law.

Here is the court's Decision:

<http://www.goldgold.com/wp-content/uploads/2015/01/113806-1-Ruling.pdf>

Since that time, DFW has been acting as if the Superior Court never Ruled, and they have been informing the public that they intend to continue enforcing the State's illegal Moratorium. This is quite clear on DFW's web page which was updated as recently as the 2nd of March.

Check it out right here:

<http://www.wildlife.ca.gov/Licensing/Suction-Dredge-Permits>

At the same time, based upon the San Bernardino Ruling, suction dredgers statewide have been preparing for the upcoming mining season, which has already begun on those waterways which have historically been open to dredging year-round within all previous California regulations. Suction dredging is already taking place along the Klamath River near Happy Camp!

New 49'er policy concerning suction dredging is that we will follow the San Bernardino Ruling and direct our legal resources to strenuously defend any member or supporter who is harassed or prosecuted by State authorities attempting to enforce regulations which have already been deemed illegal by the California court system.

We fully intend to have a productive 2015 suction dredge season on the Klamath River!

Because we believe this is all coming to a head very quickly, today our attorney served the following revised Proposed Order to the San Bernardino Court and all parties within the ongoing litigation. Our revised Proposed Order directs California to immediately begin issuing suction dredge permits pursuant to the previous regulations which were adopted in 1994; and during the meanwhile also Orders State authorities to not prosecute anyone who is operating within those regulations. All exhibits, including the Proposed Order, follow the document here:

<http://www.goldgold.com/wp-content/uploads/2015/04/statement-support-amended-proposed-order-4-2-15.pdf>

Breaking news: This is all evolved into the first standoff today between two DFW wardens and one of our longstanding members, Derek Eimer. The wardens told Derek he was breaking the law by suction dredging in the Klamath River. “

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“When Derek handed them the San Bernardino Decision, the wardens appeared not to know anything about it! After reading the Order, they departed without making an arrest or even issuing a citation.

Meanwhile more members are arriving in Happy Camp with their dredges by the day.

We will provide more information about the developing situation in our April newsletter.”

Please keep your fingers crossed for our side.”

Miner’s Mall:

This will be a monthly classified advertising area for members who want to sell prospecting and mining equipment. This is for members only. No retailers please. I will approach the board about selling business card size ads for vendors. However, if you’re a vendor and the item is used, I don’t see why I can’t post the ad.

E-mail them to me: wrevens@yahoo.com Send photos if you like. I’ll try to get them in. If you don’t have e-mail then call me at 541-459-3489.

For Sale: Used White’s DFX Coin & Relic Metal Detector with rechargeable battery, \$450.00
Paul Demers @ 541 673 5625

For Sale: Slightly used Minelab 705 General Purpose Metal Detector \$625 Tom Bohmker,
Cascade Mountains Gold @ 503-606-9895. email: cascademountainsgold@gmail.com.

For Sale: Slightly Used Desert Fox Spiral Wheel, \$250.00; Walt @ 541-315-2030 (selling this
for Bob Pace)

For Sale: Used small Keene high banker, foldable and portable with an electric motor/pump
and no hoses, \$250; Stephen Trout @ 541 391 2406 in Elkton.