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There was no June newsletter.

No one seemed to notice. We think May’s newsletter had a bad link and it’s likely many people weren’t able to download it so we’re going to reprint most of May’s newsletter again. Plus, when you’re working on a laptop out at the mine it’s really hard to do a whole lot of writing at the end of the day.

Each summer we spend our time mining. We usually forewarn you that we’ll have some short newsletters during the summer. This summer we headed for the mine early, and thought we’d skip June and combine it with July, since we were supposed to have a trial and a ruling in July. We didn’t.

If you’ve followed the newsletter for a few years you know we pack up and go mining in the summer. That’s what we’ve always done. After all we’re not in this lawsuit for the joy of suing the State, but rather to get our rights to dredge back.

The second part of the above sentence had been more challenging than we ever thought. When we first filed our lawsuit with PLP as a partner, we really thought we’d be in and out within a few months. The law says a CEQA lawsuit is the highest priority civil lawsuit, so we were pretty confident our suit would go to the top of the pile.

Well...then there was the year of attempted settlement discussions, which ended badly; then the ruling on preemption in our favor, only to be overturned by the California Supreme Court, which led to the Rinehart case being petitioned to the U.S. Supreme Court which has taken some interest in the case.

Pacific Legal Foundation, which has lead on the Supreme Court case informed us the U.S. Solicitor General will file a brief in the Rinehart Case by the end of the summer. We don’t have any indication of how they will side, but it’s a little dicey for them because they already filed an amicus brief in the California Supreme Court saying the California law wasn’t preempted. We assume if they’re going to file a brief with the U.S. Supreme Court they would reverse their position. Why else file a new brief?

In the San Bernardino cases our frustration with the legal system continues. We were scheduled for a trial date of 12 July. We decided to skip this hearing and let the attorney represent us. We made this decision primarily because of funds. We had just paid the attorney bill down to only $800 owed (that means we’ve almost managed to pay off $40,000 in attorney fees in three years). We didn’t see the point in spending more money, which we didn’t have, to drive from Sacramento to San Bernardino and incur the costs of hotel, gas and food.

It turned out to be the right choice. Despite the attorney flying from Portland, Oregon to San Bernardino, and spending two days of lawyer time on this the judge said he wasn’t prepared to rule and delayed the hearing until the 25th of July.

That just cost us about $10,000 in legal fees which we’ll split with PLP, so our share of a wasted trip is $5,000. That’s the cost of plane, travel and $300 an hour of time. Just when we thought we’d almost paid off the attorney.

If you’ve been following the case, then you know on the 24th of July the State requested another delay because one of their numerous attorneys was sick and couldn’t attend, so the case slipped again. The case is now scheduled for trial in September.

On the following page we provide an update on the Rinehart case, and what it means. It’s over a month old by now, but if you read the article you’ll see the Rinehart petition is one of very few on the short list for acceptance.

There are no guarantees, but the recent developments in the case are very positive. Keep your fingers crossed.
We were notified by Pacific Legal Foundation the U.S. Supreme Court has requested the opinion of the U.S. Solicitor General in the Rinehart Case.

So what does this development mean? The U.S. Supreme Court accepts cases based on Rule 10 of the U.S. Supreme Court:

**Rule 10**

“Review on a writ of certiorari is not a matter of right, but of judicial discretion. A petition for a writ of certiorari will be granted only for compelling reasons. The following, although neither controlling nor fully measuring the Court's discretion, indicate the character of the reasons the Court considers:

(a) United States court of appeals has entered a decision in conflict with the decision of another United States court of appeals on the same important matter; has decided an important federal question in a way that conflicts with a decision by a state court of last resort; or has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power;

(b) a state court of last resort has decided an important federal question in a way that conflicts with the decision of another state court of last resort or of a United States court of appeals;

(c) a state court or a United States court of appeals has decided an important question of federal law that has not been, but should be, settled by this Court, or has decided an important federal question in a way that conflicts with relevant decisions of this Court.”

**The Statistics**

Practically speaking the U.S. Supreme Court accepts very few cases. In the 2005-2006 term 8,517 cases were submitted, the Court agreed to hear only 78, or slightly less than 1%.[1]

When we look at statistics the first step in deciding whether they'll review a case is known as the “Call for Response.” This indicates at least one of the justices has found the case interesting enough to request a response from the defendant. In the Rinehart case the defendant is the state of California. The U.S. Supreme Court has already issued for call for response from California and California has received their response.

Pacific Legal Foundation has already responded to the response.

Back to statistics – of the 8,517 cases petitioned in 2005-2006 only 200 calls for response were issued.[2]

From research the grant rate for a petition in which the Court has called for a response increase from 1% of petitions to 8.6%. Interestingly, when the State is the respondent and files a response the grant rate then increases 16 fold.[3]

The next step in the process is the Call for Views of the Solicitor General of the United States. Under this step the Court officially asks the Solicitor General what his opinions on the case are. The response from the Solicitor General is issued as a briefing.

In the California Supreme Court the U.S. Solicitor General (under the Obama administration) issued a briefing which said California could ban dredging and not run afoul of federal preemption.

The U.S. Supreme Court has now asked the U.S. Solicitor General whether they would like to re-evaluate this position.

To issue a call for views of the Solicitor General all the justices must vote on it and at least 4 must agree. For the 2005-2006 term the U.S. Supreme Court issued only 12 calls for views of the Solicitor General.[4]

When the Supreme Court issues a call for views of the Solicitor General the grant rate of the petition increases to 42%.[4]

Interestingly when the U.S. Solicitor General responds the court follows their advice 80% of the time.[5]

In other words the Rinehart case is now the decision of the United States Solicitor General. If the Solicitor General issues a brief which says the Court should grant Rinehart’s petition then its probable Rinehart will be headed to the U.S. Supreme Court.

As mentioned it’s less than ½ of 1% of all cases the Court will even request the opinion of the United States. Rinehart has passed that hurdle.

In fact, the Rinehart case is now one of a very very small group of cases which could be heard by the Court.
Pacific Legal Foundation has already submitted a letter to the Solicitor General, and we will be drafting letters for Congressional signature. PLF has requested we don’t flood the Solicitor General’s office with letters. We’ve got that part covered with very focused and tailored letters.

**WRITE A LETTER!**

What you can do is write a letter to the Trump administration requesting they support Rinehart’s petition and make them aware of the issue. You can write to:

President Donald J. Trump  
1600 Pennsylvania Ave NW  
Washington DC 20500

Secretary Ryan Zinke  
Department of the Interior  
1849 C Street NW  
Washington DC 20240

Don’t underestimate the power of the written letter. We’ve battled long odds to get here your letter counts at this pivotal time.

Please don’t write the Solicitor General, we need to follow the advice of PLF.

Use your own wording, we’re not promoting a form letter here, just some general text and some points to cover. Keep your letter short (one page, two at most) and be very respectful.

**Suggested Points to Cover:**

Dear President Trump;

The U.S. Supreme Court has recently requested the views of your Solicitor General in an important case to American mining.

The case is Rinehart v. the state of California, 16-970.

Brandon Rinehart, the petitioner, is a young father and electrician. He was cited and convicted of mining on his federal mining claim despite having done the exact same type of mining under a permit for years. The State cited him for mining without a permit, even though the State refused to establish a permitting system.

The miner was operating on a legal federal mining claim and the issue before the California Supreme Court was whether federal laws promoting mining could be superseded by state environmental laws which prohibit mining.

The California court ruled a federal mining claim only grants the miner a possessory interest, but no right to mine the claim was ever intended by Congress.

If left standing this ruling has the potential to effectively end motorized methods of mining in California. Recently the state of Oregon also imposed a ban on motorized mining similar to the California ban, this case is pending before the 9th Circuit Court of Appeals.

The United States now has the opportunity to reverse this decision and re-establish federal supremacy over federal lands and the use of those lands. The use of those lands is solely reserved to Congress and for over 150 years miners have operated under the 1872 Mining Law which encourages and promotes the extraction of minerals.

I hope your administration will support the petition of Brandon Rinehart and support the ability of thousands of small-scale miners to resume legal mining on their claims.

Respectfully,

Dave Miner

References (surprisingly it’s hard to find this information. We have posted the source document on our web site under the Legal – Rinehart page.  
By now you’ve noticed we’ve done quite a few articles on the ancient channels. If you’ve been reading them then you know the reason is the ancient tertiary channels were the source of the majority of gold in California.

In fact, other than the lode sources, the tertiary channels produced virtually all of the gold in California. Locating and prospecting these old channels can result in mines with commercial value.

Within a few short years of the California Gold Rush the easy gold, that lying around on the banks, was exhausted and the miners discovered the source of the gold was eroding from the ancient dead rivers. They began tunneling into these channels and discovered the old rivers were enormously rich with gold.

This tunneling led to hydraulicing, which was a relatively short-lived technique, about 30 years in total. Once the miners could no longer profitably hydraulic the channels they began drifting in on them again to reach the bedrock under the old rivers.

We continue to hope, that someday, mining can resume in California and these treasure vaults can be reopened by the miners.

We’ve provided information before about unworked sections of channel and in this article we re-print an article from the California Bureau of Mines on a section of channel in the Yuba district in the Port Wine Ridge area. For the person with big dreams, there’s still a lot of ground left and here we identify another section of channel for you to consider.

“The Brandy City Mine, which is now being worked, still contains about half a mile of unworked ground along the channel. At Scales, below the junction of the Port Wine – La Porte branches there is a very heavy wash, which is largely inter-volcanic. This underlies the original white gravel which is mixed with fine andesitic pebbles

There is a tremendous area of unworked gravel here. Mining is still being done in a small way, both hydraulicking and drifting. From Scales on up the Port Wine Ridge, the channel is almost intact and is largely virgin. At Mount Pleasant, above Scales, is the junction of the La Porte and Port Wine channels. There are from sixty to eighty million yards of gravel here which would make on of the easiest hydraulic deposits in the state. About two hundred feet in depth the bank is composed of small white quartz gravel with an unknown width, which is presumably, at least, half a mile. The channel extends for nearly two miles. The center of it has been worked for about half a mile, but the balance is practically virgin. It is eminently suited to hydraulicking, as the values run clear up to the top soil and the bedrock pay, judging from the history of the early mining, is undoubtedly good.

The Poverty Hill branch of this channel extends on up through Secret Diggings to La Porte. Both of these places are pretty well worked out, and were among the richest gravel deposits ever known in the State of California. Above La Porte the main channel is practically intact, although some prospecting has been done on it at the Bellevue Mine. As the channel at this point was continuously crossing a belt containing quartz seams and stringers which were rich in gold, the values appear to run almost uniformly through the channel. The Bellevue Mine itself probably contains from four to five miles of virgin channel, which should be among the best drift ground yet remaining in the state.

Passing under the Gibsonville Ridge, where a great deal of hydraulic ground was developed in the early days, it continues on up to Hepsidam and Whiskey Diggins. It is almost altogether composed of white quartz gravel wherever it is exposed, and the bottom strata have almost invariably made excellent drifting ground wherever it has been tapped.

From Hepsidam the channel continues northwest and east of Pilot Peak. It turns shaply to the east, passes through around to the north of Bluenose Mine and swings over on the west side of Nelson Creek.
The tributaries of Nelson Creek have all been enriched by this channel.

Another branch of this channel comes down from the upper end of Little Grass Valley and enters it somewhere in the Bellevue ground, not far from the Thistle shaft. The upper end of this channel is now being worked at the McFarland Mine and is paying very well.

The gold appears to be distributed through the bottom ten or fifteen feet of the gravel with a great deal of uniformity.

Still higher up, around the eastern slope of Pilot Peak, we have the Onion Valley channel. This is one of the richest feeders of the Gibsonville – La Porte channel that first noted above Washington Creek near Golden Gate. From here it crosses through the old Sawpit diggings, where a portion of the channel was fauluted down for about a mile and was hydraulicked at Richmond Hill. Richmond Hill was one of the richest hydraulic mines in the state at the time of its operation. The whole flat above Sawpit has been drifted out, although the channel was pretty well spread over a large section of country by the faulting.

Above article re-printed from:
Haley, Charles Scott, California Placer Deposits, California Bureau of Mines, 1924

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- **San Bernardino**: Scheduling remains the same, we’ve submitted a motion for the judge to hear Walker’s case first, then allow us to re-brief the CEQA case based on his ruling.
- **Walker**: Pat Keene and another miner have offered to match the first $500 in support provided to Keith Walker. Last week we had an anonymous donor send a check for $500 for Keith, so that means the $500 is now worth $1,500.
- **Section 404 Permitting**: There seems to be a general misperception on what this permitting is. You are not requesting a new “404” permit. You are requesting an existing nationwide permit which is already pre-approved so long as you stay within the guidelines of the permit. Someone pointed out you want either the NWS 18 or 44 permit, but not the 19. The 19 permit is for dumping tailings on dry land. Secondly, this is only the federal permit, it doesn’t give you the State permission to dredge, but you can’t get a Water Board, or CDFW permit (not that they exist) without the federal permit. So go apply for the permit and help us pressure ACOE to issue the general permit for all of us.
- **WRITE A LETTER!** See page 2 for information, please do what you can to influence the U.S. Supreme Court decision to accept the Rinehart case.
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On the way to one of my placer claims there is a lode mine. For several years as I'd walk my trail I could look down and see the miner using a pick and shovel to clear out one of his portals. It looked like an awful lot of work in the hot sun, and quite frankly it wasn't for me. Nothing like the sound of a Honda overhead purring away as you're on air under water moving rock. Digging in the dirt all day didn't seem like an easy way to get gold.

As the dredging ban extends into yet another year, and the Honda sits idle in the garage, I thought I'd give dirt digging a try.

Three years ago I picked up a lode mine for something to do while dredging was banned. The first year I did some samples of the dump and confirmed they were getting gold so I filed a claim. The second year I ran a few yards of tailings and got a few pennyweight of gold, but I was only half serious, just playing around until it was legal to dredge. This year I decided to just go live at the mine and try to uncover the tunnels. After 130 years of slides there is an awful lot of dirt to move.

My experience to date tells me there is very little in common with lode miners and dredgers. No offense to lode miners, but it's a hell of a lot of work.

Dredgers are amphibians. We live in, near and under the water. It seems lode mines are always on hot dry, dusty hillsides, and the only water is at the bottom of the shaft and they can’t get rid of it fast enough.

I can tell you this, in all my years of dredging I’ve never had blood running from my nose at the end of the day due to breathing clouds of dust all day.

I suppose the draw of a lode mine is the potential bonanza at the bottom of a shaft. Or not. Dredgers tend to be pragmatic. They look at a river, decide where to dredge and if there’s no gold they move. Lode miners have to marry a claim and I suspect more times than not the marriage ends badly.

But, as I said, it’s something to do which involves gold and mining, so I thought I’d give it a shot for a summer.

This particular mine was first located in the 1860's. I could only find one paragraph of information on it from the Sierra County Mountain Messenger. This single paragraph said two people had hand crushed about 100 ounces in a week. From asking around I couldn't find any further information than it was re-opened in the 1960's and was apparently still pretty rich. The mine closed again in the early 70’s apparently due to a blasting accident.

If you’re familiar with Sierra County lode mines you know the majority of them are pocket mines. This one is no exception. From the tailings you can tell they would dig out the quartz, crush it with a hand mortar, look for gold and then throw away the rocks they couldn't see gold in.

If you’re wondering – yes, I had some ore assayed and the assay came back lousy. I’ve also hand crushed a lot of quartz and panned it out. Either the quartz has high grade in it, or it has nothing at all. The assay came back at 1/10th ounce per ton. Those might be good numbers for Nevada, if you’re taking out dump trucks at a time, but they’re lousy numbers for packing a bunch of ore on your back.

I’m sure someday someone will figure out how to squeeze every last particle of gold from quartz and the tailings from this mine will be a bonanza. By now the side of the hill I’m working is just about solid white from throwing waste rock over the side. Yes, 99% of the quartz is waste rock.

Counting the top of the slides I’ve dug down about 20’ in a month. It appears the damned thing has no bottom. Each day I hope the pick will finally strike a floor, but so far it just keeps going down, and down.

In trying to reach the original tunnel (there are two) I’ve now dug down through 8 feet of crushed quartz.
Surprisingly they didn’t miss much. I’ve run the detector over a couple tons of quartz by now and I’m amazed at just how good they were at knowing which quartz held gold and which didn’t. I’ve uncovered some huge quartz boulders they chucked to the side. To me it looks just like the stuff which does carry gold, but somehow they knew it didn’t.

I’m no expert hard rock miner. I’d be the last person you’d want to ask advice from. I’m not even sure I’d be a novice hard rock miner. I’m more of a guy who’s passing the time digging dirt waiting for dredging to be legal again. It seems you can’t dig dirt anywhere around water these days, so I’m digging it out of the side of a mountain. I’m sure there’s something illegal about that, if not they'll find some way to make it illegal.

Camping at the mine, or within 100 yards of the mine is damned convenient. I’m one month into a two month effort to just catch a glimpse of the original tunnels. To be honest, after a month of digging I don’t think they’re tunnels. I think they’re vertical slots. Which is just fine by me. Being a dredger I like to have the sun on my back, not 30’ of rock.

I’ve never seen a centipede under water. No matter how much rock and dirt I chuck it seems there’s another centipede. Do you suppose they actually live under 8’ of rock or do you think they just creep into my hole every night?

Spiders seem to like the dark much more than they like the water. Dredging you get the occasional long legged spiders which hang out in the branches overhanging the creek, but the spiders which live in the dark are a whole new breed of ugly. And fast. It’s really hard to kill a spider with a pick.

Camping isn’t the right word for living out of a small trailer. It seems more like living out of a small cabin, but I’m too old to sleep on the ground for 2 months so I’ve been living out of a 14’ trailer with a fridge that doesn’t work. Who knew propane fridges don’t work at 7,000’?

I’ve got an ice chest which seems to hold ice for about 5 days. The first few days after getting ice I’m living large. Fresh food and cold drinks, but as the days drag on the menu changes to rice and canned food with warm drinks. Still lots better than doing this in the 1860’s.

The biggest difference between dredging and hard rock mining is the complete lack of instant gratification. At the end of the day dredging you could clean up and count on gold being in the box. At the end of a day of digging out tunnels you've got a sore back and a nasal cavity filled with dirt you're trying to blow out all night long. In fact hard rock mining seems to be a lot like being in prison, without the benefits.

From 8 in the morning till 7 at night I make little rocks out of big rocks and spend my day moving lots and lots of rocks. Every now and then I’ll pick up a piece they missed. I've noticed now there are two types of gold they missed. The first is gold that sprayed from the rock when they busted up a big quartz piece. The second type is gold in quartz they just threw to the side.

For not having metal detectors they were damned good at not missing much. I wish I knew how they did it. I think their accuracy rate was well over 99%.

I know the US Forest Service blew a lot of mines shut, but this tunnel has stacked rock covering the portal (if it is a portal). I have to imagine they stacked the rock to protect the tunnel, blew the face to ensure no one would get in, but they planned on returning someday to re‐open the mine. That never happened.

There is the chance I’ll have one lucky day and have a great summer, but the odds seem to favor having a whole lot of days with no gold. The digging part is sheer mindless drudgery, but what keeps you going is the thought of hitting that one giant quartz chunk they threw to the side.

All things considered I would rather be dredging.
“It’s not whether you get knocked down; its whether you get back up.” Vince Lombardi

Thanks to everyone who sent Keith Walker some money. We managed to raise $1500 for Keith which allowed him to pay his rent for a few months and also to travel to San Bernardino, only to find out it was a wasted trip, and a waste of money.

Keith believes it was actually a positive thing to have the judge say he wasn’t prepared to rule. Keith believes this indicates he has a strong case and the judge is being very careful with his ruling. Keith may be right, if Keith wins there are literally hundreds of laws which would be invalidated because of the way they were passed. There is a lot at stake in both Keith’s and our cases.

The news in the Rinehart case is very positive.

It was 5 years ago I walked into the Sacramento office of Pacific Legal Foundation and offered to take a couple lawyers to dinner to discuss the dredging issue, an issue they had never heard of.

Those two lawyers were Damien Schiff (now nominated for a federal court judge) and Jonathon Woods (lead lawyer in the Rinehart case). At the time I only hoped we could somehow persuade them to even look at our dredging cases and they committed to helping us in our appeal, and here we are 5 years later on the brink of going to the U.S. Supreme Court with Pacific Legal.

For four years we have doggedly and persistently returned to Capitol Hill with our few sheets of paper on a proposed bill to fix some significant issues.

Three weeks after meeting with Congressman Bishop and discussing the problems with the Endangered Species Act there were hearings on Capitol Hill on this Act held by Congressman Bishop and testifying was... Yeah, Jonathon Wood.

I think what we’ve learned over the past 7 years of fighting the dredging ban is sometimes you can really overcome the longest of odds, and even the little guy, if he doesn’t quit, can win.

We’ve also learned this takes time, and more importantly it takes building relationships. Relationships don’t happen overnight, and to be honest they often happen just because you keep coming back – humbly.

Our proposed legislation was killed in committee. From our discussions with committee staff they said the Republicans don’t want to tackle the Clean Water Act. Apparently they are afraid. We’re not sure how that works out. If any law needed changing it’s the Clean Water Act.

I think what really matters is that we keep trying. If not us, then hopefully some other organization will have better luck, but if we keep coming back we’ll eventually get something through.

All too often each organization looks at the other mining organizations as either a threat, or a competitor. I don’t see it that way. Anyone in the fight is welcome to a seat at the table. It would be nice if we would all talk and coordinate, but that’s a bit of wishful thinking. At least organizations are still out there fighting, suing and trying to change the laws and that’s a good thing.

Just when we almost had the lawyer paid off we just blew two days of lawyer time at $300 an hour, plus travel on a wasted trip to San Bernardino. No disrespect but you have to wonder if a phone call or email could have saved a lot of people time and money travelling to San Bernardino.

So, our lawyer bill is back up again. We could use some help paying it down. Even though our online store is down for the summer our donate button works on our web page, so if you’re doing really good on gold this summer, think of our lawyer bills and kick in a little.

Two years ago we owed $40,000. We think the new bill we’ll get here in a week will be about $5,000.

If you join the WMA at the $100 level we’ll send you a copy of the 2017 Claims Report, and actually help you find your own mining claim. Joining now also entitles you to next year’s claims report (Advanced Report) and you’ll be the first to know of claims which potentially could be closed by BLM months ahead of the public.

This fight is a worthy cause, and we’re on the brink of winning it all.
I have found even insane people can act rationally on occasion so I figured Ruck a Chucky Chuck’s membership in the Sierra Club would be short-lived.

And it was. After the frog incident we reached a sort of détente where I wouldn’t send any more newbie prospectors his way, if he wouldn’t hold tours on my claim in Starvation Creek.

It appears the Sierra Club and Ruck a Chucky Chuck had a falling out when he threatened one of them with a pocket knife, but when he reached in his pocket to grab the knife he ended up with an endangered frog in his hand, which the assembled environmentalists were somewhat aghast and Chuck had to beat a hasty retreat back to Hard Luck Canyon.

So a few days later he comes slinking into Murphy’s Bar asking for a truce. I’m sorry to say a lot of frogs gave their last full measure to bring Chuck to the negotiating table, or bar as you may have it.

According to Chuck they weren’t really all that hard to find. He could pick up a bucket full in Hard Luck Canyon in a good afternoon, then simply transport them a couple thousand feet in elevation and release them on Starvation Creek where they would promptly freeze to death. After a few trips like this, and the ground littered with dead frogs he essentially had nothing more than a large frog die off which showed the environmentalists a endangered frog couldn’t actually survive on Starvation Creek, although I heard some of them were writing some type of research paper on the unexplained frog die off.

With a complete lack of frogs to save on Starvation Creek the environmentalists have returned to Grass Valley plotting their next move to save the environment.

I think Rocky, the bartender, was hoping for more fireworks out of the Ruck a Chucky Chuck episode, but I knew at some point Chuck would run out of frogs, but I had an endless supply of Newbies.

Now for those of who’ve been mining for a while Newbies can be an endless source of entertainment. I’m not sure why Ruck a Chucky Chuck doesn’t appreciate having a few around.

Well, other than they have no idea how to find gold and you find yourself spending hours trying to show them how to pan, where to dig, where not to dig and so on.

Flanagan, the downstream claim owner, isn’t necessarily all that mean spirited but one summer he was dredging the Yuba and had been bothered all day by Newbies. Finally he agreed to show them where some gold was in the bank. It just happened to be in the middle of a Poison Oak patch.

The irony is they still got a couple penny weight out of it.

Flanagan and I both have claims on the Yuba, but being undocumented dredgers we don’t really want to throw the dredge in the water next to Highway 49 as a couple thousand tourists drive by taking pictures, and of course the environmentalists who take the pictures and send them into CalTip.

So for the past few summers we’ve been holed up in Starvation Canyon – operating undocumented, and supporting the local bar with our occasional trips.

The summer mining season pretty much started last week. Flanagan was in the canyon before I was, but he’s younger and less experienced. This time of year the water is still running off from the snow, and its high.

He’s got one of those fancy wet suit heater tubes that pumps hot water in his wetsuit. I’ve got a wetsuit with some pretty respectable holes in the knees and elbow where any warm water tends to run right out.

So last week I’m sitting in Murphy’s Bar, in the town of Hardrock, talking with Rocky Stone the bartender when Flanagan comes in and puts a two ounce gold bottle on the counter.

Full.

Rocky, who is a bartender in Gold Country, but who has never actually seen gold, gets wide eyes and asks “Where’d you get that from.”
Which is a stupid question.

I imagine he thinks the rest of the conversation will go something like, “Why just 350 yards down the road, take a left walk 50 feet and dig in the hole I was just digging in and it’s just loaded with gold.”

Newbies.

Well, the conversation didn’t go like that, it went more like this.

“I was doing a little panning.”

Sure, I think, the last time someone got two ounces of gold panning a creek in California was 1850, but Rocky doesn’t know this.

“Where?” Rocky asks.

“Hornet Gulch.” Flanagan replies.

There is no Hornet Gulch, at least none that I know of.

Now Bob Flanagan and I are both undocumented dredgers. A respectable dredger isn’t going to be caught panning when he’s got a nice 5” dredge in the water, so I know Bob’s not been panning, he’s been cleaning up from the winter floods, but Rocky doesn’t know this.

Rocky suspects we’re undocumented dredgers, but from what I hear his past might be a little checkered as well, so he doesn’t push too far on asking what we’ve been up to, and we don’t ask many questions about his New York accent.

Flanagan’s lips are still blue so I know he’s been working Starvation Creek, but I’m not going to clue Rocky in on this.

“Water cold?” I ask.

“Ice cold, but with the wetsuit heater it’s pretty nice.” Flanagan replies.

“You need a wetsuit heater for panning?” Rocky asks.

“Well,” Flanagan replies, “I’m what you’d call a professional panner. Not one of those sit on the bank and pick at rocks, I get right in the gut of the river and pan.”

“So you’re panning underwater?” Rocky asks.

“Yeah, I grab my pan, swim to the bottom, scoop up a bunch of bedrock material and swim to the bank and pan it out.”

“And you got all that gold just panning?” Rocky asks with just a hint of gold fever starting to show through.

“Yup.” Flanagan lied. But it sounded convincing when he said it.

“Is there any more there?” Rocky asks.

Another stupid question. Any miner worth his salt, who’s on the gold isn’t go to tell someone there’s lots more gold where that came from, but I pretty much know what Flanagan’s going to say before he says it.

“Lots more. After the big winter rains the gulch is just loaded with gold. Unfortunately I won’t be able to get back up there until July. I’ve got to check on some claims down by Alleghany and do some work.”

“Is Hornet Gulch hard to get to?” Rocky tries to ask casually as he’s sliding a couple of beers across the bar. “Those are on me.” He says. “I had a good week and you guys are good customers.”

I look at Bob, who shoots me a “Don’t say a word” glance because Rocky has never offered up a free beer, but Bob is working an angle and I let him run with it.

“You see, that’s the thing Rocky, it’s easy to get to but the exact spot is hard to find I had to mark a trail with orange engineer tape last fall so I could remember how to get to my spot. I always park my truck there by Pinnacle Peak at the creek crossing, then follow the orange markings. But don’t tell anyone about it, there’s no claim on it right now.”

Bob picked up his gold bottle and held it up to the light. He bounced it up and down a couple of times to where you could hear the pickers clinking against the glass.

“Too bad I won’t be able to get back in there for a while.” Bob says as we get up to head for the door.

As the door shuts behind us I ask “Why did you send him to Deadman Ravine with a full blown snow melt going on? This time of year the Yellow Jackets are thick in there and you know the deer hunters have orange tape everywhere, he’ll just wander in circles for days.”

“Yeah, he will.” Bob replies. “But, next time he’ll need more precise information won’t he? And that information will be worth some beer.”

“Newbies.” I sigh.
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