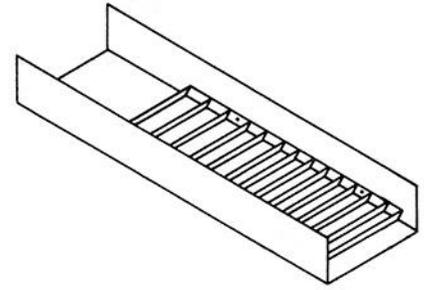




**Prospectors Association**

444 Winchester PMB 12-D,  
Roseburg, OR 97470



**THE SLUICE BOX**

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**October 2015**

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DCPA meets on the 2<sup>nd</sup> 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. All members need to attend at least 4 functions (meeting, outing, gold show, picnic, etc.) to qualify to mine on our claims unless it's an official outing.

**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](mailto:wrevens@yahoo.com)

**From the Meeting:**

1. Opened by President Bob Peebles
2. Introduction of Guests and New Members
3. Minutes of previous meeting read and approved
4. Treasurers Report read and approved
5. Outings – Graves Creek and Railroad Camp
6. Membership – 180 members including children
7. Claims: Claims Class discussed
8. Legislation – SB838 Moratorium and Lawsuits being filed.
9. Nominations for Officers – President = Gary Sturgill; Vice-President = Robert Krewson;  
Open = Secretary and Treasurer
10. Annual Meeting (Christmas Party)
11. Gold Show – Possibly Joining forces with the Gem and Mineral Club
12. Raffle
13. Adjourn

## Page Two

### Upcoming Outings:

**Gold:** Saturday October 17<sup>th</sup> will most likely be our last outdoor outing for the year. We will be meeting at the usual McDonalds on Cow Creek Road, Riddle/Tri-City Exit 103 at 9:00 a.m. From there we'll be heading out to our New White Quartz Claim on Middle Creek. Pans, sluices and highbankers are okay.

### Metal Detecting:

9:00 am Monday October 19<sup>th</sup> we'll be meeting at Sunshine Park on Diamond Lake Blvd. aka North Umpqua Highway. It's the one with the baseball diamonds on the left hand side before you turn off to go to the church. No permits are required. Here's the Google Map location:

<https://www.google.com/maps/place/Sunshine+Park,+Roseburg,+OR+97470/@43.2206065,-123.2766831,17z/data=!3m1!4b1!4m2!3m1!1s0x54c423be972b743f:0xd4a7f4dff14a5188>

This may be the last detector outing of the year. My wrists are really bothering me. I could only dig three holes at the Railroad Camp before I had to stop. However, I have a "secret weapon" that may prove effective in keeping the pain down.

### Claims:

The association is thinking about adding some claims in the future. We are still planning a claims class. We thought about October or November but those are both hunting months. December is Christmas. We might have to wait until all the filings are in to the BLM and posted on the LR2000. That way we'll know what's available. The main focus of the class will be how to navigate that data base.

### Nominations of Officers:

We started in September. Gary Sturgill was nominated for President and Robert Krewson for VP. **We are still in need of a Secretary and a Treasurer.** Our by-laws state we can also have a Secretary/Treasurer which could be one and the same person.

**Annual Meeting:** Plans are being made for the Annual Meeting aka Christmas Party. If you would like to be part of the committee please let one of the board members know.

### Legislation:

Currently the SB838 Moratorium is inevitable. Not only is the state closing Essential Salmon Habitat (ESH) to motorize mining but any stream that flows in to it including former Non-Essential Salmon Habitat (Non-ESH) such as upper Middle Creek. This is where our New White Quartz Claim is. **That means all our DCPA claims will be closed to anything but gold pans and sluice boxes.** I don't know whether the Department of State Lands (DSL) has the authority to re-designate streams without science or studies. SB838 gave them the power to do just that with the key phrase being "*any river and tributary thereof in this state containing essential indigenous salmonid habitat*".

## Page Three

### Legislation (cont.)

An injunction is being filed by Attorneys for the Galice Mining District, et al. as well as by attorneys for OCAPA, et al. giving us two lawsuits to fight the state with.

Here is the Moratorium Draft Map to see whether streams running through your claims will be closed (you have to zoom in quite a bit to see the waterways):

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



**Ready to Ride!**



**Ed Julian looking for something good!**

On Saturday September 26 we all met at Mickey Ds then headed down the freeway to the Wolf Creek exit and west to Graves Creek. The “Open to the Public” area starts at the Rogue River and ends at the Rueben Creek Bridge.

The finds were small and on the surface. I got a chance to test out another used Highbanker/Dredge Combo; this time a 2.5 inch Keene with a P90 pump. Man that little thing can sure put out some water. A good time was had by all.

You can see more photos in my Facebook album:

[https://www.facebook.com/walter.evens.7/media\\_set?set=a.10153307582527054.1073741993.751307053&type=3](https://www.facebook.com/walter.evens.7/media_set?set=a.10153307582527054.1073741993.751307053&type=3)

**Kerby's Corner:**

*“The provision above (43 USC 661), the current codification of Section 9 of the 1866 Act, held that miners may be held accountable if their actions legitimately injure or harm others downstream. Basically, this allows for a third party to take a miner into state court to receive compensation for any harm that the miner might have inflicted upon them. This provision of the 1866 Act played center stage in the famous Sawyer Decision (Woodruff v. North Bloomfield) that enjoined New Bloomfield Mining from harming their downstream neighbors in the Sacramento Valley. Judge Sawyer found (and rightly so) that North Bloomfield's hydraulic operation (now Malakoff Diggings State Park) discharged copious amounts of silt, mud, rock and debris other onto the farm of the plaintiff in this case to the point that Edward Woodruff's farm became useless. Sawyer also found that other local parties had been injured, and as well, that other hydraulic mines upstream of the area contributed to the problem. Judge Lorenzo Sawyer issued a decision (in this 1500+ page! case) to not only enjoin North Bloomfield, but also other nearby hydraulic operations from operating until the issue could be mitigated. Many within the environmental community and state regulating agencies refer to the case as the "first environmental law" and claim that it is proof that the states can regulate mining under the 1872 Act. They also state that it "banned hydraulic mining". However, it is important to point out that the case only ruled that miners causing their downstream neighbors LEGITIMATE HARM could be enjoined by that court from continuing to harm others by its operations by going through the standard civil court process. NOWHERE in the 1500+ pages of the case was it ruled (let alone granted) that the states had the powers to regulate all mines and all miners because of a POTENTIAL to create harm. Indeed, contrary to misconception, the decision did not ban hydraulic mining in California, nor did it suggest that the actions of those mines was in any way a "criminal activity". Despite this, even in the Rinehart case, the State of California claimed that the Sawyer decision proved that the state had the right to "prohibit mining" or to regulate it so heavily as to endanger it. The response of "our side" was that those arguments were so wishy-washy that they did not even merit a response. And we won.*

*Interestingly enough, while there IS case law where judges ruled that the state could require a permit, in EVERY one of those cases, the decision is based off the routine misinterpretation of the Sawyer Decision. Considering the fact that Sawyer's decision was HUGE, it doesn't come as much surprise that there is little modern analysis of it and that these weird notions of state regulation over mining on the public domain are not challenged.”*

**Kerby's Corner (cont.):**

*“So finally, the question again is, "Do you need a permit?". The answer to that question is not a simple "yes" or "no", because it hinges largely on WHERE you are mining. If you are mining in a Public Mining Area that is state controlled, such as in a state forest or on a river where the state has bonafide jurisdiction, the answer is "yes" because your mining activities constitute a privilege given to you by the state. The same is also true of areas which are withdrawn under the 1872 Act (like Gold Ray) where BLM allows mining, but requires adherence to state permitting. There again, that is true because your mining activities in those places are NOT RIGHTS, but privileges. At the same time, in areas like Dole Bar, where the property is controlled by the state, county, city or perhaps even a federal agency, those privileges can also be revoked at any time and for any reason. When you mine in those areas, you are asked to adhere to whatever rules the property owner has in place AND if you agree to comply on paper (such as obtaining a permit), you have entered into a contract to adhere to the terms of said permit. Like dealing with the devil, if you just sold your soul because you didn't understand the terms of the contract, that's too bad for you and you get to pay the penalties. Obviously, that is not to say that mining at a place like Dole Bar is completely cut and dry. Multiple layers are involved in property ownership, so at Dole, while the City of Myrtle Creek might own the surface, they do not necessarily control the water, nor the submerged streambed under the water, nor the minerals contained within that streambed. Whether the city can restrict mining completely at the location hinges on a wide range of factors, the extent of which can only be determined by a thorough examination of the title to the land and water. With Dole, if that title is examined, we may very well see a situation where the actual bar becomes off limits, yet the submerged bed of the South Umpqua is still a free-for-all under the DSL and 700PM permit.”*

To be continued...

**Pocket Mining by Alex Quartz; NUMBER II (Cont.)**

*“At the point where the pocket occurs in the ledge or seam the combination of minerals at that point decomposes the ledge and leaves the gold free so that it can be panned out, and often it is so well freed from the quartz, iron and other minerals that it does not require crushing in a mortar to make it salable as free dust.*

*In this class of pockets there is always another cross seam or ledge which cuts, crosses or comes in contact with the ledge or seam at the point where the pocket occurs. This cross or contact ledge or seam always carries or is entirely composed of a different mineral from that which predominates in the ledge which contains the pocket and is often very small, sometimes not more than a fourth of an inch in thickness.”*

***Pocket Mining (Cont.)***

*“This ledge or seam which is composed of or carries the mineral that is required to complete the combination which decomposes the ledge at the pockets and causes the pocket to form at the point where it comes in contact, always runs at an angle to the general course of the main ledge.*

*There is always a feeder or loose place from the pockets of this class to the surface of the ground somewhat resembling an old gopher or squirrel hole which has settled or caved in, and through this aperture or feeder the gold is forced out to the surface of the ground by the action of gas generated in the pocket; or the gold is forced from the pocket in a gaseous form and becomes condensed as it passes through this opening or feeder and when it comes in contact with the atmosphere.*

*By either action it reaches the surface of the ground, and by its specific gravity it naturally works downhill. There are invariably two of those feeders or "spire holes," as the pocket hunters call them, one leading up and the other down the hill in a curving course from the pocket to the surface. This accounts for gold being often found plentifully as much as 25 feet and over above the pocket, when it occurs on hillsides, which very often misleads the prospector and causes him to pass over the pocket and miss it entirely.” To Be Continued....*

**Miners report from August 26, 2016 Washington State Trout Unlimited meeting at Leavenworth, WA, By David Straight (cont.)**

*“When this part of the nightmare ended, Gegg B. Stood up and announce Q&A, Six miners hands shot up like ballistic surface to air missiles. He rolled his eyes and braced himself and pointed at Rod Grant, GPAA writer. And said I'll take you first then pointing around the table in a clock wise direction and ending at myself he said he would take one question from each person but to keep it civil. Everyone was very nice. Asked one question. Properly got his opinion.*

*There was a few things we learned from this (and it could not have worked out more perfect) was that TU with major funding across the country from fisherman and greenies is also getting major funding from every Indian Tribe in the country and that they have raised from (one tribe alone) in WA, 8 million dollars and that nationwide they (TU) have a 100 million dollars in their war chests. We also learned something (I already knew) that they TU was the major sponsor of SB838 in Oregon and another bill in Maine, that will put a five year moratorium on dredging starting January 2016.”*

**Miners Report (Cont.)**

*“Now, when it got around to me my question was... Would you be open to give one of us five minutes to speak to the group, and if so that I would like to, with the other miners in the rooms permission, be the one to speak? And, to my surprise he said yes and called me up.*

*I started by asking permission if it would be alright to give my history and background so everyone would know where my passion and knowledge comes from. I told them I grew up in a small River town, a logging, a fishing, and, a mining town in Oregon, very much like here. That, my great Grandfather died in a mining accident and that my Grandfather was a geologist for the State of CA. That my Dad was a Farmer, a housing contractor, who taught me to love nature and our natural surroundings, and to have respect for it and that he also taught me to fish, I told them, From the age of nine my Grandfather took me mining and that I have raised 10 children, while earning three college degrees. That I, am a farmer/rancher, a fisherman, and yes a miner, and that mining is not only fun for me but it is my only source for retirement income and that I like many others depend upon it.*

*I told them as a farmer that I sat on the board of directors for an irrigation district and that as the oldest irrigation district in Oregon we had worked with Deschutes River Conservancy Group to meter and to conserve water and to put our excess back in stream to help the fish, and that, that led to me personally to working with them to do fish restoration projects on the Deshutes River and a large famous project called Whychus Creek and that we Brought Salmon and Steelhead back to a creek that had not had any in over 40 years and that we used the local dredgers to help to rebuild 17 miles of this creek and how it made national headlines and in their expressions nearly every one of them in the group new about it.*

*I, explained who miners are, that they are the handicap veterans, finding peace and solitude and supplementing their income that a miner is an elderly neighbor on social security who needs another \$150 a month to get by. That a miner is someone who loves the outdoors and who also is also a fisherman, that a miner is a family, a husband, his wife, and children sharing camping and an experience that teaches children self-reliance, and respect for nature. That a miner is sometimes a youth 20ish that can't find a job. I told of experiences mining and dredging that I likened (compared) to swimming with the Dolphins in Florida, or the whales in Puget Sound, that being six feet down in a river in scuba gear and watching the fish swim around you, and having a Sturgeon snuggle next to you, and watching them play. I, let them know how much I wished they could experience it. I, talked about how passionate I am about fishing and mining and about education. That, I know that they would want to know when (I as both a fisherman and a miner) saw that they are putting out miss information and again that they would want to know about it.”*

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### Miners Report (Cont.)

*“And, then I went back over my mental notes of the power point and mentioned the miss information. (and, I later at the creek talked to Gregg about each one).”*

### 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](mailto: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:** Slightly used Minelab 705 General Purpose Metal Detector \$625 Tom Bohmker, Cascade Mountains Gold @ 503-606-9895. Email: [cascademountainsgold@gmail.com](mailto: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 Garrett ATX PI Metal Gold Detector. It comes with the carry bag, harness, manual, rechargeable battery system and Alkaline back up pack. This unit was a barely used demo model. There is no warranty: \$1650

Used White’s MXT Metal Detector with extra 10 Elliptical DD Coil: \$600

Used White’s DFX Metal Detector with headphones and older Bullseye pinpointer: \$500

Used White’s XLT Metal Detector with extra 5.3” Monoloop Coil: \$400

Used Gold Genie Spiral Wheel: \$300

Used D&K 3 inch Highbanker Dredge Combo with 6.5 HP Honda Pump: \$1000 Firm!

Walt @ 541-7459-3489; **I’m sorry there’s so much but I took in quite a bit of used equipment recently.**