



# Portland Gold Prospectors, Inc

GPAA Portland Oregon Chapter



# The Prospector

## President's Blog August 2016

This will likely be short as we are in the heart of the Oregon/Washington summer months and that means prospecting every weekend. Actually, it feels like I have been getting out a couple of times a week lately and I am enjoying every minute of it. We have a couple of new claims for the chapter. They are on the East Fork of the Lewis River. We will be swapping out our September trip to the North Fork of the Santiam and going to the new claims instead. Join us at our August meeting for more information. Coming up at the end of August we will have a yard sale. (Aug 26<sup>th</sup>, 27<sup>th</sup> and 28<sup>th</sup>). This will be the first yard sale in two years so we are hoping everyone has a few items to donate. In addition to standard yard sale items, we will have several prospecting items for sale as well. We will have a couple of trailers at our Sunday meeting (Aug 21<sup>st</sup>). You can bring your items to the meeting and dump them in the trailer or if you have a bonanza of items, you can drop them off directly at Ken Burns' place. (Phone # in newsletter). These fundraisers allow us to keep our chapter free of dues, so your help and participation are greatly appreciated.

Thanks and see you soon, Jerry Johns—President - Portland Gold Prospectors Inc.

### 2016 Portland Gold Prospectors Board of Directors

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State /Director			

### Come Join Us at Our Next Meeting.

August 21st at 1:30pm.  
 Milwaukie Grange hall  
 12015 SE 22<sup>nd</sup>, Milwaukie, OR 97222

The Portland Gold Prospectors meetings are the third Sunday of every month beginning at 1:30pm. All interested parties are invited to attend the monthly meetings. Become a member of the Portland Gold prospectors, Inc a chapter of the Gold Prospectors of America. For information contact Jerry Johns, [jerryjohns@gmail.com](mailto:jerryjohns@gmail.com) or visit

### Deschutes County Oregon Gold

All the counties that surround Deschutes County contain gold. The question here is how much gold and is it easy to get to? The county has a very volcanic history and much of the landscape is covered in hundreds of feet of basaltic lava flows. The lava flows in geologic time are relatively young rock. Because of the geologic features it usually makes this county a strike out instead of a gold strike. With that said, there are a few gold claims in the county. If they are producers or not, that is unknown and maybe they were claimed for recreational purposes. I really have no idea to be honest. I post the information. What you do is up to you. This is where real prospecting comes into play.

The only recorded gold claims that I could find are found in Buckhorn Canyon between Sisters, Oregon and Terrebonne, Oregon at approximately Lat. 44.33233 Lon -121.33835 Please don't go claim jumping. I only mention the coordinates to give you a place to start if you plan on doing some prospecting in this county. Please respect the claim owners rights.

[www.OregonGold.net](http://www.OregonGold.net)

### Clark County Washington Gold

Brush Prairie: In this area of Clark County in Washington it is reported that in all black sand deposits there is placer gold.

Camas: It is reported that in the Columbia River at low water gravel bars placer gold can be found.

Moulton: East of Moulton 4 miles, on the East Fork of the Lewis River, in Section 21 T4N R4E is the location of the McMunn Placer. This area produced gold and platinum. The terrace gravel deposits above the stream only produce placer gold. If you go 5 miles east on the Lewis River Road, 1 mile above the McMunn Claim, The Lewis River Placer can be found. The access road is up the East Fork of the Lewis River. Gold can be found in all black sand deposits on the Lewis River. [www.washingtongold.net](http://www.washingtongold.net)

## Portland Gold Prospectors, Inc. July Minutes

Secretary's Report July 17, 2016  
Milwaukie Grange Hall, 12015 SE 22<sup>nd</sup> Milwaukie, OR  
Meeting called to order by President Jerry Johns at 1:30 pm

Pledge of Allegiance conducted.

### Attendance:

58 attendees at the meeting, 4 visiting guests were present. A small welcome gift was given to guests.

### Meeting minutes:

A **Motion** was made and seconded to accept the Secretary's report as written and published in the July newsletter. The motion was approved by the members present. President, Jerry Johns asked members to sign in at the table and the newsletter will be emailed to them.

### Treasury report: Richard Ruth for Beverly Parker

The Treasurer is on vacation. In her absence, Board Member, Richard Ruth, read the Treasurer's report. A **Motion** was made, seconded, and approved to accept the Treasurer's report as given.

### Correspondence:

No correspondence was received this month.

### Membership:

Jerry Johns explained how to become a member of Portland Gold Prospectors. Membership with GPAA is not required to participate with the Chapter. One needs to attend 3 meetings or association events (at least 1 regular meeting) for full membership. Be sure to sign in at each meeting to record your attendance. The Chapter also has GPAA new member kits available for purchase at our meetings for \$84.50 that include a gold pan, snuffer, instructional DVD, and Mining Guide of USA claims. Renewal of existing memberships can also be purchased at meetings. See Jerry Johns or Steve Lewin if you wish to join the GPAA.

### GPAA State Director:

Steve Lewin reported there are no recent changes with GPAA claims.

### Safety:

Mike Lewis mentioned that during the summer months everyone should be drinking more water and they may also need sports type drinks.

### Newsletter:

Jerry Johns reported that the monthly newsletter is posted on the website for download. Or the newsletter can be mailed to a member for a \$15.00 annual fee to cover printing and postage. He asked members to check that their email address is correct on the roster.

### Library:

Joe Weber reported a new DVD was added to the library titled "Oregon's Gold Rush Today." He explained that the library materials are available to check out at no charge for regular members. Magazines, books, DVD's, and maps are for members to check out and return the next month so others can use them.

### Claims:

Dave Chiara reported on new claims that were filed and will be available for Portland Gold Prospectors members. The claims that are on the east fork of the Lewis River in Washington were researched by Dave, Steve Lewin and Bill Adams. This area is about 50-60 miles from the Portland

metro area not far from the Sunset Falls Campground. Some of the area is rough road that requires slow driving. There are five separate claims.

Jerry Johns stated that for quite some time our association has been looking for claims that are a shorter driving distance than our current claims near Baker City, Oregon. In order to find available claims, Bill Adams was hired to investigate and file on these claims. Jerry asked for membership approval for the expense of finding and filing on five claims. Larry Sharpe made a **Motion** to spend \$1,000 on obtaining five claims outside of Battle Ground, WA. Ken Burns seconded the motion. The motion was passed by the members present. Dredging and other in-water mining is allowed on the claims from August 1 through Feb. 28 of the following year. The claims are on US Forest Service land. Dave Chiara added that members should be prepared and cautious in the wilderness where wild animals are often present.

Dave Chiara reported on the recent prospecting time near Baker City. He said everyone had a great time and they found more gold. He asked those who were there to complete a form that lets the claim holders know your feedback and the approximate amount of gold you collected. The lack of water became an issue at the end of the outing. He said if you intend to go to this claim yet this year, you are required to fill out a waiver form. Also, he explained the association will create a Tyroy committee to make plans to modify or update the next BLM Plan of Operation. Dave asked for volunteers to join this committee today.

### Outings:

Jerry Johns reviewed the upcoming events as listed on the white board. On July 31<sup>st</sup> our Chapter is invited to a potluck picnic with the S.W. Washington Prospectors. Three other outings are planned in August and several are scheduled in September. Jerry passed around a sign up sheet for the events. Dredging will be allowed on the Lewis River from August 1-15<sup>th</sup>.

Jerry talked about our Chapter Garage Sale on Aug. 26-28 near Oregon City. In the past, books and clothing did not sell, so he asked that No Clothing and No Books be donated this year. Donations can be taken to Ken Burns' home or Jerry plans to have one trailer at the August meeting for anyone who needs to bring donations to the meeting. He will be looking for members to help set up the garage sale and work a shift during the sale. Hot dogs and drinks will be available for workers.

Jerry also reported on a recent Cabela's family fun event where about seven members gave a demo of the blue bowl and the spiral wheel. Cabela's is very interested in mining and they plan to carry more products in the store.

### Volunteer Raffle:

Jerry announced that all volunteers who helped out in April, May, or June have been entered into a special gold nugget raffle that is drawn once per quarter. The Chapter wants to recognize the volunteers who keep the events running smoothly. This month an approximate 1.4 gram nugget was the prize. The winner was Sam Terreri. Volunteers are needed and much appreciated.

Jerry explained that since the association does not charge dues, the raffle is a major source of income for the Chapter and participation by members is appreciated. Also, dirt bags with gold were available to purchase for \$5.00. The Silent Auction contained buckets of unprocessed material from the Tyroy claim.

## **Portland Gold Prospectors, Inc. July Minutes (cont.)**

After the refreshment break the kitchen crew was thanked for the delicious treats and meat wraps. Thanks to Elaine Ruth, Dorothy Ruth and everyone who helped in the kitchen.

AAA Precious Metals needed to reschedule their presentation for our meeting today. It will take place at a future time.

### Code of Conduct:

The purpose of the Code of Conduct rules was explained. Jerry asked all members to honor the points that are on the code of conduct and any member who feels uncomfortable was asked to contact an officer about the matter. The code was modified to include being respectful by keeping good hygiene and respecting other member's space.

### BLM Inspections and Enforcement:

Richard Ruth brought copies of Inspection and Enforcement regulations from BLM and discussed how the BLM rules can affect our Tyroy claims. Members were asked to contact Jerry Johns or Dave Chiara before they do any mining at the claims. Also members were warned to stay within the guidelines of our current Plan of Operation by making sure the area you are digging is authorized in the plan. The use of heavy equipment is also limited. Jerry stressed the importance of staying within our current plan. The Raffle was held at the end of the meeting time. The winner of a nice gold nugget in the \$5.00 drawing was Ken Burns.

The meeting was adjourned at 3:23 pm.

(Respectfully submitted by Melinda Dorning, Secretary)

## **PLF Scores Another Win for Property Rights**

The Pacific Legal Foundation scored a big win against the US Army Corps of Engineers on behalf of property owners.

The case is US Army Corps of Engineers v. Hawkes Co., et al.

The US Supreme Court ruled unanimously that landowners have a right to seek judicial review immediately in federal court when their property is designated as wetlands subject to federal jurisdiction under the Clean Water Act.

The Corps had made a "judicial determination" that the Hawkes Company's property in Minnesota qualified as "wetlands" and threatened hefty fines. The Obama administration argued the company's only remedy was to apply for a permit at a cost of well over \$100,000 and many years to get through the permitting process.

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## **2016 Events Calendar**

**Aug 6<sup>th</sup>:** Lewisville, WA - Dredging, high banking, sluicing and panning with SWWGP

**Aug 7<sup>th</sup>:** Daybreak, WA - Dredging, high banking, sluicing and panning with SWWGP

**Aug 12<sup>th</sup>- 15<sup>th</sup>:** Yellow jacket, WA Dredging, high banking, sluicing and panning with SWWGP

**August 21<sup>st</sup>:** PGPI monthly meeting 1:30pm

**Aug 26<sup>th</sup>, 27<sup>th</sup> & 28<sup>th</sup>:** PGPI Garage sale. (May try a 2<sup>nd</sup> location if enough items are left after initial weekend)

**Sept 3<sup>rd</sup> & 4<sup>th</sup>:** Copper Creek prospecting – dredging, high banking, panning. (One or both days)

**September 18<sup>th</sup>:** PGPI monthly meeting 1:30pm

**September 25<sup>th</sup>:** East Fork Lewis River – new chapter claims

**September/October (TBD):** TYROY trip – Reclamation work and opportunity to bring dirt back.

**October (TBD):** Cape Disappointment – Joint outing; beach mining with SWWGP

(Led by Rodney Chavez -we will align event date to tides as we get closer)

**October 23<sup>rd</sup>:** PGPI monthly meeting 1:30pm

**November 20<sup>th</sup>:** PGPI monthly meeting 1:30pm

**December 18<sup>th</sup>:** PGPI monthly meeting 1:30pm

## **Congress Heading into Summer Recess**

We don't have a whole lot to report on the legislative front. Congress has (thankfully) begun their summer recess, which will continue until the first week of September.

The California Supreme Court heard oral arguments over the current suction gold dredging ban in *People v. Rinehart* on June 1, and they have 90 days from that date to issue a ruling.

Oregon miners continue with their own battle against legislation (SB 838) that currently places severe restrictions on all in-stream mining. The miners have appealed their case to the 9th Circuit, and the State of Oregon is due to respond to the miner's brief on August 15, 2016.

Suction dredge miners in Idaho are dealing with similar issues, though less restrictive so far. You can read more about the Idaho situation in our MMAC & PLP Update later in this issue.

We will continue to keep you informed of any updates regarding these cases here in the Journal and on our website at [www.icmj.com](http://www.icmj.com).

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## **Ask the Experts — Chris Ralph**

Q: I am interested in abandoned mining claim relocation. The sentence below is from the BLM website. Can you explain to me what they are trying to say? "A relocation does not relate back to the date of the prior location and is adverse to the prior location." I appreciate your assistance, Michael

A: The important thing to remember about relocations is that it is just like a new claim—you can't just somehow continue the old one. A relocation is treated by the BLM just the same as they treat a new mining claim location; it covers essentially the same land area as the prior mining claim. The relocation will get a new claim number and new date of location stamp. The exact same filing fee of \$212 per claim is required as for a new claim. What the language you quoted says is that as far as any grandfathered rights the old claim might have, none of those would be passed through to your relocation. You won't get a claim that dates to the original claim date, but a new one with the date of your relocation.

The language stating that your claim is adverse means that it is in place of the old claim, and if for some reason the old locators fought it, you would be fighting them.

As an example, let's say the BLM invalidated their claim by mistake through a clerical error and they wanted to fight in court to keep their claim. Your claim would be adverse to theirs. (It's a very rare situation but it does happen.) In 99% of all cases there are no grandfathered rights to save, and the old claimant won't come back to haunt you, so it's really not a problem. For all practical intents, your relocation is the same as if it were a new claim.

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## Maintenance Fees Due!

Remember that your 2017 Maintenance Fees of \$155 per lode claim, mill site, or tunnel site are due on or before September 1, 2016. Placer claims require \$155 per every 20 acres or portion thereof.

In lieu of paying the above fees, those who hold ten or fewer claims may file Form 3820-2 (commonly referred to as a Small Miner's Waiver) on or before September 1, 2016.

There are additional requirements for those who file the Small Miner's Waiver, and we are listing those requirements as spelled out by the Bureau of Land Management:

If you file a 2017 Small Miner's Waiver, you must also do the following:  
On or Before December 30, 2016:

For mill or tunnel sites listed on the Small Miner's Waiver, you must file a "2016 Notice of Intent to Hold," or write on the Small Miner's Waiver that it serves as a Notice of Intent to Hold for the mill or tunnel site listed on the waiver and include the \$10 processing fee per site.

For older placer and lode claims listed on the Small Miner's Waiver, you must file a "2016 Affidavit of Assessment Work" (also known as a Proof of Labor), along with the \$10 processing fee (per claim). Please note that you do not need to notarize your Assessment Form for BLM. Note: Your county recorder may require you to notarize your Assessment Form.

For placer and lode claims you list on your waiver that were located since September 1, 2015, you must file a "2016 Notice of Intent to Hold" along with a \$10 processing fee per claim.

We highly recommend that you file your 2016 Affidavit of Assessment Work and/or the Notice of Intent to Hold at the same time you file your 2017 Small Miner's Waiver. This is due by the September 1, 2016 deadline.

Important Reminder: For those who filed a 2016 Small Miner's Waiver last year (by September 1, 2015), you must file your 2016 Affidavit of Assessment Work on or before December 30, 2016, regardless of whether you pay the Maintenance Fee this year for 2017.

Do I Qualify for the 2017 Small Miner's Waiver? You may qualify for a Small Miner's Waiver if all owners listed on the small miner's waiver own ten or fewer claims and/or sites nationwide. All claims, mill and tunnel sites must be listed on the Small Miner's Waiver. The Small Miner's Waiver must contain the original signatures of all owners, written in blue ink. If an agent signs for the owners, a notarized designation of the agent, signed by all owners, must be on file with BLM or be submitted with the waiver. An agent signing the waiver for more than one owner must list each owner's name, address, as well as sign for each individual owner listed on the waiver (i.e., 5 claimants requires 5 signatures by the agent).

We strongly advise you to not wait until the last minute to get your claim paperwork in. If you have questions or need the proper forms for your state or county, contact them now.

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## Greenpeace Sued for Racketeering

Resolute Forest Products, a Canadian company, is one of many companies that tried to work out a compromise with environmental extremist groups. Resolute was part of a negotiated settlement between the Forest Products Association of Canada (FPAC) and the environmental groups that allowed the groups to "consult" on forest development plans and made other concessions. In exchange, the organizations—including Greenpeace, the David Suzuki Foundation, and ForestEthics—agreed to stop their harassment campaigns against Resolute and other FPAC members.

But it didn't take long for Greenpeace to violate the agreement. In 2012, Greenpeace was forced to publicly retract statements it had issued accusing Resolute of "approving and developing roads in areas of suspended harvest" and being "secretly engaged in logging."

It didn't stop there. Greenpeace continued to target businesses that purchased forest products from Resolute, including Rite-Aid, Proctor & Gamble, Home Depot, Office Depot, and more, calling Resolute "a company with a history of environmental destruction."

On May 31, 2016, Resolute filed a civil RICO (Racketeer Influenced and Corrupt Organizations) lawsuit against Greenpeace and associated groups in US District Court, seeking compensatory damages.

"Greenpeace has fabricated evidence and events, including, for example, staged photos falsely purporting to show Resolute logging in prohibited areas," said Resolute in a news release.

Patrick Moore, one of the original founders of Greenpeace but no longer associated with them, has come to the aid of Resolute. In the "Green Syndicate," recently published by capitolhilloutsider.com, Moore states, "I am very proud to have played a small role in helping Resolute deal with these lying blackmailers and extortionists."

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There is a very long stretch of the Rogue River crossing Oregon State Lands. We struck high-grade gold while dredging along the Rogue River during the last few seasons (pre-2014). We have a Map and an Access Guide for all members who wish to suction dredge along the Rogue River in southern Oregon. Members are invited to contact our office for more information.

The main difference between the Rogue and Klamath Rivers is that the Rogue has mostly-shallow gravel deposits to the pay-dirt. We have yet to find a single place where gravel depth was more than three feet. The place where Craig Colt and Dave Mack dredged over a pound of gold only had one foot of material over the pay-dirt. Many other members have experienced the same thing. Shallow streambed material allows sampling and mining go faster.

The Rogue is a good dredging river, though we warn you that it is generally wide with faster-moving water. In that light, if you are just getting started, the South Umpqua River might be better suited for you.— [The New 49ers](http://www.goldgold.com) © 2013, [www.goldgold.com](http://www.goldgold.com)



## **MMAC & PLP Update—Scott Harn**

It seems that miners across the US are finally getting the message that having an organized Mining District gives you a huge advantage. As a federally recognized entity, you have the power to require coordination from federal agencies. You can read more about that power in “Proof Mining Districts Work!” in our July issue.

I’ve been fielding quite a few calls from miners who have tracked down the original bylaws for their traditional Mining District and they are taking the steps necessary to get organized. It’s never too late to take back control. You’ll see a Public Notice in this issue for some Mining Districts in New Mexico. If you have mining claims, it’s time for you to take control or quit whining.

To give you another example of the power of Mining Districts, take a look at the recent progress made in the Rand Mining District in southern California

As we reported previously, the Rand Mining District was in disarray and got organized again with the assistance of the Minerals and Mining Advisory Council (MMAC) and Public Lands for the People (PLP). A member of the Rand Mining District board obtained a voting position on the Desert Advisory Council, an unelected board that sets many of the rules and regulations for millions of acres of desert lands in southern California.

Joe Martori of MMAC, Clark Pearson of PLP, and I made presentations to the Desert Advisory Council to bring them up to speed on mining law. Some of the big obstacles were areas designated as ACECs (Areas of Critical Environmental Concern). The rights of miners were being trampled upon and the Desert Advisory Council was unaware they were overstepping their authority within the Rand Mining District.

Many miners have failed to exercise their rights by using the power of their Mining District and laws that are already on the books, such as 43 CFR 9712.1, which states,

“...any use of the surface of any such mining claim by the United States, its permittees or licensees, shall be such as not to endanger or materially interfere with prospecting, mining or processing operations or uses reasonably incident thereto...”

Restrictions placed on lands designated as ACECs “materially interfered” with mining and the Desert Advisory Council failed to coordinate with the Rand Mining District.

A Memorandum of Understanding was written up between the Bureau of Land Management and the Rand Mining District to clarify the situation (currently in its final edit) and the result will be that ACECs will not apply within the Rand Mining District.

Public Lands for the People has also been busy, and one of their latest cases involves suction dredge miner Ron Miller in Idaho, which we reported on last issue.

The Idaho Conservation League (ICL) served Ron with papers informing him of their intent to sue him for supposedly violating the Clean Water Act by operating his suction dredge without obtaining a National Pollution Discharge Elimination System (NPDES) permit.

PLP and the Rocky Mountain Mining Rights Association assisted Ron, and the ICL was served with a Direct and Constructive Notice that advised them they would be sued individually and personally if they violate his rights. (See MMAC & PLP Update in our July 2016 issue.)

Since that time, Ron received a letter from the Idaho Department of Water Resources on behalf of the EPA which threatened charges and fines for failing to obtain an NPDES permit and he had an appeal denied by the US Forest Service.

PLP and the Rocky Mountain Mining Rights Association aided Ron in making a request for an administrative hearing and his Notice of Appeal.

(Ron’s three-page response and request for the hearing is too long to include here in its entirety. ... you can read the entire letter in the online version of this article via the link below.)

There are certain steps Ron must follow before he can pursue civil claims against public officials for, among other things, failing to coordinate with the Mining District and materially interfering with his operation. Those avenues need to be exhausted and he is committed to following through to a lawsuit if necessary.

Link: The complete “Notice of Appeal and Request for Administrative Hearing” in .pdf format

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## **“Defiant Dredgers Tell State of Oregon to ‘Drop Dead’”**

That was the headline of a recent article that appeared in Oregon’s Mail Tribune.

Rick Barclay, head of the Galice Mining District and one of the plaintiffs in a lawsuit filed to stop Oregon’s moratorium on in-stream mining, said dredgers are currently working claims on intermittent streams that don’t flow during the summer period, and federal mining laws require they work their claims to keep them. “Those are federal claims mined under federal law. The state can drop dead,” said Barclay.

It was very refreshing to read that a small group of dredgers finally have the courage to aggressively fight for their legal right to mine their claims.

Working your federal mining claims is a granted right. For too many years, miners have attempted to negotiate with state and federal agencies, which is a no-win situation. The agencies already have a pre-determined outcome in mind. They attempt to lure miners into negotiations through public comment periods and public meetings so they can claim the miners were willing participants.

There is an answer to this problem. Traditional Mining Districts are federally recognized and are specifically mentioned in the 1872 Mining Act.

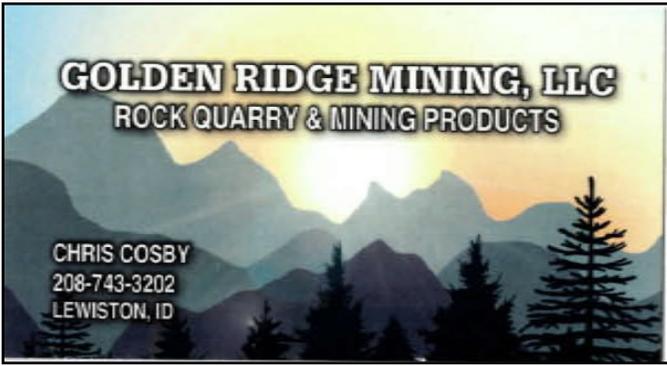
Locate the original bylaws for the Mining District where your claims are located, get it organized if it is in disarray, and get yourselves on a level playing field. Your Traditional Mining District has the power to set rules and regulations.

Clark Pearson, Northern Director of Public Lands for the People, put it this way:

“After several discussions with individual miners the last several weeks, I am reminding all of them that mining rights can go away by the consent of unreasonable permit systems or not asserting your rights by action (mining). Several miners did not wish to be cited namely because they stand to lose money and time. I reminded them they are already losing time and money. Sitting on the sidelines and waiting for someone else to walk ‘into the propeller’ shows me the miners fear. Courage is the mastery of fear—not the absence of fear. Mastery of fear comes from the study of your mining rights and having the courage, conviction and confidence in oneself.”

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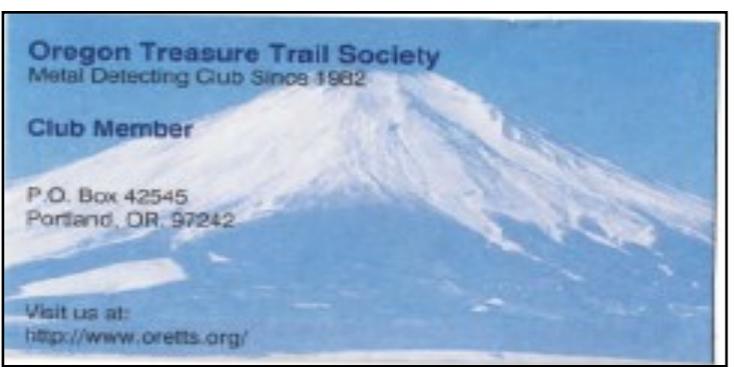
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 **PORTLAND GOLD PROSPECTORS**

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