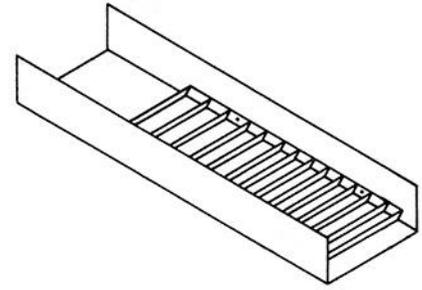




Prospectors Association

444 Winchester PMB 12-D,

Roseburg, OR 97470



THE SLUICE BOX

August 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 July Meeting:

- The meeting was opened by President Bob Peebles.
- The minutes of the May meeting (there was no meeting in June due to the picnic) were read and approved.
- The Treasurer's report was read and approved.
- Mike Eschelmann announced that we'd be having a claims meeting soon. It was decided on September and at the church so we can plug a laptop in and show folks how to use BLM's LR2000. The actual date and time to be announced.
- Outings: Six members went to New White Quarts and replaced the wooden bridge and did some additional cleanup. Some went prospecting afterwards. Mike Eschelmann cooked hotdogs and hamburgers. It was decided not to go to Whistler's Bend on August 1st due to the County now charging for parking. The outing for this month will be to DCPA1 and New White Quartz for our annual assessment work and some mining.
- Walt talked about legislation.
- Desi Raines announced he could still get badges if folks wanted them. The price is \$6 for the ones with pins and \$7 for magnets.
- The raffles were held and the meeting was adjourned.

Outings:

Gold: Sunday August 16th (I have a prior commitment on Saturday) we'll be going to our Bottoms Up claim. This one allows motorized equipment such as High Banking, Power Sluicing and Dredging. Just make sure you have all the proper permits and that area is listed. We'll meet at the McDonalds on Cow Creek road, Riddle Exit 103 at 8: am.

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On Saturday September 26th (I have another commitment the normal outing weekend) Jeff Chase wants to take us to one of his favorite spots on Graves Creek. It should be cooling down by then so we'll meet at the same McDonalds but at 9:00 am. I'm not sure what kind of equipment we can use. I'll find out and let you know by next month.



DCPA1 Claim Sign



Rick Byrd and Mike Laurence

Metal Detecting:

I'm trying to continue my Monday morning Metal Detecting Outings. These will most likely be the only ones until after summer. I'll e-mail notices to keep you updated. For those who don't use email, call me the Saturday or Sunday before and I'll let you know where we're going.

The next one will be at Central Park in Sutherlin on August 17th. This is the Monday after the Black Berry Festival. We will meet at the park at 8:00 am.

Badges:

If you want a DCPA name tag let me know and I'll put the order in with Desi. The price is \$6 for the pin on and \$7 for magnetic. They need to be paid for in advance.

SB830:

This bill died in committee and was not voted on. The key aspect of was the withdrawal of the impending five year moratorium on all motorized mining equipment beginning in January 2016. It was to modify SB838. As a result, the state plans to shut us down. Here is the press release from the Department of State Lands (DSL) who was put in charge to regulate this. The Enforcement agency will be the Oregon State Police.

There are links at the bottom for frequently asked questions as well to the new Interactive Map System paid for by the surcharges submitted with your dredge application.

July 16, 2015

For immediate release

Contact Info:

Julie Curtis, State Lands: 503-510-6860; julie.curtis@state.or.us

Jennifer Flynt, DEQ: 503-229-6585; jennifer.flynt@state.or.us

Suction Dredge Legislation Did Not Advance In 2015 Session Moratorium Will Go Into Effect Jan. 2, 2016

Salem - Senate Bill 830, which proposed to consolidate state regulation of placer mining activities, including suction dredging and upland placer mining adjacent to streams, did not pass in this year's legislative session.

The bill named the Oregon Department of Environmental Quality (DEQ) as the lead regulatory agency, and would have increased natural and cultural resource protections. It also would have lifted a moratorium on in-stream and upland motorized placer mining directed by a bill passed in the 2013 Oregon Legislature (Senate Bill 838).

As a result of Senate Bill 830's demise during the 2015 session, the moratorium is scheduled to go into effect in January 2016 and sunset in 2021.

What this means for miners

From now until the end of 2015, there are no changes to how motorized placer mining is regulated:

- The Oregon Department of State Lands (DSL) issues General Authorizations for this activity in Oregon waterways. SB 838 made some changes to regulations for waterways that are designated Essential Salmon Habitat (ESH) that remain in effect until the end of 2015.
- Motorized in-stream and upland placer mining operations also require a water quality permit from DEQ, and in-stream operations using non-motorized mining equipment must comply with applicable permit terms.

Moratorium

Starting Jan. 2, 2016, miners will be prohibited from motorized mining in the following circumstances:

- In all streams above the lowest extent of spawning habitat in rivers and tributaries containing ESH or naturally reproducing populations of bull trout.
- In upland areas within 100 yards of these streams if the mining results in the removal or disturbance of vegetation in a manner that may affect water quality.

An interactive map shows the moratorium areas (see below).

The DEQ and DSL will continue to regulate motorized mining under current law, and will work over the next six months to inform miners, natural resource agencies, law enforcement and other groups about the 2016 moratorium and how/where placer mining operations may lawfully take place.

The Oregon Legislature in 2013 (SB 838) directed the Governor's Office to consult with affected stakeholders and make recommendations to the legislature by November 2014 on a proposed regulatory framework for placer mining in Oregon. These recommendations helped shape SB 830 which was introduced during the 2015 session by the Senate Environment and Natural Resources Committee.

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Additional information:

Moratorium FAQs:

http://www.oregon.gov/dsl/Aquatic_Resource_Management/Documents/Moratorium%20QA%207-10-15.pdf

Interactive map:

<http://geo.maps.arcgis.com/apps/webappviewer/index.html?id=b9850ba265e546c8b528e9900e9300de>

Department of Environmental Quality: <http://www.deq.state.or.us/wq/wqpermit/mining.htm>

Department of State Lands: http://www.oregon.gov/dsl/PERMITS/Pages/ga_placerinfo.aspx

SB 838 Study Group: <http://www.oregon.gov/dsl/Pages/SB%20838%20Study%20Group.aspx>

Prior to this coming out, I spoke with Jim Billings from the Department of Environmental Quality (DEQ) about a number of things. First, I wanted to know whether the three locations on the new DEQ700 application needed to coincide with those on the DSL Permit. His answer was no. You pick three to start. You can add more locations and dredges after the permit is issued. Secondly, I inquired as to whether the moratorium would affect Essential Salmon Habitat (ESH) only and was referred to DSL. I mentioned that the 600 permit seems to be for the “Upland” Miners. The 700 permit is for the dredgers and “In Water” miners. What about the Highbankers? He said that they were not covered under either General Authorization and requires an individual permit which is costly and hard to get. I’ve always thought that they were included in the DEQ600. However, I have never heard of anyone being cited for High Banking or Power Sluicing using that permit. I spoke with Rich Angstrom of the newly formed Oregon Mining Association who felt that the High Banker was regulated by the 700 permit due to the fact that they operate in the “Flood Zone” between the high water mark and the stream. That area is underwater at some time during the year. Therefore, it’s an “In Water” activity.

So what are we going to do about it? The Oregon Mining Association has retained attorneys and plans to file an injunction against the state and stopping the moratorium. The state believes it has the right to regulate waterways no matter whose land they’re on. Rich spoke of documents which give the state the power to regulate certain activities and require permits, but they don’t have the ability to interfere with that which the Federal Government Controls; i.e. Mining Claims.

You all should have received surveys within the last week or so from me via email. They are currently looking for a Plaintiff they can use in their lawsuit; someone who could be the “Poster Child” for us all.

Kerby’s Corner:

“The REAL question then is, do the states have the lawful right to regulate mining under the 1872 Act (which takes place on the Public Domain)? What we know for FACT is that is that they cannot prohibit, impede or create prohibitions on said mining for ANY reason. That aspect is not open to debate, as has been proven by numerous cases (South Dakota Mining Assoc, Kleppe, etc and most recently Rinehart, to name a few). This leads to the question: What is the proper place of the states in the Mining Law? Their place in regulation is found in 30 USC 22 and also 30 USC 28 and it is limited to establishing rules and regulations pertaining to the manner of how claims are filed and maintained, provided those rules and regulations are not in conflict with the 1872 Act. What would you say if I told you that as a miner, you actually have a lawful legislative power that is actually equal to the state? You’d think that’s crazy, but it’s actually true.”

“We miners have the RIGHT to organize mining districts and those districts in turn have the right/power to draft local rules, regulations and to adopt/recognize mining customs that when adhered to by the miners of that district, have a FORCE OF LAW that even the Supreme Court does and must recognize. The only stipulation is that those regulations are not in conflict with federal or state law, as that would create an impossible situation for the courts.

Let me tell you, in the 1872 Act, as amended (which includes the 1866 and 1870 Acts), there is NOWHERE that grants the states any right to regulate mining on the Public Domain. The powers of the states are acknowledged only three times in the Act and the resulting Revised Statutes and United States Title Code. The first two pertain to MANNER OF LOCATION and the assessment of claims, of which we miners, also have the right to draft local laws, rules and customs. The third is actually a provision of the 1866 Act, in that Section 9 of that Act, which is now codified as 43 USC 661. This provision (currently) states in part that: "Whenever, by priority of possession, rights to the use of water for mining, agricultural, manufacturing, or other purposes, have vested and accrued, and the same are recognized and acknowledged by the local customs, laws, and the decisions of courts, the possessors and owners of such vested rights shall be maintained and protected in the same; and the right of way for the construction of ditches and canals for the purposes herein specified is acknowledged and confirmed; but whenever any person, in the construction of any ditch or canal, injures or damages the possession of any settler on the public domain, the party committing such injury or damage shall be liable to the party injured for such injury or damage."

Pocket Mining by Alex Quartz; NUMBER II

“To THE Editor:

A pocket, as stated in the first article about this subject, is a concentrated body of gold, silver or other valuable mineral occurring in certain spots within ledges, lodes, veins, etc., of quartz and mineral-bearing rock.

Gold pockets, upon which this series of articles is written exclusively, occur only in quartz or where quartz is present, for it is now known to be a proven fact that without quartz being present in some form gold does not exist in its original lodging place, where it has been precipitated from solution, or, in other words, congealed or transformed from a liquid state to a solid metallic state.

Minerals exist in three physical conditions, viz., solid, liquid and gaseous. It is well said that "quartz is the mother of gold," for it is always found with the gold. The gold is carried with the mineral quartz for quartz is a mineral in solution into cracks or fissures formed from various causes in the earth's crust, and there the solution becomes solidified from some peculiar action of nature and becomes what we term a ledge or vein. Now the question naturally arises, where does this mineral solution which comes in and forms veins in those cracks or fissures originate or come from?

“It comes from the formation or earth in which they are diffused, in the vicinity of where the mineral bearing vein is formed. Those minerals being distributed throughout the formation in which they exist, are liberated gradually, mostly in a gaseous form, and are taken up by the water and transformed into solution and carried to those cracks and fissures and other lodging places, where they again undergo a change and are transformed into a solid state and form our mineral bearing veins or deposits.”

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“In nearly all the districts on this coast the mineral bearing veins or ledges that run parallel with the formation of the country rock are almost invariably what is commonly called milling ledges, because they carry about the same amount of mineral all through the pay chutes, while on the contrary all the ledges that run crosswise of or cut the formation are pocket ledges. The pocket belts, or streaks of formation which are prolific in pockets, are mostly porphyry or of a porphyritic or quartz-porphyry nature running parallel with the slate, granite, lime, etc., and are readily detected by the professional and experienced prospector owing to the chemical and mineral composition and general appearance to the eye.

This pocket formation does not always exist in belts, but sometimes occurs in spots or patches through-out the mineral belts of the coast. In fact, there is hardly a mineral district west of the Rockies in which those spots do not occur.”

Miner’s Mall:

This will be a monthly classified advertising area for members who want to buy or 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: Used small Keene high banker, foldable and portable with an electric motor/pump and no hoses, \$250; Stephen Trout @ 541 391 2406 in Elkton.

For Sale: Used Minelab GP3500 Gold Detector with lots of extras: 3 coils, headphones, carry bag, two batteries, car and house charger: \$1500; Walt @ 541-459-3489. I also have a Keene 2.5 inch Jet Flare, Power Jet and coupler that will fit on an A52 sluice box; \$250.00.