

+NOTICE!!

These documents have been scanned!

Do not place un-scanned documents beneath this notice!

Do not remove this notice from this file!

GPO Jacket No. 560-102
Print Order 61549
Rise Business Services, LLC
Job=AZ15 9/12/2019



Box Number= AZ15245



Claim Begin-End: AMC072229-AMC072253

1 Initial Receipt



AZ15245-8 AMC069887-AMC072229

**NO
DOCUMENTS
FOUND**

NO DOCUMENTS FOUND
NO DOCUMENTS FOUND

NOTICE!!

These documents have been scanned!

Do not place un-scanned documents beneath this notice!

Do not remove this notice from this file!

GPO Jacket No. 560-102
Print Order 61549
Rise Business Services, LLC
Job=AZ15 9/12/2019



Box Number= AZ15245



Claim Begin-End: AMC072229-AMC072253

2 Correspondence



AZ15245-8

AMC069887-AMC072229



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Arizona State Office
222 N. Central Avenue
Phoenix, Arizona 85004
www.az.blm.gov

IN REPLY REFER TO:
3800 (957) MH
AMC 72229

MAY 30 2002

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

DECISION

Mining Claimant(s)	:	Mining Claim(s)
as Shown on the	:	
Enclosed Sheet(s)	:	

Mining Claims Declared Forfeited

The mining claims listed on the attached sheet have been declared forfeited for failure to file the required small miner's maintenance fee waiver (waiver) or pay the annual non-refundable maintenance fee of \$100.

Claimants are required to pay an annual non-refundable maintenance fee of \$100 or submit a waiver, on or before September 1, of each year. These requirements were established by 30 U.S.C. 28f-k, as amended by the Act of November 5, 2001 (Public Law 107-63; 115 Stat. 414) at 43 CFR 3833.1-5, 1-6, and 1-7.

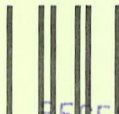
Our records do not show receipt of a maintenance fee payment, or waiver received on or before September 1, 2001, for the year 2002, for the mining claim(s) listed on the enclosed sheet(s), and therefore, the claims are declared forfeited.

You are required to reclaim all areas disturbed by your activities on lands encompassed by your mining claim(s) and/or site(s). After you complete the reclamation, you must notify the authorized officer of the appropriate surface managing agency so that the authorized officer may conduct a final site inspection and determine whether you may be released from liability. If you fail to reclaim the land to the satisfaction of the authorized officer, the surface management agency may cite you for noncompliance under its surface management regulations.

For lands administered by the BLM, if you fail to reclaim the lands to the satisfaction of the authorized officer as required in 43 CFR Subpart 3809, BLM will issue an order of noncompliance under 43 CFR 3809.601(a). If you fail to comply with the noncompliance order, BLM may take further action under 43 CFR 3809.604. Failure to conduct reclamation is a prohibited act that may subject you to criminal penalties. See 43 CFR 3809.605(h) and 43 CFR 3809.700.

If your occupancy has been terminated and you fail to remove structures, material, and equipment, and any personal property in accordance with the regulations in 43 CFR 3715.5-1, BLM may dispose of the property. In accordance with 43 CFR 3715.5-2, you will remain liable for the costs BLM incurs in removing and disposing of the property.

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

- Sender: Please print your name, address, and ZIP+4 in this box •

RECEIVED
BUREAU OF
LAND MANAGEMENT
2002 JUN -4 A 9:40

BUREAU OF LAND MANAGEMENT
Arizona State Office (952.3)
222 N. Central Avenue
Phoenix, AZ 85004-2203
ARIZONA
STATE OFFICE
PHOENIX, ARIZONA
957



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

City of Phoenix
251 W. Washington St
8th Floor, Attn: Belinda Diaz
Phoenix, AZ 85003-7799
 MH AMC72229 (39)

2. Article Number (Copy from service label)

7000 1670 0000 9171 1464

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly)

R. Jones

B. Date of Delivery

C. Signature

X R. Jones

Agent

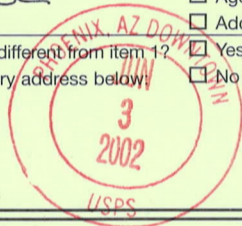
Addressee

D. Is delivery address different from item 1?

Yes

If YES, enter delivery address below:

No



3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition pursuant to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay **must** also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

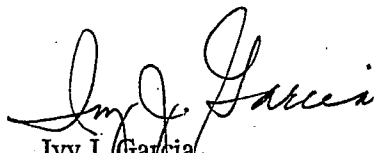
Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

If no appeal, or noncompliance, with the above occurs, this decision constitutes final administrative action of this Department as it affects the mining claims. No appeal, protest or petition for reconsideration will be entertained from this decision after the appeal period has expired.

Please include your AMC serial number(s) on all correspondence. If additional information is required, please call Mary Hyde at (602) 417-9356.



Ivy J. Garcia
Group Administrator
Lands and Minerals Adjudication

Enclosure

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Missing Yearly Attachments for Enter_Year 2002

CITY OF PHOENIX
251 W WASHINGTON ST
PHOENIX, AZ 850037799

Attention: Belinda Diaz
3th Floor

Lead File Number - 72229

<u>Serial Number</u>	<u>Mc Claim Nm</u>	<u>Last Assess Yr</u>
AMC72230	WHITE SHALE #1	2001
AMC72231	WHITE SHALE #2	2001
AMC72232	WHITE SHALE #3	2001
AMC72233	WHITE SHALE #4	2001
AMC72234	WHITE SHALE #5	2001
AMC72235	WHITE SHALE #6	2001
AMC72236	WHITE SHALE #7	2001
AMC72237	WHITE SHALE #8	2001

Closed

72230 - 72237

9/1/01 *MH*



City of Phoenix

FINANCE DEPARTMENT
REAL ESTATE DIVISION

270 JUL 19 10:30

RECEIVED
REALESTATE

July 7, 2000

United States Department of the Interior
Bureau of Land Management
Mining Claim Administration
ATTN: DORI MORRISON -Land Law Examiner
222 North Central Avenue
Phoenix, AZ 85004

SUBJECT: MINING CLAIM – White Shale #1 through 8 inclusive
AMC Nos. 72230 through 72237 inclusive

Dear Ms. Morrison:

On December 27, 1999, the undersigned, Frank Melluzzo, conveyed by quit claim deed the above referenced mining claims to the City of Phoenix. The City's Real Estate Administrator, John E. Burke, filed copies of the conveyance documents with your office on January 11, 2000.

Included in the packet filed with your office by Mr. Burke were two Affidavit(s) of Publication of Notices of Forfeiture relating to three of the original Locators, to-wit: Geno Melluzzo, Glenna Melluzzo and Deno Melluzzo (a.k.a. Dean Spates). Mr. Burke was advised that the BLM also requires a letter from me confirming that the above three individual's interests in the subject mining claims have been duly forfeited. Please consider this letter as the required documentation.

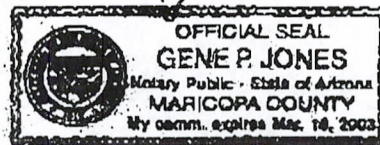
Thank you for your consideration and if you have any questions, please call me at 602-861-1048 or you may contact Mr. Burke at 602-262-6267.

Sincerely,

Frank Melluzzo

SUBSCRIBED AND SWORN to before this 17 day of July, 2000
By FRANK MELLUZZO.

Notary Public



My Commission Expires: 3-16-2003

H:\My Documents\Letters\BLM Melluzzo062800.doc

TOTAL PRICE: \$278.46

ISSUED TO:

AFFIDAVIT OF PUBLICATION

W. Scott Donaldson, Attorney at Law

STATE OF ARIZONA)
County of Maricopa)

Michael E. Quayle, being duly sworn, upon oath, deposes and says: That he is the Publisher/Editor of

The Wickenburg Sun

A newspaper of general circulation in the County of Maricopa, State of Arizona, published in Wickenburg, Arizona, and that the copy hereto attached is a true copy of the advertisement as published weekly in The Wickenburg Sun on the dates following:

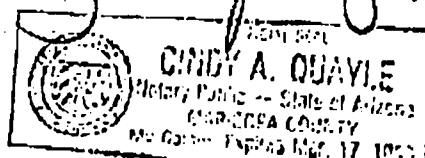
May 14, 21 and 28, 1987
June 4, 11, 18 and 25, 1987
July 2, 9, 16, 23 and 30, 1987
August 6 and 13, 1987

[Handwritten Signature]
MICHAEL E. QUAYLE
Publisher/Editor

Sworn to before me this 14th day of

August A.D. 1987

[Handwritten Signature]
Notary Public



PUBLIC NOTICE

**NOTICE OF FORFEITURE
OF MINING CLAIMANT'S INTEREST**

Dean Spates is hereby notified, pursuant to 30 USC Section 28, and ARS Section 37-321, that he has failed to contribute his share of the cost of the required annual assessment work on the unpatented mining claims described as follows:

Claim name: White Shale No. 1; Yavapai County Recorder's office Docket 2731, page 74, BLM Number 72230.

Claim name, White Shale No. 2; Docket 2731, page 75, BLM No. 72231.

Claim name, White Shale No. 3; Docket 2731, page 76, BLM No. 72232.

Claim name, White Shale No. 4; Docket 2731, page 77, BLM No. 72233.

Claim name, White Shale No. 5; Docket 2731, page 78, BLM No. 72234.

Claim name, White Shale No. 6; Docket 2731, page 79, BLM No. 72235.

Claim name, White Shale No. 7; Docket 2731, page 80, BLM No. 72236.

Claim name, White Shale No. 8; Docket 2731, page 81, BLM No. 72237.

Claim name, White Shale Extension, Docket 0060, page 978, BLM No. 72238.

Said unpatented mining claims are located in Sections 28 and 33 of Township 8 North, Range 2 East, G&SR B&M, Maricopa County, State of Arizona.

The failure to Dean Spates to pay his allotted share of the assessment work expenses to his co-owners within 180 days of the first publication of this notice shall result in Spates' interest in said mining claims becoming the property of his co-owners who have made the required expenditures. Said co-owners can be contacted through Frank Melluzzo, c/o W. Scott Donaldson, Attorney at Law, 2916 North 7th Avenue, Suite 100, Phoenix, (602) 277-4441.

Published in The Wickenburg Sun on May 14, 21 and 28, June 4, 11, 18 and 25, July 2, 9, 16, 23 and 30 and Aug. 6 and 13, 1987.

C O V E R

S H E E T

F A X

To: Dorie Morrison
Fax #: 417-9399
Phone #: 417-9355
Subject: Mining Claim-White Shale #1-8, AMC 72230-72237
Date: August 22, 2000
Pages: 3, including this Cover Sheet

COMMENTS:

Good morning Dorie.

I am faxing the letter signed & notarized by Frank Melluzzo as requested.

From your message, it does not sound like Mr. Melluzzo ever made it to your office to show you proof that Deno Melluzzo, Dean S. Melluzzo, & Dean Spates is one of the same. In my previous conversation with Frank, he was very adamant that he would not be able to obtain an affidavit from Dean because he did not know his whereabouts and did not want to open a can of worms for the family.

So I have a suggestion.....

Would you confirm with the BLM Solicitor (I think I have that correct) if it would be acceptable for the City to published a "PUBLIC NOTICE", as was done to begin with in August 1997 (see sample), but this time it would be published showing all three names and for a period acceptable to you. It could be published in the Wickenburg Sun as done before.

Let me know what you think.

Belinda

From the desk of...

Belinda Diaz
City of Phoenix Real Estate Division
251 W. Washington, 8th Floor
Phoenix, AZ 85003

602-262-6027
Fax: 602-261-8919 or 602-534-0752



City of Phoenix

FINANCE DEPARTMENT
REAL ESTATE DIVISION

February 11, 2000

U. S. Department of the Interior
Bureau of Land Management
Mining Claim Administration
222 North Central Avenue
Phoenix, Arizona 85004

RECEIVED
BUREAU OF
LAND MANAGEMENT
FEB 16 10 05 AM '00
ARIZONA
STATE OFFICE
PHOENIX, ARIZONA

ATTN: Dori Morrison
Land Law Examiner

SUBJECT: White Shale Mining Claims #1 through #8 inclusive
AMC Nos. 72230 through 72237 inclusive

Dear Ms. Morrison:

On January 11, 2000 I visited your offices and filed documentation concerning the transfer of the above-referenced mining claims from Frank Melluzzo, et al, to the City of Phoenix. Enclosed is a copy of my transmittal letter (without enclosures) for your quick reference. Our submission included copies of Affidavit(s) of Publication of Notice of Forfeiture whereby the interests of three of the original locators were extinguished. At the time of my visit, I was advised to obtain a letter from the original locator, Frank Melluzzo, confirming the forfeitures.

Enclosed is a letter from Mr. Melluzzo confirming the forfeiture status. Please let me know if any further information or documentation is needed in order for your office to complete the transfer of these mining claims to the City of Phoenix.

Thank you for your courtesies and cooperation.

Sincerely,

John E. Burke
Real Estate Administrator

cc: Mary Hyde (W/Enclosures)

January 3, 2000

RECEIVED
BUREAU OF
LAND MANAGEMENT
FEB 16 10 05 AM '00
ARIZONA
STATE OFFICE
PHOENIX, ARIZONA

Area Manager
Phoenix District Office
Bureau of Land Management
U. S. Department of the Interior
2015 West Deer Valley Road
Phoenix, Arizona 85027

SUBJECT: Mining Claims

Dear Sirs:

The City of Phoenix has recently accepted a conveyance of the Melluzzo family's interest in mining claims White Shale Nos. 1 through 8. Enclosed herewith for your reference and records are copies of the following documents pertaining to said mining claims:

- Notice of Mining Location dated April 2, 1955 and recorded February 11, 1959 in Docket 2751, Page(s) 74 through 81, records of Maricopa County, Arizona.
- Affidavit of Publication of Notice of Forfeiture dated December 29, 1979.
- Irrevocable Power of Attorney Coupled with an Interest dated January 27, 1981.
- Affidavit of Publication of Notice of Forfeiture dated August 14, 1987.
- Quit Claim Deed to the City of Phoenix dated December 27, 1999 and recorded December 28, 1999 as Instrument No. 99-1153522, records of Maricopa County, Arizona.
- Ordinance No. S-26712 adopted by the Phoenix City Council on December 8, 1999.

RECEIVED
BLM STATE OFFICE
2000 JAN 11 P 2:17
PHOENIX, ARIZONA

Area Manager
January 3, 2000
Page 2

The City of Phoenix may apply for a patent to this property pursuant to the Recreation and Public Purposes Act, and it is my understanding that resolution of outstanding unpatented mining claims is a necessary step in that process. Please let me know if you need any additional information or documentation relating to these mining claims.

Thank you for your continued courtesies and cooperation, and please call me at 602-262-6267 if you have any questions.

Sincerely,

John E. Burke
Real Estate Administrator

ARIZONA
STATE OFFICE
PHOENIX, ARIZONA

RECEIVED
BUREAU OF
LAND MANAGEMENT
FEB 16 10 05 AM '00

cc: James Burke
Bruce Swanson

PHOENIX, ARIZONA

2000 JAN 11 P 2:17

RECEIVED
B.L.H.
STATE OFFICE

February 8, 2000

United States Department of the Interior
Bureau of Land Management
Mining Claim Administration
Land Law Examiner
222 North Central Avenue
Phoenix, Arizona 85004

RECEIVED
BUREAU OF
LAND MANAGEMENT
FEB 16 10 06 AM '00
ARIZONA
STATE OFFICE
PHOENIX, ARIZONA

MINING CLAIM SUBJECT: White Shale #1 through #8 inclusive
AMC Nos. 72230 through 72237 inclusive

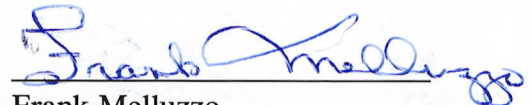
Dear Sir or Madam:

On December 27, 1999 the undersigned, Frank Melluzzo, conveyed by quit claim deed the above referenced mining claims to the City of Phoenix. The City's Real Estate Administrator, John E. Burke, filed copies of the conveyance documents with your office on January 11, 2000.

Included in the packet filed with your office by Mr. Burke were two Affidavit(s) of Publication of Notice(s) of Forfeiture relating to three of the original Locators, to-wit: Geno Melluzzo, Glenna Melluzzo and Deno Melluzzo (a.k.a. Dean Spates). Mr. Burke was advised that the BLM also requires a letter from me confirming that the above three individuals' interests in the subject mining claims have been duly forfeited. Please consider this letter as the required confirmation.

Thank you for your consideration, and if you have any questions please call me at 602-861-1048 or you may contact Mr. Burke at 602-262-6267.

Sincerely,


Frank Melluzzo

cc: John Burke

2003 FEB 11 AM 11:26

RECEIVED
REALESTATE



City of Phoenix

REAL ESTATE DIVISION
251 West Washington Street
Phoenix, Arizona 85003-7799

**PRESORTED
FIRST-CLASS**



SNGLPC

ADDRESS SERVICE REQUESTED

RECEIVED
BUREAU OF
LAND MANAGEMENT

FEB 16 10 06 AM '00

ARIZONA
STATE OFFICE
PHOENIX, ARIZONA

U. S. Department of the Interior
Bureau of Land Management
Mining Claim Administration
222 North Central Avenue
Phoenix, Arizona 85004

ATTN: Dori Morrison
Land Law Examiner

SNGLP

85004-2203 12

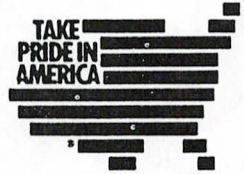


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United States Department of the Interior



BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
3707 N. 7TH STREET
P.O. BOX 16563
PHOENIX, ARIZONA 85011

IN REPLY REFER TO:
3800 (921) MH
A MC 72229
A MC 72700
A MC 131612
A MC 203999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

May 18, 1994

DECISION

Mining Claimant(s) : Mining Claim(s),
as Shown on the : Mill Site(s) and Tunnel
Enclosed Sheet(s) : Site(s) as Shown on the
Enclosed Sheet(s) 5

MINING CLAIMS, MILL SITES AND TUNNEL SITES DECLARED ABANDONED

Public Law 102-381, 106 Stat 1374, dated October 5, 1992, and the regulations implemented July 15, 1993, 43 CFR §3833.1-5, "Rental Fees" prescribe, unless otherwise exempted, that \$100 rental for assessment year 1992-1993, and \$100 rental for assessment year 1993-1994, must be paid to the Bureau of Land Management (BLM) for each mining claim, mill site, and tunnel site on or before August 31, 1993. Failure to pay the rental fee by that date shall conclusively constitute an abandonment of the mining claim, mill site, or tunnel site, which shall be void.

The BLM records do not show receipt of payment for the mining claim(s), mill site(s), and tunnel site(s) listed on the enclosed sheet(s) on or before August 31, 1993.

If the rental fee was timely paid to the BLM for 1993 and 1994, please furnish a copy of the BLM receipt for payment and the document listing the claims and serial numbers for which payment was made to the BLM, Arizona State Office. The receipt and proof must be dated and/or time stamped by the BLM on or before August 31, 1993.

The proof of payment must show that the required amount was remitted and was received by the BLM on or before August 31, 1993, or it will not be accepted. The evidence must be received in this office no later than 30 days from receipt of this decision. If the proof is not furnished during the 30-day period, the mining claim(s), mill site(s), and tunnel site(s) will be removed from the BLM records as abandoned and void.

If additional information is required, please call (602) 650-0518.

Mary Jo Yoas

Mary Jo Yoas
Chief, Branch of Lands
and Minerals Operations

Enclosure(s)

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and _____ or additional services.
- Complete items 3, a _____ b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also _____ to receive the following _____ (for an extra fee):

1. Addressee's Address
2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
 Melluzzo Frank, et al
 10609 N 8th St
 Phoenix AZ 85020

Abandonment A MC 72229; 72700;
 131612; 203999 (921-MH)

4a. Article Number
 764764

- 4b. Service Type
- Registered Insured
- Certified COD
- Express Mail Return Receipt for Merchandise

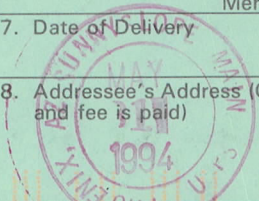
7. Date of Delivery

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

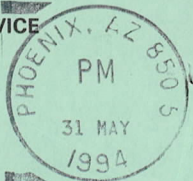
[Handwritten signature: Melluzzo]



Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300

Print your name, address and ZIP Code here

Bureau of Land Management
Arizona State Office (922)
P. O. Box 16563
Phoenix, Arizona 85011



LEAD OWNER

MELLUZZO FRANK, et al
10609 N 3TH ST
PHOENIX AZ 85020

CO-OWNERS
MELLUZZO WANITA
WILLIAMS OLETA
BONHAM LEON



ARIZONA LEAD FILE NUMBER - 72700

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	72753	BETTY	1992				

CO-OWNERS
MELLUZZO WANITA
BOYER J R
WILLIAMS OLETA

ARIZONA LEAD FILE NUMBER - 72700

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	72755	MOHAWK	1992				

CO-OWNERS
MELLUZZA WANITA
WILLIAMS HERBERT
WILLIAMS OLETA

ARIZONA LEAD FILE NUMBER - 203999

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	204000	W M 59	1992	LD	204001	W M 61	1992
LD	204002	W M 67	1992				

CO-OWNERS
MELLUZZO WANITA

ARIZONA LEAD FILE NUMBER - 72229

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
PL	72238	WHITE SHALE EXT	1992				

*Closed 72238
8/31/93 MTH*

ENTERED IN COMPUTER
5-19-94 Srwias

LEAD OWNER

MELLUZZO WANITA, et al
 10609 N 8TH ST
 PHOENIX AZ 85020

CO-OWNERS

MELLUZZO FRANK
 WILLIAMS OLETA
 WILLIAMS HERBERT

ARIZONA

LEAD FILE NUMBER - 131612

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	131612	W M #1	1992				
LD	131613	W M #3	1992	LD	131614	W M #4	1992
LD	131615	W M #5	1992	LD	131616	W M #6	1992
LD	131617	W M #7	1992	LD	131618	W M #8	1992
LD	131619	W M #9	1992	LD	131620	W M #10	1992
LD	131621	W M #11	1992	LD	131622	W M #12	1992
LD	131623	W M #13	1992	LD	131624	W M #14	1992
LD	131625	W M #15	1992	LD	131626	W M #16	1992
LD	131627	W M #17	1992	LD	131628	W M #18	1992
LD	131629	W M #19	1992	LD	131630	W M #20	1992
LD	131631	W M #21	1992	LD	131632	W M #22	1992
LD	131633	W M #23	1992	LD	131634	W M #24	1992
LD	131635	W M #25	1992	LD	131636	W M #26	1992
LD	131637	W M #27	1992	LD	131638	W M #28	1992
LD	131639	W M #29	1992	LD	131640	W M #30	1992
LD	131641	W M #31	1992	LD	131642	W M #32	1992
LD	131643	W M #33	1992	LD	131644	W M #34	1992
LD	131645	W M #35	1992	LD	131646	W M #36	1992
LD	131647	W M #37	1992	LD	131648	W M #38	1992
LD	131649	W M #39	1992	LD	131650	W M #40	1992
LD	131651	W M #41	1992	LD	131652	W M #42	1992
LD	131653	W M #43	1992	LD	131654	W M #44	1992
LD	131655	W M #45	1992	LD	131656	W M #46	1992
LD	131657	W M #47	1992	LD	131658	W M #48	1992
LD	131659	W M #49	1992	LD	131660	W M #50	1992
LD	131661	W M #51	1992	LD	131662	W M #52	1992
LD	131663	W M #53	1992	LD	131664	W M #54	1992

LEAD OWNER

MELLUZZO FRANK , et al
10609 N 3TH ST
PHOENIX AZ 85020

CO-OWNERS
NONE

ARIZONA LEAD FILE NUMBER - 72700

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	72701	GLORY ANA #2	1992	LD	72703	GLORY ANA #4	1992
LD	72704	GLORY ANA #5	1992	LD	72705	LA DORA #1	1992
LD	72706	LA DORA #2	1992	LD	72707	LA DORA #3	1992
LD	72710	SUZANE #2	1992	LD	72711	SUZANE #3	1992
LD	72712	SUZANE #4	1992	LD	72713	SUZANE #5	1992
LD	72714	SUZANE #6	1992	LD	72715	MARTHA #1	1992
LD	72716	MARTHA #2	1992	LD	72717	MARTHA #3	1992
LD	72718	MARTHA #4	1992	LD	72719	MARTHA #5	1992
LD	72720	MARTHA #6	1992	LD	72721	88 #4	1992
LD	72722	88 #5	1992				

CO-OWNERS
TASSELL GLENN

ARIZONA LEAD FILE NUMBER - 72700

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	72725	MO ARK	1992				

CO-OWNERS
BUNKER E V

ARIZONA LEAD FILE NUMBER - 72700

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	72726	MINNIE G NO 1	1992	LD	72727	MINNIE G NO 2	1992
LD	72728	VOLOCANO	1992	LD	72729	VOLCANO NO 2	1992
LD	72730	VOLOCANO NO 3	1992	LD	72732	RECO NO 1	1992
LD	72733	RECO NO 2	1992				

LEAD OWNER

MELLUZZO FRANK, et al
10609 N 3TH ST
PHOENIX AZ 85020

CO-OWNERS
WILLIAM HERBERT

ARIZONA LEAD FILE NUMBER - 72700

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	72735	WHITE TAIL #1	1992	LD	72736	WHITE TAIL PROTECTOR	1992

ARIZONA LEAD FILE NUMBER - 72700

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	72742	GOLD BULLION #2	1992				

CO-OWNERS
FRICE C E

ARIZONA LEAD FILE NUMBER - 72700

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	72743	COPPER BULLION	1992				

CO-OWNERS
TUCKER R H
TUCKER W B

ARIZONA LEAD FILE NUMBER - 72700

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	72744	COPPER BULLION EXTEN	1992				

CO-OWNERS
MELLUZZO WANITA
WOMBACHER L N
WILLIAMS OLETA

ARIZONA LEAD FILE NUMBER - 72700

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	72745	COPPER BULLION NO 2	1992	LD	72746	COPPER BULLION NO-3	1992

LEAD OWNER

MELLUZZO FRANK, et al
10609 N 8TH ST
PHOENIX AZ 85020

CO-OWNERS

MELLUZZO WANITA
WILLIAMS OLETA
TUCKER R H
TUCKER W B

ARIZONA

LEAD FILE NUMBER - 72700

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	72747	APACHE #1	1992	LD	72748	APACHE #2	1992

CO-OWNERS

MELLUZZO WANITA
WILLIAMS OLETA
WILLIAMS HERBERT

ARIZONA

LEAD FILE NUMBER - 72700

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	72749	NITA	1992				

CO-OWNERS

MELLUZZO WANITA
WILLIAMS OLETA
BOYER J R

ARIZONA

LEAD FILE NUMBER - 72700

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	72750	ONEIDA	1992				

CO-OWNERS

MELLUZZO WANITA
WILLIAMS HERBERT
WILLIAMS OLETA

ARIZONA

LEAD FILE NUMBER - 72700

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	72752	FOWLER'S WATERGATE 1	1992				



United States Department of the Interior



BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
3707 N. 7TH STREET
P.O. BOX 16563
PHOENIX, ARIZONA 85011

(602) 640-5550

June 12, 1992

IN REPLY REFER TO:

(922-LC)
A MC 72229
A MC 186870

CERTIFIED MAIL--RETURN RECEIPT REQUESTED

DECISION

Mining Claimant(s)
as Shown on the
Enclosed Sheet

Mining Claim(s)
as Shown on the
Enclosed Sheet

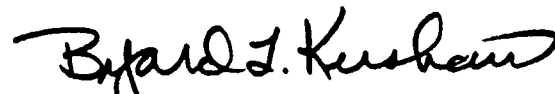
MINING CLAIMS DECLARED ABANDONED

The Federal Land Policy and Management Act (FLPMA) of 1976, 43 U.S.C. 1744, and the implementing regulations in 43 CFR 3833.2, require an annual filing for all mining claims recorded with the Bureau of Land Management (BLM). FLPMA provides that failure to file evidence of annual assessment work or a notice of intention to hold by December 30 of each year shall be deemed conclusively to constitute an abandonment of the claim and it is void by operation of law. The constitutionality of Section 314 of FLPMA was upheld on April 1, 1985, by the United States Supreme Court in United States v. Locke et al., 471 U.S. 84, 129 (1985).

The BLM records do not show receipt of either an affidavit of annual assessment work performed or a notice of intention to hold for the claim(s) listed on the enclosed sheet(s) for the 1991 assessment year.

If you did timely file an affidavit or notice of intention to hold with the BLM during 1991, please furnish a copy which shows receipt by the BLM Arizona State Office, (dated and time stamped) during 1991.

Your proof must show the required document was timely filed with the BLM during 1991, otherwise it will not be accepted. The evidence must be received in this office no later than 30 days from receipt of this decision. If the proof is not furnished during this 30-day period, the claim(s) will be removed from our records as abandoned and void.


Byard L. Kershaw
Chief, Branch of
Mining Law Administration

Enclosure

LEAD OWNER

MELLJZZO FRANK et al
10609 N 8TH ST
PHOENIX AZ 85020

CO-OWNERS

MELLJZZO WAYNE
WILLIAMS HERBERT

ARIZONA

LEAD FILE NUMBER - 72229

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	72248	CLINKER CLAIM	1990	LD	72252	SUNNY BROOK CLAIM	1990

CO-OWNERS

MELLJZZO WANITA
WILLIAMS HERBERT
WILLIAMS OLETA

ARIZONA

LEAD FILE NUMBER - 186870

CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	CASE TYPE	SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
LD	186870	WM #1	1990				
LD	186871	WM #2	1990	LD	186872	WM #3	1990
LD	186873	WM #4	1990	LD	186874	WM #5	1990
LD	186875	WM #6	1990	LD	186876	WM #7	1990
LD	186877	WM #8	1990	LD	186878	WM #9	1990
LD	186879	WM #10	1990	LD	186880	WM #11	1990
LD	186881	WM #12	1990	LD	186882	WM #13	1990

Closed 72248
72252
6-12-92

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lj
①

Is your RETURN ADDRESS completed on the reverse side?

A MC 72229/186870 922-LC Abandonment

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. (Extra charge) 2. Restricted Delivery (Extra charge)

3. Article Addressed to: Frank Melluzzo et al 10609 N 8th St Phoenix, AZ 85020	4. Article Number 764513
	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
Always obtain signature of addressee or agent and <u>DATE DELIVERED</u> .	
5. Signature - Addressee X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X	
7. Date of Delivery	

Thank you for using Return Receipt Service.

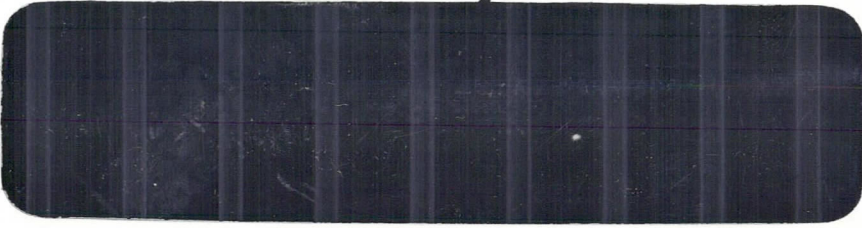
PS Form 3811, Apr. 1989

DOMESTIC RETURN RECEIPT

7/14/92 No other address available



NZ
Rt
1020
6-13



U.S. OFFICIAL MAIL
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ARIZ. JUN15 92
PHOENIX

NAME _____
1st Notice _____
2nd Notice JUN 28 1992

RETURN RECEIPT REQUESTED
No. 764513

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UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Arizona State Office
3707 N. 7th Street
P.O. Box 16563
Phoenix, Arizona 85011

U.S. OFFICIAL MAIL
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ARIZ. JUN15 92
PHOENIX

PHOENIX, AZ 85015
PM
15 JUN 1992



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
3707 N. 7TH STREET
P.O. BOX 16563
PHOENIX, ARIZONA 85011



IN REPLY REFER TO:

STR

(602) 241-5550

A MC 72248
89-POL-14
(922-SR)

CERTIFIED MAIL- RETURN RECEIPT REQUESTED

June 28, 1989

Randal W. Dickinson
P.O. Box 536
Camp Verde, Arizona 86322

NOTICE

The Bureau of Land Management, Arizona State Office, timely received the following document(s) covering 3 Mining Claims, Mill or Tunnel Sites:

- X : Proof of Labor
- : Notice of Intention to Hold
- : Amendment(s)
- : Transfer of Interest.

Effective January 3, 1989, new regulations were implemented (copy enclosed) which require a \$5.00 service charge for each claim or site to accompany any of the above-listed filings. Before we can accept and process your filing we must receive your remittance in the amount \$ 15.00.

This amount must be received within 30 days of the date of receipt of this decision. Failure to remit this service charge shall cause the filing to be rejected and returned.

Please return the enclosed sheet with your remittance so that we can trace your filing.

You will receive a receipt for your remittance.

Alan Rabinoff
Alan Rabinoff
Chief, Branch of
Mining Law Administration

Enclosures

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery
(Extra charge) (Extra charge)

3. Article Addressed to:

Randal W. Dickinson
P.O. Box 536
Camp Verde, AZ 86322

A MC 72248 (922-SR) 89-POL-14

4. Article Number

764041

Type of Service:

- Registered Insured
 Certified COD
 Express Mail Return Receipt
for Merchandise

Always obtain signature of addressee
or agent and DATE DELIVERED.

5. Signature — Address

X

6. Signature — Agent

X

7. Date of Delivery

9-3-89

8. Addressee's Address (ONLY if
requested and fee paid)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

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- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

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Bureau of Land Management

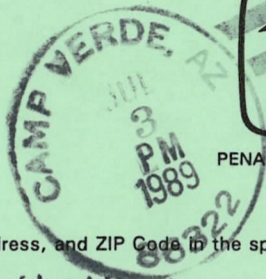
Arizona State Office (922)

P. O. Box 16563

Phoenix, Arizona 85011



PENALTY FOR PRIVATE
USE, \$300



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STATE OF ARIZONA
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PLEASE RETURN THIS SHEET WITH YOUR REMITTANCE TO THE D.O.I., Bureau of Land Management, P.O. Box 16563, Phoenix, Arizona 85011.

NAME: Randal W. Dickinson

SERIAL NUMBER I.D.: A MC 72248; 72252-53

TYPE OF FILING: 89-POL-14

DATE FILED: June 28, 1989

AMOUNT DUE: \$ 15.00

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JUL 10 1989

7:45 A.M.
PHOENIX, ARIZONA

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AK
Han, R

United States Department of the Interior

DEC 3 2 '88

OFFICE OF HEARINGS AND APPEALS INTERIOR BOARD OF LAND APPEALS

4015 WILSON BOULEVARD
ARLINGTON, VIRGINIA 22203

	INIT/DATE
SD/ASD	_____
PUB AFF	_____
EEO	_____
RESOURCES	_____
MINERALS	_____
OPERATIONS	_____
ADMIN	_____
CENT FILES	_____
TRNG CNTR	_____
DIST MGRS	_____
ACTION	_____

UNITED STATES

v.

FRANK AND WANITA MELLUZZO

IBLA 86-1387

Decided November 4, 1988

Appeal from a decision of Administrative Law Judge Harvey C. Sweitzer declaring the Nita Jean Nos. 3 and 4 mining claims invalid. A 034008-1.

Affirmed.

1. Evidence: Credibility of Witnesses--Mining Claims: Determination of Validity

An Administrative Law Judge's findings of credibility will receive considerable deference when reviewed on appeal; thus, where an Administrative Law Judge finds that the testimony of a witness in a mining claim contest has been impeached by prior inconsistent statements made in previous contests, that finding will also be accorded considerable deference.

2. Mining Claims: Common Varieties of Minerals: Generally-- Mining Claims: Determination of Validity-- Mining Claims: Discovery: Marketability--Mining Claims: Marketability

A mining claimant who asserts entitlement to consideration of group development of his building stone claims must provide evidence that such claims are susceptible to group development, including identification of the specific claims involved, their relative location, and cost and production figures for such claims.

APPEARANCES: W. Scott Donaldson, Esq., Phoenix, Arizona, for appellants; Fritz L. Goreham, Esq., Office of the Field Solicitor, U.S. Department of the Interior, Phoenix, Arizona, for the Bureau of Land Management.

OPINION BY ADMINISTRATIVE JUDGE HARRIS

Frank and Wanita Melluzzo (contestees, appellants) have appealed from a May 12, 1986, decision of Administrative Law Judge Harvey C. Sweitzer,

11-4-88
72246, 72247 closed
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finding the Nita Jean Nos. 3 and 4 placer mining claims (A MC 72246 and A MC 72247) (also known as the Last Chance Nos. 1 and 2) invalid for lack of discovery of a valuable mineral deposit. The two claims, located by appellants on April 4, 1955, are situated on lot 26, in the NW $\frac{1}{4}$, sec. 21, T. 3 N., R. 3 E., Gila and Salt River Meridian, Maricopa County, Arizona.

BLM initiated this mining claim contest on April 7, 1983, charging, inter alia, lack of discovery of a valuable mineral deposit. 1/ From March 28 to April 4, 1984, Judge Sweitzer held an evidentiary hearing on the contest complaint.

At the conclusion of the evidentiary hearing, the parties agreed to submit briefs on the issue of whether Frank Melluzzo's hearing testimony had been impeached by inconsistent statements in earlier proceedings involving different mining claims. On November 9, 1984, after reviewing those briefs and the relevant evidence, Judge Sweitzer issued an order styled "Provisional Findings That the Testimony of Frank Melluzzo Has Been Impeached." Thereafter, Judge Sweitzer allowed Melluzzo to be deposed to answer or explain his prior statements. Melluzzo's explanatory deposition was filed with Judge Sweitzer on February 25, 1985. On March 7, 1985, Judge Sweitzer called for further briefs covering all issues of the case. Contestees objected to that briefing schedule and requested instead an additional evidentiary hearing to allow them the opportunity to rehabilitate Melluzzo's testimony. Judge Sweitzer denied that request in an order dated May 20, 1985. On August 8, 1985, Judge Sweitzer denied contestees' request that the May 20, 1985, order be certified to this Board for interlocutory review. By order dated October 4, 1985, this Board denied permission for interlocutory review. 2/

Judge Sweitzer issued his final decision on May 12, 1986. He found that inconsistencies between Melluzzo's testimony at the 1984 hearing and at previous hearings regarding pre-July 23, 1955, profits and production and sources of stone used for various building projects impeached his credibility as to those matters. Judge Sweitzer found the explanations offered

1/ On Sept. 16, 1969, BLM issued a contest complaint charging that these claims were null and void ab initio. On Mar. 6, 1974, the Melluzzos applied for patent to the Nita Jean Nos. 3 and 4 claims. On Dec. 10, 1974, after BLM had moved to withdraw the complaint, Administrative Law Judge E. Kendall Clarke issued an order dismissing the contest without prejudice. However, on June 5, 1978, BLM rejected the patent application.

2/ In a complaint filed with the U.S. District Court for the District of Arizona, the Melluzzos charged that both Judge Sweitzer and the Board had abused their discretion in their respective determinations. They also asked the court to order Judge Sweitzer to hold a separate hearing on the issue of credibility and to enjoin further Departmental proceedings pending resolution in the district court. Instead, the district court dismissed the action, declining to overturn the Department's denial of an interlocutory appeal. Melluzzo v. Hodel, Civ. No. 85-2505 PHZ CLH (D. Ariz. June 30, 1986).

in the deposition "were generally vague, and completely uncorroborated" (Decision at 7). Comparisons of Melluzzo's statements in the 1984 evidentiary hearing with those in past contest hearings held in 1956 and 1964 which involved other claims led Judge Sweitzer to "find that in each of the seven enumerated instances of inconsistency, the prior, rather than the present testimony, represents the truth of the matter asserted" (Decision at 11). However, rather than reject the balance of Melluzzo's testimony, Judge Sweitzer decided to accord it little weight (Decision at 11).

The documentary evidence and remaining testimony persuaded Judge Sweitzer that the material on the Nita Jean Nos. 3 and 4 claims was a common variety of building stone within the meaning of section 3 of the Act of July 23, 1955, 30 U.S.C. § 611 (1982), and that on July 23, 1955, there was not a sufficient market for the stone to justify development by a person of ordinary prudence. Thus, he concluded that the Melluzzos failed to show the discovery of a valuable mineral deposit within the limits of the Nita Jean Nos. 3 and 4 claims as of July 23, 1955. Therefore, he declared that the claims were invalid and that further consideration of other charges in the complaint was unnecessary.

On appeal to this Board, appellants dispute Judge Sweitzer's findings that Melluzzo's testimony was impeached. Appellants counter the contradictions and inconsistencies Judge Sweitzer found with the explanations presented in Melluzzo's deposition. Appellants claim the lack of an additional evidentiary hearing for the purpose of rehabilitating Melluzzo's testimony denied them due process of law. They claim that right was reserved at the hearing (Tr. 1014-16). Appellants also argue that BLM did not carry its burden of proof with regard to the issue of discovery. They assert that the Government failed to establish that the stone was not marketable under the standards of proof set forth in Charlestone Stone Products Co. v. Andrus, 553 F.2d 1209 (9th Cir. 1977), overruled on other grounds, 436 U.S. 604 (1978). Appellants assert that testimony by their own witnesses overcame the testimony of the Government witnesses concerning marketability and established by a preponderance of the evidence that the disputed claims were valid. Appellants claim that they established the validity of the disputed claims by showing that stone from the claims was special and distinct and successfully marketed from the date of location to the present. Appellants insist that market demand can be spread over all of appellants' building stone claims in order to establish that the stone from these claims, considered as a group, was marketable (Second Supplement to Statement of Reasons (SOR) at 22-24). They invoke Board decisions which allow marketability determinations based on groups of claims, rather than on individual claims, and insist that, taken as a unified operation, their claims are valid.

BLM responds that Judge Sweitzer properly decided to give little weight to Melluzzo's testimony. BLM agrees with his findings and conclusions and asserts that it met its burden of proof and established a prima facie case of invalidity of these claims and that appellants failed to sustain their burden.

We have thoroughly reviewed the record in this case and the arguments advanced by appellants and BIM. Judge Sweitzer's decision set forth a complete summary of the testimony and other relevant evidence, as well as the applicable law. We agree with Judge Sweitzer's findings and conclusions and adopt them as our own. A copy of his decision is attached. We add only the following.

Appellants' argument that they were denied due process of law by Judge Sweitzer's refusal to conduct a second evidentiary hearing is completely without merit. As this Board stated in its order dated October 4, 1985, denying permission for interlocutory review:

[D]etermination of the credibility of testimony is normally made following presentation of evidence at a mining claim validity hearing, in connection with issuance by the administrative law judge of his decision. Judge Sweitzer has already afforded contestees the unusual accommodation of providing them a provisional finding that Melluzzo's testimony had been impeached at the hearing, along with an opportunity to present additional evidence to rehabilitate this testimony. This accommodation was more than adequate to protect contestees' rights to present evidence in support of the validity of their claims.

(Order at 3).

[1] The Department traditionally accords considerable weight to the credibility findings of the trier-of-fact. Where resolution of a case depends primarily on such findings, those findings will not lightly be set aside. United States v. Aiken Builders Products, 95 IBLA 55, 58 n.3 (1986); United States v. Chartrand, 11 IBLA 194, 212, 80 I.D. 408, 417-18 (1973). Judge Sweitzer, as the trier-of-fact, had the opportunity to observe Melluzzo's demeanor as he testified and to compare that testimony to the record of testimony given in earlier mining claim contests. Judge Sweitzer found that Melluzzo was not credible in his testimony presented at the 1984 hearing on issues critical to the resolution of this appeal. Our review of the record reveals no justification for overturning the finding of Judge Sweitzer that Melluzzo's 1984 testimony was not believable. Therefore, we affirm Judge Sweitzer's finding that the credibility of Melluzzo's testimony at the 1984 hearing was impeached in seven enumerated instances by inconsistent statements made at earlier hearings involving other building stone claims and that in each instance Melluzzo's prior testimony, rather than his 1984 testimony represents the truth of the matter asserted.

Judge Sweitzer also found that while the Government's evidence concerning 1954 and 1956 aerial photographs of the area embraced by the claims established a weak prima facie case of lack of discovery prior to July 23, 1955, any doubt concerning the strength of that case was removed by analyzing certain testimony given by Frank Melluzzo during a 1964 hearing. Judge Sweitzer concluded that appellants had not established by a preponderance of the evidence that stone was extracted and removed from the Nita Jean Nos. 3 and 4 mining claims, and marketed at a profit as of July 23, 1955.

Appellants take issue with that conclusion, arguing that the Government failed to present a prima facie showing of the invalidity of the claims and asserting that there was a market for stone from the two claims prior to July 23, 1955, and that they established that fact at the hearing.

Judge Sweitzer, in finding a lack of marketability of stone from the claims prior to and as of July 23, 1955, relied on a statement by Frank Melluzzo in a 1964 hearing to the effect that in 1955 he could not make a business of selling stone from any one of his mining claims. Appellants argue that Judge Sweitzer incorrectly applied the law in this case in that he imposed an "independent mine requirement," which this Board found inapplicable in Schlosser v. Pierce, 92 IBLA 109, 93 I.D. 211 (1986). Appellants argue that "[t]he Schlosser case requires claimants and contestants to value and appraise building stone claims as an aggregate" (Third Supplemental SOR at 5).

Judge Sweitzer did not incorrectly apply the law. In fact, he was very careful to explain exactly what he meant. Thus, he stated:

It is important to note why Mr. Melluzzo "could not make a business of selling rocks from any of his claims." The argument could be made that he was merely referring to an economic fact - that as the level of production increases, the cost of producing each unit decreases. In other words, one could argue that what he meant was that he could make a business of selling rocks, but only if he could spread his start-up and operating costs over several of his claims. If all of those costs had to be absorbed by a one claim operation, then that claim could not turn a profit. If this is what Mr. Melluzzo had referred to, then the statement would not be evidence of lack of marketability. When several claims are operated as a group to lower per claim costs, Departmental decisions allow the economics of the group operation to be considered in the marketability equation for each claim. In Re Pacific Coast Molybdenum Co., 90 I.D. 352 (1983); See concurring opinion of Judge Mullen in Cactus Mines Limited, 79 IBLA 20, 32-33 n.2 (1984). In other words, a claim is not invalid for lack of individual marketability if the claimant can show that by spreading operating costs over a group of claims, the per ton costs of production allow the mineral from each claim to be marketed at a profit.

The admission can, and will be used as evidence of lack of marketability, however, because I find Mr. Melluzzo was not referring to costs but to demand. * * * In other words, the meager returns that could be realized from the occasional sales of one kind or color of stone from one claim were not enough to "make a business."

(Decision at 20-21).

[2] The Judge's analysis is not inconsistent with Schlosser which issued in June 1986, subsequent to his decision. Rather, his rationale is closely aligned with those cases which have accepted the practice of considering a group of claims as a mining unit in determining the validity of individual claims. See In Re Pacific Coast Molybdenum Co., *supra*; United States v. Wood, 51 IBLA 301, 87 I.D. 629 (1980); United States v. Martinez, 49 IBLA 360, 87 I.D. 386 (1980). In Schlosser the Board reviewed all those prior cases and others and concluded that a mining claimant is not required to show that each claim he has located will independently support a paying mine when the claims embrace a large, low-grade mineral deposit, such as, in Schlosser, bentonite clay. 92 IBLA at 130-34, 93 I.D. at 223-25. However, evidence of the claims as a unit is not enough to meet the test of discovery; rather, the claimant must show that each claim has mineralization of sufficient quality so that it can be mined, processed, and marketed at a profit. Schlosser, 92 IBLA at 128, 93 I.D. at 222. In United States v. Forsyth, 100 IBLA 185, 94 I.D. 453 (1987), the Board considered an appeal of a decision in a contest of various mining claims located for limestone. The Board stated, in rejecting the independent mine requirement, that a group of contiguous claims could be considered as a unit when determining whether a discovery exists on each claim. *Id.* at 248-50, 94 I.D. at 488-89; see Cactus Mines Limited, *supra* at 32-33 n.2.

Generally, in cases in which grouping of claims has been considered for the purposes of determining the validity of individual claims, the claims have been contiguous or nearby claims located for a particular mineral deposit. The reason for that is simple; the law of discovery contemplates the development of a "valuable mine." Economics dictate in such a situation that the "mine" be developed so as to maximize the profitable exploitation of the minerals. Contiguous claims or nearby claims lend themselves to group development. Appellants apparently would extend the group development principle to encompass a number of building stone claims. However, they do not specify which of their numerous claims, widely scattered throughout the Phoenix area, were susceptible to group development with the Nita Jean Nos. 3 and No. 4 claims. ^{3/} No cost or production figures for group development were presented by appellants.

^{3/} In a Mar. 23, 1965, decision by Chief Hearing Examiner Graydon E. Holt involving four contests (Nos. 10591 through 10594) which included 15 claims located by Frank Melluzzo and others, Chief Hearing Examiner Holt stated:

"In addition to the claims in issue Mr. [Frank] Melluzzo has two patented claims, the Arizona Placer containing 20 acres and the Deno S which originally contained 35 acres. Also he has numerous other unpatented mining claims from which he has been taking stone. These latter claims include two Nita Jean claims [Nita Jean Nos. 3 and Nita Jean 4] not in issue, six Enterprise claims not in issue, the White Shale group with eight claims, the P and M Enterprise group with six claims, and the Sunburnt group with six claims (Exh. 28)."
(Decision at 3).

As Judge Sweitzer points out in this case, Melluzzo did not intend group development of his building stone claims. What he intended was to have under claim the greatest possible range of colors and gradations of stone such that he could collect stone from those claims and have it on display at his stone yard business site in order to afford his customers the widest possible range of choices. Thus, Judge Sweitzer properly concluded that Melluzzo's statement supported BIM's assertion that there was no discovery prior to or as of July 23, 1955, on either of the claims at issue. Frank Melluzzo was not, at that time, developing a "mine," on either the Nita Jean Nos. 3 or 4 claims.

Appellants argue that the proper standards by which to evaluate the pre-July 23, 1955, marketability of the stone from these claims are those established by the court in Charlestone Stone Products Co. v. Andrus, 553 F.2d at 1214:

The marketability of the pre-July 23, 1955 extractions can be tested by reason of: (1) Accessibility to the claims; (2) Bona fides of the operators in developing the claims; (3) Existence of market demand within reasonable proximity to the claims; and (4) Actual participation in the market.

Judged by these standards, appellants' evidence falls woefully short of establishing marketability of the stone from these claims as of July 23, 1955. Although at that time the claims were apparently accessible by four-wheel drive vehicle, the testimony of BIM's expert regarding the interpretation of aerial photographic evidence established a lack of surface disturbance on the claims between 1954 and 1956. In addition, appellants failed to prove there was a demand for the stone from the Nita Jean Nos. 3 and 4 claims as of July 23, 1955. ^{4/} Moreover, despite appellants' assertions to the contrary, their evidence of development of the claims and actual participation in the market as of July 23, 1955, with stone from these claims is nominal. Judge Sweitzer correctly found that appellants' evidence showed very little stone marketed from the two claims prior to July 23, 1955, and no evidence of costs of production or profits from sales. Clearly, lack of production and/or sales from a claim cannot serve as the basis of a determination of invalidity where the record contains positive evidence of marketability. Melluzzo v. Morton, 534 F.2d 860, 862-63 (9th Cir. 1976). The record in this case, however, lacks that credible positive evidence of marketability sufficient to sustain appellants' burden.

^{4/} A review of the record in this case and previous Departmental decisions regarding other building stone claims located by appellants in the Phoenix area indicates that whatever the pre-July 23, 1955, market demand may have been for building stone in that area, it was being adequately supplied by stone from claims other than the ones at issue.

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision of Administrative Law Judge Sweitzer is affirmed.

Bruce R. Harris

Bruce R. Harris
Administrative Judge

I concur: -

John H. Kelly

John H. Kelly
Administrative Judge



United States Department of the Interior

72248
IN REPLY REFER TO:

3833 (921-SR)

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
3707 N. 7th Street
Phoenix, Arizona 85014
(602) 241-5550

RECEIVED
B.L.M. AZ STATE OFFICE

SEP 20 1988

7:45 A.M.
PHOENIX, ARIZONA

September 12, 1988

NOTICE TO MINING CLAIMANTS

Grtrude C. Wingfield:

Your annual filing of an affidavit of assessment work or notice of intention to hold did not contain the required Bureau of Land Management serial number(s) assigned to each claim.

We have researched our records and are unable to locate a serial number for the following claim(s):

Sunny Brook; Clinkee; 1/2 of Alice(s)

If you can provide us with a serial number we will see to it that you receive proper credit for assessment work. PLEASE RESPOND WITHIN 30 DAYS.

The regulations under 43 CFR Subpart 3833 state: "Citing the serial number shall comply with the requirement in the Act to file an additional description of the claim."

To receive proper credit in the future, in addition to naming each claim on the affidavit, always include the correct serial number(s) assigned to each of the mining claims, mill or tunnel sites.

Sincerely,

Thomas E. Reitmeyer
Mining Claims Section

Clinkee H.M.C. 72248
Book 617 Page 968
Sunnybrook H.M.C. 72252
Book 617 Page 971
Alice H.M.C. 72253
Book 617, Page 966

Wingfield Family Assn.
c/o Ettrude C. Wingfield
P.O. Box 145
Camp Verde Az. 86322



Bureau of Land Management
Az. State office
3707 N. 7th St.
P.O. Box 16563
Phoenix Az. 85011

3833 (921-S.R.)

STATE OF ARIZONA,

I hereby certify that the within instrument was filed and recorded

Fee No.:

County of

In Docket No.

Page



INSTRUMENT # 8832039
OFFICIAL RECORDS OF
YAVAPAI COUNTY
PATSY C. JENNEY

REQUEST OF:

WINGFIELD FAMILY ASSN.

DATE: 09/01/88 TIME: 10:50

FEE: 5.00

BOOK 2075 PAGE 642 PAGES: 002

NO SERIAL # PROVIDED. IN THE
FUTURE, ALWAYS INCLUDE THE
BLM SERIAL # FOR EACH CLAIM.

THE SERIAL # IS: A MC 72248,
72252, 72253

Witness me

By

AFFIDAVIT OF PERFORMANCE OF ANNUAL WORK

State of Arizona

County of

Yavapai } ss

RUSH

\$	5	1	P	4	Co	5	St
	Bk		Map				Pcl

RECEIVED

B.L.M. AZ STATE OFFICE

SEP 08 1988

7:45 A.M.

PHOENIX, ARIZONA

1. Gertrude C. Wingfield
Name

PO 145
Address

Camp Verde Az 86322
City State Zip

being duly sworn according to law deposes and says that they are a citizen of the United States more than eighteen years of age and that all of the facts set forth in this affidavit are true and correct according to the best of their knowledge, information and belief.

2. That they are personally acquainted with the mining claim named Sunny Brook Clinch, 1/2 of Alice situate in the Cherry Creek Mining District, Yavapai County, Arizona, the location of which is recorded in the office of the County Recorder of that County in Book 565, Page 866. Notice of location is posted in Section _____, Township _____, Range _____, G&SRB&M.

3. That between the dates of Aug 31, 1987 and Aug 31, 1988 at least (\$ 359.00) dollars worth of work and improvements were done and performed upon this claim not including location work.

4. The work and improvements were made by and at the expense of Wingfield Family Assn. Gertrude Wingfield, Ken Sturges, Margout Hallett L. Baker, owners of the mine for the purpose of complying with the laws of the United States pertaining to assessments or annual work.

5. Randal Dickinson - Jeffrey Dickinson
Kelly Hollamon - Andy Sloane
were the names of the persons employed by the owner who labored to do the work and improvements.

6. The work and improvements done were Clean entrance and
Shore up entrance with R.P. ties. Additional
work in progress.

BOOK 2075 PAGE 642

Dated 9-1-88 by Gertrude C. Wingfield
Signature

Subscribed to and sworn before me, a Notary Public, this 1st day of September, 1988, by Gertrude C. Wingfield

SEAL

My Commission expires My Commission Expires Oct. 30, 1988
Louise Warr
Notary Public

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

921-cd

1. Show to whom, date and address of delivery.
2. Restricted Delivery A MC 72229

3. Article Addressed to:

City of Phoenix
324 W. Adams
Phoenix, AZ 85003

4. Type of Service:

- Registered Insured
 Certified COD
 Express Mail

Article Number

764653

Always obtain signature of addressee or agent and DATE DELIVERED.

5. Signature - Addressee

X

6. Signature - Agent

X

E. Punch

7. Date of Delivery

4-13-88

8. Addressee's Address (ONLY if requested and fee paid)

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS



**PENALTY FOR PRIVATE
USE, \$300**

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- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**RETURN
TO**



(Name of Sender)

(No. and Street, Apt., Suite, P.O. Box or R.D. No.)

Bureau of Land Management
Arizona State Office
P. O. Box 16563
Phoenix, Arizona 85011

(City, State, and ZIP Code)



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
3707 N. 7th Street
Phoenix, Arizona 85014
(602) 241-5550

IN REPLY REFER TO:

921 cd
Lead File(s)
A MC 72229

(Handwritten initials)

CERTIFIED MAIL—RETURN RECEIPT REQUESTED

April 11, 1988

DECISION

Mining Claimant(s)
as Shown on the
Enclosed Sheet

Mining Claim(s)
as Shown on the
Enclosed Sheet

MINING CLAIMS DECLARED ABANDONED

The Federal Land Policy and Management Act (FLPMA) of 1976, 43 U.S.C. 1744, and the implementing regulations in 43 CFR 3833.2, require an annual filing for all mining claims recorded with the Bureau of Land Management (BLM). The Act provides that failure to file evidence of annual assessment work or a notice of intention to hold by December 30 each year shall be deemed conclusively to constitute an abandonment of the claim and it is void by operation of law. The constitutionality of Section 314 of FLPMA was upheld on April 1, 1985 by the United States Supreme Court in United States v. Locke et al., 471 U.S. 84, 129 (1985).

The BLM records do not show receipt of either an affidavit of annual assessment work performed or a notice of intention to hold for the claim(s) listed on the enclosed sheet(s) for the 1987 assessment year.

If you did timely file an affidavit or notice of intention to hold with the BLM during 1987, please furnish a copy which shows receipt by the Arizona State Office, BLM (dated and time stamped) during 1987.

Your proof must show the required document was timely filed with the BLM during 1987, otherwise, it will not be accepted. The evidence must be received in this office no later than 30 days from receipt of this decision. If the proof is not furnished during this 30-day period, the claim(s) will be removed from our records as abandoned and void.

John T. Mezes
Chief, Branch of Lands
and Minerals Operations

Enclosures

ch

4-12-88 closed 72229

ENTERED IN COMPUTER

1987

MISSING ASSESSMENT LIST BY SERIAL NUMBER

PAGE 001

LEAD OWNER

CITY OF PHOENIX
324 W ADAMS
PHOENIX

AZ 85003

CO-OWNERS
NONE

ARIZONA

LEAD FILE NUMBER -

BLM SERIAL NUMBER	CLAIM NAME	LAST ASSMT.	BLM SERIAL NUMBER	CLAIM NAME	LAST ASSMT.
72229	DESERET	1986			

W. SCOTT DONALDSON
ATTORNEY-AT-LAW
2916 NORTH 7TH AVENUE, SUITE 100
PHOENIX, ARIZONA 85013
TELEPHONE: (602) 277-4441

File 72231

December 18, 1987

Bureau of Land Management
P.O. Box 16563
Phoenix, Arizona 85011

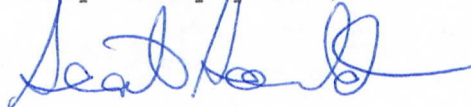
Re: White Shales, et al Unpatented Mining Claims - Forfeiture
of Mining Claimant's Interest

Gentlemen:

You will find enclosed a copy of a "Forfeiture of Mining Claimant's Interest" regarding the above-referenced unpatented mining claims. Please file said document in lead file number 72229.

Telephone or write if you have any questions.

Very truly yours,



W. Scott Donaldson, Esq.

WSD/dmm

cc: Frank Melluzzo
Wayne Melluzzo

RECEIVED
B.L.M. AZ STATE OFFICE

DEC 21 1987

7:45 A.M.
PHOENIX, ARIZONA

ISSUED TO: AFFIDAVIT OF PUBLICATION

W. Scott Donaldson, Attorney

STATE OF ARIZONA)
County of Maricopa)

Michael E. Quayle, being duly sworn, upon oath, deposes and says: That he is the Publisher/Editor of

The Wickenburg Sun

A newspaper of general circulation in the County of Maricopa, State of Arizona, published in Wickenburg, Arizona, and that the copy hereto attached is a true copy of the advertisement as published weekly in The Wickenburg Sun on the dates following:

*May 14, 21 & 28, 1987
June 4, 11, 18 & 25, 1987
July 2, 9, 16, 23 & 30, 1987
Aug. 6 & 13, 1987*

Michael E. Quayle
MICHAEL E. QUAYLE
Publisher/Editor

Sworn to before me this 10th day of

December A.D. 1987

PUBLIC NOTICE

NOTICE OF FORFEITURE OF MINING CLAIMANT'S INTEREST

Dean Spates is hereby notified, pursuant to 30 USC Section 28, and ARS Section 27-221, that he has failed to contribute his share of the cost of the required annual assessment work on the unpatented mining claims described as follows:

Claim name: White Shale No. 1; Yavapai County Recorder's office Docket 2751, page 74, BLM Number 72230.

Claim name, White Shale No. 2; Docket 2751, page 75, BLM No. 72231.

Claim name, White Shale No. 3; Docket 2751, page 76, BLM No. 72232.

Claim name, White Shale No. 4; Docket 2751, page 77, BLM No. 72233.

Claim name, White Shale No. 5; Docket 2751, page 78, BLM No. 72234.

Claim name, White Shale No. 6; Docket 2751, page 79, BLM No. 72235.

Claim name, White Shale No. 7; Docket 2751, page 80, BLM No. 72236.

Claim name, White Shale No. 8; Docket 2751, page 81, BLM No. 72237.

Claim name, White Shale Extension, Docket 6660, page 978, BLM No. 72238.

Said unpatented mining claims are located in Sections 28 and 33 of Township 8 North, Range 2 East and Section 4 of Township 7 North, Range 2 East, G&SR B&M, Maricopa County, State of Arizona.

The failure to Dean Spates to pay his allotted share of the assessment work expenses to his co-owners within 180 days of the first publication of this notice shall result in Spates' interest in said mining claims becoming the property of his co-owners who have made the required expenditures. Said co-owners can be contacted through Frank Melluzzo, c/o W. Scott Donaldson, Attorney at Law, 2916 North 7th Avenue, Suite 100, Phoenix, (602) 277-4441.

Published in The Wickenburg Sun on May 14, 21 and 28; June 4, 11, 18 and 25, July 2, 9, 16, 23 and 30 and Aug. 6 and 13, 1987.

RECEIVED
B.L.M. AZ STATE OFFICE
DEC 21 1987
7:45 A.M.
PHOENIX, ARIZONA

Cindy A. Quayle
Notary Public

Duplicate original



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
3707 N. 7th Street
Phoenix, Arizona 85014
(602) 241-5550

IN REPLY REFER TO:

(943 TR)

A MC 72765 et al
72239 et al

January 6, 1987

Frank Melluzzo

NOTICE TO MINING CLAIMANT(S)

WE CAN NOT GIVE YOU ASSESSMENT CREDIT FOR 1986 FOR THE CLAIM(S) LISTED BELOW BECAUSE THEY HAVE BEEN CLOSED OUT AND ARE THEREFORE INACTIVE.

~~XXXXXXXXXX THE DECISION WHICH CLOSED THESE CLAIM(S) IS ENCLOSED FOR YOUR INFORMATION.~~

SHOULD YOU HAVE QUESTIONS CALL OUR MINING CLAIMS SECTION AT THE ABOVE-NUMBER.

BLM - A MC SERIAL NUMBER(S)

CLAIM NAME(S)

72765 thru 72771
72774 thru 72780
72785 thru 72797
72799 thru 72804
72806 thru 72809
72239
72241 thru 72245

El Rame No. 2 thru 8
11 thru 17
22 thru 34
36,37, 39 thru 42
44 thru 47
Buffalo Ridge No. 2
4 thru 8



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS

Hearings Division
6432 Federal Building
Salt Lake City, Utah 84138-1194
(Phone: 801-524-5344)

May 12, 1986

UNITED STATES OF AMERICA,	:	ARIZONA 034008-1
	:	
	:	
Contestant	:	Involving the Nita Jean
	:	#3 and #4 (aka Last
v.	:	Chance #1 and #2)
	:	placer mining claims
FRANK MELLUZZO and	:	situated on U. S.
WANITA JEAN MELLUZZO,	:	Government Lot 26 in
	:	the NW 1/4, Sec. 21, T.
Contestees	:	3 N., R. 3 E., GSR
	:	Meridian, Maricopa
	:	County, Arizona.

DECISION

Appearances: Daniel L. Jackson, Esq., Office of the Field Solicitor, U.S. Department of Interior, Phoenix, Arizona, for contestant;

W. T. Elsing, Esq. (deceased),¹ Phoenix, Arizona; and W. Scott Donaldson, Esq., Phoenix, Arizona, for contestee.

Before: Administrative Law Judge Sweitzer.

This is a proceeding involving the validity of the Nita Jean Nos. 3 and 4 placer mining claims located on April 4, 1955, under the General Mining Law of 1872, as amended, 30 U.S.C. §§ 21-54. Jurisdiction is based on 43 U.S.C. §§ 2, 1201, and 43 CFR Part 4, Subpart E. See, Cameron v. United States, 252 U.S. 450 (1919); Best v. Humboldt Placer Mining Company, 371 U.S. 334 (1963); and United States v. O'Leary, 63 I.D. 341 (1956).

¹Mr. Elsing died subsequent to the hearing.

Procedural History

This matter commenced on April 7, 1983, when, pursuant to 43 CFR 4.451, the Bureau of Land Management (BLM) issued a complaint against Frank and Wanita Jean Melluzzo ("Melluzzo" or "Contestees") charging:

- a. Valuable minerals have not been found within the limits of the claims so as to constitute a valid discovery within the meaning of the mining laws.
- b. The land within the claims is non-mineral in character.
- c. The material found within the limits of the claims is not a valuable mineral deposit under Section 3 of the Act of July 23, 1955 (69 Stat. 367, 30 USC 601).
- d. The lands are not chiefly valuable for building stone as required by the Act of August 4, 1892 (27 Stat. 348: 30 USC 161).

Contestees, the mining claimants, filed a timely answer denying the charges and affirmatively alleging:

- (1) that valuable minerals have been found within the limits of the unpatented mining claims described above so as to constitute a valid discovery within the meaning of the mining laws;
- (2) that the land within the mining claims is mineral in character, (3) that the material found within the limits of the mining claims is a valuable mineral deposit under Section 3 of the Act of July 23, 1955 (69 Stat. 367, 30 USC 601); and (4) that the lands are also valuable for building stone as described by the Act of August 4, 1892 (27 Stat. 348: 30 USC 161).

A hearing was scheduled for December 1, 1983, but was postponed at contestees' request. The hearing was rescheduled and held in Phoenix, Arizona, from March 28 through April 4, 1984. At the conclusion of the hearing, the parties stipulated to a bifurcated briefing schedule. They first filed briefs on the question of whether the credibility of Frank Melluzzo had been impeached by his giving testimony at this hearing inconsistent with that given in prior hearings. After full consideration of the briefs and relevant evidence, I entered an order on November 9, 1984,

provisionally finding that inconsistencies exist between the past and present testimony of Mr. Melluzzo, and that "in the absence of adequate and sufficient explanation o[r] rehabilitation, said inconsistencies must and will be determined to impeach the credibility and the testimony of the witness."

By an order dated November 30, 1984, I approved a stipulation entered into by the parties allowing Frank Melluzzo to be deposed to "answer or explain his prior statements." This deposition was taken on February 8, 1985. Pursuant to my March 7, 1985 Order, both parties filed briefs covering all issues in the case, including whether or not my provisional finding of impeachment should be sustained.² The entire record and all briefs have been fully considered in reaching this decision.

Issues

The pleadings and evidence present six issues for decision:

1. Whether my provisional finding that the credibility and testimony of Frank Melluzzo is impeached should be sustained or overruled.

2. Whether the stone on the Nita Jean Nos. 3 and 4 is a common or uncommon variety under Section 3 of the Surface Resources Act of July 23, 1955, 30 U.S.C. § 611.

²The March 7, 1985, Order established a briefing schedule. On March 27, 1985, contestees filed an objection to this schedule, arguing that they should be given further opportunity to rehabilitate Frank Melluzzo, including another evidentiary hearing, prior to briefing the substantive issues. By an Order dated May 20, 1985, I denied this request concluding "[t]he opportunity for rehabilitation has been given and utilized * * *." On July 1, 1985, contestees filed a request for certification for interlocutory review of my May 20 Order. I denied this request on August 8, 1985, and forwarded the matter to the Interior Board of Land Appeals. By Order of October 4, 1985, the Board upheld my August 8 denial noting, "[w]e are obliged to observe that contestees objections to the procedures adopted by Judge Sweitzer are entirely groundless." On November 13, 1985, contestees filed a complaint in the United States District Court for the District of Arizona essentially appealing the October 4, 1985 Order of the Board. So far as is known the matter is currently pending.

3. If the stone is not a common variety, whether a discovery of a valuable mineral deposit has been made on each claim.
4. If the stone is a common variety, whether there was a discovery of a valuable mineral deposit on each claim by July 23, 1955.
5. If "4" is "yes," whether discovery has continued from July 23, 1955, to the date of the hearing.
6. Whether the lands embraced by the claims are chiefly valuable for building stone as required by the Act of August 4, 1892, 30 U.S.C. § 161.

IMPEACHMENT

Applicable Law

The impeachment issue is focused on several statements made by Frank Melluzzo in prior hearings that are inconsistent with portions of his testimony given in the present hearing. Such prior inconsistent statements are expressly excluded from the operation of the hearsay rule if the declarant testifies at the proceeding and is subject to cross-examination concerning the statement. Fed. R. Evid. 801(d)(1)(A).³ Because they are not hearsay, the statements are admissible as both impeachment and substantive evidence. United States v. Thompson, 708 F.2d 1294, 1303 (8th Cir. 1983); Fed. R. Evid. 801, advisory committee note.

Once the prior inconsistent statement is admitted as substantive evidence, the trier of fact must decide whether or not it is more likely true than the present testimony of the witness. Applied as a matter of law, the principle of "judicial estoppel" precludes a party from establishing a fact by present testimony inconsistent with prior testimony. Allen v. Zurich Ins. Co., 667 F.2d 1162, 1166 (4th Cir. 1982); Eads Hide & Wool Co. v. L. B. Merrill, 252 F.2d 80, 84 (10th Cir. 1958); Scarano v. Central R. Co., 203 F.2d 510, 513 (3d Cir. 1953). The circumstances under which it may be invoked have not been reduced to any general formulation. Allen, 667 F.2d at 1166. Instead, the courts seem to use the principle whenever necessary to protect the

³This proceeding is not expressly subject to the Federal Rules of Evidence, but the rules are utilized herein for guidance.

integrity of the judicial process from the use of "intentional self-contradiction * * * as a means of obtaining unfair advantage * * *." Scarano, 203 F.2d at 513. Perhaps the formulation most pertinent to this decision is that expressed in Eads Hide & Wool Co., 252 F.2d at 84:

[Judicial estoppel] is a phase of equitable estoppel which prevents a litigant from maintaining that the facts of his suit are different from those which he urged successfully in prior litigation. [Citations omitted] Where a party assumes a certain position in a legal proceeding and succeeds in maintaining that position, he may not thereafter, simply because his interests have changed, assume a contrary position, especially if it be to the prejudice of the party who has acquiesced in the position formerly taken by him. [Citation omitted]

Discussion

As noted previously, on November 9, 1984, I entered an order provisionally finding that Frank Melluzzo's credibility and testimony had been impeached as a consequence of several inconsistencies between his past and present testimony. Brief accounts of that inconsistent testimony are set out below.

In each of the first five instances, Frank Melluzzo testified at an earlier hearing that the stone that was used in the particular structure in question was from claims not now in contest (i.e. claims other than the Nita Jean Nos. 3 and 4); whereas, at the 1984 hearing, he testified that the stone was produced from the Nita Jean Nos. 3 and 4. The final two instances concern alleged profit and production, further elucidated thereat.

Motorola Building:

During the hearing in the 1964 case of United States v. Frank Melluzzo, et al., Contest Nos. 10591, 10592, 10593, 10594, and 10596 (hereinafter referred to as the "1964 Melluzzo case"), Frank Melluzzo testified that all the rock used in the Motorola Building came from the Nita Jean or Nita Jean No. 2 (Tr. 1253-36 of the 1964 Melluzzo case).

During the 1984 hearing, he testified that the rock used in the Motorola Building came from the Nita Jean Nos. 3 or 4 (Tr. 728, 737-38).

Paradise Valley Country Club:

During the hearing in the 1964 Melluzzo case, Frank Melluzzo testified that the stone he supplied for the Paradise Valley Country Club came primarily from the 7th St., Enterprise and Reno claims (Tr. 1187 of the 1964 Melluzzo case).

During the 1984 hearing, he testified that most of the stone he supplied for the Paradise Valley Country Club came from the Nita Jean No. 4 (Tr. 725-728).

Safeway Store Offices:

During the 1956 hearing in the case of Frank Melluzzo v. Mary Jane Call, Arizona No. 9946 (hereinafter referred to as the "1956 Call hearing"), Frank Melluzzo testified that all the stone he supplied for the Safeway Store Offices came from the Nita Jean and Nita Jean No. 1 claims (Tr. 90 of the 1956 Call hearing).

During the 1984 hearing, he testified that all the stone he provided for the Safeway Store Offices came from Nita Jean Nos. 3 and 4 (Tr. 742, 852).

Mercer's Mortuary:

During the hearing in the 1964 Melluzzo case, Frank Melluzzo testified that the rock for the retaining walls at Mercer's Mortuary was quarried at Wickieup, Arizona (which is more than 100 miles from the Nita Jean Nos. 3 and 4 claims) (Tr. 1198 of the 1964 Melluzzo case).

During the 1984 hearing, he testified that "there is a lot of the stone from the Nita Jean 3 and 4 in those walls," referring to the retaining walls at Mercer's Mortuary (Tr. 757).

Senator Goldwater's Home:

During the hearing in the 1964 Melluzzo case, Frank Melluzzo testified that he supplied a total of 300 tons of stone for installation at the Goldwater residence, and that all of that stone came from the Enterprise claim (Tr. 1196-97 in the 1964 Melluzzo case).

During the 1984 hearing, he testified that he supplied a large quantity of stone from the Nita Jean Nos. 3 and 4 claims for this project (Tr. 751).

Other Situations:

Contestant's 6th allegation of inconsistency concerns the profits that Frank Melluzzo testified that he realized from the Nita Jean Nos. 3 and 4. During the 1956 Call hearing, Mr. Melluzzo testified that his gross income from all his stone sales in 1954 was \$735, and that this income came solely from the Nita Jean and Nita Jean No. 1 (Tr. 95 of the 1956 Call hearing). Mr. Melluzzo also testified at the hearing in the 1964 Melluzzo case that he could not make a business out of selling rock from any one of his claims (Tr. 1518-20 of the 1964 Melluzzo case).

During the 1984 hearing, he testified that from the time he located the claims, he had always made a profit from the sale of stone from the Nita Jean No. 3 and Nita Jean No. 4 (Tr. 768). (It is unclear whether Mr. Melluzzo meant that he made a profit from the Nita Jean No. 3 and the Nita Jean No. 4 individually, or whether he was referring to the two claims collectively.)

Contestant's 7th allegation of inconsistency concerns the production which contestees claim occurred on the Nita Jean Nos. 3 and 4 prior to 1955. At the 1964 hearing in the Melluzzo case, Frank Melluzzo testified that he had no records of any kind for 1953, 1954, or 1955, and that any estimate of production for those years would be "a wild guess" (Tr. 1024 of the 1964 Melluzzo case).

At the 1984 hearing, Mr. Melluzzo testified that specific tonnages of stone from specific claims were used in pre-July 23, 1955 construction. At the 1956 Call hearing, he testified that his 1955 income of \$5,000 was from all his claims including the Nita Jean Nos. 3 and 4 (Tr. 97-98 of the 1956 Call hearing). At the 1984 hearing, he testified that the \$5,000 figure did not include income from the Nita Jean Nos. 3 and 4 (Tr. 911-12; see also, Tr. 913-15).

On February 8, 1985, Mr. Melluzzo's deposition was taken in an effort to explain the inconsistencies and thereby rehabilitate his credibility. The explanations offered were generally vague, and completely uncorroborated. The two examples that follow are illustrative. With reference to the testimony concerning the Motorola Building and Safeway Store Offices, Mr. Melluzzo offered the following explanation:

Q. Mr. Melluzzo, what did you mean by your statements that we just cited from the 1964 hearing and from the 1984 hearing?

A. Between the 1964 hearing and the 1984 hearing, I had to have a segregation survey made of the Nita Jeans, the North 7th Street claims and by the segregation survey, it showed that the quarries of the stone was taken off, in fact, were the Nita Jean 4 instead of the Nita Jeans 1 or 2.

Deposition Tr. 9

Knowledge of the relative positions of the four Nita Jean claims is necessary to understand this explanation. The claims roughly form a square, with Nita Jean located in the NW 1/4, Nita Jean 2 in the SW 1/4, Nita Jean 3 in the SE 1/4, and Nita Jean 4 in the NE 1/4 (Ex. RR). As a part of the segregation survey, the surveyor placed stakes every 25 feet along the line separating the Nita Jean and Nita Jean No. 2 from the Nita Jean Nos. 3 and 4 (Deposition Tr. 46). Mr. Melluzzo testified that before seeing those stakes, he "never knew where that line was." *Id.* After seeing the stakes, he realized that the production he earlier attributed to the Nita Jean and Nita Jean No. 2 actually came from the other side of the line - i.e., the Nita Jean Nos. 3 and 4.⁴

With reference to the testimony concerning Senator Goldwater's home, Mr. Melluzzo explained the inconsistency as follows: that the 1964 testimony referred to a picture he was viewing at the time; that the stone in the specific structures shown in the picture did come from the Enterprise claims; that the 1984 testimony was also in reference to pictures he was viewing at the time; that these pictures depicted structures different from those in the 1964 picture; and that in these different structures can be found the large quantity of stone from the Nita Jean Nos. 3 and 4 (Deposition Tr 16-18).

Analysis and Findings

Frank Melluzzo secured patent to Nita Jean and Nita Jean 2 in 1970 or 1971 partly on the basis of the production he now

⁴With reference to this explanation, I note that the person who "mined" the stone used in the Motorola building, Marion J. Evertsen, unequivocally stated that it came from the Nita Jean, Nita Jean No. 2 side of the line (Tr. 552, 566-68).

attributes to Nita Jean Nos. 3 and 4 (Ex. TT, Tr. 962). Mr. Melluzzo's "segregation survey" explanation for this "shift" in production is plausible. That is, it is certainly possible that, by virtue of the "segregation survey," he came to know for the first time the exact location of his Nita Jean claims. However, I find this explanation suspect in light of the fact that Mr. Melluzzo was unable or unwilling to state as much when confronted with his 1956 and 1964 testimony at the present hearing. The explanation becomes the more questionable when one considers that in the document specifically intended for such explanations - Contestee's Reply Brief to Contestant's Post-Hearing Impeachment Brief - nothing was mentioned of the segregation survey or its effect on Mr. Melluzzo's present knowledge.

I believe a more probable explanation was given by the IBLA in reference to a surprisingly similar situation involving the same Frank Melluzzo in United States v. Frank and Wanita Melluzzo (Supp. on Judicial Remand), 32 IBLA 46, 54 (1977):

It is obvious to this Board that Melluzzo has accounted for his 1955 income from mining several times over, depending on which group of mining claims were being challenged. At the time of each contest, Melluzzo would simply attribute the bulk of his minerals income to whichever group of claims was under attack.

Again, Mr. Melluzzo is "shifting" production - this time from Nita Jean and Nita Jean No. 2 to Nita Jean Nos. 3 and 4. I find his explanation to be self-serving, completely uncorroborated, and without merit.

Similarly, I believe that the most likely explanation for the inconsistent statements concerning the Goldwater home is that the production originally attributed to the Enterprise claim was simply "shifted" to support the claims now in contest. Mr. Melluzzo contends he was looking at two different areas around the Goldwater home when he gave the apparently contradictory testimony. But a careful reading of the testimony shows that whatever difference exists in what the two pictures depict, Mr. Melluzzo made unequivocal statements that are left unreconciled by his explanation. Thus, at page 1,196 of the transcript from the 1964 Melluzzo case:

QUESTION: X-120.

ANSWER: X-120 was built in the latter part of '55. This is Senator Goldwater's house, a picture of it. I supplied him with around three hundred ton of rock altogether * * *.

QUESTION: Where did the stone on that place come from?

ANSWER: That came from the Enterprises.

(Deposition Ex. H, emphasis added.)

At page 751 of the transcript from the present hearing, Mr. Melluzzo stated in reference to the Goldwater home:

The actual home was built out of Navajo ripple rock which came from Gray Mountain in Cameron, which I had shipped, helped quarry and brought it down to his home. Then I supplied the retaining walls, the planters, the waterfalls and all of the retaining wall around his mountain which -- and there is a large quantity of Nita Jean 3 and 4 rock in these jobs (emphasis added).

In his 1964 testimony, Mr. Melluzzo clearly states that his total contribution to the Goldwater job was 300 tons of stone, all from the Enterprise claims. The 1984 testimony, besides switching the source of "a large quantity" of the stone to Nita Jean Nos. 3 and 4, simply provides additional details. Thus we are told: (1) that the "actual home" was built with stone from "Gray Mountain;" and (2) that the stone Mr. Melluzzo supplied from his claims went into the retaining walls, the planters, and the waterfalls. Considering both the 1964 and 1984 testimony, I believe an accurate statement of the facts is that from his Enterprise claims, Mr. Melluzzo supplied a total of 300 tons for the construction of the retaining walls, planters, and waterfalls at Senator Goldwater's residence.

The two preceding examples of Mr. Melluzzo's attempts to explain his inconsistent testimony are representative of all the explanations he gave at his deposition. They are unpersuasive and provide little support for contestees' position on this issue. In short, I find that the inconsistencies remain unexplained.

In relation to this finding, contestant would have me apply the doctrine of "judicial estoppel" to completely preclude

consideration of Mr. Melluzzo's present inconsistent testimony. Admittedly, this case seems to fit squarely within the formulation of the principle quoted earlier. However when, as here, the witness at least attempts to explain the inconsistencies, I believe the more judicious approach is that implicitly sanctioned by the Federal Rules of Evidence - i.e., to weigh the prior inconsistent statement against the present to determine which is more likely true. Toward this end, with regard to Mr. Melluzzo's testimony in the present contest, I reach a conclusion similar to that of the Board in United States v. Frank and Wanita Melluzzo, 32 IBLA at 51:

We are inescapably compelled to conclude both by the totality of the circumstances of this case and by many prior inconsistent statements that Melluzzo's testimony has none of those characteristics ordinarily associated with veracity.

Furthermore, I believe that the prior testimony is more likely to be true because it was given nearer in time to the matters to which it relates and is less likely to be influenced by the interests at stake in the present contest.

In summary, I find that contestees failed to provide the "adequate and sufficient explanation" of the inconsistencies I called for in my November 9, 1984 Order. Therefore, Mr. Melluzzo's credibility was not rehabilitated. Accordingly, the Order is sustained, and is hereby made permanent. In addition, I find that in each of the seven enumerated instances of inconsistency, the prior, rather than the present testimony, represents the truth of the matter asserted.

In anticipation of this finding, contestant argued for the application of the maxim falsus in uno, falsus in omnibus. This rule permits, but does not require, the rejection of all of a witness's testimony when any significant part is found false. See Norfolk & W. Ry. Co. v. McKenzie, 116 F.2d 632, 635 (6th Cir. 1941). The rule has been labeled "inappropriate" and "always treacherous" by one court,⁵ and I decline to apply it here. However, the Board's statement in United States v. Frank and Wanita Melluzzo, 32 IBLA at 57, - "[I]t is clear * * * that much of Melluzzo's testimony is utterly lacking in credibility" - is apropos, and in general, Frank Melluzzo's testimony will be accorded little weight.

⁵Phillips v. Crown Central Pet. Corp., 602 F.2d 616, 623 (4th Cir. 1979).

BURDEN OF PROOF

BLM meets its burden of proof when it has established a prima facie case in support of each of its allegations. To rebut each allegation thus supported, the mining claimant must preponderate on the evidence relevant to that allegation. The claimant need not, however, present evidence in rebuttal to unsupported allegations. United States v. Albert O. Husman, 81 IBLA 271 (1984); United States v. Taylor, 19 IBLA 9 (1975).

Exactly what constitutes a prima facie case is necessarily dependent upon the facts. However, for some common allegations, such as that of "no discovery," the Department has developed guidelines. Thus, when a Government mineral examiner testifies that he has examined a claim and found mineral values insufficient to support a "discovery," a prima facie case of invalidity has been made as respects that charge. United States v. Martinez, 49 IBLA 360 (1980); United States v. Taylor, 19 IBLA 9 (1975). The Court of Appeals, Ninth Circuit, recently added the qualification "that the testifying mineral examiner must be an expert as to the marketability or value of the particular mineral." Rodgers v. Watt, 726 F.2d 1376, 1380 (9th Cir. 1984).

COMMON VARIETY

Applicable Law

Section 3 of the Act of July 23, 1955, 30 U.S.C. § 611, withdrew from location under the mining laws, including the Building Stone Act of August 4, 1892, 30 U.S.C. § 161, any "deposit of common varieties of * * * stone." See United States v. Coleman, 390 U.S. 599, 604-05 (1968). That section also provides, however, that a deposit is not a "common variety" if it has some unique property giving it distinct and special value. Whether a deposit has distinct and special value is determined by reference to the following guidelines:

- (1) There must be a comparison of the mineral deposit in question with other deposits of such minerals generally;
- (2) the mineral deposit in question must have a unique property;
- (3) The unique property must give the deposit a distinct and special value;
- (4) if the special value is for uses to which ordinary varieties of the mineral are put, the deposit must have some distinct and special value for such use; and
- (5) the distinct

and special value must be reflected by the higher price which the material commands in the market place * * * [or] by reduced costs or overhead so that the profit to the producer would be substantially more while the retail market price would remain competitive * * *.

McClarty v. Secretary of the Interior, 408 F.2d 907, 908-09 (9th Cir. 1969).

Evidence

Contestant's first witness to give testimony relevant to this issue was Mr. Gary Walker. Mr. Walker holds a B.S. degree in geology from Eastern Washington State College (1971), and has completed 1 1/2 years toward a Masters Degree in metamorphic petrology (Tr. 14, 74). His completed Master's thesis concerns the study of a large area of pre-cambrian metamorphic rock, including schist, the most prevalent type of rock found on the claims in contest (Tr. 14, 74). He is currently the Assistant District Manager for Minerals in the BLM Phoenix District Office (Ex. 2).

Mr. Walker testified that, although the quality of the stone on the claims is inconsistent, in general it is a chloritic schist with the following characteristics: (1) poor cleavage - does not exhibit a reliable cleavage plain; (2) highly fractured and angulated; and (3) stained with hematite and limonite (Tr. 47-48). Based on his examination of several geologic maps of the area (Exs. 5, 5A), and on a geologic report that states there are approximately 8.5 square miles of schist in the mountains surrounding the Nita Jean claims (Ex. 6), Mr. Walker stated that the material found on the claims is very common (Tr. 36), and has no particular uniqueness for use as building stone when compared to the material in the general area (Tr. 48, 68).

Contestant's next witness was Mr. Fred Potter. Mr. Potter holds a B.S. degree in geology from the New Mexico School of Mines (1976), and has completed 1 year of post graduate study in geology at New Mexico State University (Ex. 13). He has been employed by BLM since 1978 and is currently the Phoenix Resource Area Geologist. Id. As a part of his official duties, he has examined the Nita Jean Nos. 3 and 4 claims eight to ten times in the preceding 2 1/2 years (Tr. 83).

Mr. Potter's testimony concerning the characteristics of the stone on the claims was consistent with that of Mr. Walker.

He stated that the stone is a randomly fractured, friable schist with poor cleavage (Tr. 89); that it does not break cleanly, but fractures with feathered edges (Tr. 97); and that consequently it is difficult to lay in grout or concrete as building stone. Id.

Mr. Potter testified concerning the amount of similar stone in the area. He explained that the type of schist found on the claims is the original country rock in Central Arizona (Tr. 93). It extends to a depth of several thousand feet, and outcrops in an area of 50 square miles surrounding the claims. Id.

After visiting several randomly selected stone suppliers in the Phoenix area, Mr. Potter prepared Exhibit 15, a document entitled "Survey of the Market Potential for the Nita Jean Three and Four Type Rock." In general, the "survey" is more relevant to the question of marketability. It does, however, shed some light on the relative quality of the Nita Jean material. Mr. Potter took samples from several sites on the two claims to the selected suppliers. When offered in large tonnage lots, none of the suppliers were interested in purchasing the material (Tr. 96-99). Mr. Potter testified that one supplier, Mr. Whitey Webster of Garden Stone and Supply, estimated the value of the stone at "no more than \$30 per ton" (Tr. 98). He estimated mining costs at \$25 per ton and transportation costs at 12-15 cents per ton. Id. Based on his investigations, Mr. Potter gave the opinion that the Nita Jean stone has no unique feature that distinguishes it from any other common stone in the area (Tr. 101).

Contestees' first witness to give testimony relevant to the common variety issue was Dr. David E. Wahl, Jr. who holds a Ph.D. in geology from Arizona State University (Tr. 270). In preparation for this contest, he spent 4 days examining the Nita Jean Nos. 3 and 4 claims and their environs (Tr. 156). In addition, he has done some geology work in the past in the part of the Phoenix Mountains where the subject claims are located. Id.

The portion of Dr. Wahl's testimony pertaining to this issue was largely aimed at establishing the geologic nonuniformity of the stone in the Phoenix mountains (Tr. 188, 199; Exs. B, D). With specific reference to Nita Jean Nos. 3 and 4, Dr. Wahl explained that there are two main rock types present with variations in quality within each type (Tr. 171-176; Ex. B). He stated:

a. The most prevalent rock on the claims is a "broken and friable" schist without "much building stone quality." (Tr. 171) (represented by the brown shading on Ex. B).

b. The second most prevalent rock on the claims is also a form of schist, "a significant portion" of which can be "used for decorative facing stone for rock walls." (Tr. 174) (represented by the green shading on Ex. B).

c. The northeast corner of Nita Jean No. 4 contains a "somewhat massive chloritic schist" body "that doesn't break into sheet-like slabs of rock very easily." The principle use of this stone would be "for landscape boulders and rubble rock," (Tr. 173) (represented by the blue shading on Ex. B).

d. The northeast corner of Nita Jean No. 3 contains a small deposit of volcanic rock not susceptible to splitting into "any kind of conformable slabs to be used for building stone. It does produce some boulders that could be used for landscaping." (Tr. 173) (represented by the pink shading on Ex. B).

e. What Dr. Wahl described as "possibly [the] most significant rock type on the claim" is a phyllite, "a rock that's similar to a schist except it's finer grained." The significance apparently lies in the "bronze colored surficial coating," or "desert varnish" caused by exposure to the atmosphere. (Tr. 174) (represented by the orange shading on Ex. B).

Dr. Wahl also testified concerning 21 rock samples admitted as Exhibits M-1 through M-19 (including M-3A and M-8A). In summary, this testimony showed that in and around the subject claims, there exist several different types of rock of variable quality for building stone purposes (Tr. 188-199). As he put it, " * * * I just wanted to show that there are a variety of rock types in the Phoenix Mountains, and its a little bit unreasonable to call that area one type of stone * * * ." (Tr. 199)

The only other witness for the contestees to give testimony relevant to the common variety issue was Mr. Wayne Melluzzo, son of Frank and Wanita Melluzzo, and president of Melluzzo Stone Company, Inc. (Tr. 434). Wayne Melluzzo testified

that the stone on the subject claims currently sells for \$80 per ton F.O.B. the claims (Tr. 437, 593). His testimony concerning costs was incomplete. Although he stated some costs are incurred for the maintenance of his two offices and three vehicles (Tr. 597-99), he could not give a dollar figure (Tr. 604). He did state, however, that his labor cost is approximately \$10 per ton (Tr. 594).

Analysis and Findings

To test a building stone deposit for distinct and special value, a comparison with other building stone deposits must be made. McClarty, 408 F.2d at 908. The comparison must show that the stone in question has a unique property giving the deposit special value. Id. If the stone is used in ways that ordinary kinds of building stone are used, the special value of the stone must be reflected by the potential for a greater profit to the miner. Id.

Contestant's evidence showed that, for use as building stone, the material on the subject claims is essentially indistinguishable from a very large quantity of geologically similar stone occurring in the Phoenix area. Contestant established that within the Phoenix mountains alone, there exist approximately 8.5 square miles of schist, the predominant type of stone found on the claims. The testimony of contestees' witness Dr. David Wahl was supportive of contestant's case. On cross-examination, Dr. Wahl conceded that within the Phoenix area, "there are large quantities of types of schist * * *," and "hundreds of millions" of tons of phyllite (the second most prevalent rock type on the subject claims) (Tr. 373-379). In short, contestant clearly showed that the building stone deposits on Nita Jean No. 3 and No. 4 have no unique properties in comparison with a vast amount of substantially identical stone found in the area. Accordingly, contestant satisfied its burden of proof with regard to this issue.

Apparently realizing that schist and phyllite are abundant in the area, contestees attempted to distinguish the stone on the subject claims by pointing out its varied colorations. They failed, however, to establish that these colorations are unique. In fact, as the Department noted in a 1969 decision involving the same parties and immediately adjacent claims (Nita Jean and Nita Jean No. 2), " * * * variety in coloration appears to [be] the common attribute of the vast amounts of decorative building stone which can be found in the Phoenix area and elsewhere in the State."

United States v. Frank and Wanita Melluzzo, 76 I.D. 181, 185 (1969). The rule of law with regard to coloration is clear:

Attractive coloration, even if unusual, does not distinguish a deposit of stone from other deposits of the same stone so as to justify the conclusion that the deposit has a distinct and special property, where comparable stone is abundant and is found with varied coloration. [Citations omitted.] This is because beauty of coloration is inherently subjective. One type of coloration from among the infinite variety of nature may appeal to some persons, and this coloration may in fact be unusual. However, the fact that one deposit of a material may bear this coloration does not make it unique, as there are often deposits which will do the same job to the full satisfaction of the other persons.

United States v. Dunbar Stone Co., 56 IBLA 61, 65 (1981).

In summary, the record shows that the only unique property claimed for the stone in question is its varied coloration. As the decisions have pointed out, however, such a characteristic does not amount to the "unique property" required under 30 U.S.C. § 611 where, as here, similar variably colored stone is abundantly available in the area. Accordingly, I determine that the material on Nita Jean No. 3 and on Nita Jean No. 4 is a common variety within the meaning of Section 3 of the Act of July 23, 1955.

PRE-JULY 23, 1955 DISCOVERY

Applicable Law

A mining claim can be valid only if supported by a discovery of a "valuable mineral deposit." By the Act of July 23, 1955, Congress determined that "common varieties" of certain minerals could not thereafter qualify as "valuable mineral deposits." Consequently, to sustain as valid a mining claim located prior to the Act of July 23, 1955, for a common variety mineral (as I have found the mineral on the claims at issue to be), the "prudent-man" and "marketability" tests for discovery must have been met by the date of the Act, Barrows v. Hickel, 447 F.2d 80, 82 (9th Cir. 1971); Palmer v. Dredge Corp., 398 F.2d 791, 795 (9th Cir. 1968), cert. denied, 393 U.S. 1066 (1969), and reasonably continuously thereafter. United States v. Martinez, 49 IBLA 360, 365 (1980); United States v. Taylor, 82 I.D. 68, 70 (1975).

These tests for discovery (i.e. "prudent man" and "marketability") although often stated separately, are "logical compliments" that can be combined in one statement. United States v. Coleman, 390 U.S. 599 (1968). For example, in Barrows, 447 F.2d at 83, the court stated: "What is required is that there be, at the time of discovery, a market for the discovered material that is sufficiently profitable to attract the efforts of a person of ordinary prudence."

A sufficiently profitable market can be shown in several ways. Actual sales from the claims, resulting in something more than marginal profits, can satisfy the tests. See Edwards v. Kleppe, 588 F.2d 671 (9th Cir. 1978). A lack of sales, however, is not necessarily fatal. The relevant inquiry focuses on the mineral itself - is there a sufficiently profitable market for that kind of mineral. Thus, if no sales have been made, or if the record of sales is somehow inadequate to prove marketability, the claimant can rely on the successful marketing efforts of others to satisfy the tests. Melluzzo v. Morton, 534 F.2d 860 (9th Cir. 1976). To do so, the claimant must show: (1) that others in the area have successfully marketed comparable material, (2) that his material is of a quality that could have met local demand, and (3) that considering all costs, his net profit could have been comparable to that of the successful claimants. Id. at 863. In other words, it must be shown that the successfully exploited market was available to the claimant, and that he could have extracted, prepared, and transported his material at a net profit sufficient to attract the efforts of a prudent person. See Verrue v. United States, 457 F.2d 1202 (9th Cir. 1972).

Evidence

Mr. Gary Walker was the only witness for the contestant to give testimony relevant to the pre-1955 discovery issue. In addition to his qualifications discussed in the previous section, Mr. Walker served 9 years in the United States Air Force as a Photo Radar Interpreter (Tr. 14; Ex. 2). In that capacity, his duties essentially involved aerial photograph interpretation. Based on this experience, and on his examination of aerial photographs of the subject claims taken in 1954 and 1956, Mr. Walker testified that between January 1954 and February 1956 no material was removed from Nita Jean No. 3 or No. 4 (Tr. 58; Ex. 7, 8, 9). He concluded by stating that, in his opinion, no discovery of a valuable mineral deposit had been made on the subject claims prior to July 23, 1955 (Tr. 67).

Contestees presented three witnesses whose testimony bears on this issue.⁶ Mr. Marion J. Everfsen, a Phoenix mason contractor in the masonry business since 1947 (Tr. 551); Mr. Virgil Griner, a retired mason contractor who began masonry work in the Phoenix area in 1950 (Tr. 570); and Mr. George P. Fagen, a general contractor and builder who began his contracting business in Phoenix around 1945 (Tr. 685). Mr. Evertsen testified that he and his crew mined and put in place the decorative stone that now makes up the large front panel on the Motorola building in Phoenix (Tr. 552). He stated that he removed the stone "[s]omewhere in the neighborhood of 1955" Id.; that he did not know how much he removed (Tr. 554); and that, in his opinion, "there was a market for the type of building stone on this Melluzzo property in 1955." Id. On redirect examination, Mr. Evertsen clarified what he meant by "this Melluzzo property." By reference to Exhibit 9, he clearly pointed out that the stone was removed from two Melluzzo claims adjacent to the west of the claims now in contest (Tr. 566-68).

Mr. Virgil Griner testified that he went on the subject claims in 1954 or 1955 in search of decorative stone "of a mauve, greenish color" for use in the construction of the Paradise Valley Country Club in Phoenix (Tr. 573). Mr. Griner stated that he found the stone he wanted on Nita Jean No. 4, and subsequently purchased 75 tons of it from the Melluzzo Stone Company (Tr. 573-74). In response to the question, "[i]s it your opinion that there was a market for the type of stone" on the subject claims in 1955, Mr. Griner answered, "It was getting started" (Tr. 576).

Mr. George Fagen testified that in May or June of 1955 he purchased between 6 and 15 tons of stone from the subject claims for decorative use in his Ocotillo Hills subdivision (Tr. 687-89). He stated that in 1955 there was a market for building stone in the Phoenix area, and that the stone from the subject claims was competitive in that market (Tr. 690, 692).

⁶A fourth witness, contestee Frank Melluzzo, also gave testimony relevant to the issue. As noted earlier, however, Mr. Melluzzo's testimony will be given little weight. Where I find that a particular part of his testimony has been corroborated, or is otherwise deserving of credence, I will so note.

Analysis and Findings

Comparing two aerial photographs of the area covered by the claims, one taken in early 1954 and the other in early 1956, contestant's expert with regard to aerial photograph interpretation demonstrated that the surface of the subject claims had not been disturbed between 1954 and 1956. Standing alone, this evidence of lack of production is sufficient to establish a weak prima facie case on the issue of discovery prior to July 23, 1955. Melluzzo v. Morton, 534 F.2d 860, 863 (9th Cir. 1976); United States v. Frank and Wanita Melluzzo (Supp. on Judicial Remand), 32 IBLA 46, 50 (1977). Any question as to lack of strength of contestant's case was removed, however, by a statement of Frank Melluzzo made during the 1964 hearing resulting in United States v. Frank and Wanita Melluzzo, 76 I.D. 181 (1969); (Tr. 943-45). This Departmental decision summarized the lengthy statement by saying: "* * * Melluzzo testified positively and flatly that he could not make a business of selling rocks from any one of his claims." Id. at 192. In other words, Mr. Melluzzo admitted that in 1955, he could not sell the stone from any single claim at a profit sufficient to attract the efforts of a person of ordinary prudence. The statement is a party-opponent admission excluded from the category of hearsay by Rule 801(d)(2)(A) of the Federal Rules of Evidence. Carlsen v. Javurek, 526 F.2d 202 (8th Cir. 1975); In re Kelly, 442 F.Supp. 525 (E.D. Va. 1978). It was made in reference to all of the claims held by Mr. Melluzzo in 1955. 76 I.D. at 191. Since the claims now in contest were located on April 4, 1955 (Exs. OO and PP), he was, by implication, referring to them as much as to any of his other claims.

It is important to note the reason why Mr. Melluzzo "could not make a business of selling rocks from any one of his claims." The argument could be made that he was merely referring to an economic fact - that as the level of production increases, the cost of producing each unit decreases. In other words, one could argue that what he meant was that he could make a business of selling rocks, but only if he could spread his start-up and operating costs over several of his claims. If all of those costs had to be absorbed by a one claim operation, then that claim could not turn a profit. If this is what Mr. Melluzzo had referred to, then the statement would not be evidence of lack of marketability. When several claims are operated as a group to lower per claim costs, Departmental decisions allow the economics of the group operation to be considered in the marketability equation for each claim. In Re Pacific Coast Molybdenum Co., 90 I.D. 352, (1983); See concurring opinion

of Judge Mullen in Cactus Mines Limited, 79 IBLA 20, 32-33 n.2 (1984). In other words, a claim is not invalid for lack of individual marketability if the claimant can show that by spreading operating costs over a group of claims, the per ton costs of production allow the mineral from each claim to be marketed at a profit.

The admission can, and will be used as evidence of lack of marketability, however, because I find Mr. Melluzzo was not referring to costs but to demand. The reason he "could not make a business of selling rock from any one of his claims" is that the 1955 market demand for building stone was negligible in the Phoenix Area. The volume of sales of any one kind of stone (i.e., from any one claim) was insufficient to "make a business," but by stocking several different kinds and colors from his numerous claims, Mr. Melluzzo assertedly turned a profit. He explained the situation by analogizing to another kind of business: "You have a grocery store, and you have canned milk, and you have baby food. You might be all right for people that want canned milk and baby food, but I will guarantee you too many people aren't going to buy from your store * * *." 76 I.D. at 191, quoting from Tr. 1515-1519. In other words, the meager returns that could be realized from the occasional sales of one kind or color of stone from one claim were not enough "to make a business." Mr. Melluzzo's admission does not by itself go so far as to prove the lack of marketability of the claims he held in 1955, but it does provide strong corroboration for contestant's assertion that there was no discovery on either of the subject claims before July 23, 1955. Combining the admission with the evidence discussed above establishes a strong prima facie case.

In attempted rebuttal, contestees could produce no receipts or records of pre-July 23, 1955 sales or costs associated with the subject claims. The only reliable evidence of any production came in the form of the testimony of Virgil Griner and George Fagen. Taken together, their testimony showed that 6 to 15 tons of stone was sold from the subject claims before the effective date of the 1955 Act, and about 75 additional tons were sold sometime during 1954 or 1955. Neither of the witnesses could positively say how much he paid for the stone. Furthermore, there was no reliable evidence concerning the costs associated with this production. Contestees presented evidence indicating that some stone from Nita Jean Nos. 3 and 4 was marketed before July 23, 1955, but they completely failed to show that it was marketed at any profit.

Inadequate evidence of production from a particular claim would not be basis for invalidation if there were other evidence sufficient to prove the marketability of the mineral. Verrue v. United States, 457 F.2d at 1204. In this case, there was some other evidence relating to marketability. One of contestees' witnesses gave his opinion that, in the Phoenix Area, there was "a market" for building stone in 1955, and that the stone from the subject claims was competitive in that market. Another witness stated that the market "was getting started." These bare assertions, however, fall far short of establishing marketability of the stone. Evidence suggesting the existence of "a market" for the kind of stone on Nita Jean No. 3 and No. 4 is immaterial without proof that the market could have sustained a mining operation sufficiently profitable to attract the efforts of a person of ordinary prudence.

In summary, the evidence of production from the subject claims failed to show that the stone was marketable at a profit by July 23, 1955. The only other evidence pertaining to marketability had similar shortcomings. Accordingly, I find that prior to and as of July 23, 1955: (1) no market existed for the materials on Nita Jean No. 3 or on Nita Jean No. 4 that was sufficiently profitable to attract the efforts of a person of ordinary prudence; therefore, (2) the mineral deposits on Nita Jean No. 3 and No. 4 was not "valuable" within the meaning of the mining laws (see 30 U.S.C. § 22).

CONCLUSION

Because the stone on Nita Jean No. 3 and on Nita Jean No. 4 is a "common variety," its status as a "valuable mineral deposit" had to exist as of July 23, 1955 (assuming it existed at all), in order for the claims, or either of them, to be valid. Because it did not, I am constrained to hold that the Nita Jean No. 3 and No. 4 placer mining claims are invalid. This holding renders discussion of the other charges in the complaint unnecessary. See United States v. Anderson, 15 IBLA 123 (1974).


Harvey C. Sweitzer
Administrative Law Judge



United States Department of the Interior

72239
IN REPLY REFER TO:
File

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF LAND APPEALS

4015 WILSON BOULEVARD
ARLINGTON, VIRGINIA 22209

MAR 29 1985

IBLA 85-301	:	✓ AMC 72239 to 72245
	:	(MPO-84-P-004)
	:	
FRANK MELLUZZO, et al.	:	Mining Plan of Operations
	:	
	:	Dismissed

ORDER

On January 30, 1985, Frank Melluzzo, Harry Nichols, and Melluzzo Stone Company filed a notice of appeal from a decision by the Arizona State Office, Bureau of Land Management (BLM), rejecting their appeal of the approval of a mining plan of operations, with stipulations, by the Area Manager, Phoenix District Office, BLM.

Subsequently, on March 20, 1985, appellants filed a motion for dismissal with this Board. In this motion, they note "Operators and the Bureau of Land Management * * * have agreed upon a settlement of this matter. Operators request that the Interior Board of Land Appeals dismiss, with prejudice, this appeal. " On March 26, 1985, counsel for BLM filed a response in which he agreed, inter alia, that the appeal should be dismissed with prejudice.

Accordingly, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the appeal is dismissed with prejudice.

James L. Burski
James L. Burski
Administrative Judge

We concur:

Bruce R. Harris
Bruce R. Harris
Administrative Judge

Edward W. Stuebing
Edward W. Stuebing
Administrative Judge

APPEARANCES:

W. Scott Donaldson, Esq.
Platt and Westby, P.C.
2916 North Seventh Avenue
Phoenix, Arizona 85013

Daniel L. Jackson, Esq.
Office of the Field Solicitor
U.S. Department of the Interior
505 North 2nd Street, # 150
Phoenix, Arizona 85004

EXHIBIT A

Frank Melluzzo, Wanita Melluzzo, Harry T. Nichols and Mrs. Harry T. Nichols (hereinafter referred to as the "claimants") do not relinquish the SE 1/4 SE 1/4 NW 1/4, E 1/2 E 1/2 SW 1/4 SE 1/4 NW 1/4, S 1/2 NE 1/4 SE 1/4 NW 1/4 (less patented land therein) and the E 1/2 SE 1/4 NW 1/4 SE 1/4 NW 1/4 of Section 27, Township 4 North, Range 3 East, G.&S.R.B.&M., Maricopa County, State of Arizona.

Claimants have entered into an Agreement with the Bureau of Land Management (signed by Claimants March 11, 1985) whereby Claimants are to receive mineral patent to, and ingress and egress to the above-identified parcel of land. Said parcel is outlined on the plat attached hereto as Exhibit A₁.

This relinquishment is conditioned upon and not effective until fulfillment of the promises and obligations contained in said Agreement, including but not limited to issuance of mineral patent and a right of way as applied for by Claimants pursuant to 43 C.F.R. §2800 et seq.

Frank Melluzzo
Wanita Melluzzo

3-23-85

Harry T. Nichols

3-23-85

Mrs. Harry T. Nichols

3-23-85



United States Department of the Interior

RECEIVED
AZ STATE OFFICE
OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF LAND APPEALS

MAR 28 1985

4015 WILSON BOULEVARD
ARLINGTON, VIRGINIA 22203

07.45 A.M.
PHOENIX, ARIZONA

March 22, 1985

IBLA 85-199	:	A MC 72239-42
	:	
FRANK MELLUZZO	:	Mining Claims
HARRY NICHOLS	:	
	:	Motions for Dismissal Denied;
	:	Appeals Previously Dismissed

ORDER

On March 20, 1985, counsel for Frank Melluzzo and Harry Nichols filed motions withdrawing the two appeals docketed as IBLA 85-199 and requesting dismissal of the appeals with prejudice.

Counsel's motions are surprising since on February 11, 1985, the Board issued an order granting the Bureau of Land Management's motions for summary judgment in this case and dismissing the two appeals docketed as IBLA 85-199. 1/ For that reason, the Motions for Dismissal must be denied.

Bruce R. Harris
Administrative Judge

We concur:

Edward W. Stuebing
Administrative Judge

Will A. Irwin
Administrative Judge

1/ The Board's records show that counsel for appellants received the order on February 15, 1985.

APPEARANCES:

Daniel L. Jackson, Esq.
Office of the Field Solicitor
U.S. Department of the Interior
505 N. 2nd Street, Suite 150
Phoenix, Arizona 85004

W. Scott Donaldson, Esq.
Platt and Westby, P.C.
2916 North Seventh Avenue
Phoenix, Arizona 85013

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PLATT AND WESTBY, P. C.
2916 NORTH SEVENTH AVENUE
PHOENIX, ARIZONA 85013
TELEPHONE (602) 277-4441

RECEIVED
MAR 20 1985
BOARD OF LAND APPEALS

ATTORNEYS FOR: Appellants

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF HEARINGS AND APPEALS
Interior Board of Land Appeals
4015 Wilson Boulevard
Arlington, Virginia 22203

FRANK MELLUZZO and HARRY T. NICHOLS,)	
	)	I.B.L.A. 85-199
)	
Appellants,	)	BUFFALO RIDGE NOS. 2,3,4
	)	Unpatented Placer Mining
v.	)	Claims: AMC 72239 through
	)	72241
BUREAU OF LAND MANAGEMENT,)	
)	
Appellee.)	
)	

MOTION FOR DISMISSAL

FRANK MELLUZZO and HARRY T. NICHOLS, (hereinafter referred to as the "Appellants") hereby withdraw their appeal for the reason that appellants and the Bureau of Land Management have agreed upon a settlement of this matter. Appellants request that the Interior Board of Land Appeals dismiss, with prejudice, this appeal.

DATED this 18th day of March, 1985.

Respectfully Submitted,

PLATT AND WESTBY, P.C.

By W. Scott Donaldson
W. Scott Donaldson

1 I hereby certify that the
2 foregoing was mailed this
3 18th day of March, 1985, to:
4 United States Department of the Interior
5 Office of Hearings and Appeals
6 Interior Board of Land Appeals
7 4015 Wilson Boulevard
8 Arlington, Virginia 22203
9 (Original and one copy of express mail)
10 Daniel L. Jackson
11 Office of the Field Solicitor
12 Bureau of Land Management
13 505 North 2nd Street, #150
14 Phoenix, Arizona 85004
15 (One copy by certified mail-return receipt requested)

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PHOENIX, ARIZONA 85013
TELEPHONE (602) 277-4441

RECEIVED
MAR 20 1985
BOARD OF LAND APPEALS

ATTORNEYS FOR: Appellants

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF HEARINGS AND APPEALS
Interior Board of Land Appeals
4015 Wilson Boulevard
Arlington, Virginia 22203

FRANK MELLUZZO and HARRY T. NICHOLS,)	
)	I.B.L.A. 85-199
)	
Appellants,)	BUFFALO RIDGE NOS. 2,3,4
)	Unpatented Placer Mining
v.)	Claims: AMC 72239 through
)	72241
BUREAU OF LAND MANAGEMENT,)	
)	
Appellee.)	

MOTION FOR DISMISSAL

FRANK MELLUZZO and HARRY T. NICHOLS, (hereinafter referred to as the "Appellants") hereby withdraw their appeal for the reason that appellants and the Bureau of Land Management have agreed upon a settlement of this matter. Appellants request that the Interior Board of Land Appeals dismiss, with prejudice, this appeal.

DATED this 18th day of March, 1985.

Respectfully Submitted,

PLATT AND WESTBY, P.C.

By W. Scott Donaldson
W. Scott Donaldson

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By W. Scott Donald

PLATT AND WESTBY, P. C.
2916 NORTH SEVENTH AVENUE
PHOENIX, ARIZONA 85013
TELEPHONE: (602) 277-4441

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TELEPHONE (602) 277-4441

RECEIVED

MAR 20 1985

BOARD OF LAND APPEALS

ATTORNEYS FOR: Appellants

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF HEARINGS AND APPEALS
Interior Board of Land Appeals
4015 Wilson Boulevard
Arlington, Virginia 22203

FRANK MELLUZZO and HARRY T. NICHOLS,)	
	)	I.B.L.A. 85-199
Appellants,)	
	)	BUFFALO RIDGE NO. 5
v.)	
	)	Unpatented Placer Mining
BUREAU OF LAND MANAGEMENT,	)	Claim: AMC 72229
)	
Appellee.)	

MOTION FOR DISMISSAL

FRANK MELLUZZO and HARRY T. NICHOLS, (hereinafter referred to as the "Appellants") hereby withdraw their appeal for the reason that appellants and the Bureau of Land Management have agreed upon a settlement of this matter. Appellants request that the Interior Board of Land Appeals dismiss, with prejudice, this appeal.

DATED this 18th day of March, 1985.

Respectfully Submitted,

PLATT AND WESTBY, P.C.

By W. Scott Donaldson
W. Scott Donaldson

1 I hereby certify that the
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11 Daniel L. Jackson
12 Office of the Field Solicitor
13 Bureau of Land Management
14 505 North 2nd Street, #150
15 Phoenix, Arizona 85004
16 (One copy by certified mail-return receipt requested)

10
11 By *H. Seal Powell*

PLATT AND WESTBY, P. C.
2916 NORTH SEVENTH AVENUE
PHOENIX, ARIZONA 85013
TELEPHONE: (602) 277-4441

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2916 NORTH SEVENTH AVENUE
PHOENIX, ARIZONA 85013
TELEPHONE (602) 277-4441

RECEIVED
MAR 20 1985
BOARD OF LAND APPEALS

ATTORNEYS FOR: Appellants

UNITED STATES DEPARTMENT OF THE INTERIOR
OFFICE OF HEARINGS AND APPEALS
Interior Board of Land Appeals
4015 Wilson Boulevard
Arlington, Virginia 22203

FRANK MELLUZZO and HARRY T. NICHOLS,)	
	)	I.B.L.A. 85-199
Appellants,)	
	)	BUFFALO RIDGE NO. 5
v.)	
	)	Unpatented Placer Mining
BUREAU OF LAND MANAGEMENT,	)	Claim: AMC 72229
)	
Appellee.)	

MOTION FOR DISMISSAL

FRANK MELLUZZO and HARRY T. NICHOLS, (hereinafter referred to as the "Appellants") hereby withdraw their appeal for the reason that appellants and the Bureau of Land Management have agreed upon a settlement of this matter. Appellants request that the Interior Board of Land Appeals dismiss, with prejudice, this appeal.

DATED this 18th day of March, 1985.

Respectfully Submitted,

PLATT AND WESTBY, P.C.

By W. Scott Donaldson
W. Scott Donaldson

1 I hereby certify that the
2 foregoing was mailed this
3 18th day of March, 1985, to:
4 United States Department of the Interior
5 Office of Hearings and Appeals
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By H. Seal Donald

PLATT AND WESTBY, P. C.
2916 NORTH SEVENTH AVENUE
PHOENIX, ARIZONA 85013
TELEPHONE: (602) 277-4441

**UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF HEARINGS AND APPEALS**

4015 WILSON BOULEVARD
ARLINGTON, VIRGINIA 22203

OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE, \$300



**POSTAGE AND FEES PAID
DEPARTMENT OF THE INTERIOR
INT 418**

011314

State Director
Bureau of Land Management
P. O. Box 16563
Phoenix, AZ 85011

CERTIFIED

RELINQUISHMENT OF MINING CLAIM(S)

I (We) FRANK MELLUZZO, WANITA MELLUZZO, HARRY T. NICHOLS and MRS. HARRY T. NICHOLS

hereby relinquish and abandon all right, title, and interest in the following described mining claim(s):

Name of Claim(s)	Description of land - Approximate legal description of claim(s)	Date of original, supplemental, and amended locations	Volume and Page where recorded		AMC#
			Book	Page	
BUFFALO RIDGE NO. 2	Lots 9 & 16	4/22/53 7/14/71	1123 8831	39 186	-72239
* <u>Close ONLY in PART</u> BUFFALO RIDGE NO. 3	Lot 6 & E-1/2, SW-1/4, NW-1/4	5/28/53 7/14/71	1143 8821	570 187	<u>IN PART only</u> -72240
BUFFALO RIDGE NO. 4	Lot 10, E-1/2, NW-1/4, SW-1/4	5/28/53 7/14/71	1143 8821	571 187	-72241
BUFFALO RIDGE NO. 5	Lots 3 & 5	3/20/54 7/14/71	1314 1053	448 728	<u>ALREADY closed</u> -72242
BUFFALO RIDGE NO. 6	Lot 2	3/20/54 7/14/71	1314 8821	449 189	-72243
BUFFALO RIDGE NO. 7	W-1/2 of Lot 5	12/1/54 7/14/71	1484 8821	43 190	-72244
BUFFALO RIDGE NO. 8	W-1/2, SW-1/4, NW-1/4	12/1/54 7/14/71	1487 8821	44 191	-72245
All in Sec. 27 of T.4N.,		R. 3E., G. & S.R.B.&M.,	Maricopa County Arizona.		

* but for those parts of the Buffalo Ridge No. 3 described on Exhibit A attached hereto and incorporated by reference.

/s/ _____ /s/ Harry T. Nichols
 /s/ Frank Melluzzo /s/ Mrs. Harry T. Nichols
 /s/ Wanita Melluzzo /s/ _____
 /s/ _____ /s/ _____

Witness W. Scott R. [Signature]

Date _____

ACKNOWLEDGMENT

RECEIVED
 B.L.M. AZ STATE OFFICE
 MAR 18 1985
 7:5 A.M.
 PHOENIX ARIZONA

STATE OF Arizona
 COUNTY OF Maricopa

On this the 23rd day of March, 1985, before me, William S. R. [Signature], the undersigned officer, personally appeared, Frank Melluzzo, Wanita Melluzzo, Harry T. Nichols & Mrs. Harry T. Nichols

known to me (or satisfactorily proven) to be the person whose name or names is (are) subscribed to the within instrument and acknowledged that they executed the same for the purpose therein contained.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission Expires:
October 30, 1987

William S. R. [Signature]

Title of Officer

Cases closed
5/13/85
AS

RELINQUISHMENT OF MINING CLAIM(S)

I (We) FRANK MELLUZZO, WANITA MELLUZZO, HARRY T. NICHOLS and MRS. HARRY T. NICHOLS

hereby relinquish and abandon all right, title, and interest in the following described mining claim(s):

Name of Claim(s)	Description of land - Approximate legal description of claim(s)	Date of original, supplemental, and amended locations	Volume and Page where recorded	
			Book	Page
BUFFALO RIDGE NO. 2	Lots 9 & 16	4/22/53 7/14/71	1123 8831	39 186
BUFFALO RIDGE NO. 3	Lot 6 & E-1/2, SW-1/4, NW-1/4	5/28/53 7/14/71	1143 8821	570 187
BUFFALO RIDGE NO. 4	Lot 10, E-1/2, NW-1/4, SW-1/4	5/28/53 7/14/71	1143 8821	571 187
BUFFALO RIDGE NO. 5	Lots 3 & 5	3/20/54 7/14/71	1314 1053	448 728
BUFFALO RIDGE NO. 6	Lot 2	3/20/54 7/14/71	1314 8821	449 189
BUFFALO RIDGE NO. 7	W-1/2 of Lot 5	12/1/54 7/14/71	1484 8821	43 190
BUFFALO RIDGE NO. 8	W-1/2, SW-1/4, NW-1/4	12/1/54 7/14/71	1487 8821	44 191
All in Sec. 27 of T.4N., R. 3E., G. & S.R.B. & M., Maricopa County, Arizona				

but for those parts of the Buffalo Ridge No. 3 described on Exhibit A attached hereto and incorporated by reference. ←

/s/ _____
 /s/ Frank Melluzzo
 /s/ Wanita Melluzzo
 /s/ _____

/s/ _____
 /s/ _____
 /s/ _____
 /s/ _____

Witness W. Scott R. [Signature]

Date _____

ACKNOWLEDGMENT

STATE OF Arizona
 COUNTY OF Maricopa

On this the 23rd day of March, 1985, before me, William S. Donaldson, the undersigned officer, personally appeared Frank Melluzzo, Wanita Melluzzo, Harry T. Nichols and Mrs. Harry T. Nichols

known to me (or satisfactorily proven) to be the person whose name or names is (are) subscribed to the within instrument and acknowledged that _____ execut d

EXHIBIT A

Frank Melluzzo, Wanita Melluzzo, Harry T. Nichols and Mrs. Harry T. Nichols (hereinafter referred to as the "claimants") do not relinquish the SE 1/4 SE 1/4 NW 1/4, E 1/2 E 1/2 SW 1/4 SE 1/4 NW 1/4, S 1/2 NE 1/4 SE 1/4 NW 1/4 (less patented land therein) and the E 1/2 SE 1/4 NW 1/4 SE 1/4 NW 1/4 of Section 27, Township 4 North, Range 3 East, G.&S.R.B.&M., Maricopa County, State of Arizona.

Claimants have entered into an Agreement with the Bureau of Land Management (signed by Claimants March 11, 1985) whereby Claimants are to receive mineral patent to, and ingress and egress to the above-identified parcel of land. Said parcel is outlined on the plat attached hereto as Exhibit A₁. *no ingress yet*

This relinquishment is conditioned upon and not effective until fulfillment of the promises and obligations contained in said Agreement, including but not limited to issuance of mineral patent and a right of way as applied for by Claimants pursuant to 43 C.F.R. §2800 et seq.

claims given to Plat is a grant

*Frank Melluzzo
Wanita Melluzzo*

3-23-85



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS

INTERIOR BOARD OF LAND APPEALS

4015 WILSON BOULEVARD

ARLINGTON, VIRGINIA 22203

FEB 11 1985

IN REPLY REFER TO:

RECEIVED
B.L.M. AZ STATE OFFICE

FEB 15 1985

7:45 A.M.
PHOENIX, ARIZONA

IBLA 85-199 : A MC 72239-42
 :
 FRANK MELLUZZO : Mining Claims
 HARRY E. NICHOLS :
 : Motions for Summary Dismissal
 : Granted; Appeals Dismissed.

ORDER

On November 19, 1984, the Arizona State Office, Bureau of Land Management (BLM), declared the Buffalo Ridge No. 5 mining claim (A MC 72242) null and void ab initio. On November 30, 1984, BLM declared the Buffalo Ridge Nos. 2, 3, and 4 mining claims (A MC 72239-41) null and void ab initio in part.

On December 14, 1984, BLM received notices of appeal of those decisions from counsel for Frank Melluzzo and Harry E. Nichols. Counsel filed additional notices of appeal of the same decisions with BLM on December 19, 1984. In documents styled "Filing Deadlines for Statement of Reasons and Written Arguments" filed with the Board on January 10, 1985, counsel explained the rationale for the additional filings as follows:

The second Notice was personally delivered because Claimants' attorney believes the first Notice is void due to improper service upon the B.L.M. [first-class mail] pursuant to 43 C.F.R. § 4.401. Claimants therefore have until January 18, 1985 (30 days after December 19, 1984) to file any Statement of Reason and Written Argument unless Claimants ask for and are granted an extension.

On January 15, 1985, counsel for BLM filed motions for summary dismissal claiming that the appeals should be dismissed for failure to file timely statements of reasons.

Where a notice of appeal does not contain a statement of reasons, such a statement is required to be filed with the Board within 30 days after the notice of appeal was filed. 43 CFR 4.412. A document is filed when it is received by the Board. See 43 CFR 4.22. The regulations provide for a grace period for filing when a document is not received in the proper office during the time for filing if the document is filed not later than 10 days after it was required to be filed and the document was transmitted or probably transmitted prior to the filing deadline. 43 CFR 4.401(a). Failure to file a statement of reasons within the time required will subject the appeal to summary dismissal. 43 CFR 4.412(c).

A MC 72239-72241 null & void in part ENTERED IN COMPUTER
 A MC 72242 null & void in entirety ENTERED IN COMPUTER

Counsel for BLM claims that the statements of reasons in this case were required to be filed by January 14, 1985, and because they were not, the appeals should be dismissed. Counsel for appellants disagrees, arguing that the statements were not due until January 18, 1985, and even if the Board determines they were due January 14, it should consider the "Filing Deadlines for Statement of Reasons and Written Arguments" to be a request for an extension of time to file. 1/ No statements of reasons have been filed for these appeals. Thus, the grace period regulation is inapplicable.

Appellants' statements of reasons were due January 14, 1985. There is no basis for counsel for appellants' belief that 43 CFR 4.401 somehow required a notice of appeal to be filed by personal delivery or certified mail. The cited regulation, 43 CFR 4.401, governs service of documents, not the filing of documents. A notice of appeal filed with BLM must be served on adverse parties. Service must be made personally or by sending the document registered or certified mail. The purpose of regulating the method of service is to insure that parties to a case are aware of the initiation of an appeal and receive all subsequent pleadings. The regulations do not specify any method for the filing of a notice of appeal. A notice of appeal is filed upon receipt in the proper office during business hours regardless of the method of delivery. The notices in these appeals arrived on December 14, 1984.

As noted above, counsel for appellants asserts that the Board should consider his documents filed January 10, 1985, to be requests for extensions of time. This contention must be rejected. The plain language of those documents negates any such construction. Therein, counsel stated: "Claimants therefore have until January 18, 1985 (30 days after December 19, 1984) to file any Statement of Reason and Written Argument unless Claimants ask for and are granted an extension." (Emphasis added.)

Since we have determined that statements of reasons were not timely filed, we must now decide the consequences of such failure.

An appeal is subject to summary dismissal where the appellant fails to file the statement of reasons within the time required. 43 CFR 4.412(c); Tagala v. Gorsuch, 411 F.2d 589 (9th Cir. 1969); George L. Clay Lee, 70 IBLA 196 (1983). Dismissal is not mandatory, rather it is within the discretion of the Board. The Board has stated that such discretionary authority will not be exercised favorably to appellant unless good and cogent reasons are shown for the delay. United States v. Haskins, 3 IBLA 77, 83 (1971).

Our review of the record in these appeals fails to reveal good and cogent reasons for the delay in filing in this case. Counsel for appellants filed notices of appeal on December 14, 1984. Statements of reasons were due

1/ On Jan. 18, 1985, counsel for appellants filed motions for additional time to file their statement of reasons. The motions were dated Jan. 16, 1985, and counsel stated therein that because of the necessity of devoting time to responding to BLM's motions for summary dismissal, he needed more time to prepare the statements of reasons which would only be required if the Board denied BLM's motions.

January 14, 1985. In an apparent attempt unilaterally to extend the time for filing statements, counsel filed second notices on December 19, 1984, and then claimed he had until January 18, 1985, to file statements. We find no rational basis for counsel's asserted belief that the first notices of appeal were not effective. We construe this as nothing more than an attempt to play fast and loose with Departmental regulations. Neither appellants nor their counsel are strangers to Departmental administrative review procedures. In fact, the claims involved in these appeals were the subject of a prior Board decision, Frank Melluzzo, 71 IBLA 178 (1983), in which the Board vacated a BLM decision declaring the claims null and void and rejecting mineral patent application A 7967. Vacation of the BLM decision was for the limited purpose of allowing Melluzzo to demonstrate compliance with 30 U.S.C. § 38 (1982) and to show whether the claims contain an uncommon variety of mineral deposit.

On August 8, 1984, counsel for appellants herein withdrew patent application A 7967. BLM claims that withdrawal of the application required BLM to issue the decisions that are the subject of these appeals, and that the notices of appeal have stayed the effect of its decisions, citing 43 CFR 4.21(a). BLM asserts that appellants have by their actions delayed final determinations on their claims and continue to actively mine the claims in question.

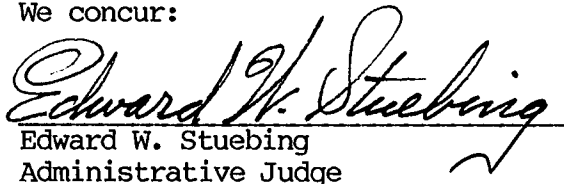
Appellants have failed to make a sufficient showing for excusing the delay in filing. Under the circumstances of this case, BLM's motions are granted.

Accordingly, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the appeals are dismissed.




Bruce R. Harris
Administrative Judge

We concur:



Edward W. Stuebing
Administrative Judge



Will A. Irwin
Administrative Judge

APPEARANCES:

Daniel L. Jackson, Esq.
U.S. Department of the
Interior
Office of the Field Solicitor
505 N. 2nd Street, Suite 150
Phoenix, Arizona 85004

W. Scott Donaldson, Esq.
Platt and Westby, P.C.
2916 N. Seventh Ave.
Phoenix, Arizona 85013



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF LAND APPEALS
4015 WILSON BOULEVARD
ARLINGTON, VIRGINIA 22203

IN REPLY REFER TO:

3800 Buffalo Ridge
383 2/11/85

FEB 5 1985

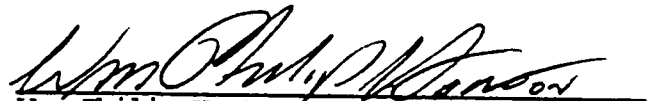
Appeal of

FRANK MELLUZZO, ET AL.

Mining Plan
AMC 72239 to -45

The above appeal has been received and docketed under the number IBLA 85-301. Please refer to this docket number in any communication, pleading, or other document relating to this appeal.

Thank you.


Wm. Philip Horton
Chief Administrative Judge

RECEIVED
R.L.M. AZ STATE OFFICE
FEB 8 - 1985
07:45 A.M.
PHOENIX, ARIZONA



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
P.O. Box 16563
Phoenix, Arizona 85011

IN REPLY REFER TO:

MPO 84-P-004
AMC 72239-72245

STO

January 31, 1985

Certified Mail Receipt Requested

Memorandum

To: Board of Land Appeals, Office of the Secretary

From: Deputy State Director, Division of Mineral Resources
Arizona State Office

Subject: Transmitting Appeal of: Frank Melluzzo, Harry Nichols and Melluzzo Stone Company

Kind of Application: Mining Plan of Operations (43 CFR 3809)

Referring to the above-cited case, I transmitted a notice of an appeal from the decision of the

State Director _____ dated January 4, _____, 1985

- There are no conflicting cases of record.
- The conflicting cases shown on the status sheet have been properly noted as to the appeal and favorable action thereon suspended pending final action on the appeal.
- The records of the conflicting or reference cases identified below are transmitted herewith for use in connection with the appeal:

Raya Bred

CC. BLM; W.O. 140, 680, Office of Solicitor, Office of Field Solicitor, DM-Phoenix District
with copy of decision
cc: AMC 72239 file ✓

1 PLATT AND WESTBY, P.C.

2 2916 NORTH SEVENTH AVENUE
3 PHOENIX, ARIZONA 85013
4 TELEPHONE (602) 277-4441

5 ATTORNEYS FOR: Operators

6
7
8 BUREAU OF LAND MANAGEMENT,)

MINING PLAN OF OPERATION
MPO-84-P-004
BUFFALO RIDGE NOS. 2-8
A.M.C. NOS. 72239-72245

9 v.)

10 FRANK MELLUZZO, HARRY NICHOLS)
11 and MELLUZZO STONE COMPANY,)

12 Operators.)
13

14 OPERATORS' NOTICE OF APPEAL

15 COMES NOW the Operators, FRANK MELLUZZO, HARRY NICHOLS
16 and MELLUZZO STONE COMPANY, by and through their counsel
17 undersigned, pursuant to 43 C.F.R. 4.411 and appeal from the
18 January 4, 1985 Denial of Appeal by D. Dean Bibles, State
19 Director, Arizona State Office, Bureau of Land Management,
20 Department of the Interior, in the above-captioned matter.

21 Operators will submit their statement of reasons for
22 appeal as prescribed in 43 C.F.R.§4.412.

23 RESPECTFULLY SUBMITTED this 30th day of January, 1985.

24 PLATT AND WESTBY, P.C.

25 By W. Scott Donaldson
26 W. Scott Donaldson

27 PHOENIX, ARIZONA

1985 JAN 30 PM 1:48

28 RECEIVED
B.L.M. AZ STATE OFFICE

* * * * *

PLATT AND WESTBY, P. C.
2916 NORTH SEVENTH AVENUE
PHOENIX, ARIZONA 85013
TELEPHONE: (602) 277-4441

1 The Original of the foregoing
2 hand-delivered this 30th day
of January, 1985 to:

3 Arizona State Office
4 Bureau of Land Management
3707 North Seventh Street
5 Phoenix, Arizona 85014

6 Copy of the foregoing mailed
7 certified, return receipt
8 requested, this 30th day of
January, 1985 to:

9 Fritz L. Goreham, Esq.
10 Office of the Field Solicitor
2080 Valley Bank Center
11 201 North Central Avenue
Phoenix, Arizona 85073

12 By *V. Scott Donald*
13

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B.L.M. AZ STATE OFFICE
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PHOENIX, ARIZONA



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
3707 N. 7th Street
Phoenix, Arizona 85014

IN REPLY REFER TO:

3809 (920)
MPO 84-P-004
AMC 72239 et al.

January 4, 1985

CERTIFIED MAIL--RETURN RECEIPT REQUESTED

DECISION

Frank Melluzzo
Harry E. Nichols
David J. Hett
c/o W. Scott Donaldson
Attorney-At-Law
2916 North Seventh Avenue
Phoenix, Arizona 85013

Mining Plan of Operation
MPO-84-P-004
Buffalo Ridge Nos. 2-8
AMC 72239-72245

Denial of Appeal

On August 31, 1984, Melluzzo Stone Company submitted a Mining Plan of Operations (MPO-84-P-004) under the 43 CFR 3809 regulations for mining activities on the Buffalo Ridge Mining Claims Nos. 2-8 (AMC 72239-72245). The Bureau of Land Management, Phoenix Resource Area, by letter dated September 19, 1984, notified the operator that under 43 CFR 3809.1-6(3), an additional 60 days would be necessary to complete the review of the plan of operations. The Mining Plan of Operations was approved, with stipulations, by the BLM Area Manager on November 29, 1984. The approval was appealed by Melluzzo Stone Company on December 19, 1984.

The approved plan of operations, with the attached stipulations, will ensure that adequate and responsible measures are taken to prevent unnecessary or undue degradation of the Federal lands and that reasonable reclamation is performed. Sufficient area has been provided by the approval to produce the volumes of material (1050 tons/day) indicated in the plan of operations. The additional area of those mining claims currently under litigation would not be required for the production of 1050 tons/day and, therefore, would be undue and unnecessary. A Notice of Noncompliance was also issued by the BLM Area Manager on December 26, 1984 for failure to provide a bond for the approved operations.

The appeal filed in behalf of Melluzzo Stone Company and the operator, David J. Hett, was received by the BLM State Director on December 19, 1984. The appeal procedures under 43 CFR 3809.4 provide for appeals to the State Director of decisions on mining plans of operations, within 30 days after the date of receipt by the operator of the decision. These appeal

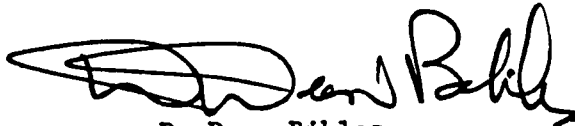
procedures require that the appeal contain "a statement of the reasons for the appeal and any arguments the appellant wishes to present which would justify reversal or modification of the decision," 43 CFR 3809.4(c)(3). The right of appeal under 43 CFR 3809.4 and the requirement for a statement of reasons was also clearly stated in the approval letter dated November 29, 1984. The appeal was filed on December 19, 1984 but contained no statement of reasons for the appeal. The appellant has provided no basis for rejection of the decision and has not alleged any errors in the decision of the BLM Area Manager.

The 30-day period for filing an appeal with a statement of reasons, under 43 CFR 3809.4, expired on December 29, 1984. The provisions of 43 CFR Part 4 do not apply until an appeal is made to the Interior Board of Land Appeals. The decision of the BLM Area Manager has been reviewed by this office and has been determined to be proper. No additional evidence has been provided by the appellant to substantiate the appeal. Therefore, the appeal is denied and the decision of November 29, 1984 is affirmed. A request for a stay of the decision did not accompany the appeal.

An appeal from this decision may be taken to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the regulations in 43 CFR Parts 1 and 4, and the enclosed Form 1842-1. If an appeal is taken, the notice of appeal must be filed in the Arizona State Office of the Bureau of Land Management, P.O. Box 16563, Phoenix, Arizona 85011, within thirty days from the receipt of this decision. Do not send the appeal directly to the Board. The appeal and case history file will be sent to the Board from this office. Within thirty days after filing the notice of appeal, file a complete statement of the reasons why you are appealing. This must be filed with the U.S. Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Boulevard, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the notice of appeal, no additional statement is necessary. Additionally, within fifteen days after each document is filed, the regulations also require the appellant to serve a copy of the notice of the appeal, statement of reasons, written arguments or briefs on the Field Solicitor, U.S. Department of the Interior, 505 N. 2nd Street, Suite 150, Phoenix, Arizona 85004.

As stated in 43 CFR 3809.4(b), an appeal from a decision relating to mining plans of operation does not relieve an operator of the responsibility for compliance with the requirements of the approved plan of operations. The decision of the authorized officer shall be effective during the pendency of an appeal.

Sincerely,



D. Dean Bibles
State Director

Enclosures

1. Regulations
2. Appeal Procedures
3. Form 1842-1



United States Department of the Interior

IN REPLY REFER TO:

BLM PHOENIX DISTRICT

BUREAU OF LAND MANAGEMENT

Phoenix District Office
2015 West Deer Valley Road
Phoenix, Arizona 85027

Telephone: (602) 863-4464

AUG 31 '84

DM _____
 ADM _____
 PA _____
 ADMIN _____
 OPS _____
 MINS _____
 RES _____
 P&EA _____
 PRA _____
 LGRA _____
 KRA _____
 CF _____
 Action By _____
 Due Date _____

84-P-004

MINING PLAN OF OPERATIONS

— ORIGINAL —

Maricopa County

MPO- _____

A. OPERATOR

Name of Operator Melluzzo Stone Company

Address of Operator 1965 E. Beardsley, Phoenix, Arizona 85024

Telephone 867-9000

Name of Field Representative Wayne Melluzzo

Address of Field Representative Same as above

Telephone Same as above

B. CLAIM OWNER

Complete only when the owner is different from the operator.

Name	Address	Telephone
Mr. Frank Melluzzo	706 E. Peoria	861-1048

Phoenix, AZ 85020

Mr. Harry T. Nichols Same as above

C. CLAIM IDENTIFICATION

Name(s) of the claim(s) on which the operation will be conducted:

Name and type of claim (lode or placer)	BLM Serial No.	Township	Range	Section
Buffalo Ridge No. 2	72239	4 North	3 East	27
" 3	72240		"	
" 4	72241		"	
" 5	72242		"	
" 6	72243		"	
" 7	72244		"	
" 8	72245		"	

D. MAPS

Attached as part of this Plan of Operations is a map of all claims listed above in B. (USGS Topographic Map). Also attached is an engineered map or a sketch map depicting the project area showing clearly the proposed physical plant, mine, dumps and disposal areas, roads, etc. (Approximately 1" = 400' or greater). Show existing roads as solid lines and proposed roads and any roads to be upgraded as dashed lines on the attached maps. Identify cuts in excess of three vertical feet.

E. PERSONNEL, VEHICLES, EQUIPMENT

Approximately 10 people will be working in the area of operation during a shift.

The following vehicles and equipment, listed by type and size, will be used in this operation:

Type and Size	Location within Area of Operation
See Attachment E.	

Attachment E

<u>Rolling Stock</u>	<u>Location</u>
1. 1970 Chevrolet bobtail dump truck	Mobile
2. 1949 Ford Boom truck	"
3. 3 Dodge pick-up trucks	"
4. 1 Chevrolet Blazer	"
5. 1 Chevrolet Luv	"
6. 1 Chevrolet pick-up	"
7. 1966 Chevrolet station wagon	"
8. 1 1963 Scout	"
9. 1 1978 Datsun pick-up	"
10. 1 1983 Nissan station wagon	"
11. 1 8x30 tool trailer	"
12. 1 welder trailer	"
13. 1 8x19 travel trailer	"
14. 1 1973 Ford station wagon	"
15. 1 1971 Ford pick-up	"
16. 1 1971 Ford Mustang	"
17. 1 1956 blue Kw. 10-wheel dump truck	"
18. 1 1965 Ford	"
19. 1 red Chevrolet 4-wheel drive pick-up	"
20. 1 1978 Ford Granada	"
21. 1 black Chevrolet 4-wheel drive pick-up camper	"
22. 1 Grader	"
23. 1 Trommel on trailer	"
24. 1 Lowboy	"
25. 4 backhoe loaders (Hoe-Ram)	"
26. 2 Bobcat loaders	"
27. 9 Dump trucks (various)	"
28. 1 water truck	"
29. 1 service truck	"
30. 1 rock trender	"
31. 5 equipment trailers	"
32. fuel tanks	"
33. 2 portable welders	"
34. about 10-15 employee automobiles	"
35. 1 14x70 mobile home for night watchman	"

Product Sizing Equipment

Location

1 980 caterpillar loader	E½ of B.R. No. 3
1 Impact crusher	"
1 D-6 caterpillar	"
1 D-9 caterpillar	"
1 John Deere 844D	"
1 caterpillar 950	"
1 Grizzly with feeder	"
1 40-foot belt	"
1 2-3 Dk. screen with 4 belts (30-40 feet)	"
1 Junior Tender Crusher with 3 belts (15-30 feet)	"
1 30-foot belt	"
2 60-foot stacker radial belts	"

Customers' Hauling Vehicles

Small Bobtail Trucks (5 yd. box)
10-Wheeler Trucks
Transfer Dump Trucks
End Dump Trucks
Rock Bed Trucks
Belly Dump Trucks

F. DESCRIPTION OF OPERATIONS

Mining Method: Decorative boulders are obtained in one of three ways:

(1) surface boulders are removed by boom truck or a loader with a 100-foot cable, (2) a bulldozer is used to remove boulders from large outcroppings and, (3) the ground is ripped for subsurface boulders.

Smaller size materials are obtained using explosives and surface scrapping. Explosives are used for shot rock and mining material to be stockpiled and fed to the crusher. Bulldozers are used to push in-place surface materials to the stockpile for feeding to the crusher. Some of the processed material is suitable for MAG 702 ABC.

Approximately 1000 tons of specification ABC and other processed materials are processed ^{working} each/day. About the same amount of those materials is shipped ^{working} each/day. Approximately 50 tons of decorative boulders are removed and shipped from the claims each working day.

Roughly 1050 tons of material is removed from the claims each working day. Of the amount shipped, about 95% or 1000 tons is 1/4"-, 1/2"-, 3/4"-, specification ABC, shot rock from 6" to 3' or 6" - specification pad material. About 5% or 50 tons are decorative boulders.

G. RECLAMATION MEASURES

Describe measures to be taken to prevent unnecessary and undue degradation. Describe plans for reclamation of disturbed areas and for erosion control including provisions for filling excavations, grading of soil banks, closing of access roads, reseeding, etc. Reference to the site map. (Use additional sheets if necessary).

During operation and after their cessation, Operator will take all steps required to prevent erosion, pitting or any other type of unnecessary or undue damage to the land. It is not possible to give an end site description since Operator does not currently know to what extent his operation will disturb the land.

Operator will backfill any pits, recontour the land to its natural-appearing topography and rip and reseed or transplant native foliage onto the land. Operator shall coordinate his plans with the Phoenix Parks & Recreation Department prior to initiating reclamation.

H. PERIODS OF NONOPERATION

If extended periods of non-operation are contemplated, the following measures will be taken to maintain and/or reclaim the land to avoid erosion:

No periods of non-operation are anticipated.

I. COMMENCEMENT OF OPERATIONS

Desired start-up date is: as soon as possible. (A date not to precede plan approval.)

J. OTHER RULES AND REGULATIONS

Note: Under 43 CFR 3833 all mining claims in Arizona must be filed with the Bureau of Land Management, 2400 Valley Bank Center, Phoenix, Arizona 85073. Under Arizona statute all mining claims must be recorded with the appropriate county.

The operator should be familiar with the State Mining Codes administered by the Arizona State Mine Inspector, 705 Capitol Tower, Phoenix, Arizona 85007, and regulations administered by the USDI, Mine Safety and Health Administration.

Water is a very limited resource in Arizona making it necessary to record and regulate its use. All mining claimants/operators that plan to use, store, or divert water are required under Arizona statute to file an application or Notice of Intent to drill with the Department of Water Resources prior to the use of the water source. They can be contacted by telephone at (602) 255-1554 or by letter at 99 E. Virginia, Phoenix, Arizona 85004.

K. ENCLOSURES

1. Exhibit A - Map of general area showing mining claims.
To be forwarded under separate cover.
2. Exhibit B - Operations site map.
Included as Attachment K.

SUBMITTED BY: MELLUZZO STONE COMPANY

Signature: W. Scott Donaldson

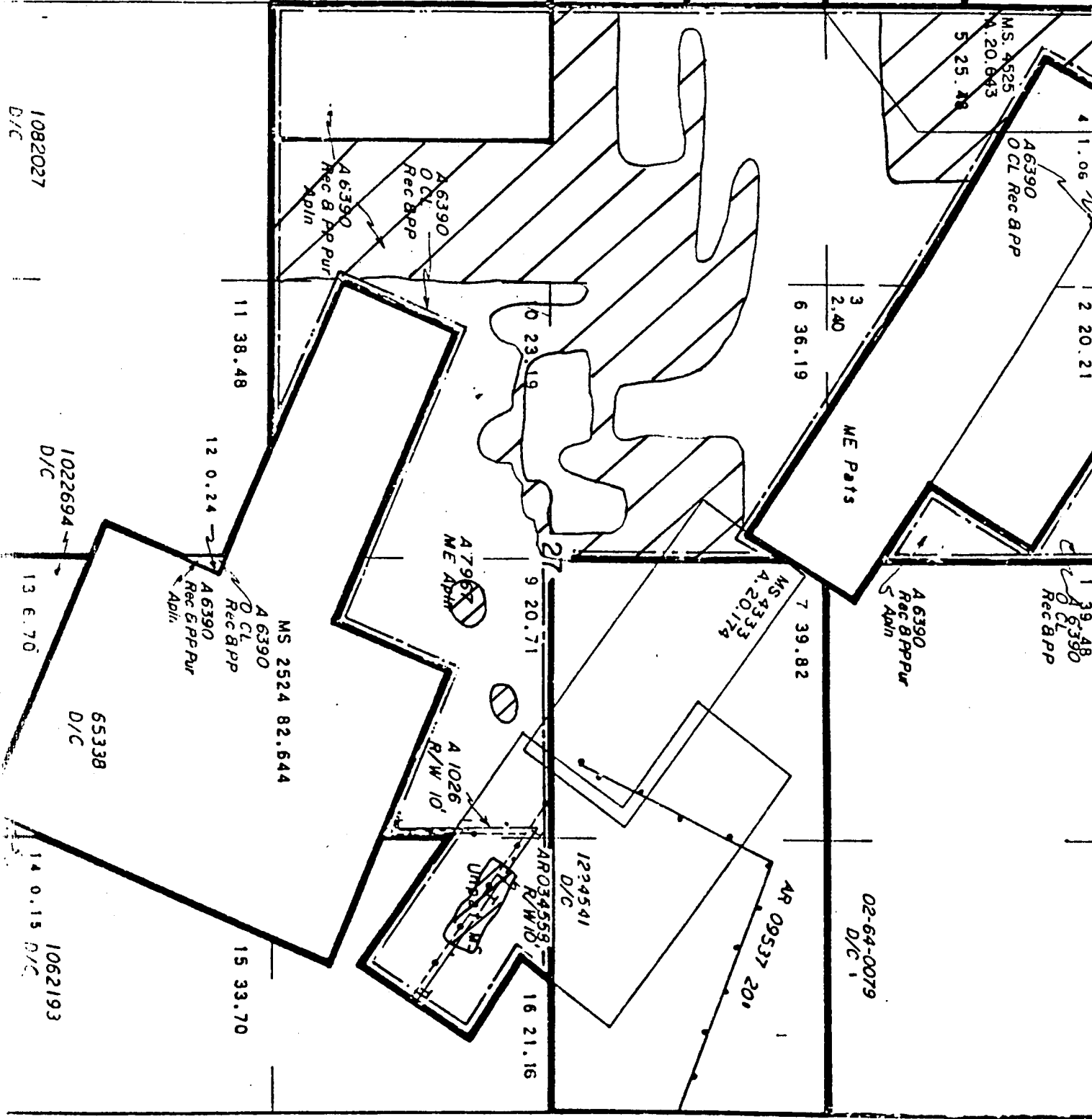
Date: 8/30/74

By W. Scott Donaldson,
its Attorney

ATTACHMENT K₁

Disturbed Areas

1150897 D/C All Min	4822 All Min	1143744 D/C All Min	1147080 D/C All Min
1145685 D/C All Min	1147179 D/C All Min	1147079 D/C All Min	1149458 D/C All Min
1149462 D/C All Min	1144221 D/C All Min	1147073 D/C All Min	1145556 D/C All Min
1156289 D/C All Min	1145613 D/C All Min	1161231 D/C All Min	1144863 D/C All Min

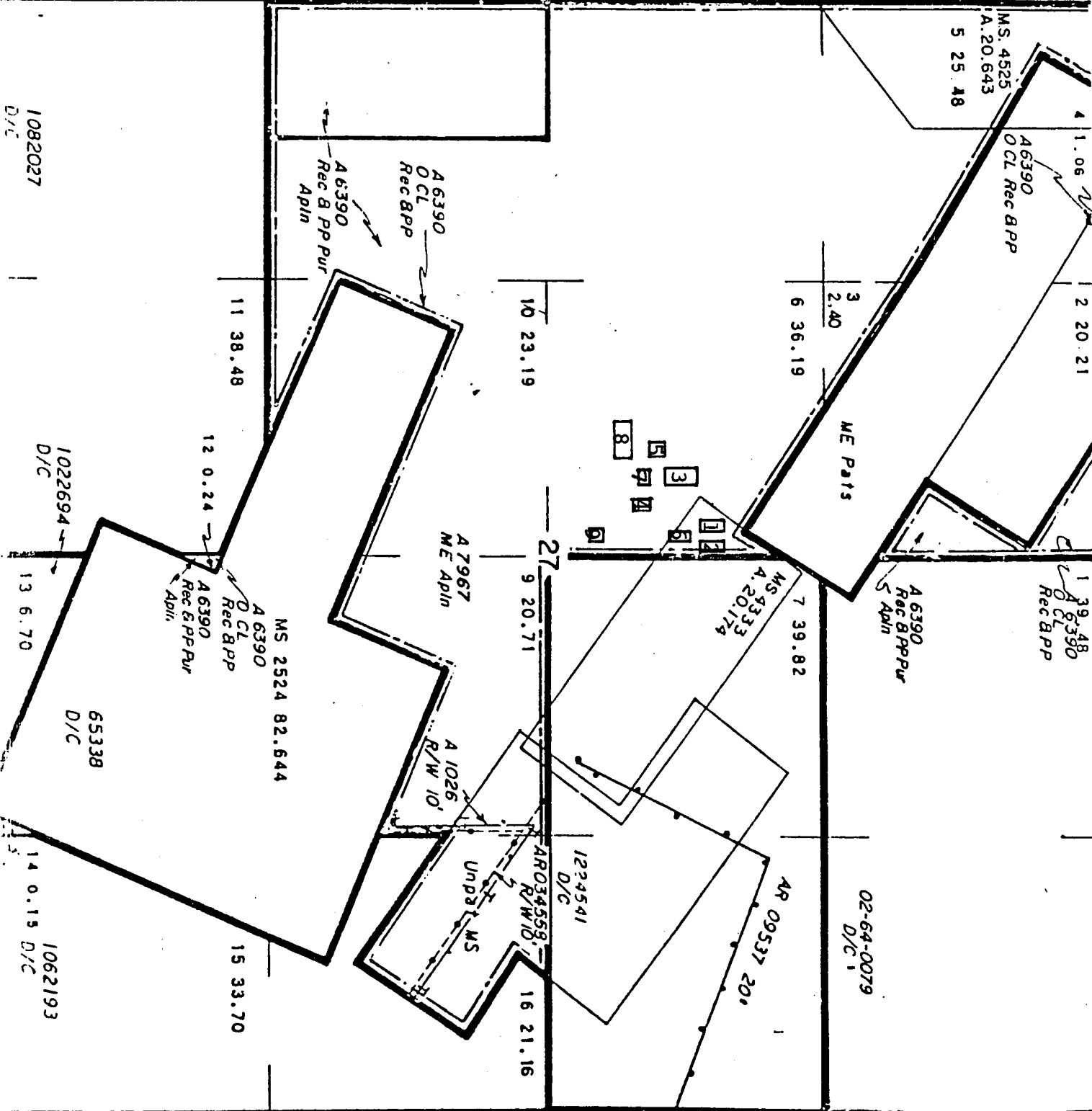


ATTACHMENT K₂

Physical Plant Components & Structures, Utility Buildings


1. Office trailer
2. Weight scale
3. Crushing spread & associated storage sheds
4. Diesel fuel tank (5,000 gallons)
5. Wood frame storage shed (former house)
6. 14 x 70 mobile home (for night watchman)
7. Steel structure maintenance area
8. 14 x 70 mobile home (operations)
9. Metal storage shed; camper; steel storage; welders


1150897 D/C All Min	117822 All Min	1143744 D/C All Min	1147080 D/C All Min
1145685 D/C All Min	1147179 D/C All Min	1147079 D/C All Min	1149458 D/C All Min
1149462 D/C All Min	1144221 D/C All Min	1147073 D/C All Min	1145556 D/C All Min
1156289 D/C All Min	1145613 D/C All Min	1161231 D/C All Min	1144863 D/C All Min



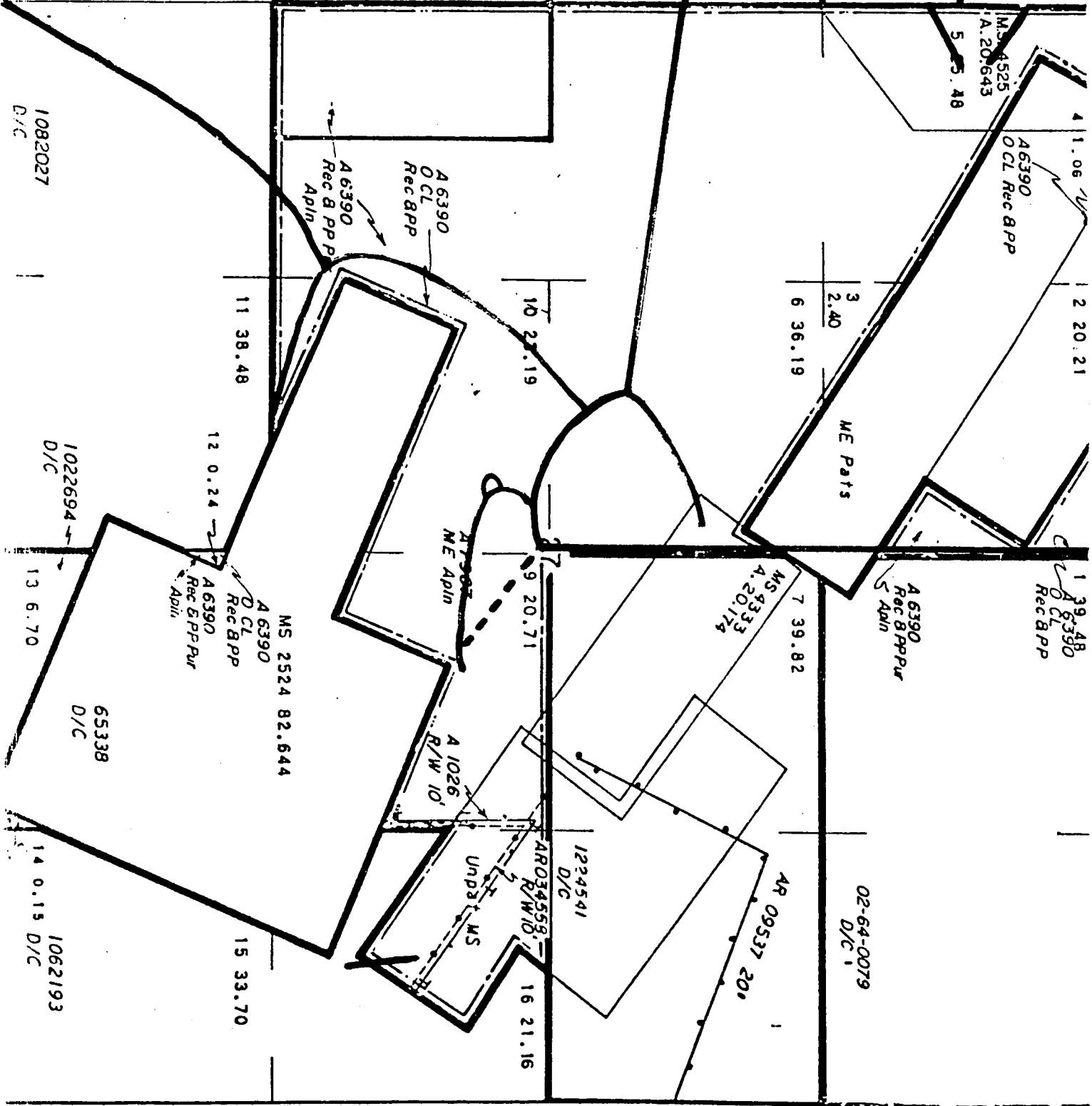
ATTACHMENT K₃

Permanent Access & Long Term Haul Roads

Existing 


Proposed 

1150897 D/C All Min	4822 All Min	1143744 D/C All Min	1147080 D/C All Min
1145685 D/C All Min	1147179 D/C All Min	1147079 D/C All Min	1149458 D/C All Min
1149462 D/C All Min	1144221 D/C All Min	1147073 D/C All Min	1145556 D/C All Min
1156289 D/C All Min	1145613 D/C All Min	1161231 D/C All Min	1144863 D/C All Min





ATTACHMENT K₄

Projected Future Mining Areas & Stock Storage Areas


Projected future mining areas 

Stock storage areas

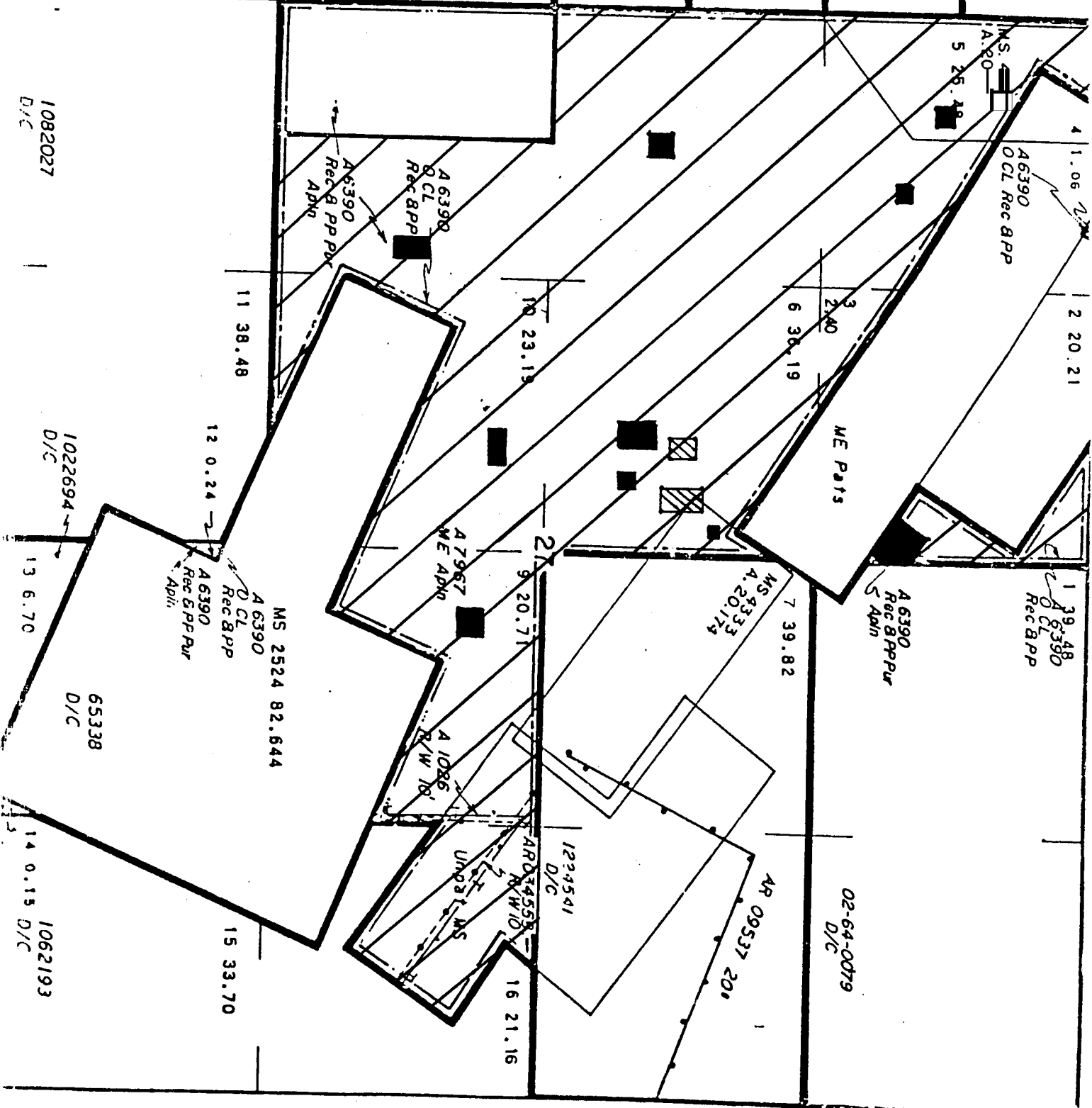
Boulders 

Specification pad material 

Shot Rock 

Crushed & Raw Materials 

1150897 D/C All Min	4822 All Min	1143744 D/C All Min	1147080 D/C All Min
1145685 D/C All Min	1147179 D/C All Min	1147079 D/C All Min	1149458 D/C All Min
1149462 D/C All Min	1144221 D/C All Min	1147073 D/C All Min	1145556 D/C All Min
1156289 D/C All Min	1145613 D/C All Min	1161231 D/C All Min	1144863 D/C All Min



1082027
D/C

1022694
D/C

13 6.70

65338
D/C

1062193
D/C

11 38.48

12 0.24

A 6390
Rec B App
Appl.

MS 2524 82.644

15 33.70

17 23.13

18 20.71

A 1086
R/W 10'

16 21.16

19 20.19

ME Parts

MS 4333
A 20179

7 39.82

AR 09537 201

20 30.19

A 6390
Rec B App
S Appl

02-64-0079
D/C

1 39.48
A 6390
Rec B App

5 25.19

A 6390
O CL Rec B App

4 11.06

2 20.21



IN REPLY REFER TO:

United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS INTERIOR BOARD OF LAND APPEALS

4015 WILSON BOULEVARD
ARLINGTON, VIRGINIA 22203

FEB 11 1985

RECEIVED
B.I. M. AZ STATE OFFICE

FEB 15 1985

7:45 A.M.
PHOENIX, ARIZONA

IBLA 85-199	:	A MC 72239-42
	:	
FRANK MELLUZZO	:	Mining Claims
HARRY E. NICHOLS	:	
	:	Motions for Summary Dismissal
	:	Granted; Appeals Dismissed.

ORDER

On November 19, 1984, the Arizona State Office, Bureau of Land Management (BLM), declared the Buffalo Ridge No. 5 mining claim (A MC 72242) null and void ab initio. On November 30, 1984, BLM declared the Buffalo Ridge Nos. 2, 3, and 4 mining claims (A MC 72239-41) null and void ab initio in part.

On December 14, 1984, BLM received notices of appeal of those decisions from counsel for Frank Melluzzo and Harry E. Nichols. Counsel filed additional notices of appeal of the same decisions with BLM on December 19, 1984. In documents styled "Filing Deadlines for Statement of Reasons and Written Arguments" filed with the Board on January 10, 1985, counsel explained the rationale for the additional filings as follows:

The second Notice was personally delivered because Claimants' attorney believes the first Notice is void due to improper service upon the B.L.M. [first-class mail] pursuant to 43 C.F.R. § 4.401. Claimants therefore have until January 18, 1985 (30 days after December 19, 1984) to file any Statement of Reason and Written Argument unless Claimants ask for and are granted an extension.

On January 15, 1985, counsel for BLM filed motions for summary dismissal claiming that the appeals should be dismissed for failure to file timely statements of reasons.

Where a notice of appeal does not contain a statement of reasons, such a statement is required to be filed with the Board within 30 days after the notice of appeal was filed. 43 CFR 4.412. A document is filed when it is received by the Board. See 43 CFR 4.22. The regulations provide for a grace period for filing when a document is not received in the proper office during the time for filing if the document is filed not later than 10 days after it was required to be filed and the document was transmitted or probably transmitted prior to the filing deadline. 43 CFR 4.401(a). Failure to file a statement of reasons within the time required will subject the appeal to summary dismissal. 43 CFR 4.412(c).

*A MC 72242 Buffalo No. 5 Closed 2/22/85
PB*

A MC 72239 - 72241 Closed in part

Counsel for BLM claims that the statements of reasons in this case were required to be filed by January 14, 1985, and because they were not, the appeals should be dismissed. Counsel for appellants disagrees, arguing that the statements were not due until January 18, 1985, and even if the Board determines they were due January 14, it should consider the "Filing Deadlines for Statement of Reasons and Written Arguments" to be a request for an extension of time to file. ^{1/} No statements of reasons have been filed for these appeals. Thus, the grace period regulation is inapplicable.

Appellants' statements of reasons were due January 14, 1985. There is no basis for counsel for appellants' belief that 43 CFR 4.401 somehow required a notice of appeal to be filed by personal delivery or certified mail. The cited regulation, 43 CFR 4.401, governs service of documents, not the filing of documents. A notice of appeal filed with BLM must be served on adverse parties. Service must be made personally or by sending the document registered or certified mail. The purpose of regulating the method of service is to insure that parties to a case are aware of the initiation of an appeal and receive all subsequent pleadings. The regulations do not specify any method for the filing of a notice of appeal. A notice of appeal is filed upon receipt in the proper office during business hours regardless of the method of delivery. The notices in these appeals arrived on December 14, 1984.

As noted above, counsel for appellants asserts that the Board should consider his documents filed January 10, 1985, to be requests for extensions of time. This contention must be rejected. The plain language of those documents negates any such construction. Therein, counsel stated: "Claimants therefore have until January 18, 1985 (30 days after December 19, 1984) to file any Statement of Reason and Written Argument unless Claimants ask for and are granted an extension." (Emphasis added.)

Since we have determined that statements of reasons were not timely filed, we must now decide the consequences of such failure.

An appeal is subject to summary dismissal where the appellant fails to file the statement of reasons within the time required. 43 CFR 4.412(c); Tagala v. Gorsuch, 411 F.2d 589 (9th Cir. 1969); George L. Clay Lee, 70 IBLA 196 (1983). Dismissal is not mandatory, rather it is within the discretion of the Board. The Board has stated that such discretionary authority will not be exercised favorably to appellant unless good and cogent reasons are shown for the delay. United States v. Haskins, 3 IBLA 77, 83 (1971).

Our review of the record in these appeals fails to reveal good and cogent reasons for the delay in filing in this case. Counsel for appellants filed notices of appeal on December 14, 1984. Statements of reasons were due

^{1/} On Jan. 18, 1985, counsel for appellants filed motions for additional time to file their statement of reasons. The motions were dated Jan. 16, 1985, and counsel stated therein that because of the necessity of devoting time to responding to BLM's motions for summary dismissal, he needed more time to prepare the statements of reasons which would only be required if the Board denied BLM's motions.

January 14, 1985. In an apparent attempt unilaterally to extend the time for filing statements, counsel filed second notices on December 19, 1984, and then claimed he had until January 18, 1985, to file statements. We find no rational basis for counsel's asserted belief that the first notices of appeal were not effective. We construe this as nothing more than an attempt to play fast and loose with Departmental regulations. Neither appellants nor their counsel are strangers to Departmental administrative review procedures. In fact, the claims involved in these appeals were the subject of a prior Board decision, Frank Melluzzo, 71 IBLA 178 (1983), in which the Board vacated a BLM decision declaring the claims null and void and rejecting mineral patent application A 7967. Vacation of the BLM decision was for the limited purpose of allowing Melluzzo to demonstrate compliance with 30 U.S.C. § 38 (1982) and to show whether the claims contain an uncommon variety of mineral deposit.

On August 8, 1984, counsel for appellants herein withdrew patent application A 7967. BLM claims that withdrawal of the application required BLM to issue the decisions that are the subject of these appeals, and that the notices of appeal have stayed the effect of its decisions, citing 43 CFR 4.21(a). BLM asserts that appellants have by their actions delayed final determinations on their claims and continue to actively mine the claims in question.

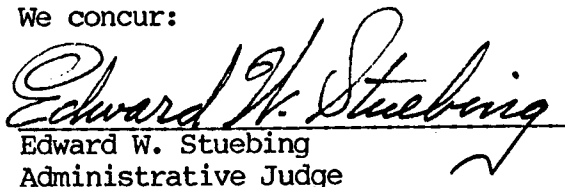
Appellants have failed to make a sufficient showing for excusing the delay in filing. Under the circumstances of this case, BLM's motions are granted.

Accordingly, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the appeals are dismissed.




Bruce R. Harris
Administrative Judge

We concur:



Edward W. Stuebing
Administrative Judge



Will A. Irwin
Administrative Judge

APPEARANCES:

Daniel L. Jackson, Esq.
U.S. Department of the
Interior
Office of the Field Solicitor
505 N. 2nd Street, Suite 150
Phoenix, Arizona 85004

W. Scott Donaldson, Esq.
Platt and Westby, P.C.
2916 N. Seventh Ave.
Phoenix, Arizona 85013

UNITED STATES
 DEPARTMENT OF THE INTERIOR
 BUREAU OF LAND MANAGEMENT

ROUTING AND TRANSMITTAL SLIP

TO			ACTION	ROOM NO.
CODE	NAME	ORGANIZATION		
	Interior Board of Land Appeals			

Indicate Action by Number

- | | |
|----------------------------|---------------------|
| 1. Necessary action | 6. Note and surname |
| 2. Approval | 7. Note and return |
| 3. Signature | 8. Your information |
| 4. Prepare reply | 9. See me |
| 5. Your comment and return | 10. |

From Mining Claims Section	Date 1-11-85	Room No.
Office BLM, Arizona State Office	Phone 602-261-5550 (FTS)	

Remarks

Second appeal received. Please associate with Docket IBLA 85-199

1 PLATT AND WESTBY, P.C.

2 2916 NORTH SEVENTH AVENUE
3 PHOENIX, ARIZONA 85013
4 TELEPHONE (602) 277-4441

5 ATTORNEYS FOR:

6		
7		
8	UNITED STATES DEPARTMENT OF)	
9	THE INTERIOR, BUREAU OF)	BUFFALO RIDGE NOS. 2,3, and 4
10	LAND MANAGEMENT,)	UNPATENTED PLACER MINING CLAIMS:
		A MC 72239, 72240 and 72241
11	v.)	
12	FRANK MELLUZZO and HARRY E.)	
	NICHOLS,)	
13	Claimants.)	

14 CLAIMANTS' NOTICE OF APPEAL

15 CLAIMANTS, Frank Melluzzo and Harry E. Nichols, by
16 and through their counsel undersigned, pursuant to 43
17 C.F.R. § 4.411, appeal the Decision of Don R. Mitchell,
18 Chief, Branch of Lands and Minerals Operation, Arizona State
19 Office, Bureau of Land Management, dated November 30, 1984
20 and involving the above-identified unpatented mining claims.

21 Claimants' will submit their Statement of Reasons
22 for Appeal and Written Argument as prescribed in 43 C.F.R.
23 § 4.412 at a later date.

24 RESPECTFULLY SUBMITTED this 19th day of December, 1984.

25 **RECEIVED**
26 **B.L.M. AZ STATE OFFICE**

27 DEC 19 1984

28 **7:45 A.M.**
PHOENIX, ARIZONA

PLATT AND WESTBY, P.C.

By 
W. Scott Donaldson

PLATT AND WESTBY, P. C.
2916 NORTH SEVENTH AVENUE
PHOENIX, ARIZONA 85013
TELEPHONE: (602) 277-4441

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Original of the foregoing mailed
~~certified, return receipt requested,~~
this 19th day of December, 1984, to:

HAND-DELIVERED

Arizona State Office
Bureau of Land Management
P. O. Box 16563
Phoenix, Arizona 85011

Copy of the foregoing mailed
~~certified, return receipt requested,~~
this 19th day of December, 1984, to:

Fritz L. Goreham, Esq.
Office of the Field Solicitor
505 North Second Street - Suite 150
Phoenix, Arizona 85004

By *W. Scott Donald*

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PHOENIX, ARIZONA

1 PLATT AND WESTBY, P. C.

2 2916 NORTH SEVENTH AVENUE
3 PHOENIX, ARIZONA 85013
4 TELEPHONE (602) 277-4441

5 ATTORNEYS FOR:

6
7
8 UNITED STATES DEPARTMENT OF)
9 THE INTERIOR, BUREAU OF LAND) BUFFALO RIDGE NO. 5
10 MANAGEMENT,)
11 v.) UNPATENTED PLACER MINING CLAIM:
12) A MC 72229
13 FRANK MELLUZZO and HARRY)
14 E. NICHOLS,)
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14 CLAIMANTS' NOTICE OF APPEAL

15 CLAIMANTS', Frank Melluzzo and Harry E. Nichols,
16 by and through their counsel undersigned, pursuant to 43
17 C.F.R. § 4.411, appeal the Decision of Don R. Mitchell,
18 Chief, Branch of Land and Minerals Operation, Bureau of Land
19 Management, Arizona State Office, dated November 19, 1984,
20 and involving the above-identified unpatented mining claim.

21 Claimants will submit their Statement of Reasons
22 for Appeal and Written Argument at a later time as prescribed
23 in 43 C.F.R. § 4.412.

24 RESPECTFULLY SUBMITTED this 19th day of December,
25 1984.

26 **RECEIVED**
27 **B.L.M. AZ STATE OFFICE**

28 DEC 19 1984

7:45 A.M.
PHOENIX, ARIZONA

PLATT AND WESTBY, P.C.

By W. Scott Donaldson
W. Scott Donaldson

PLATT AND WESTBY, P. C.
2916 NORTH SEVENTH AVENUE
PHOENIX, ARIZONA 85013
TELEPHONE: (602) 277-4441

1 Original of the foregoing
2 ~~mailed certified, return receipt~~ HAND-DELIVERED
3 ~~requested,~~ this 19th day of
4 December, 1984, to:

5 Arizona State Office
6 Bureau of Land Management
7 P. O. Box 16563
8 Phoenix, Arizona 85011

9 Copy of the foregoing mailed
10 certified, return receipt requested,
11 this 19th day of December, 1984,
12 to:

13 Fritz L. Goreham, Esq.
14 Office of the Field Solicitor
15 505 North Second Street - Suite 150
16 Phoenix, Arizona 85004

17 By 

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PHOENIX, ARIZONA

1 PLATT AND WESTBY, P.C.

2 2916 NORTH SEVENTH AVENUE
3 PHOENIX, ARIZONA 85013
4 TELEPHONE (602) 277-4441

5 ATTORNEYS FOR:

6
7
8 UNITED STATES OF AMERICA,) INVOLVING MINING PLAN OF
9 BUREAU OF LAND MANAGEMENT,) OPERATION
10 v.) M.P.O. 84-P-004
11)
12 MELLUZZO STONE CO.,)
Operator.)

13 CONTESTEE'S NOTICE OF APPEAL

14 COMES NOW the Operator, David J. Hett, by and through
15 his attorney undersigned, pursuant to 43 C.F.R. §4.411 and
16 appeals from Arthur E. Tower's, Phoenix Resource Area, Area
17 Manager, Bureau of Land Management, decision of November 29,
18 1984, in the above-captioned matter.

19 Contestee will submit his Statement of Reasons for
20 Appeal and Written Argument as prescribed in 43 C.F.R. §4.412.

21 RESPECTFULLY SUBMITTED this 19th day of December, 1984.

22 PLATT AND WESTBY, P.C.

23 By W. Scott Donaldson
24 W. Scott Donaldson

25 Original of the foregoing ~~mailed~~
~~certified, return receipt requested~~, HAND-DELIVERED
26 this 19th day of December, 1984, to:

27 D. Dean Bibles
28 Arizona State Director
3707 N. 7th Street
Phoenix, Arizona 85014

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B.L.M. AZ STATE OFFICE

DEC 19 1984

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PHOENIX, ARIZONA

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Copy of the foregoing mailed certified, return receipt requested, this 19th day of December, 1984, to:

Fritz L. Goreham, Esq.
Office of the Field Solicitor
2080 Valley Bank Center
201 N. Central Avenue
Phoenix, Arizona 85073

By Pamela S. Brittain

PLATT AND WESTBY, P.C.
2916 NORTH SEVENTH AVENUE
PHOENIX, ARIZONA 85013
TELEPHONE: (602) 277-4441

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7:45 A.M.
PHOENIX, ARIZONA



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Phoenix District Office
2015 West Deer Valley Road
Phoenix, Arizona 85027

IN REPLY REFER TO:

AZ 25-85-008
MPO 84-P-004
(025)

November 29, 1984

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Melluzzo Stone Co.
1965 E. Beardsley
Phoenix, Arizona 85024

Mining Plan of Operations
MPO 84-P-004
Proposed Mining Plan:--
Approved on Concurrence
with the enclosed stipulations

Decision

These claims lie within the boundaries of the City of Phoenix and are adjacent to residential properties. Claimants are presently excavating and removing large quantities of material from these mining claims. Previous removals of materials from these mining properties were made in the absence of and approved mining plan. In order to consider the appropriateness of continuing operations, the BLM requested the mining company to submit a mining plan as required by 43 CFR Part 3800.

On August 31, 1984 the above company submitted a Mining Plan of Operations (MPO) indicating those parcels of public land that will be utilized in the mining operations of the Melluzzo Stone Company. The proposed public land was defined in the mining plan as a quarry to mine 1/4', - 1/2" -3/4" specification ABC; shot rock from 6" to 3' - specification pad material and decorative boulders. The area involved encompasses all the public land presently in the public domain in Section 27, T. 4 N., R. 3 E. This land is described in R & PP Application A-6390 dated April 26, 1973. Integral areas in the Buffalo Ridge #2 thru #8 are defined in the plan for physical plant components, structures and utility buildings. Stock storage areas and future mining areas are also described. The MPO was submitted to the Phoenix Resource Area, Phoenix District, Bureau of Land Management, Arizona, and was serialized MPO 84-P-004. Copy of MPO attached as "Exhibit A". The BLM required and so notified the claimant of an additional 60 day time requirement to process this mining plan. The due date of this decision letter to the Melluzzo Stone Company is November 30, 1984.

Approval of the submitted mining plan (MPO 84-P-004) should not be taken as BLM's determination on the validity of the subject claims under the mining laws as BLM has not made validity determinations on these claims.

Approval of this plan is contingent upon mining and removal of only those mineral materials identified in the plan (ABC and boulders). Removal of any mineral material other than ABC and boulders identified in the MPO will require an amendment to the MPO under the 43 CFR 3809 Mining Regulations.

The access roads, physical plant and mining operation will not constitute undue and unnecessary degradation of the public land if the mitigating measures identified in the mining plan and the following ten stipulations are complied with:

1. In accordance with the BLM's Administrative Decision on Buffalo Ridge #5 (AMC 72229 dated November 19, 1984) this claim is closed to mining entry. Therefore the removal of any mineral material is prohibited.
2. This mining plan is approved only for the area encompassed by the boundaries of the original lode claims. Buffalo Ridge #2, 3, 4, 7 and 8 and placer claim Buffalo Ridge #6. (See enclosed map.)
3. Boulders may be removed from Buffalo Ridge #2, 3, 4, 6, 7 and 8 as indicated. No road construction, bulldozing, ripping or use of tracked vehicles are allowed in this mining process on Buffalo Ridge #2, 6, 7 and 8.
4. ABC or any similar material meeting ASTM Standards for Soil, Rock, and Building Stone, Vol. 04.08, may be mined only on the original lode mining claims, Buffalo Ridge #3 and 4. (See enclosed map.) Mining ABC from Buffalo Ridge #2, 6, 7 and 8 will constitute undue and unnecessary degradation. (43 CFR 3809.05(k)). When efficient and/or economic mining extraction operations are completed on Buffalo Ridge #3 and 4, a MPO amendment will be required to expand operations to other undisturbed areas. Existing topsoil stockpiles must be used for reclamation purposes. If additional topsoil is disturbed it must be stockpiled for reclamation purposes.
5. Reclamation in accordance to the reclamation plan submitted by the claimant is concurred with by the BLM in this MPO Decision Letter. Reclamation within all disturbed areas outside the boundaries of the claims defined in Stipulation No. 3 above, will be completed by March 1, 1985. The BLM's Surface Protection Specialist, in coordination with the the Phoenix City Parks and Recreation Department, will oversee and concur with the adequacy of the reclamation process.
6. Within 15 days of receipt of this Decision Document, a bond of \$50,000 will be posted to ensure compliance with this mining plan and its attached stipulations. This bond face value is calculated on an estimated reclamation area of approximately 80 acres and a cost rate of \$625 per acre. This bond value is subject to revision as surface is disturbed and/or reclaimed.

7. Residential occupancy of the mining claims violates Public Law 167 and must be terminated by January 15, 1985. The operator may only arrange for necessary security.

8. Protected plants defined by Arizona State Law must be avoided, salvaged or transplanted to a storage area for future reclamation utilization. BLM must be contacted prior to any action disturbing these protected species.

9. On termination of operations, the BLM must be notified and reclamation measures commenced within 30 days.

10. BLM surveyors will establish the corner boundaries of Buffalo Ridge #3 and 4. Disturbance of these corners will constitute a violation of the approved mining plan.

Subject to compliance with the submitted MPO and these incorporated stipulations, the proposed MPO is approved. This decision is issued without prejudice. Violation of any one of these conditions will constitute a violation of the subject mining plan.

As specified in 43 CFR 3809.1-7(a) at any time during operations under an approved MPO the authorized officer or the operator may indicate a modification of the plan detailing any necessary changes that were unforeseen at the time of filing of the MPO.

You have the right of appeal to the Arizona State Director, Bureau of Land Management in accordance with 43 CFR 3809.4. If you exercise this right, your appeal must be accompanied by a statement of reasons and any arguments you wish to present which would justify reversal or modification of the decision must be filed in writing at this office within 30 days after the above date. This decision will remain in effect during appeal unless a written request for a stay is granted under 43 CFR 3809.4(b).

Sincerely,



Arthur E. Tower
Phoenix Resource Area
Area Manager

Enclosure

cc: Mr. Frank Melluzzo
Mr. Wayne Melluzzo
Mr. Harry T. Nichols
Mr. W. Scott Donaldson
Director Phoenix City Parks & Recreations Dept.

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A MC 72229, et al

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Arlington, VA 22203

3. ARTICLE DESCRIPTION:

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A MC 72239 -72242 (943-TR)

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V. Pover

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UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Arizona State Office
P.O. Box 16563
Phoenix, Arizona 85011

IN REPLY REFER TO:

A MC 72239 thru
A MC 72242 (943)

December 17, 1984

Certified Mail Receipt Requested

Memorandum

To: Board of Land Appeals, Office of the Secretary
From: Deputy State Director, Division of Operations, Arizona
Subject: Transmitting Appeal of: Frank Melluzzo and Harry E. Nichols
Kind of Application: Mining Claim Recordation

Referring to the above-cited case, I transmitted a notice of an appeal from the decisions of the

Chief, Branch of Lands & Minerals Operations dated Nov. 19 & 30, 1984

- There are no conflicting cases of record.
- The conflicting cases shown on the status sheet have been properly noted as to the appeal and favorable action thereon suspended pending final action on the appeal.
- The records of the conflicting or reference cases identified below are transmitted herewith for use in connection with the appeal:

/s/ Donald L. Widick

Acting

Duplicate file transmitted

CC. BLM; W.O. 140 & 680; Off. of Solicitor
with copy of decision

PETER H. WESTBY
HARVEY B. PLATT
BRADLEY S. MARCUS

PLATT AND WESTBY, P.C.
ATTORNEYS AT LAW
2916 NORTH SEVENTH AVENUE, SUITE 100
PHOENIX, ARIZONA 85013
TELEPHONE (602) 277-4441

TO: ARIZONA STATE OFFICE
BUREAU OF LAND MANAGEMENT
P. O. Box 16563
Phoenix, Arizona 85011

DATE: December 11, 1984

FROM: W. Scott Donaldson

SUBJECT: Buffalo Ridge Nos. 2, 3, 4 and 5.

ENCLOSED: Claimants' Notice of Appeal on above no. 5.
Claimants' Notice of Appeal on above nos. 2,3 and 4.

- For your information
- In accordance with your request
- Please review and comment
- Please telephone me
- Please sign and return
- Please sign before a Notary Public and return
- Please call my office for an appointment
- Please handle
- Please file with Corporation Commission
- Please file with Court and return a conformed copy in the enclosed, stamped, self-addressed envelope
- Please record with County Recorder and return.
- Please file the above.

WSD/pb

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PLATT AND WESTBY, P. C.
2916 NORTH SEVENTH AVENUE
PHOENIX, ARIZONA 85013
TELEPHONE (602) 277-4441

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ATTORNEYS FOR:

UNITED STATES DEPARTMENT OF)
THE INTERIOR, BUREAU OF LAND)
MANAGEMENT,)
v.)
FRANK MELLUZZO and HARRY)
E. NICHOLS,)
Claimants.)

BUFFALO RIDGE NO. 5
UNPATENTED PLACER MINING CLAIM:
A MC ~~72229~~
72242

CLAIMANTS' NOTICE OF APPEAL

CLAIMANTS', Frank Melluzzo and Harry E. Nichols,
by and through their counsel undersigned, pursuant to 43
C.F.R. § 4.411, appeal the Decision of Don R. Mitchell,
Chief, Branch of Land and Minerals Operation, Bureau of Land
Management, Arizona State Office, dated November 19, 1984,
and involving the above-identified unpatented mining claim.

Claimants will submit their Statement of Reasons
for Appeal and Written Argument at a later time as prescribed
in 43 C.F.R. § 4.412.

RESPECTFULLY SUBMITTED this 11th day of December,
1984.

PLATT AND WESTBY, P.C.
By W. Scott Donaldson
W. Scott Donaldson

1 Original of the foregoing
2 mailed this 11th day of
December, 1984 to:

3 Arizona State Office
4 Bureau of Land Management
5 P. O. Box 16563
Phoenix, Arizona 85011

6 Copy of the foregoing
7 mailed this 11th day
of December, 1984, to:

8 Fritz L. Goreham, Esq.
9 Office of the Field Solicitor
505 North Second Street - Suite 150
10 Phoenix, Arizona 85004

11 By *F. L. Goreham*
12

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PLATT AND WESTBY, P.C.
2916 NORTH SEVENTH AVENUE
PHOENIX, ARIZONA 85013
TELEPHONE (602) 277-4441

ATTORNEYS FOR:

UNITED STATES DEPARTMENT OF)
THE INTERIOR, BUREAU OF)
LAND MANAGEMENT,)
)
)
v.)
)
FRANK MELLUZZO and HARRY E.)
NICHOLS,)
)
Claimants.)

BUFFALO RIDGE NOS. 2,3, and 4
UNPATENTED PLACER MINING CLAIMS:
A MC 72239, 72240 and 72241

CLAIMANTS' NOTICE OF APPEAL

CLAIMANTS, Frank Melluzzo and Harry E. Nichols,
by and through their counsel undersigned, pursuant to 43
C.F.R. § 4.411, appeal the Decision of Don R. Mitchell,
Chief, Branch of Lands and Minerals Operation, Arizona State
Office, Bureau of Land Management, dated November 30, 1984
and involving the above-identified unpatented mining claims.

Claimants' will submit their Statement of Reasons
for Appeal and Written Argument as prescribed in 43 C.F.R.
§ 4.412 at a later date.

RESPECTFULLY SUBMITTED this 11th day of December,
1984.

* * * * *

PLATT AND WESTBY, P.C.
2916 NORTH SEVENTH AVENUE
PHOENIX, ARIZONA 85013
TELEPHONE: (602) 277-4441

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PLATT AND WESTBY, P.C.

By *W. Scott Donaldson*
W. Scott Donaldson

Original of the foregoing
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December, 1984 to:

Arizona State Office
Bureau of Land Management
P. O. Box 16563
Phoenix, Arizona 85011

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Fritz L. Goreham, Esq.
Office of the Field Solicitor
505 North Second Street - Suite 150
Phoenix, Arizona 85004

By *W. Scott Donaldson*

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1 PLATT AND WESTBY, P. C.
2 2916 NORTH SEVENTH AVENUE
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4 TELEPHONE (602) 277-4441

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5 ATTORNEYS FOR:

6
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8 UNITED STATES DEPARTMENT OF)
9 THE INTERIOR, BUREAU OF LAND)
10 MANAGEMENT,)

BUFFALO RIDGE NO. 5

UNPATENTED PLACER MINING CLAIM:
A MC 72229

11 v.

12 FRANK MELLUZZO and HARRY)
13 E. NICHOLS,)

14 Claimants.)

15 CLAIMANTS' NOTICE OF APPEAL

16 CLAIMANTS', Frank Melluzzo and Harry E. Nichols,
17 by and through their counsel undersigned, pursuant to 43
18 C.F.R. § 4.411, appeal the Decision of Don R. Mitchell,
19 Chief, Branch of Land and Minerals Operation, Bureau of Land
20 Management, Arizona State Office, dated November 19, 1984,
21 and involving the above-identified unpatented mining claim.

22 Claimants will submit their Statement of Reasons
23 for Appeal and Written Argument at a later time as prescribed
24 in 43 C.F.R. § 4.412.

25 RESPECTFULLY SUBMITTED this 11th day of December,
26 1984.

27 PLATT AND WESTBY, P.C.

28 By W. Scott Donaldson
W. Scott Donaldson

1 Original of the foregoing
2 mailed this 11th day of
3 December, 1984 to:

4 Arizona State Office
5 Bureau of Land Management
6 P. O. Box 16563
7 Phoenix, Arizona 85011

8 Copy of the foregoing
9 mailed this 11th day
10 of December, 1984, to:

11 Fritz L. Goreham, Esq.
12 Office of the Field Solicitor
13 505 North Second Street - Suite 150
14 Phoenix, Arizona 85004

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OFFICE OF HEARINGS AND APPEALS

INTERIOR BOARD OF LAND APPEALS

4015 WILSON BOULEVARD

ARLINGTON, VIRGINIA 22203

DEC 28 1985

Appeal of

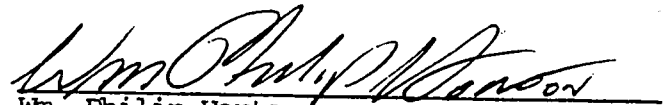
FRANK MELLUZZO AND HARRY E. NICHOLS

Mining Claim Recordation

AMC 72239 & -42

The above appeal has been received and docketed under the number IBLA 85-199. Please refer to this docket number in any communication, pleading, or other document relating to this appeal.

Thank you.


Wm. Philip Horton
Chief Administrative Judge

3800 Buffalo Ridge

FILE COPY

1/7/85

ARIZONA STATE DEPT OF ECL. LAND MANAGEMENT
JAN 1 1985
✓
MIN. C



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

ARIZONA STATE OFFICE

3707 N. 7th Street
Phoenix, Arizona 85014
(602) 241-5550

IN REPLY REFER TO

(943)

A MC 72239

thru 72241

United States of America

vs.

Frank Melluzzo
Harry E. Nichols

Involving: Buffalo Ridge No. 2, 3, 4

Dated: November 30, 1984

ACKNOWLEDGMENT OF SERVICE

I hereby acknowledge the delivery to me of a true copy of the
Decision of the Chief, Branch of Lands & Minerals,
in the above-referenced case(s).

Signed this 5th day of December, 1984.


(Signature)

A MC 72239 et al (943)

PS Form 3811, Dec. 1980

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3. **ARTICLE ADDRESSED TO:** Frank Melluzzo,
Harry E. Nichols, c/o W. Scott
Donaldson, Atty-At-Law, 34 W. Monroe,
Suite 1010, Phoenix, AZ 85003

4. **TYPE OF SERVICE:**

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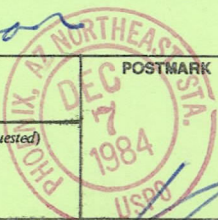
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D. Donaldson

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PHOENIX, ARIZONA

November 30, 1984

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DECISION

Frank Melluzzo
Harry E. Nichols
c/o W. Scott Donaldson
Attorney-At-Law
34 W. Monroe, Suite 1010
Phoenix, Arizona 85003

Buffalo Ridge No. 2, 3, and 4
A MC 72239, 72240 and 72241

Mining Claims Declared Null and Void
Ab Initio in Part

On March 6, 1974, Harry T. Nichols and Frank Melluzzo filed mineral patent application A 7967 for the Buffalo Ridge mining claims, including Buffalo Ridge Nos. 2, 3, and 4. The application was rejected by the Arizona State Office on October 27, 1980. This decision was appealed to the Interior Board of Land Appeals. On March 10, 1983, the IBLA in Frank Melluzzo 71 IBLA 170, vacated and remanded the case to the Arizona State Office for action consistent with the decision. Subsequently, on August 9, 1984, the applicant withdrew the patent application. Consistent with the IBLA decision, BLM is now taking appropriate action relating to the Buffalo Ridge Nos. 2, 3, and 4 mining claims.

These claims lie within the boundary of the City of Phoenix and are near occupied residential properties. Claimants are presently excavating and removing large quantities of material from these mining claims.

Pursuant to the requirements of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1744, and the implementing regulations in 43 CFR 3833.1-2, notices of location and amendments for the Buffalo Ridge Nos. 2, 3, and 4 mining claims were filed for recording in the Arizona State Office of the Bureau of Land Management on October 16, 1979.

The following is a brief history of each of the locations:

1. Buffalo Ridge No. 2 Lode Mining Claim located April 22, 1953 - described on the location notice in the SE 1/4 and the N 1/2 of Section 27, size 600 feet x 1500 feet (20 acres).
- 1a. Buffalo Ridge No. 2 Placer Mining Claim Amended July 14, 1971 - described on the location notice as the remaining public land in Lot 9 and Lot 16 (part of N 1/2 SE 1/4) Section 27, T. 4 N., R. 3 E., aggregating 36 acres more or less.

(Title to all of Lot 16 passed from the United States under patent No. 1062193 as a Homestead Entry patent on March 29, 1933. No minerals were reserved to the U.S. Therefore, there were no public minerals open to location in Lot 16 on the date of the "amendment").

2. Buffalo Ridge No. 3 Lode Mining Claim located May 28, 1953 - described on the location notice in S 1/2 SE 1/4 NW 1/4 Section 27, size 600 feet x 1500 feet (20 acres).
- 2a. Buffalo Ridge No. 3 Placer Mining Claim Amended July 14, 1971 - described on the location notice as Lot 6 (SE 1/4 NW 1/4) and E 1/2 SW 1/4 NW 1/4 Section 27, T. 4 N., R. 3 E., aggregating 56 acres more or less.
3. Buffalo Ridge No. 4 Lode Mining Claim located May 28, 1953, described on the location notice in the N 1/2 NE 1/4 SW 1/4 of Section 27, size 600 feet x 1500 feet (20 acres).
- 3a. Buffalo Ridge No. 4 Placer Mining Claim Amended July 14, 1971 - described on the location notice as Lot 10 (NE 1/4 SW 1/4) and the E 1/2 NW 1/4 SW 1/4 Section 27, T. 4 N., R. 3 E., aggregating 43 acres more or less.

Each of the Buffalo Ridge Nos. 2, 3, and 4 lode mining claims purportedly were "amended" on July 14, 1971 to association placer mining claims taking in additional acreage and areas.

When the patent application was rejected, the claimant, by his own written statement, stated: "The amendments to the mining claims which occurred between 1971 and 1974 were not re-locations but amendments, and therefore the mining claims relate back to their original location dates in 1953 and 1954." Appellant Melluzzo's "Written Argument" in Frank Melluzzo and Harry T. Nichols, IBLA 81-156, p. 4, received by the IBLA on March 26, 1981. We accept as true claimant's statements on the face of their amended placer mining claims and in their statement to the Board that these claims are amended claims and not relocations.

Attached hereto and made a part of this decision is a map (Exhibit "A") identifying in red the original lode locations. In addition, the areas crosshatched and shaded in red show the expanded areas which were added when the mining claims were amended to association placers.

In IBLA Frank Melluzzo, 71 IBLA 178 (1983), the Board held as a matter of law that the Buffalo Ridge claims were improperly located as lode claims in 1953 and 1954; 71 IBLA at 181. The IBLA ruled as a matter of law that the Buffalo Ridge lode claims were void from their inception since granite and building stone are locatable only under the law pertaining to placer deposits. 71 IBLA at 182; see also, United States v. Guzman, 18 IBLA 109, 118 (1974). The 1971 "amendments" to the Buffalo Ridge claims were void because no amended location is possible where the original location is void. 71 IBLA 181; R. Gail Tibbets, 43 IBLA 210, 218, 86 I.D. 838, 542 (1979). The Board has thus conclusively established as a matter of law that the Buffalo Ridge original locations and the "amended" locations are void. Further, an amended "location" cannot enlarge the rights appurtenant to the original location. R. Gail Tibbets, supra, 86 I.D. at 543.

Given the fact that the IBLA has established that the "amended" locations were void, no other conclusion can be reached and we specifically find that the "amended" locations were void in a nullity ab initio, as to the lands added by the "amendments." The locations of the added lands are by definition void. See R. Gail Tibbets, supra, 86 I.D. at 543. Although there is serious question as to the validity of the locations of the "amendments" as they encompass the original lode locations for similar reasons, we do not determine their validity at this time as the IBLA has determined that the claimants should be afforded an opportunity to demonstrate their compliance with 30 USC subsection 38 (1976) for each claim and whether these original claims contain an uncommon variety of deposit. 71 IBLA 182.

We have applied the IBLA's decision in IBLA 81-156 in finding from the records that the lands added by the 1971 "amendments" have not been "located" because the 1971 "amendments" were void. We note that claimants have apparently abandoned their claims under 30 USC subsection 38 through the withdrawal of their patent application. Under the concept of judicial estoppel, we determine that claimants make no such claim as to the lands added by the 1971 amendments. Accord, United States v. Haskins, 59 IBLA 1, 88 I.D. 925, 971 (1981). We make this determination as to the "added" lands on the ground that the IBLA afforded claimants an opportunity to show the applicability of 30 USC Subsection 38, see 71 IBLA 182, and claimants have rejected this opportunity and attempted to moot the issue through the withdrawal of their patent application (Exhibit "B"). Claimants should not now be heard to complain about the lost opportunity which they themselves threw away. See Don W. Coyer, Fred L. Engle, DBA Resource Service Co., Inc. v. Easterday, Bureau of Land Management (on Judicial Remand) IBLA 78-73, 50 IBLA 306, 312 (1980). X

An appeal from this decision may be taken to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the regulations in Title 43 Code of Federal Regulations (CFR), Parts 1 and 4, and the enclosed Form 1042-1. If an appeal is taken, the notice of appeal must be filed in the Arizona State Office of the Bureau of Land Management, P.O. Box 16563, Phoenix, Arizona 85011, within thirty days from the receipt of this decision. Do not send the appeal directly to the Board. The appeal and case history file will be sent to the Board from this office. Within thirty days after filing the notice of appeal, file a complete statement of the reasons why you are appealing. This must be filed with the U.S. Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Boulevard, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the notice of appeal, no additional statement is necessary. Additionally, within fifteen days after each document is filed, the regulations also require the appellant to serve a copy of the notice of the appeal, statement of reasons, written arguments or briefs on the Field Solicitor, U.S. Department of the Interior, 505 N. 2nd Street, Suite 150, Phoenix, Arizona 85004. To avoid summary dismissal of the appeal, there must be strict compliance with the regulations.

If no appeal is taken, this decision constitutes final administrative action of this Department as affects the mining claim(s). No appeal, protest, or petition for reconsideration will be entertained from this decision after the appeal period has expired.

Don R. Mitchell
Chief, Branch of Lands and
Minerals Operations

Encl: Regulations
Appeal Procedures
Form 1842-1
Exhibit A
Exhibit B

cc: DM, Phoenix District
AZ-920

UNITED STATES POSTAL SERVICE

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SENDER INSTRUCTIONS

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Arizona State Office
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PHOENIX, ARIZONA

SENDER: Complete items 1, 2, and 3.
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1. The following service is requested (check one.)

Show to whom and date delivered.....\$

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2. ARTICLE ADDRESSED TO:

Frank Melluzzo or Harry E. Nichols
c/o W. Scott Donaldson
34 W. Monroe, Suite 1010
Phoenix, AZ 85003

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

764906

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

 Addressee Authorized agent

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PS Form 3811, Jan. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

72242
A MC 72229 ✓
(943)

November 19, 1984

CERTIFIED MAIL--RETURN RECEIPT REQUESTED

DECISION

Frank Melluzzo
Harry E. Nichols
c/o W. Scott Donaldson
Attorney-At-Law
34 W. Monroe, Suite 1010
Phoenix, Arizona 05003

Buffalo Ridge No. 5
A MC ~~72229~~
72242

Mining Claim Declared Null and Void
Ab-Initio

On March 6, 1974, Harry T. Nichols and Frank Melluzzo filed mineral patent application A 7967 for the Buffalo Ridge mining claims, including Buffalo Ridge No. 5. The application was rejected by the Arizona State Office on October 27, 1980. This decision was appealed to the Interior Board of Land Appeals. On March 10, 1983, the IBLA in Frank Melluzzo 71 IBLA 178, vacated and remanded the case to the Arizona State Office for action consistent with the decision. Subsequently, on August 9, 1984, the applicant withdrew the patent application. Consistent with the IBLA decision BLM is now taking into consideration the effects of the withdrawal in 1973 of the land as it relates to the Buffalo Ridge No. 5 mining claim.

Pursuant to the requirements of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1744, and the implementing regulations in 43 CFR 3833.1-2, a notice of location and an amendment for the Buffalo Ridge No. 5 mining claim were filed for recording in the Arizona State Office of the Bureau of Land Management on October 16, 1979.

Said Buffalo Ridge No. 5 lode mining claim was located on March 20, 1954 by Harry E. Nichols and described on the location notice twice as specifically being situated in the S¹/₂SE¹/₄NE¹/₄, Section 27, size 600 feet by 1500 feet (20 acres).

The Bureau of Land Management public records show this same area was patented to Harry E. Nichols on December 18, 1961 under mineral entry patent no. 1224541 for the Granit Knowles placer mining claim. No reservation, other than ditches and canals, was reserved in the patent. It does not appear the patent application was adversed and no lode claim was excepted in the patent.

On January 3, 1974 the Buffalo Ridge No. 5 was amended to a placer mining claim by Harry E. Nichols. The legal description cited on the amended notice of mining location is all of Lot 3 and the east 10.40 acres of Lot 5, Section 27, T. 4 N., R. 3 E., containing 12.80 acres. (Lots 3 and 5 are located in the NW 1/4 of Section 27). The land described in the amendment is a half mile west of the original location of the Buffalo Ridge No. 5 lode mining claim. The "amendment" changed the type of location from lode to placer and described totally different land encompassing the area of the claim.

On April 27, 1973 all of the unpatented land in Section 27 was classified for disposal under the Recreation and Public Purposes Act of June 14, 1926, 43 U.S.C. 869 (1976). The effect of this classification, A 6390, was to segregate the affected lands from all forms of appropriation and entry under the public land laws, including the mining laws.

In summary, the Buffalo Ridge No. 5 lode claim was originally located by Harry E. Nichols on land subsequently patented under the general mining laws by a placer patent to Harry E. Nichols. Thirteen years after this patent was issued the claim was amended on January 3, 1974 to the Buffalo Ridge No. 5 placer mining claim. The amended claim took in entirely different land. These lands were segregated by a Recreation and Public Purposes classification on April 26, 1973. An improperly located lode mining claim cannot be "amended" to a placer location. Such an "amendment" can only be considered as a new location or a relocation as of the date of the amendment." Second, no amendment of a mining claim is possible if the original location is void or becomes void. Therefore, the subject mining claim is hereby declared null and void ab initio.

Should the claimant allege the claim was located much earlier than its recording date, we feel the case of H. B. Webb, 34 IBLA 362 (1970), has already addressed this issue in dealing with Arizona State Law. The Arizona Law allows a locator of a mining claim 90 days time within which the locator must have a copy of the location notice become a part of the official records of the county in which the claim is situated, after which time the claim is deemed abandoned and rights in the claim are forfeited.

New rights cannot be added which are inconsistent with those acquired by the original location, without the change amounting to a relocation, or a new and independent location. It was held in Brattain Contractors Inc., 37 IBLA 233 (1978): "If a mining claim has been changed to include ground not within the original location, it must be regarded as a new location rather than as an amendment of a previous location."

Additionally, the Department has held: "An amended location of a mining claim is best defined as one in furtherance of an earlier, valid location, and a subsequent location referring to the same parcel of land, filed by the same party, changing only the name of the claim, will be deemed an amended location. An "amended location" generally relates back, where no adverse rights have intervened, to the date of the original location, but where there has been a withdrawal, a subsequent location relates back only to the extent

3

that such a location merely furthers rights acquired by a valid subsisting location and does not embrace additional or new land." 44 IBLA 240 James C. Haight, (1979).

"Lands segregated pursuant to a Recreation and Public Purposes Act classification are not available for the location of mining claims, and claims thereafter located are null and void ab initio." Gloria Ann Sandvick, Judy Heff, 73 IBLA 82 (1983).

"Mining claims located on lands which are closed to mineral entry are null and void from their inception as a matter of law, and no property rights are created thereby. Therefore, no contest proceeding, notice, or hearing is required preliminary to a decision holding that such claims are invalid." John A. Ross, Maxine Lidke, 73 IBLA 16 (1983).

An appeal from this decision may be taken to the Interior Board of Land Appeals, Office of Hearings and Appeals, in accordance with the regulations in Title 43 Code of Federal Regulations (CFR), Parts 1 and 4, and the enclosed Form 1042-1. If an appeal is taken, the notice of appeal must be filed in the Arizona State Office of the Bureau of Land Management, P.O. Box 16563, Phoenix, Arizona 85011, within thirty days from the receipt of this decision. Do not send the appeal directly to the Board. The appeal and case history file will be sent to the Board from this office. Within thirty days after filing the notice of appeal, file a complete statement of the reasons why you are appealing. This must be filed with the U.S. Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Boulevard, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the notice of appeal, no additional statement is necessary. Additionally, within fifteen days after each document is filed, the regulations also require the appellant to serve a copy of the notice of the appeal, statement of reasons, written arguments or briefs on the Field Solicitor, U.S. Department of the Interior, 506 N. 2nd Street, Suite 150, Phoenix, Arizona 85004. To avoid summary dismissal of the appeal, there must be strict compliance with the regulations.

If no appeal is taken, this decision constitutes final administrative action of this Department as affects the mining claim(s). No appeal, protest, or petition for reconsideration will be entertained from this decision after the appeal period has expired.

Don R. Mitchell
Chief, Branch of Lands and
Minerals Operations

Encl: Regulations
Appeal Procedures
Form 1042-1

cc: DM, PDO
DSD, Minerals

January 16, 1980

Mr. Frank Melluzzo
11801 N. 7th St.
Phoenix, Arizona 85020

Dear Mr. Melluzzo:

This letter is to identify the serial numbers we have assigned to your mining claim location notices filed in this office on October 16, 1979.

<u>Serial Number</u>	<u>Name of Claim</u>
A MC 72229	Deseret
A MC 72230 thru A MC 72237	White Shale #1 - #8
A MC 72238	White Shale Extension
A MC 72239 thru A MC 72245	Buffalo Ridge No. 2 - 8
A MC 72246 thru A MC 72247	Nita Jean #3 - #4
A MC 72248	Clinker Claim
A MC 72249	Boom Claim
A MC 72250	Duplex Claim
A MC 72251	Gold Shad Claim
A MC 72252	Sunny Brook Claim
A MC 72253	Alice Claim

Please refer to the claim names and the serial numbers in any future correspondence.

This will also acknowledge receipt of your Affidavit of Labor Performed and Improvements Made for the above claims for the year 1978-1979.

A photocopy of your recorded Affidavit of Labor Performed or Notice of Intent to Hold for the 1979-1980 assessment year should be filed in this office on or before December 30, 1980. To be acceptable, the affidavit must show the work done during the period noon September 1, 1979 to noon September 1, 1980. No fee is required.

129 Mr. Melluzzo's son was in to explain that though located in 1955 the white shales #1 thru #7 were county record in 1959 and as amended though they are original B79

2.

Regulations in 43 CFR 3833.1-2 (copy enclosed) require a copy of the original location notice be filed for recording with the Bureau of Land Management as well as the latest amendment. Please furnish a copy of the original location notices for the White Shale #1 through #7 ~~above~~ claims.

Your location notices for the above claims are not complete for the reason shown above. Failure to furnish original location notices will cause a decision to be issued which rejects your filings and it will be necessary for you to refile under the requirements of 43 CFR 3833.1-2.

Sincerely,

/s/ **Theresa A. Carmack**

ACTING Chief, Branch of Records
and Data Management

Enclosures
Regulations 43 CFR 3833

BAhearn:gc

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GPO Jacket No. 560-102
Print Order 61549
Rise Business Services, LLC
Job=AZ15 9/12/2019



Box Number= AZ15245



Claim Begin-End: AMC072229-AMC072253

3 Transfers



AZ15245-8

AMC069887-AMC072229

AMC 72700
AMC 367879
AMC 370620
AMC 371732
AMC 72229
AMC 341087

QUIT CLAIM DEED

FOR VALUABLE CONSIDERATION, the sufficiency and receipt of which is hereby acknowledged,
the ESTATE OF FRANK MELLUZZO does hereby forever quit claim all his right, title and interest in
the unpatented mining claims described on the supplemental attachment, attached hereto and incorporated
herein by reference, to WGK PROPERTIES, LLC

IN WITNESS WHEREOF, grantor has executed this instrument as of this 13th day of JULY, 2017

Wayne Melluzzo; EXECUTOR [Signature] EXECUTOR

Exempt from A.R.S. 11-1133 and 11-1137(B) by A.R.S. 11-1134(A)(6)

STATE OF ARIZONA)
County of Yavapai) ss.


SUBSCRIBED AND SWORN TO before me, a Notary Public, this 13 day of July, 2017

By: Wayne Melluzzo

Notary Public [Signature]

My Commission Expires 9/8/2020

RECEIVED
BLM AZ STATE OFFICE
2017 JUL 27 A 11:05
PHOENIX, ARIZONA


David V Kepler
Notary Public
Yavapai County, Arizona
My Comm. Expires 09-08-2020

Form MCF120
Revised July 2014

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ENTERED
(AC 398)
SEP 27 2017
BY: PB

12

3908432

Gloryanna #1	10980 W. Cherry Creek Rd Dewey AZ 86327-7328	35220-5815	72700
Gloryanna #3			72702
LaDora #4			72708
Suzane #1			72709
Gold Hole			72756
Gold Bullion Mill Site			72723
Gold Bullion Mill Site			72724
Lion	10980 W. Cherry Creek Rd Dewey AZ 86327-7328	370620	370620
Juniper			72731
Fowlers Watergate			72751
Sunburst 7	367879	40	\$310.00
Lion Cub 1 & 2	371732	40	\$310.00

RECEIVED
BLM AZ STATE OFFICE
2011 JUL 27 A 11:05
PHOENIX, ARIZONA

Amc 72229
Amc 341087

QUIT CLAIM DEED

FOR VALUABLE CONSIDERATION, the sufficiency and receipt of which is hereby acknowledged,
The ESTATE of Frank Melluzzo does hereby forever quit claim all his right, title and interest in
the unpatented mining claims described on the supplemental attachment, attached hereto and incorporated
herein by reference, to The Melluzzo family TRUST; Wayne & Mary Melluzzo **TRUSTEE**

IN WITNESS WHEREOF, grantor has executed this instrument as of this 13th day of July, 2017

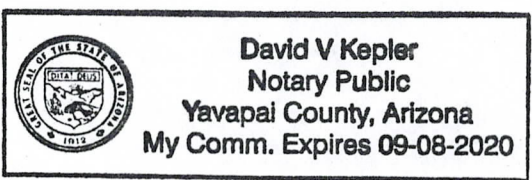
Wayne Melluzzo; EXECUTOR [Signature] Mary Melluzzo; EXECUTOR
Exempt from A.R.S. 11-1133 and 11-1137(B) by A.R.S. 11-1134(A)(6)

STATE OF ARIZONA
County of Yavapai) ss.

SUBSCRIBED AND SWORN TO before me, a Notary Public, this 13 day of July, 2017

By: Wayne Melluzzo
Notary Public [Signature]
My Commission Expires 9/8/2020

RECEIVED
PLM AZ STATE OFFICE
2017 JUL 27 A 11:06
PHOENIX, ARIZONA



Form MCF120
Revised July 2014

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91

CLAIM/SITE NAME	BLM SERIAL NO.
Sunnybrook	341087 L
Clinker	341088
El Toro	341089
Boom 10609 N 8 th St Phx. AZ 85020-5875	72249 L-72249
Duplex	72250
Gold Shad	72251
Alice	72253

RECEIVED
BLM AZ STATE OFFICE
2011 JUL 27 A 11:06
PHOENIX, ARIZONA

United States Department of the Interior
Bureau of Land Management
 DIV OF LANDS, MINRLS & ENERGY
 ONE N CENTRAL AVE
 PHOENIX, AZ 85004 -4427
 Phone: 602-417-9200

Receipt

No: 3908433

Transaction #: 4017821		A2398 (510,396)
Date of Transaction: 07/27/2017		
CUSTOMER:		ENTERED SEP 27 2017
WAYNE F MELLUZZO 1600 N CHERRY HILLS LN DEWEY, AZ 86327-7438 US		PS

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS- NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED CASES: AMC72700/\$190.00	TRF/19	- n/a -	190.00
TOTAL:					\$190.00

PAYMENT INFORMATION				
NOTE: Items will appear on credit card statement as "Bureau of Land Mgmt CO".				
1	AMOUNT:	190.00	POSTMARKED:	N/A
	TYPE:	CREDIT CARD	RECEIVED:	07/27/2017
	NAME:	MELLUZZO, WAYNE F 1600 N CHERRY HILLS LN DEWEY AZ 86327-7438 US		
	CARD NO:	XXXXXXXXXXXX8534	AUTH CODE:	515447
	NAME ON CARD:	WAYNE F MELLUZZO		
	EXPIRES:	05/2021		
	SIGNATURE:			

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.



Brown, Pauline <paulinebrown@blm.gov>

(no subject)

4 messages

Wayne Melluzzo <azrokman@yahoo.com>
To: "paulinebrown@BLM.gov" <paulinebrown@blm.gov>

Wed, Aug 2, 2017 at 12:10 PM

Dear Pauline,

As per our phone conversation this AM, please be in receipt of the trust page naming me Trustee of my Parents trust and estate, since there was no probate, this is all the documentation required.

The new current address here is: 1600 N. Cherry Hills Lane, Dewey, AZ 86327.

Should you need any more information, I can be reached at: 928-632-5528

Sincerely,
Wayne

 WAYNE'S TRUSTEE TO blm.pdf
352K

Brown, Pauline <paulinebrown@blm.gov>
To: Wayne Melluzzo <azrokman@yahoo.com>

Wed, Aug 2, 2017 at 12:21 PM

Is there a page with the courts information and which county? etc.

[Quoted text hidden]

--

PAULINE BROWN
LAND LAW EXAMINER
BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
ONE NORTH CENTRAL AVE, STE 800
PHOENIX, AZ 85004-4427
OFFICE: (602) 417-9360
FAX: (602) 417-9490
paulinebrown@blm.gov
www.blm.gov/az
<https://www.facebook.com/BLMArizona>

Azrokman Yahoo <azrokman@yahoo.com>
To: "Brown, Pauline" <paulinebrown@blm.gov>

Wed, Aug 2, 2017 at 8:29 PM

Hi Pauline,

There was no court involved as we did all of our trust work , i.e. my Dad was the A survivor Trust and my 2 sisters and I were the B Decedents Trust. Upon my Dad's passing, both trusts were closed per my Folks Trust instructions and I took over as the Trustee (Executor) of their Trust since no Probate was required. The county is Yavapai and Tina gave me the instructions to filing at Yavapai County.

I am leaving for L.A. On Fri. morning (as I am now in Phx.) and returning on Wed the 9th.

Please let me know if I can answer any more questions, as all my documents are in Cherry (80 miles from here)

Sincerely,
Wayne

Sent from my iPad

[Quoted text hidden]

Brown, Pauline <paulinebrown@blm.gov>
To: Azrokman Yahoo <azrokman@yahoo.com>

Thu, Aug 3, 2017 at 6:49 AM

Good Morning Sir,

I will need the address for: WGK PROPERTIES LLC, and also the address for: THE MELLUZZO FAMILY TRUST. Our database currently has three different addresses for FRANK MELLUZZO, they are as follows: (1) 10609 N 8TH ST Phoenix, AZ; (2) 706 E PEORIA AVE Phoenix, AZ; and (3) 10980 W CHERRY CREEK RD Dewey, AZ. Did your father utilize all three addresses? If so, which address was his most recent address?

Please Advise,

[Quoted text hidden]

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The Frank and Wanita Melluzzo Family Trust/Synopsis of Trust

cotrustee has been designated under any other provision of this trust instrument, Wayne Frank Melluzzo, son of settlors, shall be successor cotrustee with the surviving settlor-trustee. If the surviving settlor/trustee is unable or unwilling to continue as cotrustee, then Wayne Frank Melluzzo shall act as sole trustee. If Wayne Frank Melluzzo is otherwise unable or unwilling to act as trustee, then Kay Ann Melluzzo Eberle shall act as trustee.

7.3. Successor Trustees. If the office of trustee becomes vacant by reason of death, incapacity, or any other reason, and no successor trustee or cotrustees have been designated under any other provision of this trust instrument, a new trustee or cotrustee shall be appointed by the court.

7.4. Definition of Trustee. Reference in this instrument to "the trustee" shall be deemed a reference to whoever is serving as trustee or cotrustees, and shall include alternate or successor trustees or cotrustees, unless the context requires otherwise.

7.5. Removal and Replacement of Trustee. While both settlors are alive, the settlors shall have the power, at any time and for any reason, with or without cause, to remove any trustee acting under this instrument, and notwithstanding any other provision of this instrument, designate another trustee to replace the removed trustee. Removal shall be effected by giving a written notice of removal to the trustee to be removed and to the designated



AAAC 72229

Brown, Pauline <paulinebrown@blm.gov>

Address Verification

3 messages

Brown, Pauline <paulinebrown@blm.gov>
To: Wayne Melluzzo <azrokman@yahoo.com>

Thu, Aug 3, 2017 at 7:34 AM

Wayne,

Our customer database shows an address for Wayne and Wanita Melluzzo at: 10609 N 8TH ST, PHOENIX, AZ 85020-5815. Is this still your current address? If not, please update your address with the BLM.

Thank you kindly,

--
PAULINE BROWN
LAND LAW EXAMINER
BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
ONE NORTH CENTRAL AVE, STE 800
PHOENIX, AZ 85004-4427
OFFICE: (602) 417-9360
FAX: (602) 417-9490
paulinebrown@blm.gov
www.blm.gov/az
https://www.facebook.com/BLMArizona

Azrokman Yahoo <azrokman@yahoo.com>
To: "Brown, Pauline" <paulinebrown@blm.gov>

Thu, Aug 3, 2017 at 8:58 AM

Good morning Pauline,
I am so sorry for all the confusion with all of my Dad's mess as I am trying to clear up some 92 years of poor book keeping !!
All of the current addresses for every claim and Mary and my trust is: 1600 N. Cherry Hills Ln., Dewey, AZ. 86327 . I believe that Tina has this on file, but upon my return next week, I will make sure and if need, make the appropriate changes.
Sorry for the confusion.

Wayne

Sent from my iPad
[Quoted text hidden]

Brown, Pauline <paulinebrown@blm.gov>
To: Azrokman Yahoo <azrokman@yahoo.com>

Thu, Aug 3, 2017 at 10:03 AM

Thank you and enjoy your trip.

On Thu, Aug 3, 2017 at 8:58 AM, Azrokman Yahoo <azrokman@yahoo.com> wrote:

Good morning Pauline,
I am so sorry for all the confusion with all of my Dad's mess as I am trying to clear up some 92 years of poor book keeping !!
All of the current addresses for every claim and Mary and my trust is: 1600 N. Cherry Hills Ln., Dewey, AZ. 86327 . I believe that Tina has this on file, but upon my return next week, I will make sure and if need, make the appropriate changes.
Sorry for the confusion.

--
PAULINE BROWN
LAND LAW EXAMINER

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
ONE NORTH CENTRAL AVE, STE 800
PHOENIX, AZ 85004-4427
OFFICE: (602) 417-9360
FAX: (602) 417-9490
paulinebrown@blm.gov
www.blm.gov/az
<https://www.facebook.com/BLMArizona>

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MINING CLAIMS

MC Customer Information - With Serial No. and Claim Name
ACTIVE CLAIMS

Admin State: AZ

Geo State: AZ

MELLUZZO FRANK
1600 N CHERRY HILLS LN
DEWEY, AZ 86327-7438

CUSTOMER ID: 48589

<u>Serial No.</u>	<u>Claim Name/Number</u>	<u>Lead Serial No.</u>	<u>Disposition</u>
AMC341087	SUNNY BROOK	AMC341087	ACTIVE
AMC341088	CLINKER	AMC341087	ACTIVE
AMC341089	EL TORO	AMC341087	ACTIVE
AMC367879	SUNBURST #7	AMC367879	ACTIVE
AMC370620	LION	AMC370620	ACTIVE
AMC371732	LION CUB 1&2'	AMC371732	ACTIVE
AMC72249	BOOM CLAIM	AMC72229	ACTIVE
AMC72250	DUPLEX CLAIM	AMC72229	ACTIVE
AMC72251	GOLD SHAD CLAIM	AMC72229	ACTIVE
AMC72253	ALICE CLAIM	AMC72229	ACTIVE
AMC72700	GLORY ANA #1	AMC72700	ACTIVE
AMC72702	GLORY ANA #3	AMC72700	ACTIVE
AMC72708	LA DORA #4	AMC72700	ACTIVE
AMC72709	SUZANE #1	AMC72700	ACTIVE
AMC72723	GOLD BULLION MIL SIT	AMC72700	ACTIVE
AMC72724	GOLD BULLION MIL SIT	AMC72700	ACTIVE
AMC72731	JUNIPER	AMC72700	ACTIVE
AMC72751	FOWLER'S WATERGATE	AMC72700	ACTIVE
AMC72756	GOLD HOLE	AMC72700	ACTIVE

Number of ACTIVE cases: 19



Brown, Pauline <paulinebrown@blm.gov>

Receipt #3908433

1 message

Brown, Pauline <paulinebrown@blm.gov>
To: Amy Thrower <athrower@blm.gov>

Wed, Sep 27, 2017 at 1:08 PM

Amy,
I am going to earn the money (\$190) now for the Melluzzo QCD.

--
PAULINE BROWN
LAND LAW EXAMINER

CBS Export Results Report

Include Resolved Records

Record Status

- Error Records (E/M/I)
- Accepted Records (A/V)
- "On Hold" Records (H)
- All Records (for s/n or receipt nr)
- Exported, No Results From CBS
- New (not yet exported)

Printable Format (legal/landscape)

Search Criteria

Enter export Date (mm/dd/yyyy)

Serial Number match (optional)

Receipt Nr (optional)

Export Nr (exclusive)

LR2000 User (defaults to login)

Query

Reset

Responsible Area (Errors Only)

- User (U,X)
- Programmer (P,X)
- All (U,P,X)

User Guide

Resend?	Export Nr	A/D	Serial Nr	Mult	Code	\$ Amount	Remarks	Receipt Nr	LR2000 User	#Msg	Resolved?	OK	Stat1	Area	CBS Msg 1	Stat2	Area	Msg 2	CBS 392 ID	392 \$ Amt	Action Update Date	Resend	Resend Orig	Export Date
<input type="checkbox"/>	6028478	A	AMC72249		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:09			
<input type="checkbox"/>	6028479	A	AMC72250		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:09			
<input type="checkbox"/>	6028480	A	AMC72251		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:09			
<input type="checkbox"/>	6028481	A	AMC72253		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:10			
<input type="checkbox"/>	6028482	A	AMC72700		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:11			
<input type="checkbox"/>	6028483	A	AMC72702		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:11			
<input type="checkbox"/>	6028484	A	AMC72708		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:12			
<input type="checkbox"/>	6028485	A	AMC72709		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:12			
<input type="checkbox"/>	6028486	A	AMC72723		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:14			
<input type="checkbox"/>	6028487	A	AMC72724		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:14			
<input type="checkbox"/>	6028489	A	AMC72731		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:15			
<input type="checkbox"/>	6028490	A	AMC72751		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:16			
<input type="checkbox"/>	6028491	A	AMC72756		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:17			
<input type="checkbox"/>	6028493	A	AMC341087		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:18			
<input type="checkbox"/>	6028494	A	AMC341088		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:18			
<input type="checkbox"/>	6028495	A	AMC341089		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:18			
<input type="checkbox"/>	6028496	A	AMC367879		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:18			
<input type="checkbox"/>	6028498	A	AMC370620		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:19			
<input type="checkbox"/>	6028500	A	AMC371732		398	10.00	\$10;396	3908433	PAULINEB										2440133	190.00	9/27/2017 14:20			



Brown, Pauline <paulinebrown@blm.gov>

Transfer from Frank Melluzzo

4 messages

Thrower, Amy <athrower@blm.gov>
To: Pauline Brown <paulinebrown@blm.gov>

Wed, Sep 27, 2017 at 9:48 AM

Hi Pauline,

There is \$190 for a transfer document from Frank Melluzzo that I believe you sent a letter on back at the beginning of August. Can this money be earned now? It is on receipt #3908433 and the AMC number on the receipt is AMC72700.

Thanks,

Amy

--

Amy Thrower

Supervisory Land Law Examiner
U.S. Department of the Interior
Bureau of Land Management (AZSO-920)
One North Central Ave Suite 800
Phoenix, AZ 85004
Athrower @blm.gov
602-417-9334

Brown, Pauline <paulinebrown@blm.gov>
To: "Thrower, Amy" <athrower@blm.gov>

Wed, Sep 27, 2017 at 10:28 AM

IF we did not receive a corrected QCD by 9/14/2017, then I can go ahead and earn the money as document not processed. Do you know if anything came in?

Pauline

Thrower, Amy <athrower@blm.gov>
To: "Brown, Pauline" <paulinebrown@blm.gov>

Wed, Sep 27, 2017 at 10:46 AM

I haven't seen anything. Did you check the transfer box?
[Quoted text hidden]

--

Amy Thrower

Supervisory Land Law Examiner
U.S. Department of the Interior
Bureau of Land Management (AZSO-920)
One North Central Ave Suite 800
Phoenix, AZ 85004
Athrower @blm.gov
602-417-9334



Brown, Pauline <paulinebrown@blm.gov>

Wed, Sep 27, 2017 at 11:16 AM

To: "Thrower, Amy" <athrower@blm.gov>

No corrected QCD in the transfer box from the Melluzzo group. I asked ReAnn too but she said she did not see anything from them. I'll go ahead and earn the money (AC398), if you don't mind.

[Quoted text hidden]

--

PAULINE BROWN
LAND LAW EXAMINER

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

WAYNE F MELLUZZO
 1600 N CHERRY HILLS LN
 DEWEY, AZ 86327-7438
 AMC72229;72700;341087;
 367879;370620;371732;



9590 9402 2003 6123 5665 83

2. Article Number (Transfer from service label)

7009 1410 0001 7124 1707

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Wayne Melluzzo

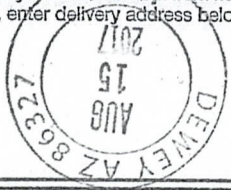
- Agent
- Addressee

B. Received by (Printed Name)

Wayne Melluzzo

C. Date of Delivery

- D. Is delivery address different from item 1? Yes**
 If YES, enter delivery address below: No



3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation™
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

USPS TRACKING#



9590 9402 2003 6123 5665 83



First-Class Mail
 Postage & Fees Paid
 USPS
 Permit No. G-10

United States Postal Service

Sender: Please print your name, address, and ZIP+4® in this box®

RECEIVED
 2007 AUG 17
 PHOENIX, ARIZONA
 UNITED STATES
 DEPARTMENT OF THE INTERIOR
 Bureau of Land Management
 Arizona State Office
 One N. Central Avenue, Suite 800
 Phoenix, AZ 85004-4427



*Pravin
8/7/2017
A. Pravin
8/8/17
LE 8/9/17*

In Reply Refer To:
3800 (9200) PB

August 9, 2017

AMC72229	AMC341087	AMC370620
AMC72700	AMC367879	AMC371732



CERTIFIED MAIL – RETURN RECEIPT REQUESTED No. 7009 1410 0001 7124 1707

NOTICE

WAYNE F MELLUZZO	:	This Decision Affects Those Claims
1600 N CHERRY HILLS LN	:	Shown in the Block Below.
DEWEY, AZ 86327-7438	:	

AMC72249 BOOM CLAIM; AMC72250 DUPLEX CLAIM; AMC72251 GOLD SHAD CLAIM; AMC72253 ALICE CLAIM; AMC72700 GLORY ANA #1; AMC72702 GLORY ANA #3; AMC72708 LA DORA #4; AMC72709 SUZANE #1; AMC72723 GOLD BULLION MIL SIT; AMC72724 GOLD BULLION MIL SIT; AMC72731 JUNIPER; AMC72751 FOWLER'S WATERGATE; AMC72756 GOLD HOLE; AMC341087 SUNNY BROOK; AMC341088 CLINKER; AMC341089 EL TORO; AMC367879 SUNBURST #7; AMC370620 LION; AMC371732 LION CUB 1&2;
--

Transfers Not Processed

Two conveyance documents to transfer ownership of the nineteen mining claims listed above was received by the Bureau of Land Management (BLM) Arizona State Office on July 27, 2017, receipt #3908433. The transfers of ownership cannot be processed for the following reasons:

The quit claim deeds (QCD's) cannot be processed as filed. In the case of the death of a mining claim owner, in order to transfer ownership, the following documents are required: 1) copy of the death certificate; 2) proof that whomever signs the QCD has authority to sign on behalf of the deceased claimant (this can be a copy of the will or a document from probate court declaring the executor of the will or personal representative of the deceased); 3) a QCD signed by the authorized executor or personal representative and under the signature it should be noted in what capacity the person is signing (i.e., executor, personal representative, etc.); 4) Processing fee of \$10 per claim, per grantee; and 5) the address of each grantee. Since the claims are listed under Frank Melluzzo and were not part of the trust, the trust documents are not acceptable.

*30th day from 8/15/17
is 9-14-17*

Of the twelve claims that you wish to transfer to WGK Properties, LLC, Frank Melluzzo alone owns AMC72700, AMC72702, AMC72708 and AMC72709. Frank and one additional person own AMC72731, AMC367879, AMC370620 and AMC371732. Frank and two additional people own AMC72724. Frank and three additional people own AMC72723, AMC72751, and AMC72756.

Of the seven claims you wish to transfer to The Melluzzo Family Trust, Frank and one additional person own AMC72249. Frank and what appears to be a Company own AMC341087 through AMC341089. Frank and two additional people own AMC72250, AMC72251 and AMC72253.

If appropriate, please submit a corrected conveyance document, required documents, or additional fees, within 30 days of your receipt of this notice. If the required information is not received within the 30-day timeframe, no further action will be taken, and the BLM will retain the non-refundable processing fees submitted.

If additional information is required, please contact Pauline Brown at 602-417-9360. Please include your AMC serial number(s) on all correspondence.

/s/ Lucas Lucero

Lucas Lucero
Deputy State Director
Lands, Minerals and Energy Division

AZ9200:PBROWN:x9360:pb:MELLUZZO 'QCD'8/7/2017:CF

COPY



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Arizona State Office

One North Central Avenue, Suite 800

Phoenix, Arizona 85004-4427

www.blm.gov/az/

In Reply Refer To:
3800 (9200) PB

August 9, 2017

AMC72229	AMC341087	AMC370620
AMC72700	AMC367879	AMC371732

CERTIFIED MAIL – RETURN RECEIPT REQUESTED No. 7009 1410 0001 7124 1707

NOTICE

WAYNE F MELLUZZO : This Decision Affects Those Claims
 1600 N CHERRY HILLS LN : Shown in the Block Below.
 DEWEY, AZ 86327-7438 :

AMC72249 BOOM CLAIM; AMC72250 DUPLEX CLAIM; AMC72251 GOLD SHAD CLAIM;
 AMC72253 ALICE CLAIM; AMC72700 GLORY ANA #1; AMC72702 GLORY ANA #3;
 AMC72708 LA DORA #4; AMC72709 SUZANE #1; AMC72723 GOLD BULLION MIL SIT;
 AMC72724 GOLD BULLION MIL SIT; AMC72731 JUNIPER; AMC72751 FOWLER'S WATERGATE;
 AMC72756 GOLD HOLE; AMC341087 SUNNY BROOK; AMC341088 CLINKER; AMC341089 EL TORO;
 AMC367879 SUNBURST #7; AMC370620 LION; AMC371732 LION CUB 1&2;

Transfers Not Processed

Two conveyance documents to transfer ownership of the nineteen mining claims listed above was received by the Bureau of Land Management (BLM) Arizona State Office on July 27, 2017, receipt #3908433. The transfers of ownership cannot be processed for the following reasons:

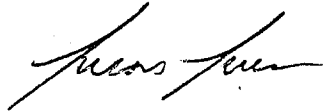
The quit claim deeds (QCD's) cannot be processed as filed. In the case of the death of a mining claim owner, in order to transfer ownership, the following documents are required: 1) copy of the death certificate; 2) proof that whomever signs the QCD has authority to sign on behalf of the deceased claimant (this can be a copy of the will or a document from probate court declaring the executor of the will or personal representative of the deceased); 3) a QCD signed by the authorized executor or personal representative and under the signature it should be noted in what capacity the person is signing (i.e., executor, personal representative, etc.); 4) Processing fee of \$10 per claim, per grantee; and 5) the address of each grantee. Since the claims are listed under Frank Melluzzo and were not part of the trust, the trust documents are not acceptable.

Of the twelve claims that you wish to transfer to WGK Properties, LLC, Frank Melluzzo alone owns AMC72700, AMC72702, AMC72708 and AMC72709. Frank and one additional person own AMC72731, AMC367879, AMC370620 and AMC371732. Frank and two additional people own AMC72724. Frank and three additional people own AMC72723, AMC72751, and AMC72756.

Of the seven claims you wish to transfer to The Melluzzo Family Trust, Frank and one additional person own AMC72249. Frank and what appears to be a Company own AMC341087 through AMC341089. Frank and two additional people own AMC72250, AMC72251 and AMC72253.

If appropriate, please submit a corrected conveyance document, required documents, or additional fees, within 30 days of your receipt of this notice. If the required information is not received within the 30-day timeframe, no further action will be taken, and the BLM will retain the non-refundable processing fees submitted.

If additional information is required, please contact Pauline Brown at 602-417-9360. Please include your AMC serial number(s) on all correspondence.



Lucas Lucero
Deputy State Director
Lands, Minerals and Energy Division

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MINING CLAIMS

MC Customer Information - With Serial No. and Required Maintenance Fee
ACTIVE CLAIMS

Admin State: AZ

Geo State: AZ

MELLUZZO FRANK
10609 N 8TH ST
PHOENIX, AZ 85020-5815

CUSTOMER ID: 48589

Serial No.	Claim Name/Number	Required MF	Casetype	Disposition
AMC72249	BOOM CLAIM	155.00	LODE CLAIM	ACTIVE
AMC72250	DUPLEX CLAIM	155.00	LODE CLAIM	ACTIVE
AMC72251	GOLD SHAD CLAIM	155.00	LODE CLAIM	ACTIVE
AMC72253	ALICE CLAIM	155.00	LODE CLAIM	ACTIVE
AMC72700	GLORY ANA #1	155.00	LODE CLAIM	ACTIVE
AMC72702	GLORY ANA #3	155.00	LODE CLAIM	ACTIVE
AMC72708	LA DORA #4	155.00	LODE CLAIM	ACTIVE
AMC72709	SUZANE #1	155.00	LODE CLAIM	ACTIVE
AMC72723	GOLD BULLION MIL SIT	155.00	MILLSITE CLAIM	ACTIVE
AMC72724	GOLD BULLION MIL SIT	155.00	MILLSITE CLAIM	ACTIVE
AMC72731	JUNIPER	155.00	LODE CLAIM	ACTIVE
AMC72751	FOWLER'S WATERGATE	155.00	LODE CLAIM	ACTIVE
AMC72756	GOLD HOLE	155.00	LODE CLAIM	ACTIVE
Total Required Fee		2,015.00		

TRANS TO:
THE MELLUZZO FAMILY TRUST

TRANS TO:
WGK PROPERTIES, LLC

Number of ACTIVE cases: 13

MELLUZZO FRANK
10980 W CHERRY CREEK RD
DEWEY, AZ 86327-7338

CUSTOMER ID: 48594

Serial No.	Claim Name/Number	Required MF	Casetype	Disposition
AMC341087	SUNNY BROOK	155.00	LODE CLAIM	ACTIVE
AMC341088	CLINKER	155.00	LODE CLAIM	ACTIVE
AMC341089	EL TORO	155.00	LODE CLAIM	ACTIVE
AMC367879	SUNBURST #7	310.00	PLACER CLAIM	ACTIVE
AMC370620	LION	155.00	LODE CLAIM	ACTIVE
AMC371732	LION CUB 1&2	310.00	PLACER CLAIM	ACTIVE
Total Required Fee		1,240.00		

TRANS TO:
THE MELLUZZO FAMILY TRUST

TRANS TO:
WGK PROPERTIES, LLC

Number of ACTIVE cases: 6

When recorded, hold for:
City of Phoenix
Real Estate Division
Acquisition Section
251 W. Washington, 8th Floor
Phoenix, AZ 85003



OFFICIAL RECORDS OF
MARICOPA COUNTY RECORDER
HELEN PURCELL

99-1153522 12/28/99 12:07

ATTN:

JENNIFER 1 OF 1

QUIT-CLAIM DEED

S/O Agua Fria River W/O I-17
Parks, Rec & Lib
MJM

Exempt under A.R.S. 11-1134-A3

KNOW ALL MEN BY THESE PRESENTS:

Amc 72230-72237

That for the consideration of One Dollar (\$1.00) and other valuable considerations, I or We, **FRANK MELLUZZO and WANITA MELLUZZO**, his wife, **GLORIA MELLUZZO, KAY ANNE MELLUZZO and WAYNE MELLUZZO**, GRANTOR(s), hereby quit-claim to the City of Phoenix, a municipal corporation of the State of Arizona, GRANTEE, all right, title, and interest in that certain real property situated in Maricopa County, Arizona, described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED
HERETO AND MADE A PART HEREOF BY REFERENCE.

SEE EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF
BY REFERENCE FOR POWER OF ATTORNEY

Acceptance of this Quit-Claim Deed by the City of Phoenix was authorized by Ordinance No. S-26712, adopted by the Phoenix City Council on December 8, 1999.

RECEIVED
B.L.M. AZ STATE OFFICE
2000 JAN 11 P 2:15
PHOENIX, ARIZONA

Dated this 27 day of Dec, 1999.

By: *Frank Melluzzo*
FRANK MELLUZZO

By: *Wanita Melluzzo*
WANITA MELLUZZO

SEE ADDITIONAL PAGES FOR ADDITIONAL SIGNATURES

ENTERED INTO COMPUTER

DO NOT WRITE, STAMP, EMBOSS OR PLACE ANY MARKS WHATSOEVER OUTSIDE THE MARGIN LINES OF THIS INSTRUMENT OR THE MARICOPA COUNTY RECORDER MAY NOT RECORD IT, PURSUANT TO A.R.S. 11-480. QCD-IND-FORM 9/99

DM 8/31/00

RECEIVED
B.L.M. AZ STATE OFFICE

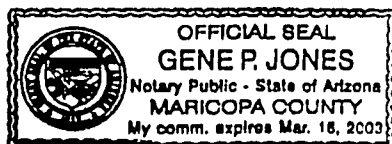
2000 JAN 11 P 2:15

PHOENIX, ARIZONA

ACKNOWLEDGMENT

STATE OF Arizona)
COUNTY OF Maricopa)ss.

This instrument was acknowledged before me this 27 day of December, 19 99,
by FRANK MELLUZZO and WANITA MELLUZZO, his wife.



NOTARY SEAL

Gene P. Jones
NOTARY PUBLIC

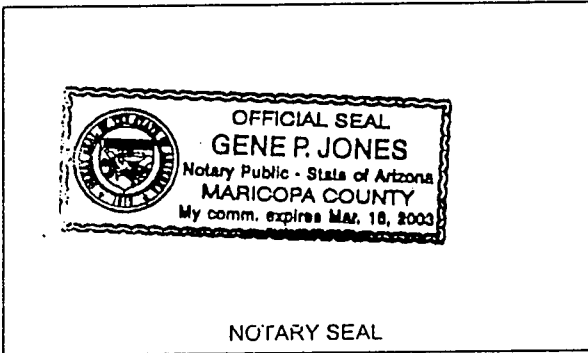
My Commission Expires: 3-16-2003

ADDITIONAL SIGNATURES AND ACKNOWLEDGMENTS

By: Frank Melluzzo
GLORIA MELLUZZO, by Frank Melluzzo, Attorney In Fact

STATE OF ARIZONA)
COUNTY OF MARICOPA) ss.

This instrument was acknowledged before me this 27 day of December, 19 99,
by GLORIA MELLUZZO, by Frank Melluzzo, Attorney In Fact.



Gene P. Jones
NOTARY PUBLIC

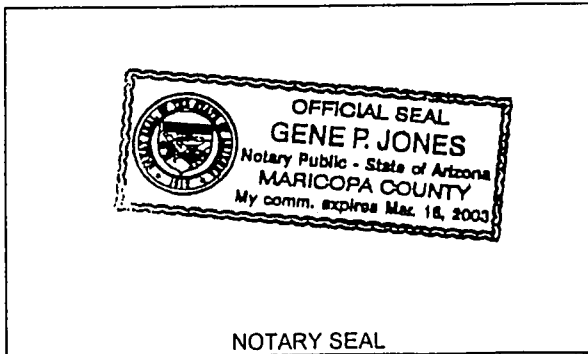
My Commission Expires: 3-16-2003

RECEIVED
BLM. AZ STATE OFFICE
2000 JAN 11 P 2:15
PHOENIX, ARIZONA

By: Frank Melluzzo
KAY ANNE MELLUZZO, by Frank Melluzzo, Attorney In Fact

STATE OF ARIZONA)
COUNTY OF MARICOPA) ss.

This instrument was acknowledged before me this 27 day of December, 19 99,
by KAY ANNE MELLUZZO, by Frank Melluzzo, Attorney In Fact.



Gene P. Jones
NOTARY PUBLIC

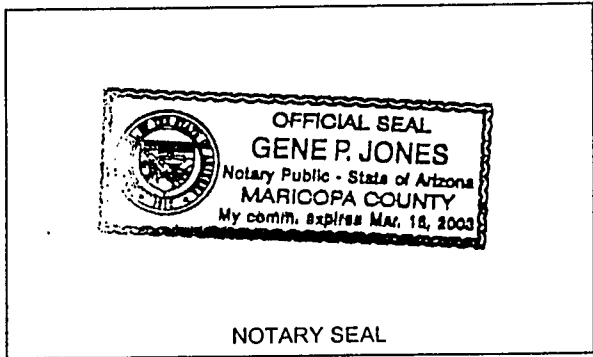
My Commission Expires: 3-16-2003

ADDITIONAL SIGNATURES AND ACKNOWLEDGMENTS

By: Frank Melluzzo
WAYNE MELLUZZO, by Frank Melluzzo, Attorney In Fact

STATE OF ARIZONA)
COUNTY OF MARICOPA) ss.

This instrument was acknowledged before me this 27 day of December, 19 99
by WAYNE MELLUZZO, by Frank Melluzzo, Attorney In Fact.



[Signature]
NOTARY PUBLIC

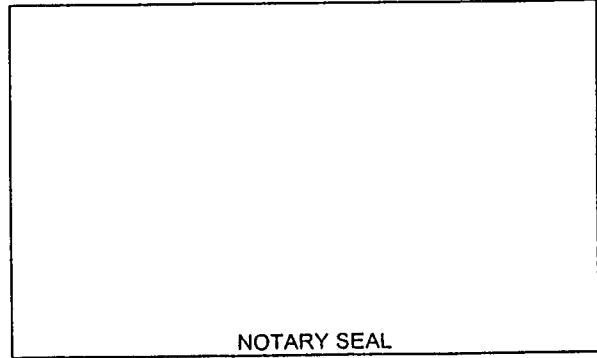
My Commission Expires: 3-10-2003

By: _____

STATE OF _____)
COUNTY OF _____)

This instrument was acknowledged before me this _____ day of _____, 19 _____
by .

RECEIVED
B.L.M. STATE OFFICE
2000 JAN 11 P 2:15
PHOENIX, ARIZONA



NOTARY PUBLIC

My Commission Expires: _____

EXHIBIT "A"

WHITE SHALE #1 MINING CLAIM:

The Northeast quarter of Section 28, Township 8 North, Range 2 East, G&SRB&M.

WHITE SHALE #2 MINING CLAIM:

The Southeast quarter of Section 28, Township 8 North, Range 2 East, G&SRB&M.

WHITE SHALE #3 MINING CLAIM:

The Northeast quarter of Section 33, Township 8 North, Range 2 East, G&SRB&M.

WHITE SHALE #4 MINING CLAIM:

The Southeast quarter of Section 33, Township 8 North, Range 2 East, G&SRB&M.

WHITE SHALE #5 MINING CLAIM:

The Southwest quarter of Section 33, Township 8 North, Range 2 East, G&SRB&M.

WHITE SHALE #6 MINING CLAIM:

The Northwest quarter of Section 33, Township 8 North, Range 2 East, G&SRB&M.

WHITE SHALE #7 MINING CLAIM:

The Southwest quarter of Section 28, Township 8 North, Range 2 East, G&SRB&M.

WHITE SHALE #8 MINING CLAIM:

The South half of the Northwest quarter of Section 28, Township 8 North, Range 2 East, G&SRB&M;
TOGETHER WITH the Northwest quarter of the Northwest quarter of said Section 28.

99128-XMM.DOC

Prepared mjm Date 12/8/99 Checked RMM

RECEIVED
BLM. AZ STATE OFFICE
2000 JAN 11 P 2:15
PHOENIX, ARIZONA

STATE OF ARIZONA)
) ss.
County of Maricopa)

EXHIBIT "B"

We, listed below:

GLORIA M. MELLUZZO KAY ANNE MELLUZZO WAYNE MELLUZZO
706 E. Peoria Avenue 706 E. Peoria Avenue 706 E. Peoria Avenue
Phoenix, AZ 85020 Phoenix, AZ 85020 Phoenix, AZ 85020

do hereby irrevocably make, constitute and appoint FRANK MELLUZZO,
of 706 E. Peoria Avenue, City of Phoenix, County of Maricopa, State
of Arizona, our true and lawful Attorney in Fact, coupled with an
interest, to act in our name, place and stead, to sell, convey
or otherwise transfer all of our right, title and interest, both
in law and in equity, in that certain mining claim in Winifred
Mining District, Counties of Maricopa and Yavapai, State
of Arizona, named and described as follows:

Table with 4 columns: Name of Claim, Maricopa County Recorder's Data, Yavapai County Recorder's Data, A MC No. Lists 8 White Shale claims with their respective recording data and numbers.

RECEIVED
B.L.M. AZ STATE OFFICE
2000 JAN 11 P 2:16

on such terms as such attorney may in fact deem best; to make proper
deeds, patent applications, contracts of sale, bonds, leases, or
other documents relating to such claim, and to execute, acknowledge,
and deliver the same to such persons as such Attorney in Fact may
desire; to perform in our names such acts of location, and to record
such notices and other instruments, as may be necessary to perfect
our rights and title in and to such claims; and

We hereby acknowledge that Attorney in Fact Frank Melluzzo is
a co-locator of the above-described mining claims; that the Attorney
in Fact therefore has an interest in the mining claims; and that
this grant of power of attorney to Attorney in Fact Frank Melluzzo
is irrevocable.

We hereby give and grant to such Attorney in Fact full power
and authority to do and perform all and every act and thing required

EXHIBIT "B"

to be done in and about the premises on which such claim is located as fully as we could do if personally present.

We hereby ratify and confirm all that such Attorney in Fact shall lawfully do or cause to be done by virtue of this instrument.

IN WITNESS WHEREOF, we have executed this instrument at

_____, on Jan 27, 1981.

Gloria Melluzzo
GLORIA MELLUZZO

Kay Ann Melluzzo
KAY ANNE MELLUZZO

Wayne Melluzzo
WAYNE MELLUZZO

ACKNOWLEDGED:

Frank Melluzzo
FRANK MELLUZZO

STATE OF ARIZONA)
) ss.
County of Maricopa)

This instrument was acknowledged before me this 27th day of January, 1981, by Gloria Melluzzo, Kay Ann Melluzzo, Wayne Melluzzo and Frank Melluzzo.

W. Scott DeLillo
Notary Public

My commission expires:
My Commission Expires Oct. 31, 1983

RECEIVED
B.L.M. AZ STATE OFFICE
2000 JAN 11 P 2:16
PHOENIX, ARIZONA

ORDINANCE NO. S-26712

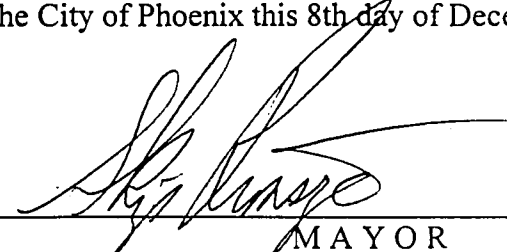
AN ORDINANCE AUTHORIZING THE CITY COUNCIL TO ACCEPT A QUIT CLAIM DEED FROM THE MELLUZZO FAMILY OF PHOENIX, DONATING EIGHT UNPATENTED MINING CLAIMS WHICH AFFECT APPROXIMATELY 1,240 ACRES OF UNIMPROVED LAND LOCATED APPROXIMATELY ONE MILE WEST OF THE I-17 FREEWAY AND SIX MILES NORTH OF NEW RIVER.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PHOENIX

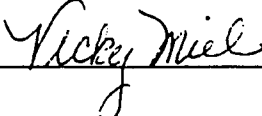
as follows:

SECTION 1. A quit claim deed from the Melluzzo family of Phoenix donating eight patented mining claims which affect approximately 1,240 acres of unimproved land located approximately one mile west of the I-17 Freeway and six miles north of New River, as described in Exhibit A attached hereto, is hereby accepted for the Sonoran Preserve Program.

PASSED by the Council of the City of Phoenix this 8th day of December, 1999.


MAYOR


ATTEST:


City Clerk

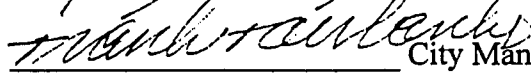
RECEIVED
BLM. AZ STATE OFFICE
2000 JAN 11 P 2:18
PHOENIX, ARIZONA

APPROVED AS TO FORM:

ACTING

 City Attorney

REVIEWED BY:

 City Manager

(Ref.)

KTR

KTR:tru:94779:CM#57:12/08/99

RECEIVED
B.L.M. AZ STATE OFFICE
2000 JAN 11 P 2:18
PHOENIX, ARIZONA

LEGAL DESCRIPTION FOR DONATION
OF MELLUZZO MINING CLAIMS

<u>Name of Claim</u>	<u>Legal Description</u>
White Shale # 1	The Northeast Quarter of Section 28, Township 8 North, Range 2 East, Gila & Salt River Base and Meridian
White Shale # 2	The Southeast Quarter of Section 28, Township 8 North, Range 2 East, Gila & Salt River Base and Meridian
White Shale # 3	The Northeast Quarter of Section 33, Township 8 North, Range 2 East, Gila & Salt River Base and Meridian
White Shale # 4	The Southeast Quarter of Section 33, Township 8 North, Range 2 East, Gila & Salt River Base and Meridian
White Shale # 5	The Southwest Quarter of Section 33, Township 8 North, Range 2 East, Gila & Salt River Base and Meridian
White Shale # 6	The Northwest Quarter of Section 33, Township 8 North, Range 2 East, Gila & Salt River Base and Meridian
White Shale # 7	The Southwest Quarter of Section 28, Township 8 North, Range 2 East, Gila & Salt River Base and Meridian
White Shale # 8	The South Half of the Northwest Quarter, and the Northwest Quarter of the Northwest Quarter of Section 28, Township 8 North, Range 2 East, Gila & Salt River Base and Meridian

John E. Burke
November 24, 1999

RECEIVED
BLM. AZ STATE OFFICE
2000 JAN 11 P 2:18
PHOENIX, ARIZONA

EXHIBIT A

United States Department of the Interior
Bureau of Land Management
 BUSINESS & SUPPORT SVCS DIV
 222 N CENTRAL AVE
 PHOENIX, AZ 85004 -2203
 Phone: (602) 417-9200

Receipt	
No:	56068

Transaction #: 63609					
Date of Transaction: 01/11/2000					
Commodity: LOCATABLE MINERALS Subject: MINING CLAIMS					
CUSTOMER:		ATTN: JOHN BURKE CITY OF PHOENIX 251 W WASHINGTON ST PHOENIX, AZ 85003			
LINE #	QTY	ACTION / PRODUCT	REMARKS	UNIT PRICE	TOTAL
1	8	TRANSFER OF INTEREST SVC CHARGE \$5 (1930)		\$5.00	\$40.00
TOTAL:					\$40.00

PAYMENT INFORMATION			
1	AMOUNT:	\$40.00	POSTMARKED: N/A
	TYPE:	CASH	RECEIVED: 01/11/2000
	NAME:	CITY OF PHOENIX ATTN: JOHN BURKE, 251 W WASHINGTON ST PHOENIX AZ 85003	

REMARKS

CASE SERIAL NUMBER INFORMATION		
TRNS #	LINE #	CASES
63609	1	AMC72230 , AMC72231 , AMC72232 , AMC72233 , AMC72234 , AMC72235 , AMC72236 , AMC72237

This receipt was generated by the automated BLM Collections and Billings System and is a paper representation of a portion of the official electronic record contained therein.

ISSUED TO: AFFIDAVIT OF PUBLICATION

W. Scott Donaldson, Attorney at Law

STATE OF ARIZONA)
County of Maricopa)

PUBLIC NOTICE

NOTICE OF FORFEITURE OF MINING CLAIMANT'S INTEREST

Dean Spates is hereby notified, pursuant to 30 USC Section 28, and ARS Section 27-221, that he has failed to contribute his share of the cost of the required annual assessment work on the unpatented mining claims described as follows:

Claim name: White Shale No. 1; Yavapai County Recorder's office Docket 2751, page 74, BLM Number 72230.

Claim name, White Shale No. 2; Docket 2751, page 75, BLM No. 72231.

Claim name, White Shale No. 3; Docket 2751, page 76, BLM No. 72232.

Claim name, White Shale No. 4; Docket 2751, page 77, BLM No. 72233.

Claim name, White Shale No. 5; Docket 2751, page 78, BLM No. 72234.

Claim name, White Shale No. 6; Docket 2751, page 79, BLM No. 72235.

Claim name, White Shale No. 7; Docket 2751, page 80, BLM No. 72236.

Claim name, White Shale No. 8; Docket 2751, page 81, BLM No. 72237.

Claim name, White Shale Extension, Docket 6660, page 978, BLM No. 72238.

Said unpatented mining claims are located in Sections 28 and 33 of Township 8 North, Range 2 East and Section 4 of Township 7 North, Range 2 East, G&SR B&M, Maricopa County, State of Arizona.

The failure to Dean Spates to pay his allotted share of the assessment work expenses to his co-owners within 180 days of the first publication of this notice shall result in Spates' interest in said mining claims becoming the property of his co-owners who have made the required expenditures. Said co-owners can be contacted through Frank Melluzzo, c/o W. Scott Donaldson, Attorney at Law, 2916 North 7th Avenue, Suite 100, Phoenix, (602) 277-4441.

Published in The Wickenburg Sun on May 14, 21 and 28; June 4, 11, 18 and 25, July 2, 9, 16, 23 and 30 and Aug. 6 and 13, 1987.

Michael E. Quayle, being duly sworn, upon oath, deposes and says: That he is the Publisher/Editor of

The Wickenburg Sun

A newspaper of general circulation in the County of Maricopa, State of Arizona, published in Wickenburg, Arizona, and that the copy hereto attached is a true copy of the advertisement as published weekly in The Wickenburg Sun on the dates following:

- May 14, 21 and 28, 1987
June 4, 11, 18 and 25, 1987
July 2, 9, 16, 23 and 30, 1987
August 6 and 13, 1987

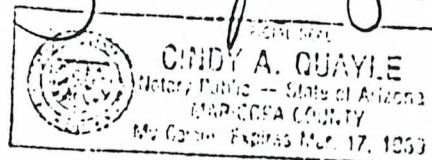
Handwritten signature of Michael E. Quayle

MICHAEL E. QUAYLE
Publisher/Editor

Sworn to before me this 14th day of

August A.D. 19 87

Handwritten signature of Cindy A. Quayle
Notary Public



RECEIVED
BLM AZ STATE OFFICE

2000 JAN 11 P 2:08

PHOENIX, ARIZONA

Effective 11/15/87


NOTICE OF FORFEITURE

TO: GENO MELLUZZO, and
GLENN R. SPATES a/k/a GLENN R. MELLUZZO

YOU, AND EACH OF YOU, ARE HEREBY NOTIFIED that the under-
signed, and other co-owners, have performed the required stat-
utory annual labor in the amount of \$100 per claim for each
of the following time periods upon each of the following des-
cribed unpatented mining claims all situated in the County of
Maricopa, State of Arizona, to-wit:

Name of Claim	Type of Claim	Location Cert. recorded at	Period for which labor was performed
White Shale # 1	Placer	Dkt. 2751, page 74	1960 thru 1979 (19 y
White Shale # 2	"	" 2751, page 75	" " " " "
White Shale # 3	"	" 2751, page 76	" " " " "
White Shale # 4	"	" 2751, page 77	" " " " "
White Shale # 5	"	" 2751, page 78	" " " " "
White Shale # 6	"	" 2751, page 79	" " " " "
White Shale # 7	"	" 2751, page 80	" " " " "
White Shale # 8	"	" 2751, page 81	" " " " "

If you, as co-owners, shall fail or refuse to contribute your portion of such expenditures within ninety days of personal service of this notice upon you, or within ninety days after the publication hereof, your interest in the foregoing claims shall become the property of the undersigned and the other co-owners, your co-owners, who have made the required expenditures, pursuant to the United States Code, Title 30, Section 28.



Frank Melluzzo, for himself and the
other co-owners of the claims

RECEIVED
B.L.M. AZ STATE OFFICE

2000 JAN 11 P 2:08

PHOENIX, ARIZONA

Affidavit of Publication

Mr. & Mrs. F. Melluzzo
706 E. Peoria Ave.
Phx., Ariz. 85020

STATE OF ARIZONA,
COUNTY OF MARICOPA ss.

I, Burt Freireich Publisher of

THE NEWS-SUN

a newspaper of general circulation, published in Sun City, County of Maricopa, State of Arizona, do solemnly swear that a copy of the above notice, in the matter of

Notice of Forfeiture

as per clipping attached, was published weekly in the regular and entire edition of the said newspaper, and not in any supplement thereof, for a period of

13 consecutive weeks, as follows, to-wit:

October 6, 13, 20, 27, November 3, 10, 17, 24, Dec. 1, 8, 15, 22, and 29, 1979

Burt Freireich

Subscribed and sworn to before me, this 20th day of December, 1979

Edith Davis
Notary Public

My commission expires Apr. 15, 1983

(My Commission expires _____, 19____)

BOOK 1351 PAGE 460

PUBLIC NOTICE

PUBLIC NOTICE

NOTICE OF FORFEITURE

TO: GENO MELLUZZO, and
GLENNAR SPATES aka GLENNAR MELLUZZO
YOU AND EACH OF YOU ARE HEREBY NOTIFIED that the undersigned, and other co-owners, have performed the required statutory annual labor in the amount of \$100.00 for each of the following time periods upon each of the following unpatented mining claims all situated in the County of Maricopa, State of Arizona, to-wit:

Name of Claim	Type of Claim	Location Certificate No.	Period for which labor was performed
White Shale	Placer	Dkt. 2751	1979 (19 yr)
White Shale	Placer	Dkt. 2751	1979 (19 yr)
White Shale	Placer	Dkt. 2751	1979 (19 yr)
White Shale	Placer	Dkt. 2751	1979 (19 yr)
White Shale	Placer	Dkt. 2751	1979 (19 yr)
White Shale	Placer	Dkt. 2751	1979 (19 yr)
White Shale	Placer	Dkt. 2751	1979 (19 yr)

Each of you is hereby notified that your portion of the required expenditures for each of the claims of this notice shall be paid by you within thirty days of the date of your information. If you fail to do so, the claims shall be forfeited to the undersigned and the other co-owners, should they have made the required expenditures, pursuant to the Arizona Statutes Code, Title 30, Section 28.

Frank Melluzzo, for himself and the other co-owners of the claims

Published Oct. 6, 13, 20, 27, Nov. 3, 10, 17, 24, Dec. 1, 8, 15, 22, 29, 1979.

B.L.M. RECEIVED
STATE OFFICE

2000 JAN 11 P 2:00

PHOENIX, ARIZONA

Serving Sun City-Youngtown Daily
 P.O. BOX 1779 • 10020 SANTA FE DRIVE • 977-8351
 SUN CITY, ARIZONA 85372

Date Dec. 29, 1979

- Laurence H. Whitlow, P.C. ▪
 524 E. Dunlap Ave.,
 Phoenix, Az. 85020
- Notice of Forfeiture ▪

PLEASE RETURN TOP PORTION WITH YOUR PAYMENT AMOUNT ENCLOSED \$ _____

DESCRIPTION		CHARGES	
	Old Balance		
	Notice of Forfeiture		
	Gross Tax		
10-6	8" @ \$2.31	18.48	.74
10-13, 20, and 27			
11-3, 10, 17, and 24			
12-1, 8, 15, 22, and 29			
	8" @ \$2.03 Ea.	194.88	7.80
	Amount due		221.90

RECEIVED
 B.L.M. STATE OFFICE

2000 JAN 11 P 2:09
 PHOENIX, ARIZONA

NEWS-SUN, P.O. BOX 1779, SUN CITY, ARIZONA
TERMS—NET CASH:
 All accounts due 10 days following billing date.
 A FINANCE CHARGE OF 15% PER MONTH (18% ANNUAL PCT. RATE)
 WILL BE ADDED TO ALL LATE ACCOUNTS (MIN. 50')

JAN - 3 1980

Serving Sun City-Youngtown Daily
 P.O. BOX 1779 • 10020 SANTA FE DRIVE • 977-8351
 SUN CITY, ARIZONA 85372

Date Dec. 29, 1979

- Laurence H. Whitlow, P.C. ▪
 524 E. Dunlap Ave.,
 Phoenix, Az. 85020
- Notice of Forfeiture ▪

PLEASE RETURN TOP PORTION WITH YOUR PAYMENT AMOUNT ENCLOSED \$ _____

DESCRIPTION		CHARGES	
	Old Balance		
	Notice of Forfeiture		
	Gross Tax		
10-6	8" @ \$2.31	18.48	.74
10-13, 20, and 27			
11-3, 10, 17, and 24			
12-1, 8, 15, 22, and 29			
	8" @ \$2.03 Ea.	194.88	7.80
	Amount due		221.

NEWS-SUN, P.O. BOX 1779, SUN CITY, ARIZONA
TERMS—NET CASH:
 All accounts due 10 days following billing date.
 A FINANCE CHARGE OF 15% PER MONTH (18% ANNUAL PCT. RATE)
 WILL BE ADDED TO ALL LATE ACCOUNTS (MIN. 50')

January 3, 2000

Area Manager
Phoenix District Office
Bureau of Land Management
U. S. Department of the Interior
2015 West Deer Valley Road
Phoenix, Arizona 85027

SUBJECT: Mining Claims

Dear Sirs:

The City of Phoenix has recently accepted a conveyance of the Melluzzo family's interest in mining claims White Shale Nos. 1 through 8. Enclosed herewith for your reference and records are copies of the following documents pertaining to said mining claims:

- Notice of Mining Location dated April 2, 1955 and recorded February 11, 1959 in Docket 2751, Page(s) 74 through 81, records of Maricopa County, Arizona.
- Affidavit of Publication of Notice of Forfeiture dated December 29, 1979.
- Irrevocable Power of Attorney Coupled with an Interest dated January 27, 1981.
- Affidavit of Publication of Notice of Forfeiture dated August 14, 1987.
- Quit Claim Deed to the City of Phoenix dated December 27, 1999 and recorded December 28, 1999 as Instrument No. 99-1153522, records of Maricopa County, Arizona.
- Ordinance No. S-26712 adopted by the Phoenix City Council on December 8, 1999.

John E. Burke, Esq.
Real Estate Administrator



City of Phoenix
251 West Washington Street
Phoenix, Arizona 85003
(602) 262-6267

RECEIVED
B.L.M. AZ STATE OFFICE
2000 JAN 11 P 2:17
PHOENIX, ARIZONA

Area Manager
January 3, 2000
Page 2

The City of Phoenix may apply for a patent to this property pursuant to the Recreation and Public Purposes Act, and it is my understanding that resolution of outstanding unpatented mining claims is a necessary step in that process. Please let me know if you need any additional information or documentation relating to these mining claims.

Thank you for your continued courtesies and cooperation, and please call me at 602-262-6267 if you have any questions.

Sincerely,

John E. Burke
Real Estate Administrator

cc: James Burke
Bruce Swanson

RECEIVED
B.L.M. AZ STATE OFFICE
2000 JAN 11 P 2:17
PHOENIX, ARIZONA

IRREVOCABLE POWER OF ATTORNEY COUPLED WITH AN INTEREST

PHOENIX, ARIZONA

2000 JAN 11 P 2:12

RECEIVED
BLM. AZ STATE OFFICE

STATE OF ARIZONA)
) ss.
County of Maricopa)

We, listed below:

GLORIA M. MELLUZZO KAY ANNE MELLUZZO WAYNE MELLUZZO
706 E. Peoria Avenue 706 E. Peoria Avenue 706 E. Peoria Avenue
Phoenix, AZ 85020 Phoenix, AZ 85020 Phoenix, AZ 85020

do hereby irrevocably make, constitute and appoint FRANK MELLUZZO, of 706 E. Peoria Avenue, City of Phoenix, County of Maricopa, State of Arizona, our true and lawful Attorney in Fact, coupled with an interest, to act in our name, place and stead, to sell, convey or otherwise transfer all of our right, title and interest, both in law and in equity, in that certain mining claim in Winifred _____ Mining District, Counties of Maricopa and Yavapai, State of Arizona, named and described as follows:

<u>Name of Claim</u>	<u>Maricopa County Recorder's Data</u>	<u>Yavapai County Recorder's Data</u>	<u>A MC No.</u>
White Shale #1	Dkt. 2751 -P. 74		72230
White Shale #2	" " -P. 75		72231
White Shale #3	" " -P. 76		72232
White Shale #4	" " -P. 77		72233
White Shale #5	" " -P. 78		72234
White Shale #6	" " -P. 79		72235
White Shale #7	" " -P. 80		72236
White Shale #8	" " -P. 81	Bk. 1351-P. 461	72237

on such terms as such attorney may in fact deem best; to make proper deeds, patent applications, contracts of sale, bonds, leases, or other documents relating to such claim, and to execute, acknowledge, and deliver the same to such persons as such Attorney in Fact may desire; to perform in our names such acts of location, and to record such notices and other instruments, as may be necessary to perfect our rights and title in and to such claims; and

We hereby acknowledge that Attorney in Fact Frank Melluzzo is a co-locator of the above-described mining claims; that the Attorney in Fact therefore has an interest in the mining claims; and that this grant of power of attorney to Attorney in Fact Frank Melluzzo is irrevocable.

We hereby give and grant to such Attorney in Fact full power and authority to do and perform all and every act and thing required

to be done in and about the premises on which such claim is located as fully as we could do if personally present.

We hereby ratify and confirm all that such Attorney in Fact shall lawfully do or cause to be done by virtue of this instrument.

IN WITNESS WHEREOF, we have executed this instrument at

_____, on Jan 27, 1981.

Gloria Melluzzo
GLORIA MELLUZZO

Kay Ann Melluzzo
KAY ANNE MELLUZZO

Wayne Melluzzo
WAYNE MELLUZZO

ACKNOWLEDGED:

Frank Melluzzo
FRANK MELLUZZO

STATE OF ARIZONA)
) ss.
County of Maricopa)

This instrument was acknowledged before me this 27th day of January, 1981, by Gloria Melluzzo, Kay Ann Melluzzo, Wayne Melluzzo and Frank Melluzzo.

W. Scott Donaldson
Notary Public

My commission expires:
My Commission Expires Oct. 31, 1983

RECEIVED
BLM. AZ STATE OFFICE
2000 JAN 11 P 2:12
PHOENIX, ARIZONA

25498

STATE OF ARIZONA

Notice of Mining Location
Amended
PLACER CLAIM

INDEXED
PAGED
I hereby certify that the within instrument was filed and recorded
County of Maricopa
Docket
page 2754
page 74
DKT hand and official seal
1 year after said
v. e. Kelly
County Recorder

9241-9201
10th St.
Phx

TO ALL WHOM IT MAY CONCERN:

This placer Mining Claim, the name of which is the White Shale #1

Placer Mining Claim, situate on lands belonging to the State of Arizona, and being a form of valuable mineral deposit other than in veins or lodes of quartz or other rock in place, was entered upon and located for the purpose of exploration and lease by Frank - Wanita - Gloria Wayne - Ray Ann - Memo - Glenna - Doro Mellozzo

(Locator must insert either "a citizen of the United States" or "who has declared his intention to become a citizen of the United States".)
the undersigned, on the 2 day of April, 1955

We claim 160 acres thereof, and have marked the same on the ground as follows: Beginning at

all Surveyed Land
(If the land be surveyed land, make the starting point a corner of a rectilinear subdivision of such survey.)

Sec 28 which is all NE 1/4 of Sec 28 T8N R2E

Notice Posted at C 1/4 corner Sec 28 + 28
at a (post, stone or other monument) where this notice is posted;
thence feet to a
....., thence feet to a
....., thence feet to a
....., thence feet to the place of beginning, containing acres, all in and being the cell of NE 1/4 + 28 T8N R2E
(Give legal subdivisions)
in the County of Maricopa, in the State of Arizona,

All done under the provisions of the Laws of the State of Arizona.

Dated and posted on the grounds this 2 day of April, 1955

- Frank Mellozzo
- Wanita Mellozzo
- Gloria Mellozzo
- Wayne Mellozzo
- Ray Ann Mellozzo
- Memo Mellozzo
- Glenna Mellozzo
- Doro Mellozzo

NOTE — If the location is upon surveyed lands, the claim must conform to such survey by rectilinear subdivisions.

RECEIVED
CLERK OF STATE OFFICE
2008 JAN 11 P 2:14
PHOENIX ARIZONA



25499

STATE OF ARIZONA

Notice of Mining Claim

Amended Notice
PLACER CLAIM

92412
10

Witness my hand and seal
the day and year aforesaid.
M. C. Kelly, Notary
County Recorder
in Docket
KIT 2751 PAGE 75
1959 FEB 11 9 39
I hereby certify that the within
instrument was filed and reported
at request of J. Mellergo
ATE OF ARIZONA
County of Maricopa } ss
INDEXED
PAGED

TO ALL WHOM IT MAY CONCERN:

This placer Mining Claim, the name of which is the White Shale # 2

Placer Mining Claim, situate on lands belonging to the State of Arizona, and being a form of valuable mineral deposit other than in veins or lodes of quartz or other rock in place, was entered upon and located for the purpose of exploration and lease by Frank - Wanita - Gloria

Wayne - Kay Ann - Geno - Glennia - Geno
Mellergo

all citizens

(Locator must insert either "a citizen of the United States" or "who has declared his intention to become a citizen of the United States".)

the undersigned, on the 2 day of April, 1955

We claim 1.60 acres thereof, and have marked the same on the ground as

follows: Beginning at all of SE 1/4 of Sec 28

T8N R2E

(If the land be surveyed land, make the starting point a corner of a rectilinear subdivision of such survey.)

~~From~~ Notice of C 1/4 Sec 28 T8N R2E

at a (post, stone or other monument) where this notice is posted;

thence feet to a

....., thence feet to a

....., thence feet to a

....., thence

feet to the place of beginning, containing 1.60 acres, all in and being the

all of SE 1/4 of Sec 28 T8N R2E
(Give legal subdivisions)

in the County of Maricopa, in the State of Arizona,

RECEIVED
STATE OFFICE
JAN 11 1955
10:21 AM
JOSEPH ARIZONA

All done under the provisions of the Laws of the State of Arizona.

Dated and posted on the grounds this 2 day of April, 1955

Frank Mellergo
Wanita Mellergo
Gloria Mellergo
Wayne Mellergo

NOTE — If the location is upon surveyed lands, the claim must conform to such survey by rectilinear subdivisions.

Glennia Mellergo
Kay Ann Mellergo
Geno Mellergo

DKT 2751 PAGE 75

25500

STATE OF ARIZONA

Notice of Mining Location

PLACER CLAIM

2/21/1916

Amended Mining

County Recorder

In Pocket 2751 PAGE 76
on page 2751 PAGE 76
Witness my hand and official seal
and year aforesaid

I hereby certify that the within instrument was filed and recorded at request of G. Mellizo
659 FEB 21 1916

STATE OF ARIZONA
County of Maricopa

INDEXED
PAGED

TO ALL WHOM IT MAY CONCERN:

This placer Mining Claim, the name of which is the W. L. E. State # 2

Placer Mining Claim, situate on lands belonging to the State of Arizona, and being a form of valuable mineral deposit other than in veins or lodes of quartz or other rock in place, was entered upon and located for the purpose of exploration and lease by Frank - Wanita - Gloria - Wayne - Ray Ann - Rena - Glenna - Rena

all Citizens

(Locator must insert either "a citizen of the United States" or "who has declared his intention to become a citizen of the United States".)

the undersigned, on the 2 day of April, 1955

We claim 1.60 acres thereof, and have marked the same on the ground as follows: Beginning at all Sev Sand.

(If the land be surveyed land, make the starting point a corner of a rectilinear subdivision of such survey.)

2
is all of NE 1/4 - ~~of Sec 33~~
of Sec 33 T8N R2E

Notice Posted at E 1/4 Corn of Sec 23
at a T8N R2E (post, stone or other monument) where this notice is posted;

thence feet to a
....., thence feet to a
....., thence feet to a
....., thence

feet to the place of beginning, containing 1.60 acres, all in and being the all of NE 1/4 ~~of Sec 33~~ of Sec 33 T8N R2E

(Give legal subdivisions)
in the County of Maricopa, in the State of Arizona,

All done under the provisions of the Laws of the State of Arizona.

Dated and posted on the grounds this 2 day of April, 1955

Frank Mellizo
Wanita Mellizo
Gloria Mellizo
Wayne Mellizo
Ray Ann Mellizo
Rena Mellizo
Glenna Mellizo
Rena Mellizo

NOTE — If the location is upon surveyed lands, the claim must conform to such survey by rectilinear subdivisions.

RECEIVED
BLANK STATE OFFICE
JAN 11 1955
PHOENIX, ARIZONA



25501

STATE OF ARIZONA

Notice of Mining Location

PLACER CLAIM

9241

100
N. E. Kelly - Moore
I hereby certify that the within instrument was filed and recorded
Request of
955 FEB 11 1955
in Docket
DKT 2751
Page 77
I have my hand and official seal
and year aforesaid.

DATE OF INSTRUMENT
INDEXED
FILED
COUNTY OF MARICOPA
STATE OF ARIZONA
MINE
9-2-85

TO ALL WHOM IT MAY CONCERN:

This placer Mining Claim, the name of which is the White Shale #4

Placer Mining Claim, situate on lands belonging to the State of Arizona, and being a form of valuable mineral deposit other than in veins or lodes of quartz or other rock in place, was entered upon and located for the purpose of exploration and lease by Frank - Wanita - Gloria - Wayne - Kay Ann - Gene - Glenn - Dew Mellizo

all Citizens
(Locator must insert either "a citizen of the United States" or "who has declared his intention to become a citizen of the United States".)

the undersigned, on the 2 day of April, 1955
we claim 160 acres thereof, and have marked the same on the ground as follows: Beginning at all of SE 1/4 of Sec 33 T8N R2E

(If the land be surveyed land, make the starting point a corner of a rectilinear subdivision of such survey.)

Notice Posted C 1/4 Sec 33 T8N R2E

at a (post, stone or other monument) where this notice is posted; thence feet to a thence feet to a thence feet to a feet to the place of beginning, containing 160 acres, all in and being the all of SE 1/4 of Sec 33 T8N R2E in the County of Maricopa, in the State of Arizona,

RECEIVED
STATE OFFICE
JAN 11 1955
PHOENIX, ARIZONA

All done under the provisions of the Laws of the State of Arizona.

Dated and posted on the grounds this 2 day of April, 1955

Frank Mellizo
Wanita Mellizo
Gloria Mellizo
Kay Ann Mellizo
Gene Mellizo
Glenn Mellizo
Dew Mellizo

NOTE — If the location is upon surveyed lands, the claim must conform to such survey by rectilinear subdivisions.

DKT 2751 PAGE 77

25502

STATE OF ARIZONA

Notice of Mining Location

Amended Copy
PLACER CLAIM

Indexed In MINE
Date of Instr. 1-2-1955
Other Index Cards Needed
Detail Department?
STATE OF ARIZONA
County of Maricopa } ss
I hereby certify that the within instrument was filed and recorded at request of G. M. Mellor on 1959 FEB 11 9 39
in Docket RT 2754 PAGE 78
on page 78
Witness my hand and official seal this 2nd day of April 1955
G. M. Mellor

TO ALL WHOM IT MAY CONCERN:

This placer Mining Claim, the name of which is the White Shale # 85

Placer Mining Claim, situate on lands belonging to the State of Arizona, and being a form of valuable mineral deposit other than in veins or lodes of quartz or other rock in place, was entered upon and located for the purpose of exploration and lease by Frank - Wanita - Gloria - Wayne - Kay Ann - Hero - Glenn - Dora Mellor

all citizens
(Locator must insert either "a citizen of the United States" or "who has declared his intention to become a citizen of the United States".)

the undersigned, on the 2 day of April, 1955

We claim 160 acres thereof, and have marked the same on the ground as follows: Beginning at all Sec Sand.

(If the land be surveyed land, make the starting point a corner of a rectilinear subdivision of such survey.)

160 acres all SW 1/4 of [redacted] Sec 33 T8 N R2 E

Monument posted at corner Sec 33 T8 N R2 E

at a (post, stone or other monument) where this notice is posted; thence feet to a , thence feet to a , thence feet to a , thence feet to the place of beginning, containing 160 acres, all in and being the all of SW 1/4 of [redacted] of Sec 33 T8 N R2 E

(Give legal subdivisions) in the County of Maricopa, in the State of Arizona,

All done under the provisions of the Laws of the State of Arizona. Dated and posted on the grounds this 2 day of April, 1955

Frank Mellor
Wanita Mellor
Gloria Mellor
Wayne Mellor
Kay Ann Mellor
Hero Mellor
Glenn Mellor
Dora Mellor

NOTE — If the location is upon surveyed lands, the claim must conform to such survey by rectilinear subdivisions.

RECEIVED
M. M. STATE OFFICE
JAN 11 P 2:14
PHOENIX, ARIZONA

5503

STATE OF ARIZONA

Notice of Mining Location

PLACER CLAIM

TO ALL WHOM IT MAY CONCERN:

This placer Mining Claim, the name of which is the White Shale

Placer Mining Claim, situate on lands belonging to the United States of America, and being a form of valuable mineral deposit other than in veins or lodes of quartz or other rock in place, was entered upon and located for the purpose of exploration and lease by Frank Dana - Warren - Gloria - Wayne - Kay Ann - Dana - Blenna - Dana

Dana

all Citizens

(Locator must insert either "a citizen of the United States" or "who has declared his intention to become a citizen of the United States".)

the undersigned, on the 2 day of April, 1955

We claim 1.60 acres thereof, and have marked the same on the ground as follows: Beginning at also of NW 1/4 of Sec 33

(If the land be surveyed land, make the starting point a corner of a rectilinear subdivision of such survey.)

notice posted at C 1/4 Sec 33 T8N R2E

at a (post, stone or other monument) where this notice is posted; thence..... feet to a

....., thence..... feet to a

....., thence..... feet to a

feet to the place of beginning, containing 1.60 acres, all in and being the also of NW 1/4 of Sec 33 T8N R2E

(Give legal subdivisions)

in the County of Maricopa, in the State of Arizona,

All done under provisions of Chapter 6 of Title XXXII of the revised statutes of the United States, and of an act of the General Assembly of Arizona, entitled "to revise and codify the laws of the Territory of Arizona" approved March 16, 1901.

Dated and posted on the grounds this 2 day of April, 1955

Frank M. Delluggo - Warren Melluggo
Gloria Melluggo - Wayne Melluggo
Kay Ann Melluggo - Dana Melluggo
Dana Melluggo

NOTE — If the location is upon surveyed lands, the claim must conform to such survey by rectilinear subdivisions.

STATE OF ARIZONA } ss.
County of.....

Witness my hand and official seal the day and year aforesaid.

I hereby certify that the within instrument was filed and recorded at request of.....

County Recorder.

By Deputy Recorder.

Book
In Docket.....
on page.....

DKT 2751 PAGE 79

25504 STATE OF ARIZONA
Notice of Mining Location
PLACER CLAIM

TO ALL WHOM IT MAY CONCERN:

This placer Mining Claim, the name of which is the White Bluffs

Placer Mining Claim, situate on lands belonging to the United States of America, and being a form of valuable mineral deposit other than in veins or lodes of quartz or other rock in place, was entered upon and located for the purpose of exploration and lease by

Joseph Wanita Thomas Wayne - Day Ann - Demo - Helena Demo Melluzzo

(Locator must insert either "a citizen of the United States" or "who has declared his intention to become a citizen of the United States".)

the undersigned, on the 2 day of April, 1955

we claim 160 acres thereof, and have marked the same on the ground as follows: Beginning at

all of the SW 1/4 of Sec 28 T8N R2E

(If the land be surveyed land, make the starting point a corner of a rectilinear subdivision of such survey.)

Notice at C 1/4 of Sec 28 T8N R2E

at a.....(post, stone or other monument) where this notice is posted; thence..... feet to a.....

....., thence..... feet to a....., thence..... feet to a....., thence.....

feet to the place of beginning, containing 160 acres, all in and being the

all of SW 1/4 of Sec 28 T8N R2E

in the County of Maricopa, in the State of Arizona,

All done under provisions of Chapter 6 of Title XXXII of the revised statutes of the United States, and of an act of the General Assembly of Arizona, entitled "to revise and Codify the laws of the Territory of Arizona" approved March 16, 1901.

Dated and posted on the grounds this 2 day of April, 1955

Joseph Wanita Thomas Melluzzo
Day Ann Melluzzo
Demo Melluzzo
Helena Demo Melluzzo

NOTE — If the location is upon surveyed lands, the claim must conform to such surveyed rectilinear subdivisions.

STATE OF ARIZONA } ss.
County of.....

Witness my hand and official seal the day and year aforesaid.

I hereby certify that the within instrument was filed and recorded at request of.....

County Recorder.

By Deputy Recorder.

Book
In Docket.....
on page.....

MINE INDEXED PAGED

RECEIVED
STATE OF ARIZONA
JAN 11 P 2

locke
page
2751
P
I hereby certify that the within instrument was filed and recorded in the office of the County Recorder, Maricopa County, Arizona, on the 27th day of February, 1955.
Melluzzo

706 E. Peoria Av
Phx., Ariz. 8502

25505

STATE OF ARIZONA

Notice of Mining Location

PLACER CLAIM

TO ALL WHOM IT MAY CONCERN:

This placer Mining Claim, the name of which is the White Star

Placer Mining Claim, situate on lands belonging to the United States of America, and being a form of valuable mineral deposit other than in veins or lodes of quartz or other rock in place, was entered upon and located for the purpose of exploration and lease by

Frank - Wanita -
Gloria - Wayne - Roy Ann - Sara - Glenna -
Dora Melillo

(Locator must insert either "a citizen of the United States" or "who has declared his intention to become a citizen of the United States".)

the undersigned, on the 2 day of April, 1955

We claim 1.20 acres thereof, and have marked the same on the ground as follows: Beginning at

all of S 1/2 of NW 1/4 of NW 1/4 of Sec 28 T8N R2E
(If the land be surveyed land, make the starting point a corner of a rectilinear subdivision of such survey.)

notice at C 1/4 Sec 28 T8N R2E

at a (post, stone or other monument) where this notice is posted; thence

feet to a thence feet to a thence feet to a

feet to the place of beginning, containing 1.20 acres, all in and being the

all of S 1/2 of NW 1/4 of NW 1/4 of Sec 28 T8N R2E in the County of Maricopa, in the State of Arizona,

All done under provisions of Chapter 6 of Title XXXII of the revised statutes of the United States, and of an act of the General Assembly of Arizona, entitled "to revise and Codify the laws of the Territory of Arizona" approved March 16, 1901.

Dated and posted on the grounds this 2 day of April, 1955

Frank Melillo - Sara Melillo
Wayne Melillo - Gloria Melillo
Roy Ann Melillo - Dora Melillo

NOTE - If the location is upon surveyed land, the claim shall be marked on the rectilinear subdivisions.

STATE OF ARIZONA }
County of _____ } ss.

Witness my hand and official seal the day and year aforesaid.

I hereby certify that the within instrument was filed and recorded at request of

County Recorder.

Book

Deputy Recorder.

In Docket

BOOK 1351 PAGE 461

on page

DKT 2751 PAGE 81

When recorded mail to:
CITY OF PHOENIX
Real Estate Division
824 W. Adams Street
Phoenix, Arizona 85008

For use by County Recorder

Attn: Gus Tomich

Exempt under A.R.S. 42-1614 A 3

MINING DEED

GIFT **Quit-Claim Deed** A.M.C 72229

purpose of making a gift,
For the consideration of ~~One Dollar~~, and other valuable considerations, I or we,
FRANK MELLUZZO and WANITA JEAN MELLUZZO, his wife,

hereby quit-claim to City of Phoenix, a municipal corporation organized and existing under and by virtue of the laws of the State of Arizona, all right, title, or interest in the following real property situated in Maricopa County, Arizona:

The following described mining claim: Deseret Placer Mining Claim Recorded in Docket 1689, Page 296, records of Maricopa County; Arizona; the surface boundaries of the claim are marked upon the ground as follows:

BEGINNING at a post on the Northeast corner of the Northwest quarter of the Northeast quarter of Section 21, Township 4 North, Range 3 East at a post, thence South 660 feet to a post thence West 1320 feet to post thence North 660 feet to post thence East 1320 feet containing 20 acres, together with the dips, spurs, and angles and also all the metals, ores, gold and silver bearing quartz, rock and earth therein; and all the rights, privileges and franchises thereto incident, appendant and appurtenant or therewith usually had an enjoyed; and also, all and singular the tenements, hereditaments and appurtenances thereto belonging, or otherwise appertaining, and the rest, issues and profits thereof, and also all the estate, right, title, interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said parties. The Grantor covenants that he will execute and deliver such other or additional mining deeds as may be required to confirm the conveyances hereby made of interest in said mining claim.

1-20-87 CD

ENTERED IN COMPUTER

RECEIVED
B.L.M. AZ STATE OFFICE
DEC 20 1986

RECEIVED
B.L.M. AZ STATE OFFICE
DEC 20 1986

7:45 A.M.
PHOENIX, ARIZONA

7:45 A.M.
PHOENIX, ARIZONA

Dated this 26 day of Dec, 1986.

By: Frank Melluzzo
FRANK MELLUZZO

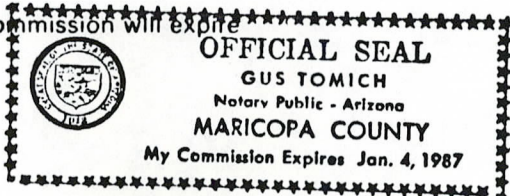
By: Wanita Jean Melluzzo
WANITA JEAN MELLUZZO

STATE ARIZONA
County of MARICOPA } ss.

This instrument was acknowledged before me this 26th day of DECEMBER, 1986, by _____

FRANK MELLUZZO and by WANITA JEAN MELLUZZO

My commission will expire



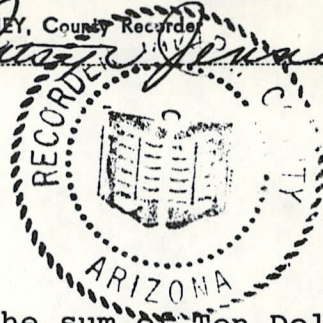
Gus Tomich
Notary Public

PATSY C. JENNEY, County Recorder
By Patsy C. Jenney Deputy

INDEXED MICROFILMED

White Shale
8 A.M.C 72237

MINING DEED



updated
56

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00), and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, ARIZONA MINING ASSOCIATES, an Arizona limited partnership, by Billy R. Willis, Sr., General Partner, Grantor, hereby quit-claims to FRANK MELLUZZO, GLORIA MELLUZZO, WAYNE MELLUZZO, KAY ANNE MELLUZZO, WANITA MELLUZZO, and DEAN S. SPATES (also known as DEAN S. MELLUZZO), Grantees, all its right, title and interest in and to the following described unpatented placer mining claims located in Yavapai and Maricopa Counties, Arizona:

HAWK #1, as described in the Notice of Mining Claim Location dated June 3, 1980, and recorded on the same date in Docket 14456, Pages 1049-1050, official records Maricopa County, Arizona, a copy of which Notice is attached hereto as Exhibit A and incorporated herein by reference; and as described in the Notice of Mining Claim Location dated June 3, 1980, and recorded on June 11, 1980 in Book 1303, Pages 942-943, official records of Yavapai County, Arizona, a copy of which Notice is attached hereto as Exhibit B and incorporated herein by reference.

RECEIVED
G.L.M. AZ STATE OFFICE
MAR 9 9 23 AM '81
PHOENIX, ARIZONA

CACTUS, as described in the Notice of Mining Location, dated April 14, 1980, and recorded on the same date in Docket 14351, Pages 942-943, official records of Maricopa County, Arizona, copy of which Notice is attached hereto as Exhibit C and incorporated herein by reference.

Together with all the veins, dips, spurs and angles and also the minerals, metals, ores, rock and earth therein, and all the rights, privileges and franchises thereto incident, appurtenant and appendant, or therewith usually had and enjoyed; and also the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining, and the rents, issues and profits thereof.

BOOK 1359 PAGE 971

Melluzzo
706 E. PEORIA AVE
PHX 85020

IN WITNESS WHEREOF, this Deed was executed on the
6th day of February, 1981, by ARIZONA MINING
ASSOCIATES, an Arizona limited partnership, by Billy R. Willis,
Sr., General Partner.

Billy R. Willis Sr.
Billy R. Willis, Sr.
General Partner of
ARIZONA MINING ASSOCIATES
An Arizona limited partnership

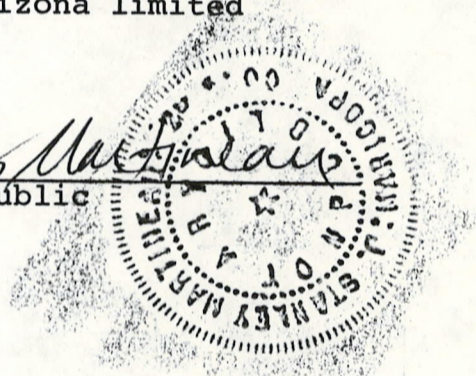
STATE OF ARIZONA)
 : ss.
County of Maricopa)

This instrument was acknowledged before me this 6th
day of February, 1981, by Billy R. Willis, Sr., General
Partner of Arizona Mining Associates, an Arizona limited
partnership.

My Commission Expires:

March 19, 1982

Stanley Martine
Notary Public



RECEIVED
S.L.M. AZ STATE OFFICE
MAR 9 9 23 AM '81
PHOENIX, ARIZONA

STATE OF ARIZONA, } ss. I hereby certify that the within instrument was filed and recorded
County of MARICOPA } JUN 3 - 1980 - 1 15, 19 , at M.
In Docket No. 14456, Page 1049-1050, at the request of

Fee No.:

178747

MIN CLAIM (MC)

Fee: \$

300

When recorded mail to:

X C. Haase

Box 583

Black Canyon City Az 85324

Witness my hand and official seal.

BILL HENRY

County Recorder

By Larry King

Deputy Recorder

NOTICE OF MINING CLAIM LOCATION

RECEIVED OFFICE
STATE OF ARIZONA
PHOENIX, ARIZONA
MAR 9 9 23 AM '81

- 1. Location Amendment Relocation
- 2. Placer Lode Millsite Tunnelsite
- 3. The name and address of the Locator is

JOE FRIESE & CHUCK HAASE

Name

Box 583 BLACK CANYON CITY

Address

ARIZONA

85324

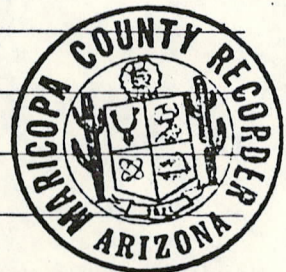
City

State

Zip

- 4. The name of the claim is HAWK #1
- 5. The date of the location is JUNE 3, 1980
- 6. The claim is 1320 feet long and 660 feet wide. The distance from the Location monument to each end of the claim is 300 feet in a S direction and 1020 feet in a N direction.
- 7. The general course of the claim is from the N to the S.
- 8. The location of the claim is in Section 28, Township 8N, Range 2E G&SRB&M, BLACK CANYON Mining District, YAVAPAI/MARICOPA County, Arizona.
- 9. If amending or relocating, the previous claim name was _____ recorded in Docket _____, Book _____ Mining District, _____ County, Arizona.
- 10. The location of the claim with reference to a natural object or permanent monument is _____

LEGAL E2, NW, NW, SEC 28 T8N. R7E.



Date

June 3 1980

BOOK 1359 PAGE 973

Paul D. Haase

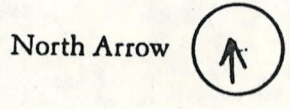
Signature

MAP OF MINING CLAIM LOCATION

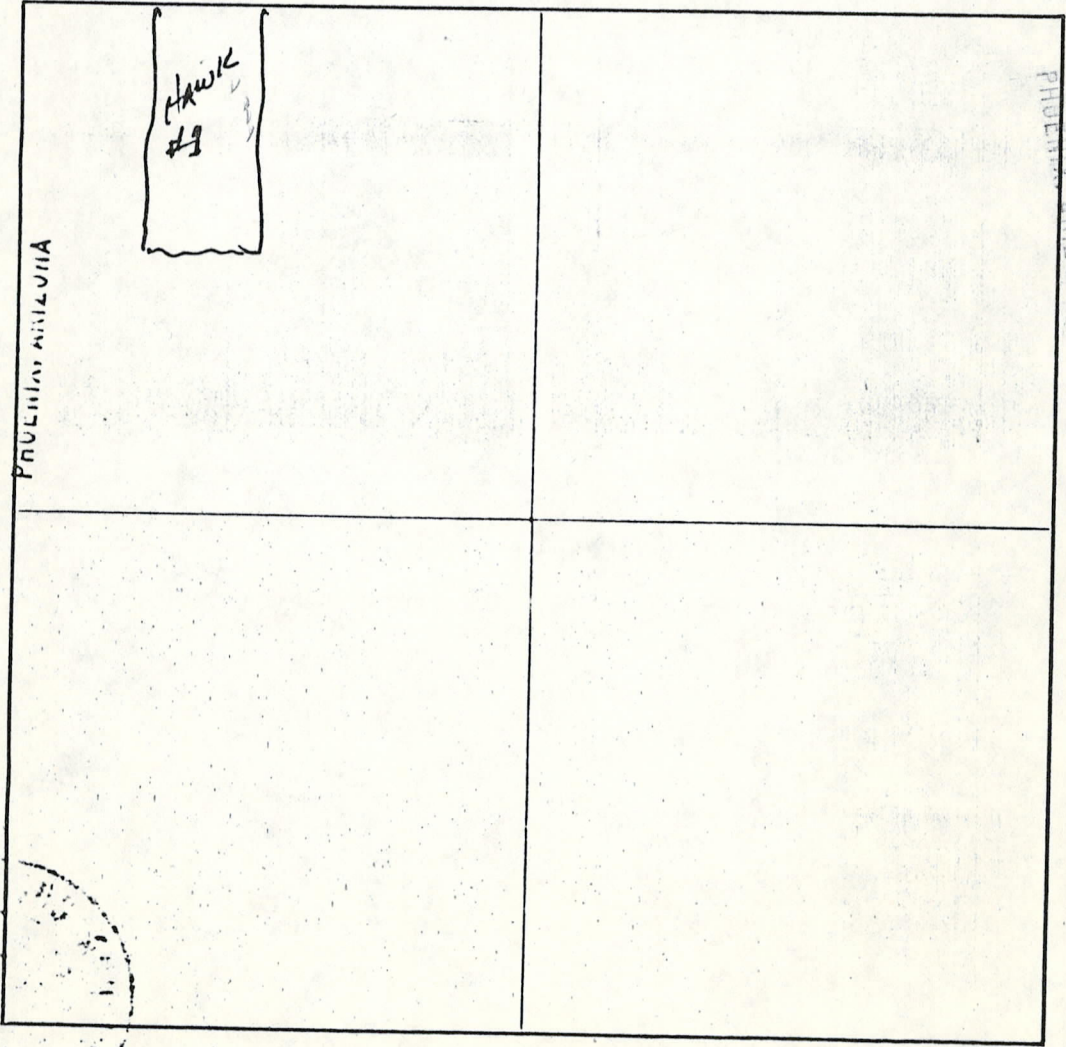
1. The name of the claim is HAWK #1
2. The NW corner of the claim is 660 feet in a EAST direction
 FROM 20 | 21
 to a survey monument or permanent natural object described as 29 | 28
3. The type of location monument is WOOD & STONES
 The type of corner and end monuments are WOOD & STONES
4. The bearing and distance between the corners of the claim are beginning at the N.W. corner of the claim, 660' feet in a EAST direction to the N.E. corner, then 1370 feet in a SOUTH direction to the S.E. corner, then 660 feet in a WEST direction to the SW corner, then 1370 feet in a NORTH direction to the point of beginning.

MAP

One inch = One thousand feet



ONE MILE



RECEIVED
 BUREAU OF LANDS OFFICE
 ONE MILE 10 44 AM '81

RECEIVED
 B.L.M. AZ STATE OFFICE
 MAR 9 9 23 AM '81
 PHOENIX ARIZONA

Section 28 Range 2 E. Township 8 N. G&SRB&M

Date Jan 3, 1980

BOOK **1359** PAGE **974**

Charles D. House
Signature

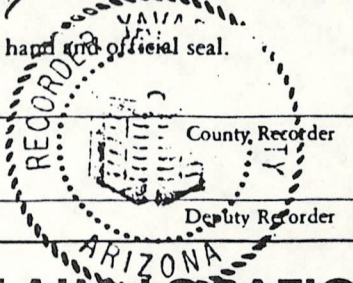
I do hereby certify that the instrument was filed and recorded at the request of Charles Haase
on JUN 1 1980 10 50 AM o'clock Book 1303 Official Records Page 942-943
Records of Yavapai County, Arizona. WITNESS my hand and official seal the day and year first above written.

PATSY C. JOHNEY, County Recorder
By [Signature] Deputy

When recorded mail to:

See below

Witness my hand and official seal.



Fee: \$

30

NOTICE OF MINING CLAIM LOCATION

- 1. Location Amendment Relocation
- 2. Placer Lode Millsite Tunnelsite
- 3. The name and address of the Locator is

CHARLES D HAASE

Name

Box 583

Address

BLACK CANYON CITY ARIZONA 85324

City

State

Zip

- 4. The name of the claim is HAWK #1
- 5. The date of the location is JUNE 3, 1980
- 6. The claim is 1320 feet long and 660 feet wide. The distance from the Location monument to each end of the claim is 300 feet in a SOUTH direction and 1020 feet in a NORTH direction.
- 7. The general course of the claim is from the NORTH to the SOUTH.
- 8. The location of the claim is in Section 28, Township 8 N., Range 2 E.
G&SRB&M, BLACK CANYON Mining District, YAVAPAI/MARICOPA County, Arizona.
- 9. If amending or relocating, the previous claim name was _____

_____ recorded in Docket _____, Book _____,
_____ Mining District, _____ County, Arizona.

- 10. The location of the claim with reference to a natural object or permanent monument is LEGAL E2, NW, NW, SEC 28 T8N R2E

Date June 3, 1980
BOOK 1303 PAGE 942

[Signature]
Signature
BOOK 1359 PAGE 975

RECEIVED
STATE OFFICE
MAR 9 9 23 AM '81
PHOENIX, ARIZONA

MAP OF MINING CLAIM LOCATION

- The name of the claim is Hawk #1
- The NW corner of the claim is 660 feet in a EAST direction
 FROM a survey monument or permanent natural object described as 20 | 21
 29 | 28
- The type of location monument is WOOD & STONE
 The type of corner and end monuments are WOOD & STONE
- The bearing and distance between the corners of the claim are beginning at the N.W. corner of the claim, 660 feet in a EAST direction to the NE corner, then 1370 feet in a SOUTH direction to the SE corner, then 660 feet in a WEST direction to the SW corner, then 1370 feet in a NORTH direction to the point of beginning.

RECEIVED OFFICE
 MAR 9 9 23 AM '81
 P.L. 11
 ARIZONA

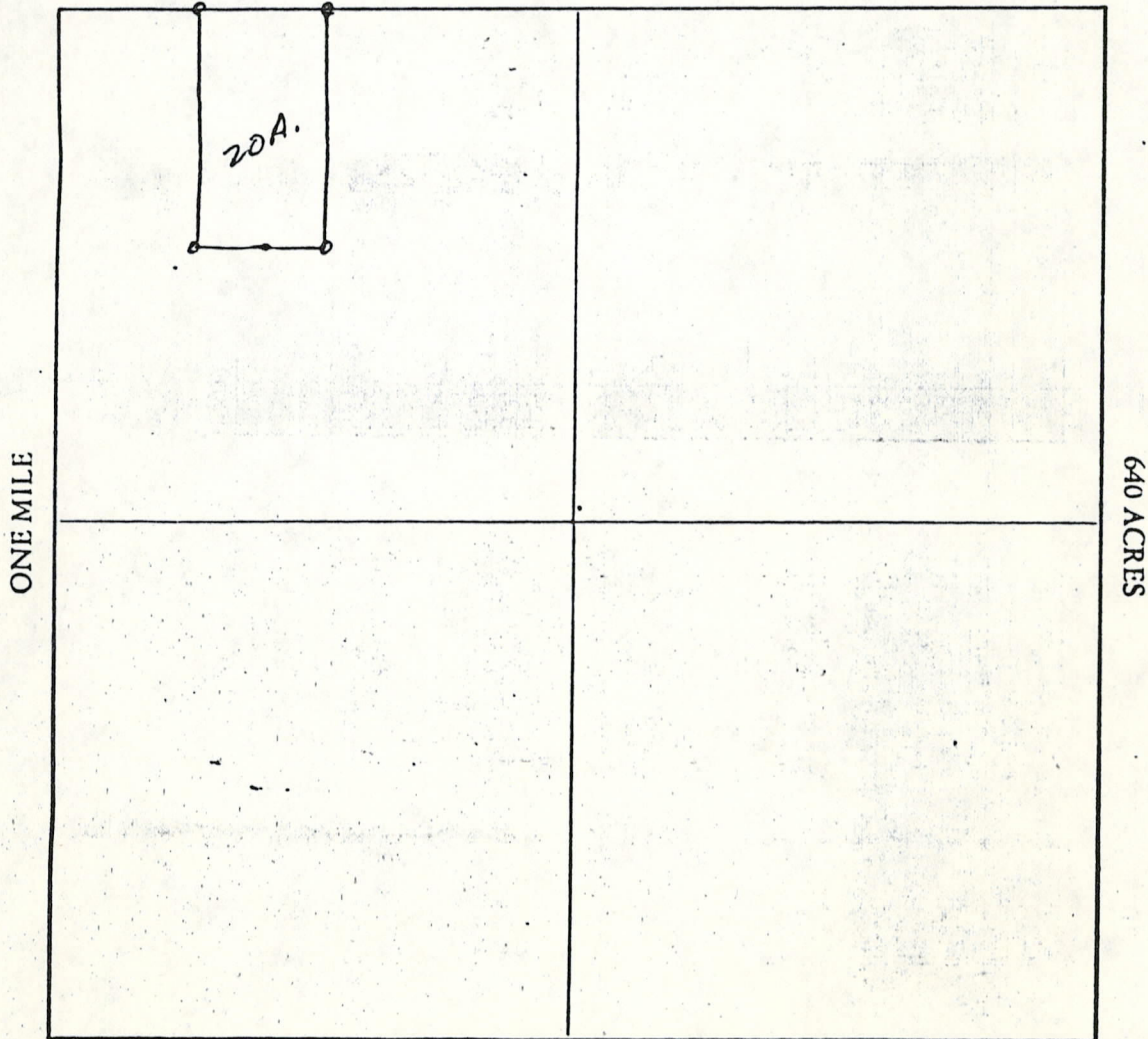
MAP

One inch = One thousand feet

North Arrow



ONE MILE



Section 28 Range 2E Township 8N G&SRB&M

Date June 3, 1980

Robert D. Shaw

In Docket No. 10455, Book 1359, Page 977, in the request of Joseph Friese

10455

When recorded mail to:

Joseph Friese
Box 183
Black Canyon City, AZ 85324

Witness my hand and official seal.

BILL HENRY

MIN CLAIM (MCE)

County Recorder

Fee: \$ 3.00

By

R. B. Miller

Deputy Recorder

NOTICE OF MINING CLAIM LOCATION

- 1. Location Amendment Relocation
- 2. Placer Lode Millsite Tunnelsite
- 3. The name and address of the Locator is

JOSEPH FRIESE

Name

Box 183

Address

BLACK CANYON CITY

City

ARIZONA

State

85324

Zip

4. The name of the claim is CACTUS

5. The date of the location is 4, 12, 80

6. The claim is 1370 feet long and 660 feet wide. The distance from the Location monument to each end of the claim is _____ feet in a _____ direction and _____ feet in a _____ direction.

7. The general course of the claim is from the NORTH to the SOUTH

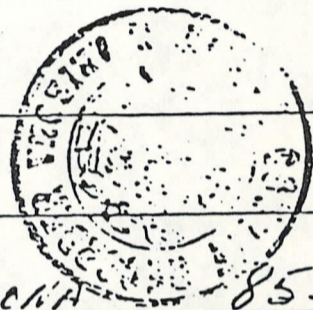
8. The location of the claim is in Section 28, Township 8N, Range 2E G&SRB&M, ? Mining District, MARICOPA County, Arizona.

9. If amending or relocating, the previous claim name was CACTUS recorded in Docket 10455, Book 645, ? Mining District, MARICOPA County, Arizona.

10. The location of the claim with reference to a natural object or permanent monument is _____

SURVEY MARKER WHICH IS THE NW CORNER
AND HENCE 660' EAST TO THE NE CORNER
HENCE 1370' SOUTH TO THE SE CORNER,
HENCE 660' WEST TO THE SW CORNER
HENCE 1370' NORTH TO THE PLACE OF THE
BEGINNING

RECEIVED
9 9 22 AM '80
PHOENIX ARIZONA



MAP OF MINING CLAIM LOCATION

1. The name of the claim is CACTUS
2. The NW corner of the claim is set in a direction to a survey monument or permanent natural object described as _____
3. The type of location monument is Post
The type of corner and end monuments are WOOD & STONE
4. The bearing and distance between the corners of the claim are beginning at the NW corner of the claim, 660 feet in a EAST direction to the NE corner, then 1320 feet in a SOUTH direction to the SE corner, then 660 feet in a WEST direction to the SW corner, then 1320 feet in a NORTH direction to the point of beginning.

RECEIVED
 G. M. AZ STATE OFFICE
 PHOENIX, ARIZONA
 MAR 9 9 23 AM '80

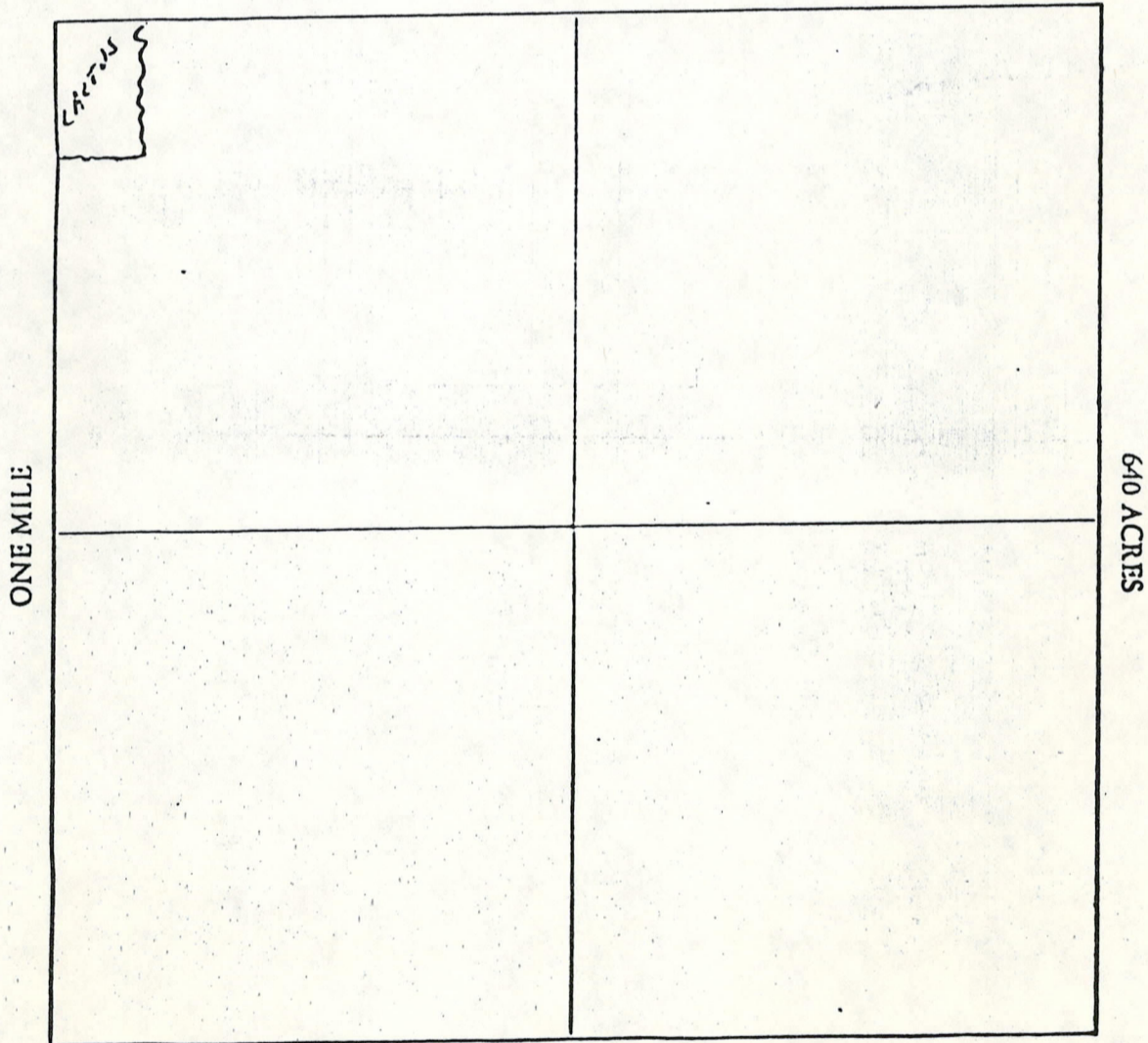
MAP

One inch = One thousand feet

North Arrow



ONE MILE



Section 28 Range 8N Township 2E G&SR&M

Date 1-14-80

17

NOTICE!!

These documents have been scanned!

Do not place un-scanned documents beneath this notice!

Do not remove this notice from this file!

GPO Jacket No. 560-102
Print Order 61549
Rise Business Services, LLC
Job=AZ15 9/12/2019



Box Number= AZ15245



Claim Begin-End: AMC072229-AMC072253

4 Annual Filings



AZ15245-8

AMC069887-AMC072229

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MINING CLAIMS

Run Date/Time: 9/5/2019

MC Maintenance Fees Paid Through the BLM Pay Portal
(by Date Paid)

Page 181 Of 521

CBS Receipt: 4546508

Printed For Lead File # AMC72229

Agency Tracking ID: 1567010333

Assessment Year: 2020

Paid On: 8/28/2019

Number of BLM Serial Nr: 7

Total Amount Paid: \$1,155.00

Claim Name	BLM Serial No	Lead File No	Amount Paid
BOOM CLAIM	AMC72249	AMC72229	\$165.00
DUPLEX CLAIM	AMC72250	AMC72229	\$165.00
GOLD SHAD CLAIM	AMC72251	AMC72229	\$165.00
ALICE CLAIM	AMC72253	AMC72229	\$165.00
SUNNY BROOK	AMC341087	AMC341087	\$165.00
CLINKER	AMC341088	AMC341087	\$165.00
EL TORO	AMC341089	AMC341087	\$165.00

United States Department of the Interior
Bureau of Land Management
 BUSINESS & SUPPORT SVCS DIV
 ONE N CENTRAL AVE SUITE 800
 PHOENIX, AZ 85004 -4427
 Phone: 602-417-9200

Receipt	
No:	4546508

Transaction #: 4667510	
Date of Transaction: 08/28/2019	
CUSTOMER:	
WAYNE MELLUZZO 15861 N 11TH AVE PHOENIX, AZ 85023 US	

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS- NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED CASES: AMC341087/\$1155.00		- n/a -	1155.00
TOTAL:					\$1,155.00

PAYMENT INFORMATION			
NOTE: Items will appear on credit card statement as "BLM O Mining Claim".			
1	AMOUNT:	1155.00	POSTMARKED: N/A
	TYPE:	CREDIT CARD	RECEIVED: 08/28/2019
	NAME:	WAYNE MELLUZZO 15861 N 11TH AVE PHOENIX AZ 85023 US	
	CARD NO:	XXXXXXXXXXXX8534	AUTH CODE: 091935
	NAME ON CARD:	WAYNE MELLUZZO	
	SIGNATURE:	INTERNET	

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

**DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MINING CLAIMS**

Run Date/Time: 9/11/2018

**MC Maintenance Fees Paid Through the BLM Pay Portal
(by Date Paid)**

Page 94 Of 723

CBS Receipt: 4242185

Printed For Lead File # **AMC72229**

Agency Tracking ID: 1534967602

Assessment Year: 2019

Number of BLM Serial Nr: 12

Paid On: 8/22/2018

Total Amount Paid: \$2,170.00

Claim Name	BLM Serial No	Lead File No	Amount Paid
BOOM CLAIM	AMC72249	AMC72229	\$155.00
DUPLEX CLAIM	AMC72250	AMC72229	\$155.00
GOLD SHAD CLAIM	AMC72251	AMC72229	\$155.00
ALICE CLAIM	AMC72253	AMC72229	\$155.00
JUNIPER	AMC72731	AMC72700	\$155.00
GOLD HOLE	AMC72756	AMC72700	\$155.00
SUNNY BROOK	AMC341087	AMC341087	\$155.00
CLINKER	AMC341088	AMC341087	\$155.00
EL TORO	AMC341089	AMC341087	\$155.00
SUNBURST #7	AMC367879	AMC367879	\$310.00
LION	AMC370620	AMC370620	\$155.00
LION CUB 1&2	AMC371732	AMC371732	\$310.00

United States Department of the Interior

Bureau of Land Management

BUSINESS & SUPPORT SVCS DIV

ONE N CENTRAL AVE SUITE 800

PHOENIX, AZ 85004 -4427

Phone: 602-417-9200

Receipt

No:

4242185

Transaction #: 4357615	
Date of Transaction: 08/22/2018	
CUSTOMER:	
WGK PROPERTIES, LLC 1600 N. CHERRY HILLS LN. DEWEY, AZ 86327 US	

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS- NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED CASES: AMC341087/\$2170.00		- n/a -	2170.00
TOTAL:					\$2,170.00

PAYMENT INFORMATION				
NOTE: Items will appear on credit card statement as "BLM O Mining Claim".				
1	AMOUNT:	2170.00	POSTMARKED:	N/A
	TYPE:	CREDIT CARD	RECEIVED:	08/22/2018
	NAME:	WGK PROPERTIES, LLC 1600 N. CHERRY HILLS LN. DEWEY AZ 86327 US		
	CARD NO:	XXXXXXXXXXXX8534	AUTH CODE:	059967
	NAME ON CARD:	WGK PROPERTIES, LLC		
	SIGNATURE:			

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
**MAINTENANCE FEE PAYMENT FORM
FOR PLACER MINING CLAIMS**

341087
72229
370620

Remitter Name: Frank Melluzzo
Mailing Address: 1600 N. Cherry Hills Ln
City, State, Zip: Dewey, AZ 86327

72700
367879
371732

Check here if this is a change of address.

*ALREADY
CHANGED
IN
CR2008 RANA*

FOR COUNTY RECORDER'S USE

No. of claims 10
Total due BLM \$ 1550.00

- The maintenance fee may be paid by cash, check, money order, Bureau of Land Management (BLM) Declining Deposit Account, or credit card (VISA, American Express, Discover, or MasterCard). Payments must be remitted to the BLM State Office where your claim or site is recorded and received on or before September 1. If the payment is mailed, the envelope must be postmarked by a bona fide delivery service on or before September 1 and received at the proper BLM State Office within 15 calendar days after the due date. Payments may also be made by telephone using a credit card. A complete listing of BLM State Offices with their addresses and phone numbers can be found at <http://www.blm.gov>.
- The maintenance fee for the following claim(s) applies to the assessment year 2017

CLAIM NAME	BLM SERIAL NO.	ACRES IN CLAIM	PAYMENT DUE TO THE BLM (See Instructions on Page 2)
SUNNY brook	341087	20	
Clinker	341088	20	
EL TORO	341089	20	
BOOM	72249	20	
DUPLEX	72250	20	
Gold Shad	72251	20	
Alice	72253	20	
LION	370620	20	
JUNIPER	72731	20	
Gold Hole	72756	20	

RECEIVED
STATE OFFICE
2011 AUG 30 A 10:31
PHOENIX, ARIZONA

Use a separate sheet for additional claim names, serial numbers, and claimant names and addresses.

(Continued on page 2)

3965683

ENTERED
AUG 31 2017
BY: RAN

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
**MAINTENANCE FEE PAYMENT FORM
FOR PLACER MINING CLAIMS**

Remitter Name: FRANK Melluzzo
 Mailing Address: 1600 N. Cherry Hills Ln
 City, State, Zip: Dewey, AZ 86327

Check here if this is a change of address.

FOR COUNTY RECORDER'S USE

No. of claims 4
 Total due BLM \$ 620

- The maintenance fee may be paid by cash, check, money order, Bureau of Land Management (BLM) Declining Deposit Account, or credit card (VISA, American Express, Discover, or MasterCard). Payments must be remitted to the BLM State Office where your claim or site is recorded and received on or before September 1. If the payment is mailed, the envelope must be postmarked by a bona fide delivery service on or before September 1 and received at the proper BLM State Office within 15 calendar days after the due date. Payments may also be made by telephone using a credit card. A complete listing of BLM State Offices with their addresses and phone numbers can be found at <http://www.blm.gov>.
- The maintenance fee for the following claim(s) applies to the assessment year 2017.

CLAIM NAME	BLM SERIAL NO.	ACRES IN CLAIM	PAYMENT DUE TO THE BLM (See Instructions on Page 2)
SUNBURST 7	367879	40	
LION CUB 1 & 2	371732	40	

RECEIVED
 BLM STATE OFFICE
 2017 AUG 30 A 10:31
 PHOENIX, ARIZONA

Use a separate sheet for additional claim names, serial numbers, and claimant names and addresses.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
**MAINTENANCE FEE PAYMENT FORM FOR
LODE CLAIMS, MILL SITES, AND TUNNEL SITES**

Remitter Name: Frank Melluzzo
 Mailing Address: 16000 N. Cherry Hills Ln
 City, State, Zip: Dewey AZ 86327

Check here if this is a change of address.

FOR COUNTY RECORDER'S USE

No. of claims/sites 4
 x \$155 per claim/site
 Total due BLM \$⁰ 620

- The maintenance fee may be paid by cash, check, money order, Bureau of Land Management (BLM) Declining Deposit Account, or credit card (VISA, American Express, Discover, or MasterCard). Payments must be remitted to the BLM State Office where your claim or site is recorded and received on or before September 1. If the payment is mailed, the envelope must be postmarked by a bona fide delivery service on or before September 1 and received at the proper BLM State Office within 15 calendar days after the due date. Payments may also be made by telephone using a credit card. A complete listing of BLM State Offices with their addresses and phone numbers can be found at <http://www.blm.gov>.
- The maintenance fee for the following claim(s)/site(s) applies to the assessment year 2017.

CLAIM/SITE NAME	BLM SERIAL NO.
<u>GLORYANNA #1</u>	<u>72700</u>
<u>GLORYANNA #3</u>	<u>72702</u>
<u>LA DONA #4</u>	<u>72708</u>
<u>SUZANNE #1</u>	<u>72709</u>

RECEIVED
 BLM STATE OFFICE
 2017 AUG 30 A 10:31
 PHOENIX, ARIZONA

Use a separate sheet for additional claim/site names, serial numbers, and claimant names and addresses.

United States Department of the Interior
Bureau of Land Management
 DIV OF LANDS, MINRLS & ENERGY
 ONE N CENTRAL AVE
 PHOENIX, AZ 85004 -4427
 Phone: 602-417-9200

Receipt

No: 3965683

Transaction #: 4075564	
Date of Transaction: 08/30/2017	
CUSTOMER:	
FRANK MELLUZZO 1600 N CHERRY HILLS LN DEWEY, AZ 86327-7438 US	

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS- NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED CASES: AMC341087/\$2790.00	MAINT 2018/18	- n/a -	2790.00
TOTAL:					\$2,790.00

PAYMENT INFORMATION			
NOTE: Items will appear on credit card statement as "Bureau of Land Mgmt CO".			
1	AMOUNT:	2790.00	POSTMARKED: N/A
	TYPE:	CREDIT CARD	RECEIVED: 08/30/2017
	NAME:	MELLUZZO, FRANK 1600 N CHERRY HILLS LN DEWEY AZ 86327-7438 US	
	CARD NO:	XXXXXXXXXXXX8534	AUTH CODE: 095242
	NAME ON CARD:	FRANK MELLUZZO	
	EXPIRES:	05/2021	
	SIGNATURE:		

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

*Pravin
8/7/2017
A. J. M...
8/8/17
4 8/9/17*

In Reply Refer To:
3800 (9200) PB

August 9, 2017

AMC72229	AMC341087	AMC370620
AMC72700	AMC367879	AMC371732



CERTIFIED MAIL – RETURN RECEIPT REQUESTED No. 7009 1410 0001 7124 1707

NOTICE

WAYNE F MELLUZZO
1600 N CHERRY HILLS LN
DEWEY, AZ 86327-7438

:
:
:
:

This Decision Affects Those Claims
Shown in the Block Below.

AMC72249 BOOM CLAIM; AMC72250 DUPLEX CLAIM; AMC72251 GOLD SHAD CLAIM; AMC72253 ALICE CLAIM; AMC72700 GLORY ANA #1; AMC72702 GLORY ANA #3; AMC72708 LA DORA #4; AMC72709 SUZANE #1; AMC72723 GOLD BULLION MIL SIT; AMC72724 GOLD BULLION MIL SIT; AMC72731 JUNIPER; AMC72751 FOWLER'S WATERGATE; AMC72756 GOLD HOLE; AMC341087 SUNNY BROOK; AMC341088 CLINKER; AMC341089 EL TORO; AMC367879 SUNBURST #7; AMC370620 LION; AMC371732 LION CUB 1&2;
--

Transfers Not Processed

Two conveyance documents to transfer ownership of the nineteen mining claims listed above was received by the Bureau of Land Management (BLM) Arizona State Office on July 27, 2017, receipt #3908433. The transfers of ownership cannot be processed for the following reasons:

The quit claim deeds (QCD's) cannot be processed as filed. In the case of the death of a mining claim owner, in order to transfer ownership, the following documents are required: 1) copy of the death certificate; 2) proof that whomever signs the QCD has authority to sign on behalf of the deceased claimant (this can be a copy of the will or a document from probate court declaring the executor of the will or personal representative of the deceased); 3) a QCD signed by the authorized executor or personal representative and under the signature it should be noted in what capacity the person is signing (i.e., executor, personal representative, etc.); 4) Processing fee of \$10 per claim, per grantee; and 5) the address of each grantee. Since the claims are listed under Frank Melluzzo and were not part of the trust, the trust documents are not acceptable.

*30th day from 8/15/17
is 9-14-17*

Of the twelve claims that you wish to transfer to WGK Properties, LLC, Frank Melluzzo alone owns AMC72700, AMC72702, AMC72708 and AMC72709. Frank and one additional person own AMC72731, AMC367879, AMC370620 and AMC371732. Frank and two additional people own AMC72724. Frank and three additional people own AMC72723, AMC72751, and AMC72756.

Of the seven claims you wish to transfer to The Melluzzo Family Trust, Frank and one additional person own AMC72249. Frank and what appears to be a Company own AMC341087 through AMC341089. Frank and two additional people own AMC72250, AMC72251 and AMC72253.

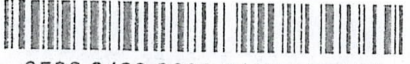

If appropriate, please submit a corrected conveyance document, required documents, or additional fees, within 30 days of your receipt of this notice. If the required information is not received within the 30-day timeframe, no further action will be taken, and the BLM will retain the non-refundable processing fees submitted.

If additional information is required, please contact Pauline Brown at 602-417-9360. Please include your AMC serial number(s) on all correspondence.

/s/ Lucas Lucero


Lucas Lucero
Deputy State Director
Lands, Minerals and Energy Division

AZ9200:PBROWN:x9360:pb:MELLUZZO 'QCD'8/7/2017:CF

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>C. Date of Delivery</p>
<p>1. Article Addressed to:</p> <p>WAYNE F MELLUZZO 1600 N CHERRY HILLS LN DEWEY, AZ 86327-7438 AMC72229;72700;341087; 367879;370620;371732;</p>  <p>9590 9402 2003 6123 5665 83</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>  <p>3. Service Type</p> <ul style="list-style-type: none"> <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input checked="" type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery
<p>2. Article Number (Transfer from service label)</p> <p>7009 1410 0001 7124 1707</p>	

PS Form 3811, July 2015 PSN 7530-02-000-9053 DD 9-14-17 Domestic Return Receipt

USPS TRACKING #



9590 9402 2003 6123 5665 83



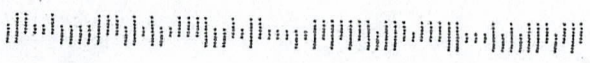
First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

**United States
Postal Service**

Sender: Please print your name, address, and ZIP+4® in this box®

UNITED STATES
DEPARTMENT OF THE INTERIOR
Bureau of Land Management
Arizona State Office
One N. Central Avenue, Suite 800
Phoenix, AZ 85004-4427

RECEIVED
2017 AUG 17
PHOENIX, AR



COPY



United States Department of the Interior



BUREAU OF LAND MANAGEMENT

Arizona State Office

One North Central Avenue, Suite 800

Phoenix, Arizona 85004-4427

www.blm.gov/az/

In Reply Refer To:
3800 (9200) PB

August 9, 2017

AMC72229	AMC341087	AMC370620
AMC72700	AMC367879	AMC371732

CERTIFIED MAIL – RETURN RECEIPT REQUESTED No. 7009 1410 0001 7124 1707

NOTICE

WAYNE F MELLUZZO : This Decision Affects Those Claims
 1600 N CHERRY HILLS LN : Shown in the Block Below.
 DEWEY, AZ 86327-7438 :

AMC72249 BOOM CLAIM; AMC72250 DUPLEX CLAIM; AMC72251 GOLD SHAD CLAIM;
 AMC72253 ALICE CLAIM; AMC72700 GLORY ANA #1; AMC72702 GLORY ANA #3;
 AMC72708 LA DORA #4; AMC72709 SUZANE #1; AMC72723 GOLD BULLION MIL SIT;
 AMC72724 GOLD BULLION MIL SIT; AMC72731 JUNIPER; AMC72751 FOWLER'S WATERGATE;
 AMC72756 GOLD HOLE; AMC341087 SUNNY BROOK; AMC341088 CLINKER; AMC341089 EL TORO;
 AMC367879 SUNBURST #7; AMC370620 LION; AMC371732 LION CUB 1&2;

Transfers Not Processed

Two conveyance documents to transfer ownership of the nineteen mining claims listed above was received by the Bureau of Land Management (BLM) Arizona State Office on July 27, 2017, receipt #3908433. The transfers of ownership cannot be processed for the following reasons:

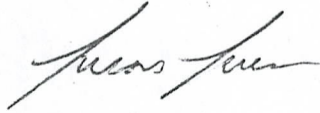
The quit claim deeds (QCD's) cannot be processed as filed. In the case of the death of a mining claim owner, in order to transfer ownership, the following documents are required: 1) copy of the death certificate; 2) proof that whomever signs the QCD has authority to sign on behalf of the deceased claimant (this can be a copy of the will or a document from probate court declaring the executor of the will or personal representative of the deceased); 3) a QCD signed by the authorized executor or personal representative and under the signature it should be noted in what capacity the person is signing (i.e., executor, personal representative, etc.); 4) Processing fee of \$10 per claim, per grantee; and 5) the address of each grantee. Since the claims are listed under Frank Melluzzo and were not part of the trust, the trust documents are not acceptable.

Of the twelve claims that you wish to transfer to WGK Properties, LLC, Frank Melluzzo alone owns AMC72700, AMC72702, AMC72708 and AMC72709. Frank and one additional person own AMC72731, AMC367879, AMC370620 and AMC371732. Frank and two additional people own AMC72724. Frank and three additional people own AMC72723, AMC72751, and AMC72756.

Of the seven claims you wish to transfer to The Melluzzo Family Trust, Frank and one additional person own AMC72249. Frank and what appears to be a Company own AMC341087 through AMC341089. Frank and two additional people own AMC72250, AMC72251 and AMC72253.

If appropriate, please submit a corrected conveyance document, required documents, or additional fees, within 30 days of your receipt of this notice. If the required information is not received within the 30-day timeframe, no further action will be taken, and the BLM will retain the non-refundable processing fees submitted.

If additional information is required, please contact Pauline Brown at 602-417-9360. Please include your AMC serial number(s) on all correspondence.



Lucas Lucero
Deputy State Director
Lands, Minerals and Energy Division

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MINING CLAIMS

MC Customer Information - With Serial No. and Required Maintenance Fee
ACTIVE CLAIMS

Admin State: AZ

Geo State: AZ

MELLUZZO FRANK
10609 N 8TH ST
PHOENIX, AZ 85020-5815

CUSTOMER ID: 48589

Serial No.	Claim Name/Number	Required MF	Casetype	Disposition
AMC72249	BOOM CLAIM	155.00	LODE CLAIM	ACTIVE
AMC72250	DUPLEX CLAIM	155.00	LODE CLAIM	ACTIVE
AMC72251	GOLD SHAD CLAIM	155.00	LODE CLAIM	ACTIVE
AMC72253	ALICE CLAIM	155.00	LODE CLAIM	ACTIVE
AMC72700	GLORY ANA #1	155.00	LODE CLAIM	ACTIVE
AMC72702	GLORY ANA #3	155.00	LODE CLAIM	ACTIVE
AMC72708	LA DORA #4	155.00	LODE CLAIM	ACTIVE
AMC72709	SUZANE #1	155.00	LODE CLAIM	ACTIVE
AMC72723	GOLD BULLION MIL SIT	155.00	MILLSITE CLAIM	ACTIVE
AMC72724	GOLD BULLION MIL SIT	155.00	MILLSITE CLAIM	ACTIVE
AMC72731	JUNIPER	155.00	LODE CLAIM	ACTIVE
AMC72751	FOWLER'S WATERGATE	155.00	LODE CLAIM	ACTIVE
AMC72756	GOLD HOLE	155.00	LODE CLAIM	ACTIVE
Total Required Fee		2,015.00		

*TRANS TO:
THE MELLUZZO FAMILY TRUST*

*TRANS TO:
WGK PROPERTIES, LLC*

Number of ACTIVE cases: 13

MELLUZZO FRANK
10980 W CHERRY CREEK RD
DEWEY, AZ 86327-7338

CUSTOMER ID: 48594

Serial No.	Claim Name/Number	Required MF	Casetype	Disposition
AMC341087	SUNNY BROOK	155.00	LODE CLAIM	ACTIVE
AMC341088	CLINKER	155.00	LODE CLAIM	ACTIVE
AMC341089	EL TORO	155.00	LODE CLAIM	ACTIVE
AMC367879	SUNBURST #7	310.00	PLACER CLAIM	ACTIVE
AMC370620	LION	155.00	LODE CLAIM	ACTIVE
AMC371732	LION CUB 1&2	310.00	PLACER CLAIM	ACTIVE
Total Required Fee		1,240.00		

*TRANS TO:
THE MELLUZZO FAMILY TRUST*

*TRANS TO:
WGK PROPERTIES, LLC*

Number of ACTIVE cases: 6

Run Date: 09/09/16

Run Time: 05:54 AM

**DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MINING CLAIMS**

MC Maintenance Fees Paid Through the BLM Pay Portal

CBS Receipt: 3639992

Printed For Lead File # **AMC72229**

Agency Tracking ID: 1472088560

Assessment Year: 2017

Number of BLM Serial Nr: 19

Paid On: 08/24/2016

Total Amount Paid: \$3,255.00

Claim Name	BLM Serial No	Lead File No	Amount Paid
SUNNY BROOK	AMC341087	AMC341087	\$155.00
CLINKER	AMC341088	AMC341087	\$155.00
EL TORO	AMC341089	AMC341087	\$155.00
SUNBURST #7	AMC367879	AMC367879	\$310.00
LION	AMC370620	AMC370620	\$155.00
LION CUB 1&2	AMC371732	AMC371732	\$310.00
BOOM CLAIM	AMC72249	AMC72229	\$155.00
DUPLEX CLAIM	AMC72250	AMC72229	\$155.00
GOLD SHAD CLAIM	AMC72251	AMC72229	\$155.00
ALICE CLAIM	AMC72253	AMC72229	\$155.00
GLORY ANA #1	AMC72700	AMC72700	\$155.00
GLORY ANA #3	AMC72702	AMC72700	\$155.00
LA DORA #4	AMC72708	AMC72700	\$155.00
SUZANE #1	AMC72709	AMC72700	\$155.00
GOLD BULLION MIL SIT	AMC72723	AMC72700	\$155.00
GOLD BULLION MIL SIT	AMC72724	AMC72700	\$155.00
JUNIPER	AMC72731	AMC72700	\$155.00
FOWLER'S WATERGATE	AMC72751	AMC72700	\$155.00
GOLD HOLE	AMC72756	AMC72700	\$155.00

United States Department of the Interior
Bureau of Land Management
 BUSINESS & SUPPORT SVCS DIV
 ONE N CENTRAL AVE SUITE 800
 PHOENIX, AZ 85004 -4427
 Phone: (602) 417-9200

Receipt

No: 3639992

Transaction #: 3743924	
Date of Transaction: 08/24/2016	
CUSTOMER:	
FRANK MELLUZZO 1600 N. CHERRY HILLS LN. DEWEY, AZ 86327 US	

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS- NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED CASES: AMC72756/\$3255.00		- n/a -	3255.00
TOTAL:					\$3,255.00

PAYMENT INFORMATION			
NOTE: Items will appear on credit card statement as "BLM O Mining Claim".			
1	AMOUNT:	3255.00	POSTMARKED: N/A
	TYPE:	CREDIT CARD	RECEIVED: 08/24/2016
	NAME:	FRANK MELLUZZO 1600 N. CHERRY HILLS LN. DEWEY AZ 86327 US	
	CARD NO:	XXXXXXXXXXXX2704	AUTH CODE: 03401B
	NAME ON CARD:	FRANK MELLUZZO	
	EXPIRES:	12/2018	
	SIGNATURE:		

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

Run Date: 09/08/15

Run Time: 09:20 AM

**DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MINING CLAIMS**

MC Maintenance Fees Paid Through the BLM Pay Portal

CBS Receipt: 3379132

Printed For Lead File # **AMC72229**

Agency Tracking ID: 1440699441

Assessment Year: 2016

Number of BLM Serial Nr: 19

Paid On: 08/27/2015

Total Amount Paid: \$3,255.00

Claim Name	BLM Serial No	Lead File No	Amount Paid
SUNNY BROOK	AMC341087	AMC341087	\$155.00
CLINKER	AMC341088	AMC341087	\$155.00
EL TORO	AMC341089	AMC341087	\$155.00
SUNBURST #7	AMC367879	AMC367879	\$310.00
LION	AMC370620	AMC370620	\$155.00
LION CUB 1&2	AMC371732	AMC371732	\$310.00
BOOM CLAIM	AMC72249	AMC72229	\$155.00
DUPLEX CLAIM	AMC72250	AMC72229	\$155.00
GOLD SHAD CLAIM	AMC72251	AMC72229	\$155.00
ALICE CLAIM	AMC72253	AMC72229	\$155.00
GLORY ANA #1	AMC72700	AMC72700	\$155.00
GLORY ANA #3	AMC72702	AMC72700	\$155.00
LA DORA #4	AMC72708	AMC72700	\$155.00
SUZANE #1	AMC72709	AMC72700	\$155.00
GOLD BULLION MIL SIT	AMC72723	AMC72700	\$155.00
GOLD BULLION MIL SIT	AMC72724	AMC72700	\$155.00
JUNIPER	AMC72731	AMC72700	\$155.00
FOWLER'S WATERGATE	AMC72751	AMC72700	\$155.00
GOLD HOLE	AMC72756	AMC72700	\$155.00

United States Department of the Interior
Bureau of Land Management
 BUSINESS & SUPPORT SVCS DIV
 ONE N CENTRAL AVE SUITE 800
 PHOENIX, AZ 85004 -4427
 Phone: (602) 417-9200

Receipt

No: 3379132

Transaction #: 3477389	
Date of Transaction: 08/27/2015	
CUSTOMER:	
FRANK MELLUZZO 1600 N. CHERRY HILLS LN. DEWEY, AZ 86327 US	

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS- NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED CASES: AMC72253/\$3255.00		- n/a -	3255.00
TOTAL:					\$3,255.00

PAYMENT INFORMATION			
NOTE: Items will appear on credit card statement as "BLM O Mining Claim".			
1	AMOUNT:	3255.00	POSTMARKED: N/A
	TYPE:	CREDIT CARD	RECEIVED: 08/27/2015
	NAME:	FRANK MELLUZZO 1600 N. CHERRY HILLS LN. DEWEY AZ 86327 US	
	CARD NO:	XXXXXXXXXXXX2704	AUTH CODE: 00235B
	NAME ON CARD:	FRANK MELLUZZO	
	EXPIRES:	12/2015	
	SIGNATURE:		

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
MAINTENANCE FEE PAYMENT FORM FOR
LODE CLAIMS, MILL SITES, AND TUNNEL SITES

341087
370620
72229
72700

Remitter Name: Frank Melluzzo
Mailing Address: 10980 W. Cherry Creek Rd
City, State, Zip: Dewey, AZ 86327

Check here if this is a change of address.

RECEIVED
M AZ STATE OFFICE
2014 AUG 28 A 9:11
PHOENIX, ARIZONA
FOR COUNTY RECORDER'S USE

No. of claims/sites 10
x \$155 per claim/site
Total due BLM \$ 1550

- The maintenance fee may be paid by cash, check, money order, Bureau of Land Management (BLM) Declining Deposit Account, or credit card (VISA, American Express, Discover, or MasterCard). Payments must be remitted to the BLM State Office where your claim or site is recorded and received on or before September 1. If the payment is mailed, the envelope must be postmarked by a bona fide delivery service on or before September 1 and received at the proper BLM State Office within 15 calendar days after the due date. Payments may also be made by telephone using a credit card. A complete listing of BLM State Offices with their addresses and phone numbers can be found at <http://www.blm.gov>.
- The maintenance fee for the following claim(s)/site(s) applies to the assessment year 2015.

CLAIM/SITE NAME	BLM SERIAL NO.
Sunnybrook	341087
Clinker	341088
El Toro	341089
Boom	72249
Duplex	72250
Gold Shad	72251
Alice	72253
Lion	370620
Juniper	72731
Fowlers Watergate	72751

Use a separate sheet for additional claim/site names, serial numbers, and claimant names and addresses.

(Continued on page 2)

ENTERED
AUG 4 2014
BY: RS

RECEIPT # 3115261

United States Department of the Interior
Bureau of Land Management
 LANDS/RECREATION & PLANNING
 ONE N CENTRAL AVE
 PHOENIX, AZ 85004 -2203
 Phone: 602-417-9200

Receipt

No: 3115261

Transaction #: 3206999	
Date of Transaction: 08/28/2014	
CUSTOMER:	
FRANK MELLUZZO 10980 W CHERRY CREEK RD DEWEY, AZ 86327-7338 US	

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS- NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED CASES: AMC341087/\$1550.00	MAINT 2015/10	- n/a -	1550.00
TOTAL:					\$1,550.00

PAYMENT INFORMATION					
NOTE: Items will appear on credit card statement as "Bureau of Land Mgmt CO".					
1	AMOUNT:	1550.00	POSTMARKED:	N/A	
	TYPE:	CREDIT CARD	RECEIVED:	08/28/2014	
	NAME:	MELLUZZO, FRANK 10980 W CHERRY CREEK RD DEWEY AZ 86327-7338 US			
	CARD NO:	XXXXXXXXXXXX2704	AUTH CODE:	02541B	
	NAME ON CARD:	FRANK MELLUZZO			
	EXPIRES:	12/2015			
	SIGNATURE:				

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

AMC 72700
 AMC 367879
 AMC 341087
~~AMC 71152~~
 AMC 371732
 AMC 370620

AMC 72229

MAINTENANCE FEE PAYMENT

BUREAU OF LAND MANAGEMENT
 222 N CENTRAL AVENUE
 PHOENIX, AZ 85004
 602-417-9200
 www.az.blm.gov

Mining Claim Maintenance Fee Payment of \$140 per claim/site is due on or before September 1, 20____, in lieu of assessment work for the upcoming assessment year beginning September 1 of the year noted above.

RECEIVED
 N.M. AZ STATE OFFICE
 2013 AUG 21 P 2:00
 PHOENIX, ARIZONA
 BLM Date Stamp

LINE NO.	AMC NUMBER	CLAIM/SITE NAME	COUNTY RECORDER DATA (if available)	TWP	RNG	SEC
20 1	72700	GLORY ANNA 1	B 129-P115			
20 2	72702	GLORY ANNA 3	B 136-P563			
20 3	72708	LA DORA 4	B 129-P269			
20 4	72709	SUZANNE 1	B 144-P344			
5						
6						
7						
8						
9						
10						

ENTERED
 AUG 27 2013
 BY: TS

List additional claims on the reverse side of this form.
 Check here if this is a change of address.

CLAIMANT NAME: FRANK MELLOZZO
 ADDRESS: 10980 W CHERRY RD
 CITY: DEWEN STATE: AZ ZIP: 86321
 PHONE: 909-632-5528
 SIGNATURE: _____

No of Claims: 19 x \$140 = 2,660
 Check No: 4998 Init: FM
 Receipt No: 2861298
 FOR BLM USE ONLY

Claimant or agent must sign to record with the County.

**BIODIVERSITY MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 2006
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE**

**BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE**

222 N. Central Av.
P.O. Box AZ 85004-2205

2861298 # 4998
21 @ \$140 = \$2,940
COUNTY: _____ STATE: AZ
FOR OFFICIAL USE ONLY

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY, ARIZONA.

BLM SERIAL NUMBERS _____ **NAMES OF CLAIMS OR SITES** _____
A MC _____ THRU A MC _____
COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____
A MC _____ THRU A MC _____
COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
20 A MC 72731	JUNIPER	D 128 P 288
20 A MC 72751	FOWLER'S WATER GATE	D 1388 P 2842
20 A MC 72756	GOLD HOLE	D 557 P 916
20 A MC 72723	GOLD BULLION M.S.	M.S. D 927 P 850
20 A MC 72724	GOLD BULLION M.S.	M.S. D 796 P 082
40 A MC 367879	SUN BURST # 7	2-20acre Claims
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: FRANK MELLUZZO
ADDRESS: 10980 W CHERRY CREEK RD CITY: DEWEY STATE: AZ

PHONE: (928) 632 5528 ZIP: 86327
 CHECK HERE IF THIS IS A CHANGE OF ADDRESS

SIGNATURE: _____
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL COPIES ON REVERSE SIDE OF THIS FORM
FOR OFFICIAL USE ONLY
ENTERED INTO COMPUTER: _____ DATE _____ INITIALS _____ VERIFIED _____

RECEIVED
BLM/ARIZONA STATE OFFICE
PHOENIX, ARIZONA
AUG 21 P 2:00

**TITLID MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 2005
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE**

**BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE**

222 N. Central Ave.
Phoenix, AZ. 85004-2253

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY, ARIZONA.

COUNTY: 1 DIST: 1
FOR OFFICIAL USE ONLY

BLM SERIAL NUMBERS

NAMES OF CLAIMS OR SITES

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
20 A MC 341087	SUNNY BROOK	D3239 P380-81
20 A MC 341088	CLINKER	D3239 P382-83
20 A MC 341089	EL-TORO	D3239 P384-85
20 A MC 72249	BOOM	B617 P967
20 A MC 72250	DUPLEX	B617 P968
20 A MC 72251	GOLD-SHAD	B617 P970
20 A MC 72253	ALICE	B617 P966
40 A MC 371732	LION CUB 142	B4389 P417
20 A MC 370620	LION	B4361 P738

CLAIMANT'S NAME: FRANK MELLOZZO
ADDRESS: 10980 W. CHERRY CREEK RD CITY: DEWEY STATE: AZ

PHONE: (623) 632-5528 ZIP: 86327

CHECK HERE IF THIS IS A CHANGE OF ADDRESS

SIGNATURE: _____
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LET ALL ADDITIONAL CHARGES ON REVERSE SIDE OF THIS FORM
FOR OFFICIAL USE ONLY

ENTERED INTO COMPUTER: _____ DATE: _____ DETAILS: _____

RECEIVED
ARIZONA STATE OFFICE
PHOENIX, ARIZONA
AUG 21 P 2:00

United States Department of the Interior

Bureau of Land Management

LANDS/RECREATION & PLANNING

ONE N CENTRAL AVE

PHOENIX, AZ 85004 -2203

Phone: 602-417-9200

Receipt

No:

2861298

Transaction #: 2947170	
Date of Transaction: 08/21/2013	
CUSTOMER:	
FRANK MELLUZZO 10980 W CHERRY CREEK RD DEWEY, AZ 86327-7338 US	

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS-NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED CASES: AMC72731/\$2940.00	MAINT 2014/19	- n/a -	2940.00
TOTAL:					\$2,940.00

PAYMENT INFORMATION			
1	AMOUNT:	2940.00	POSTMARKED: N/A
	TYPE:	CHECK	RECEIVED: 08/21/2013
	CHECK NO:	4998	
	NAME:	MELLUZZO, FRANK 10980 W CHERRY CREEK RD DEWEY AZ 86327-7338 US	

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

371732
 72229
 72700
 341087
 367879
 370620

MAINTENANCE FEE PAYMENT

Claimant Name: FRANK MELLUZZO
 Address: 10980 W CHERRY CREEK RD
 City: DEWEY State: AZ Zip: 86327
 Telephone: 928-632-5528
 E-mail address: _____
 Signature: Frank Melluzzo

RECEIVED
 BLM AZ STATE OFFICE
 PHOENIX, ARIZONA
 2010 AUG 21 A 11:35
 BLM Date Stamp

Check here if this is a change of address.

LINE NO.	AMC NUMBER	CLAIM/SITE NAME	COUNTY RECORDER DATA (If available)	TWP	RNG	SEC
1	72731	JUNIPER				
2	72751	SOWLER'S WATER GATE				
3	72756	GOLD HOLE				
4	72723	GOLD BULLION MS				
5	72724	GOLD BULLION MS				
6						
7						
8						
9						
10						

List additional claims on Form MCF114.

Bureau of Land Management.
 Arizona State Office
 www.blm.gov/az/

No. of Claims: 19 x \$140 = 2,660
 Check No: 1205 ECC Init: JMC
 Receipt No.: 2436137
 For BLM Use Only

Form: MCF112
 Revised July 2009

This form is available from the Arizona Department of Mines and Mineral Resources and may be reproduced.

2 40a sheets

ENTERED IN COMPUTER
 RE 9-4-12 (init)

balance = ~~\$280~~ pd 280 AT

MAINTENANCE FEE PAYMENT

Claimant Name: FRANK MELLUZZO
 Address: 1098 W CHERRY CREEK RD
 City: DEWEY State: AZ Zip: 86327
 Telephone: 928-632-5528
 E-mail address: _____
 Signature: Frank Melluzzo

Check here if this is a change of address.

RECEIVED
 BLM AZ STATE OFFICE
 2012 AUG 21 A 11:35
 PHOENIX, ARIZONA
 BLM
 Date
 Stamp

LINE NO.	AMC NUMBER	CLAIM/SITE NAME	COUNTY RECORDER DATA (if available)	TWP	RNG	SEC
1	72700	GLORY AWWA1				
2	72702	GLORY AWWA3				
3	72708	LA DORA 4				
4	72709	SUZANE 1				
5						
6						
7						
8						
9						
10						

List additional claims on Form MCF114.

Bureau of Land Management.
 Arizona State Office
www.blm.gov/az/

No. of Claims: _____ x \$140 = _____
 Check No: _____ Init: _____
 Receipt No.: _____
For BLM Use Only

Form: MCF112
 Revised July 2009

MAINTENANCE FEE PAYMENT

Claimant Name: FRANK MELLUZZO
 Address: 10980 W. CHERRO CREEK RD
 City: DEWERY State: AZ Zip: 86327
 Telephone: 928-632-5528
 E-mail address: -@-
 Signature: Frank Melluzzo

Check here if this is a change of address.

RECEIVED
 BLM AZ STATE OFFICE
 2010 AUG 21 A 11:35
 PHOENIX, ARIZONA
 BLM
 Date
 Stamp

LINE NO.	AMC NUMBER	CLAIM/SITE NAME	COUNTY RECORDER DATA (If available)	TWP	RNG	SEC
1	341087	SUNNY BROOK				
2	341088	CHINKER				
3	341089	EL-TORO				
4	72249	BOOM				
5	72250	DUPLEX				
6	72251	GOLD-SHAD				
7	72253	ALICE				
400 8	367879	SUN BURST #7				
400 9	371732	LION CUB 1+2				
10	370620	LION				

List additional claims on Form MCF114.

Bureau of Land Management.
 Arizona State Office
 www.blm.gov/az/

No. of Claims: _____ x \$140 = _____
 Check No: _____ Init: _____
 Receipt No.: _____
For BLM Use Only

Form: MCF112
 Revised July 2009

United States Department of the Interior
 Bureau of Land Management
 LANDS/RECREATION & PLANNING
 ONE N CENTRAL AVE
 PHOENIX, AZ 85004 -2203
 Phone: 602-417-9200

Receipt

No:

2636137

Transaction #: 2716722	
Date of Transaction: 08/21/2012	
CUSTOMER:	
FRANK MELLUZZO 10980 W CHERRY CREEK RD DEWEY, AZ 86327-7338 US	

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS-NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED CASES: AMC72731/\$2660.00	MAINT 2013/19	- n/a -	2660.00
TOTAL:					\$2,660.00

PAYMENT INFORMATION			
NOTE: Items will appear on credit card statement as "Bureau of Land Mgmt CO".			
1	AMOUNT:	2380.00	POSTMARKED: N/A
	TYPE:	CREDIT CARD	RECEIVED: 08/21/2012
	NAME:	MELLUZZO, FRANK 10980 W CHERRY CREEK RD DEWEY AZ 86327 US	
	CARD NO:	XXXXXXXXXXXX2009	AUTH CODE: 140223
	NAME ON CARD:	FRANK MELLUZZO	
	EXPIRES:	06/2013	
	SIGNATURE:		
	2	AMOUNT:	280.00	POSTMARKED: N/A
TYPE:		CHECK	RECEIVED: 08/21/2012
CHECK NO:		1205	
NAME:		BOWERS, JUDSON 401 S VISTA RD PAYSON AZ 85541 US	

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

CREDIT CARD PAYMENT
FOR MINING CLAIM MAINTENANCE FEE

NAME Frank Melluzzo
ADDRESS 10980 W. Cherry Creek Rd.
CITY Dewey STATE AZ ZIP 86327
PHONE # (928) 632-5528

SEND RECEIPT TO ABOVE ADDRESS
SEND RECEIPT TO: _____

AMC NUMBER	CLAIM/SITE NAME
<u>367879</u>	_____
<u>371732</u>	_____
_____	_____

DATE STAMP

PHOENIX, ARIZONA
2012 DEC 12 P 1:55
RECEIVED
BLM AZ STATE OFFICE

TELEPHONE SUBMISSION - ACCURACY OF THE ABOVE INFORMATION
IS THE RESPONSIBILITY OF THE CLAIMANT/OWNER

FOR OFFICIAL USE ONLY

DATE _____ INITIALS _____ VERIFIED _____
COUNT _____ \$ 280 INITIALS _____

ENTRIED INTO COMPUTER 12/14/12 AT 10:40

United States Department of the Interior
 Bureau of Land Management
 LANDS/RECREATION & PLANNING
 ONE N CENTRAL AVE
 PHOENIX, AZ 85004 -2203
 Phone: 602-417-9200

Receipt

No: 2707040

Transaction #: 2789157	
Date of Transaction: 12/12/2012	
CUSTOMER:	
FRANK MELLUZZO 10980 W CHERRY CREEK RD DEWEY, AZ 86327-7338 US	

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS-NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED CASES: AMC367879/\$280.00	ADDITIONAL 2013 MAINT FEES	- n/a -	280.00
TOTAL:					\$280.00

PAYMENT INFORMATION			
NOTE: Items will appear on credit card statement as "Bureau of Land Mgmt CO".			
1	AMOUNT:	280.00	POSTMARKED: N/A
	TYPE:	CREDIT CARD	RECEIVED: 12/12/2012
	NAME:	MELLUZZO, FRANK 10980 W CHERRY CREEK RD DEWEY AZ 86327-7338 US	
	CARD NO:	XXXXXXXXXXXX2704	AUTH CODE: 07599B
	NAME ON CARD:	FRANK MELLUZZO	
	EXPIRES:	12/2015	
	SIGNATURE:		

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

Amc 72700
Amc 341087

Amc 72229

Amc 371732

Amc 370620

Amc 367879
Amc 72700

MAINTENANCE FEE PAYMENT

BUREAU OF LAND MANAGEMENT
222 N CENTRAL AVENUE
PHOENIX, AZ 85004
602-417-9200
www.az.blm.gov

Mining Claim Maintenance Fee Payment of \$125 per claim/site is due on or before September 1, 20____, in lieu of assessment work for the upcoming assessment year beginning September 1 of the year noted above.

RECEIVED
BLM AZ STATE OFFICE
2011 AUG 24 P 12:15
PHOENIX, ARIZONA
BLM Date Stamp

LINE NO.	AMC NUMBER	CLAIM/SITE NAME	COUNTY RECORDER DATA (If available)	TWP	RNG	SEC
1	72700	GLORY ANNA 1	B 129-P115			
2	72702	GLORY ANNA 3	B 136-P563			
3	72708	LA DORA 4	B 129-P269			
4	72709	SUZANE 1	B 144-P34			
5						
6						
7						
8						
9						
10						

List additional claims on the reverse side of this form.

SEP 2 2011

Check here if this is a change of address.

CLAIMANT NAME: FRANK MELLOZZO
ADDRESS: 10980 W CHERRY RD
CITY: DEWEN STATE: AZ ZIP: 86327
PHONE: 929-632-5528
SIGNATURE: Frank Mellozzo

Claimant or agent must sign to record with the County.

No of Claims:	<u>19</u>	x \$125 =	<u>2,660.00</u>
Check No:	<u>CC</u>	Init:	<u>FM</u>
Receipt No:	<u>2414061</u>		
FOR BLM USE ONLY			

**TITLE MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 2005
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE**

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE

222 N. Central Av.
Phoenix, AZ. 85004-2205

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY,
ARIZONA.

COUNTY: _____ DISTRICT: _____
FOR OFFICIAL USE ONLY

BLM SERIAL NUMBERS _____ NAMES OF CLAIMS OR SITES _____
A MC _____ THRU A MC _____
COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____
A MC _____ THRU A MC _____
COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC 341087	SUNNY BROOK	D3239 P380-81
A MC 341088	CLINKER	D3239 P382-83
A MC 341089	EL-TORO	D3239 P384-85
A MC 72249	BOOM	B617 P967
A MC 72250	DUPLEX	B617 P968
A MC 72251	GOLD-SHAD	B617 P970
A MC 72253	ALICE	B617 P966
A MC 371732	LION Cub 142	B4389 P417
A MC 370620	LION	B4361 P738

CLAIMANT'S NAME: FRANK MELLUZZO
ADDRESS: 10980 W. CHERRY CREEK RD CITY: DEWEY STATE: AZ
PHONE: (928) 632-5528 ZIP: 86327

CHECK HERE IF THIS IS A CHANGE OF ADDRESS

SIGNATURE: Frank Melluzzo
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL CHANGES ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY
ENTERED INTO COMPUTER: _____ DATE _____ INITIALS _____ VERIFIED _____

RECEIVED
BLM AZ STATE OFFICE
2011 AUG 24 P 12
PHOENIX, ARIZONA

**310000 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 2006
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.**

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE

222 N. Central Av.
Phoenix, AZ. 85004-2203

COUNTY: _____ DISTRICT: _____
FOR OFFICIAL USE ONLY

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY, ARIZONA.

BLM SERIAL NUMBERS _____ NAMES OF CLAIMS OR SITES _____
 A MC _____ THRU A MC _____
 COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____
 A MC _____ THRU A MC _____
 COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>72731</u>	<u>JUNIPER</u>	<u>D 128 P 288</u>
A MC <u>72751</u>	<u>FOWLER'S WATER GATE</u>	<u>D 1388 P 2942</u>
A MC <u>72756</u>	<u>GOLD HOPE</u>	<u>D 557 P 916 5</u>
A MC <u>72723</u>	<u>GOLD BULLION M.S.</u>	<u>M.S. D 927 P 850</u>
A MC <u>78724</u>	<u>GOLD BULLION M.S.</u>	<u>MS D 796 P 082</u>
A MC <u>367879</u>	<u>SUN BURST #7</u>	<u>_____</u>
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: FRANK MELLUZZO
 ADDRESS: 10980 W CHERRY CREEK RD CITY: DEWEY STATE: AZ
 PHONE: (928) 632 5528 ZIP: 86327

CHECK HERE IF THIS IS A CHANGE OF ADDRESS

SIGNATURE: Frank Melluzzo
 TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL COPIES OR REVISED SIDS OF THIS FORM FOR OFFICIAL USE ONLY
 ENTERED INTO COMPUTER: _____ DATE _____ STATE _____ YEAR _____

RECEIVED
 BLM AZ STATE OFFICE
 2011 AUG 24 P 12:11
 PHOENIX, ARIZONA

United States Department of the Interior
 Bureau of Land Management
 LANDS/RECREATION & PLANNING
 ONE N CENTRAL AVE
 PHOENIX, AZ 85004 -2203
 Phone: 602-417-9200

Receipt

No:

2414061

Transaction #: 2489421	
Date of Transaction: 08/24/2011	
CUSTOMER:	
FRANK MELLUZZO 10980 W CHERRY CREEK RD DEWEY, AZ 86327-7338 US	

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS-NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED CASES: AMC72700/\$2660.00	MAINT 2012/19	- n/a -	2660.00
TOTAL:					\$2,660.00

PAYMENT INFORMATION			
NOTE: Items will appear on credit card statement as "Bureau of Land Mgmt CO".			
1	AMOUNT:	2660.00	POSTMARKED: N/A
	TYPE:	CREDIT CARD	RECEIVED: 08/24/2011
	NAME:	MELLUZZO, FRANK 10980 W CHERRY CREEK RD DEWEY AZ 86327-7338 US	
	CARD NO:	XXXXXXXXXXXX9818	AUTH CODE: 03814D
	NAME ON CARD:	FRANK MELLUZZO	
	EXPIRES:	06/2014	
	SIGNATURE:		

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

AMC 341087
 72229
 72700
 367879
 371732
 370620

MAINTENANCE FEE PAYMENT

Claimant Name: FRANK MELLOZZO
 Address: 10980 W. CHERRY CREEK RD
 City: DEWATER State: AZ Zip: 86327
 Telephone: 928-632-3528
 E-mail address: -
 Signature: Frank Mellozzo
 Check here if this is a change of address.

RECEIVED
 MAZ STATE OFFICE
 2010 AUG 24 A 9:35
 PHOENIX, ARIZONA
 BLM
 Date
 Stamp

LINE NO.	AMC NUMBER	CLAIM/SITE NAME	COUNTY RECORDER DATA (If available)	TWP	RNG	SEC
1	341087	SUNNY BROOK				
2	341088	CHINKER				
3	341089	EL-TORO				
4	72249	BOOM				
5	72250	DUPLEX				
6	72251	GOLD-SHAD				
7	72253	ALICE				
8	367879	SUNBURST #7				
9	371732	LION COB 1+2				
10	370620	LION				

ENTERED INTO COMPUTER
 SEP 08 2010

List additional claims on Form MCF114.

Bureau of Land Management
 Arizona State Office
 www.blm.gov/az/

No. of Claims: 10 x \$140 = 1400.00
 Check No: 4614 Init: A.H
 Receipt No.: 2198306
 For BLM Use Only

Form: MCF112
 Revised July 2009

MAINTENANCE FEE PAYMENT

Claimant Name: FRANK MELLUZZO
 Address: 10980 W CHERRY CREEK RD
 City: DEWEY State: AZ Zip: 86327
 Telephone: 928-632-5528
 E-mail address:
 Signature: Frank Melluzzo
 Check here if this is a change of address.

RECEIVED
 PLM AZ STATE OFFICE
 2010 AUG 24 A 9:35
 PHOENIX, ARIZONA
 BLM
 Date
 Stamp

LINE NO.	AMC NUMBER	CLAIM/SITE NAME	COUNTY RECORDER DATA (if available)	TWP	RNG	SEC
1	72731	JUNIPER				
2	72751	SOWLER'S WATER GATE				
3	72756	GOLD HOLE				
4	72723	GOLD BULLION MS				
5	72724	GOLD BULLION MS				
6			ENTERED INTO COMPUTER			
7			SEP 08 2010			
8						
9						
10						

List additional claims on Form MCF114.

Bureau of Land Management
 Arizona State Office
 www.blm.gov/az/

No. of Claims: 5 x \$140 = 700.00
 Check No: 4614 Init: A.L.
 Receipt No.: 2198306
 For BLM Use Only

Form: MCF112
 Revised July 2009

MAINTENANCE FEE PAYMENT

Claimant Name: FRANK MELLUZZO
 Address: 1098 W CHERRY CREEK RD
 City: DEWEY State: AZ Zip: 86321
 Telephone: 928-632-5528
 E-mail address: _____
 Signature: Frank Melluzzo

Check here if this is a change of address.

RECEIVED
 ARIZONA STATE OFFICE
 2010 AUG 24 A 9:36
 PHOENIX, ARIZONA
 BLM
 Date
 Stamp

LINE NO.	AMC NUMBER	CLAIM/SITE NAME	COUNTY RECORDER DATA (If available)	TWP	RNG	SEC
1	72700	GLORY ANN 1				
2	72702	GLORY ANN 3				
3	72708	LA DORA 4				
4	72709	SUZANE 1				
5						
6						
7						
8						
9						
10						

ENTERED INTO COMPUTER
 M
 SEP 08 2010

List additional claims on Form MCF114.

Bureau of Land Management
 Arizona State Office
 www.blm.gov/az/

No. of Claims: 4 x \$140 = 560.00
 Check No: 4614 Init: A.A.
 Receipt No.: 2198306
 For BLM Use Only

Form: MCF112
 Revised July 2009

**United States Department of the Interior
Bureau of Land Management
LANDS/RECREATION & PLANNING
ONE N CENTRAL AVE
PHOENIX, AZ 85004 -2203
Phone:**

Receipt

No: 2198306

Transaction #: 2268203	
Date of Transaction: 08/24/2010	
CUSTOMER:	FRANK MELLUZZO ✓ 10980 W CHERRY CREEK RD DEWEY, AZ 86327-7338 US

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS-NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED CASES: AMC341087/\$2660.00	MAINT FEE PYMNT (19) 2011	- n/a -	2660.00 ✓
TOTAL:					\$2,660.00

PAYMENT INFORMATION					
1	AMOUNT:	2660.00	POSTMARKED:	N/A	
	TYPE:	CHECK	RECEIVED:	08/24/2010	
	CHECK NO:	4614			
	NAME:	MELLUZZO, FRANK 10980 W CHERRY CREEK RD DEWEY AZ 86327-7338 US			

REMARKS	

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

AMC 72700
 341089
 371 732
 370620
 369879
 72229

MAINTENANCE FEE PAYMENT

Claimant Name: FRANK MELLOZZO
 Address: 10980 W CHERRY CREEK RD
 City: DEWEY State: AZ Zip: 86327
 Telephone: 928-632-5528
 E-mail address: _____
 Signature: [Handwritten Signature]

Check here if this is a change of address.

RECEIVED
 PLM AZ STATE OFFICE
 2009 JUL 21 A 9:22
 PHOENIX, ARIZONA
 BLM
 Date
 Stamp

LINE NO.	AMC NUMBER	CLAIM/SITE NAME	COUNTY RECORDER DATA (If available)	TWP	RNG	SEC
1L	341081	SUNNY BROOK	D 3239 - P 380-81			
2	341088	CLINKER	D 3239 P 382-83			
3	341089	EL-TORO	D 3239 P 384-85			
4	722 49	BOOM	B 617 - P 967			
5	722 50	DUPLEX	B 617 P 968			
6	722 51	GOLD-SHAD	B 617-P 970			
7	72253	ALICE	B 617 P 966			
8L	371732	LION Cub 1-2	B 4389 - P 411			
9L	370620	LION	B 4361 - P 738			
10						

List additional claims on Form MCF114.

Bureau of Land Management
 Arizona State Office
www.az.blm.gov

No. of Claims: 9 x \$125 = 1260
 Check No: 4324 Init. YMC
 Receipt No.: 1964286
 For BLM Use Only

Form: MCF112
 Revised July 2005

This form is available from the Arizona Department of Mines and Mineral Resources and may be reproduced.

ENTERED INTO COMPUTER

8/3/09 P 99

MAINTENANCE FEE PAYMENT

Claimant Name: FRANK MELLUZZO
 Address: 10980 W. CHERRY CREEK RD
 City: DEWEY State: AZ Zip: 86327
 Telephone: 928-632-5528

E-mail address:

Signature: Frank Melluzzo

Check here if this is a change of address.

RECEIVED
 BLM AZ STATE OFFICE
 2009 JUL 21 A 9:22
 PHOENIX, ARIZONA
 BLM
 Date
 Stamp

LINE NO.	AMC NUMBER	CLAIM/SITE NAME	COUNTY RECORDER DATA (If available)	TWP	RNG	SEC
1	L 367879	SUNBURST #7				
2	72731	JUNIPER	D128-P288			
3	72751	FOWLER'S WATER GATE	D1388-P2842			
4	72756	GOLD HOKE	D557-P916			
5	72723	GOLD BULLION MS	MS D927-P850			
6	72724	GOLD BULLION MS	MS DT96-P082			
7						
8						
9						
10						

List additional claims on Form MCF114.

Bureau of Land Management
 Arizona State Office
www.az.blm.gov

No. of Claims: 6 x $\frac{140}{140}$ = 840
 Check No: 4324 Init. TMC
 Receipt No.: 1964286
 For BLM Use Only

Form: MCF112
 Revised July 2005

This form is available from the Arizona Department of Mines and Mineral Resources and may be reproduced.

United States Department of the Interior
 Bureau of Land Management
 BUSINESS & SUPPORT SVCS DIV
 ONE N CENTRAL AVE SUITE 800
 PHOENIX, AZ 85004 -4427
 Phone: (602) 417-9200

Receipt

No:

1964286

Transaction #: 2028062	
Date of Transaction: 07/27/2009	
CUSTOMER:	FRANK MELLUZZO 10980 W CHERRY CREEK RD DEWEY, AZ 86327-7338 US

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS-NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED CASES: AMC341087/\$2100.00	MAINT 2010/15	- n/a -	2100.00
TOTAL:					\$2,100.00

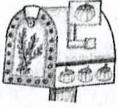
PAYMENT INFORMATION					
1	AMOUNT:	2100.00	POSTMARKED:	N/A	
	TYPE:	CHECK	RECEIVED:	07/27/2009	
	CHECK NO:	4324			
	NAME:	MELLUZZO, FRANK 10980 W CHERRY CREEK RD DEWEY AZ 86327-7338 US			

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

over paid on claims

Bureau of Land Management
 1. N. Central Ave
 Phoenix, az. 85004



Frank Melluzzo
 10980 W Cherry Creek Rd.
 Dewey, AZ. 86327

AMC 72700
 AMC 72229
 AMC 341087
 AMC 367879
~~AMC 364399~~
 AMC 371732
 AMC 370620

MAINTENANCE FEE PAYMENT

Claimant Name: FRANK MELLUZZO
 Address: 10980 W CHERRY CREEK RD
 City: DEWEY State: AZ Zip: 86327
 Telephone: 928-632-5528
 E-mail address: _____
 Signature: Frank Melluzzo

Check here if this is a change of address.

RECEIVED
 BLM
 AZ STATE OFFICE
 2008 AUG 19 A 9:35
 PHOENIX, ARIZONA
 BLM
 Date
 Stamp

LINE NO.	AMC NUMBER	CLAIM/SITE NAME	COUNTY RECORDER			
1	367879	SUN BURST-7	RECORDED 100 PHX			
2						
3						
4						
5						
6						
7						
8						
9						
10						

List additional claims on Form MCF114.

Bureau of Land Management
 Arizona State Office
www.az.blm.gov

No. of Claims: 1 x \$125 = 125
 Check No: 4045 Init. CMC
 Receipt No.: 1764744
 For BLM Use Only

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Form: MCF112
 Revised July 2005
 RE 9/8/08

Bureau of Land Management
 1. N. Central Ave
 Phoenix, az. 85004



Frank Melluzzo
 10980 W Cherry Creek Rd.
 Dewey, AZ 86327

MAINTENANCE FEE PAYMENT

Claimant Name: FRANK MELLUZZO
 Address: 10980 W CHERRY CREEK RD
 City: DEWEY State: AZ Zip: 86327
 Telephone: 929-632-5528
 E-mail address:
 Signature: Frank Melluzzo

Check here if this is a change of address.

RECEIVED
 BLM AZ STATE OFFICE
 2008 AUG 19 A 9:35
 PHOENIX, ARIZONA
 BLM
 Date
 Stamp

LINE NO.	AMC NUMBER	CLAIM/SITE NAME	COUNTY RECORDER			
1	341087	SUNNY-BROOK	D3239-P380-381			
2	341088	CLINKER	D3239-P382-383			
3	341089	EL-TORO	D3239-P384-385			
4	72249	BOOM	B 617 P 967			
5	72250	DUPLEX	B 617 P 968			
6	72251	GOLD-SHAD	B 617 P 970			
7	72253	ALICE	B 17 P 966			
8						
9						
10						

List additional claims on Form MCF114.

Bureau of Land Management
 Arizona State Office
www.az.blm.gov

No. of Claims: 7 x \$125 = 875
 Check No: 4045 Init. YMC
 Receipt No.: _____
 For BLM Use Only

Bureau of Land Management
 1, N. Central Ave
 Phoenix, az. 85004



Frank Melluzzo
 10980 W Cherry Creek Rd.
 Dewey, AZ 86327

MAINTENANCE FEE PAYMENT

Claimant Name: FRANK MELLOZZO
 Address: 10980 W CHERRY CREEK RD
 City: PHOENIX State: AZ Zip: 86327
 Telephone: 428-632-5528
 E-mail address: [blank]
 Signature: Frank Melluzzo

Check here if this is a change of address.

RECEIVED
 BLM AZ STATE OFFICE
 2008 AUG 19 A 9:35
 PHOENIX, ARIZONA
 BLM
 Date
 Stamp

LINE NO.	AMC NUMBER	CLAIM/SITE NAME	COUNTY RECORDER			
			ALL YAVAPAI			
			DOCKET	PAGE		
1	72731	JUNIPER	D128	- P 288		
2	72751	SOWLER'S WATER	GATE-D 1388	- P 284 2		
3	72756	GOLD HOLE	D 557	- P 916		
4	72723	GOLD BULLION MS	MS. D927	P 850		
5	72724	GOLD BULLION MS	MS. D. 796	P 882		
6						
7						
8						
9						
10						

List additional claims on Form MCF114.

Bureau of Land Management
 Arizona State Office
www.az.blm.gov

No. of Claims: 5 x \$125 = 625
 Check No: 4045 Init. JMC
 Receipt No.: _____
 For BLM Use Only

Bureau of Land Management
 1, N. Central Ave
 Phoenix, az. 85004



Frank Melluzzo
 10980 W Cherry Creek Rd.
 Dewey, AZ 86327

MAINTENANCE FEE PAYMENT

Claimant Name: FRANK MELLUZZO
 Address: 10980 W CHERRY CREEK RD
 City: DEWEY State: AZ Zip: 86327
 Telephone: 928-632-5528
 E-mail address: _____
 Signature: Frank Melluzzo

Check here if this is a change of address.

RECEIVED
 BLM AZ STATE OFFICE
 2008 AUG 19 A 9:35
 PHOENIX, ARIZONA
 BLM Date Stamp

LINE NO.	AMC NUMBER	CLAIM/SITE NAME	COUNTY RECORDER				
			Book	PAGE			
1	371732	LION-LOB 42	4389	417			
2	370620	LION	4361	738			
3							
4							
5							
6							
7							
8							
9							
10							

all in Navajo

List additional claims on Form MCF114.

Bureau of Land Management
 Arizona State Office
www.az.blm.gov

No. of Claims: 2 x \$125 = 250
 Check No: 4045 Init. PMC
 Receipt No.: _____
 For BLM Use Only

Form: MCF112
 Revised July 2005

United States Department of the Interior

Bureau of Land Management
 BUSINESS & SUPPORT SVCS DIV
 ONE N CENTRAL AVE SUITE 800
 PHOENIX, AZ 85004 -4427
 Phone: (602) 417-9200

Receipt

No:

1764744

Transaction #: 1822337	
Date of Transaction: 08/19/2008	
CUSTOMER:	FRANK MELLUZZO 10980 W CHERRY CREEK RD DEWEY, AZ 86327

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS-NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED (455) CASES: AMC367879/\$1875.00	MAINT 2009/15	- n/a -	1875.00
TOTAL:					\$1,875.00

PAYMENT INFORMATION					
1	AMOUNT:	\$1,875.00	POSTMARKED:	N/A	
	TYPE:	CHECK	RECEIVED:	08/19/2008	
	CHECK NO:	4045			
	NAME:	MELLUZZO, FRANK 10980 W CHERRY CREEK RD DEWEY AZ 86327			

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

AMC 367879

370620

Receipt

371732

341087

72700

No:

1554652

72229

United States Department of the Interior
Bureau of Land Management
 BUSINESS & SUPPORT SVCS DIV
 ONE N CENTRAL AVE SUITE 800
 PHOENIX, AZ 85004 -4427
 Phone: (602) 417-9200

Transaction #: 1606244	
Date of Transaction: 08/28/2007	
CUSTOMER:	FRANK MELLUZZO 10980 W CHERRY CREEK RD DEWEY, AZ 86327

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS- NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED (455) CASES: AMC367879/\$1875.00	MAINT 2008 (15)	- n/a -	1875.00
TOTAL:					\$1,875.00

PAYMENT INFORMATION			
1	AMOUNT:	\$1,875.00	POSTMARKED: N/A
	TYPE:	CHECK	RECEIVED: 08/28/2007
	CHECK NO:	3729	
	NAME:	MELLUZZO, FRANK 10980 W CHERRY CREEK RD DEWEY AZ 86327	

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

\$100.00 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31 2007
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE

BUREAU OF LAND MANAGEMENT

1 N. CENTRAL AVE
PHOENIX, AZ. 85004

CK 3729 1554050000
COUNT: 1 \$ 125.00 INT: 0%
FOR OFFICIAL USE ONLY

THE CLAIMS ARE SITUATED IN MARICOPA COUNTY, ARIZONA.

BLM SERIAL NUMBERS NAMES OF CLAIMS OR SITES

A MC 367879 THRU A MC SUNBURST #17

COUNTY BOOK/DOCKET PAGE(S) OR FEE NO(S)

A MC THRU A MC

COUNTY BOOK/DOCKET PAGE(S) OR FEE NO(S)

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS NAME OF CLAIMS/SITES COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER

A MC

A MC

A MC

A MC

A MC

A MC

A MC

A MC

A MC

A MC

CLAIMANT'S NAME: FRANK MELLUZZO

ADDRESS: 10980 W. CHERRY CREEK CITY: DEWEY STATE: AZ

CHECK HERE IF THIS IS A CHANGE OF ADDRESS PHONE: (920) 632 5528 ZIP: 86327

SIGNATURE: TO RECORD WITH THE COUNTY ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL OWNERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY ENTERED IN COMPUTER ENTERED INTO COMPUTER: RZ 9/29/07

TIME STAMP ENTERED IN COMPUTER

STUDIO MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 2007
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE

1 1001 N. Central Av.
Box, AZ. 85004-2203

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY,
 ARIZONA.

CK 3729	1554652
COUNTY <u>5</u>	\$ <u>625.00</u> BTR <u>AT</u>
FOR OFFICIAL USE ONLY	

BLM SERIAL NUMBERS **NAMES OF CLAIMS OR SITES**

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>72731</u>	<u>JUNIPER</u>	<u>D 128 P 289</u>
A MC <u>72751</u>	<u>FOWLER'S WATER GATE</u>	<u>D 1388 P 2842</u>
A MC <u>72756</u>	<u>GOLD HOLE</u>	<u>D 557 P 916</u>
A MC <u>72723</u>	<u>GOLD BULLION M.S</u>	<u>MS-D927 P 850</u>
A MC <u>72724</u>	<u>GOLD BULLION M.S</u>	<u>MS.D796 P 082</u>
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: Frank Melluzgo

ADDRESS: 10980 W. Cherry Creek Rd CITY: Peoria STATE: Az

CHECK HERE IF THIS IS A CHANGE OF ADDRESS PHONE: (928) 632-5528 ZIP: 86327

SIGNATURE: _____
 TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LET ALL ADDITIONAL ORDERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY

ENTERED INTO COMPUTER:	DATE	INITIALS	VERIFIED
------------------------	------	----------	----------

RECEIVED
 B.L.M. AZ STATE OFFICE
 2001 AUG 28 A 9:29
 PHOENIX, ARIZONA

BLM MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 2007
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT 2007
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE

1 1100 N. Central Av.
Phoenix, AZ. 85004-2203

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY,
 ARIZONA.

CK 3729	1554652
COUNTY <u>9</u>	\$ <u>1125.00</u> DTR. <u>85</u>
FOR OFFICIAL USE ONLY	

BLM SERIAL NUMBERS _____ **NAMES OF CLAIMS OR SITES** _____

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAMES OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>341087</u>	<u>SUNNY BROOK</u>	<u>D 3239-P 380-81</u>
A MC <u>341088</u>	<u>CLINKER</u>	<u>D 3239-P 382-83</u>
A MC <u>341089</u>	<u>EL-TORO</u>	<u>D 3239-P 384-85</u>
A MC <u>72249</u>	<u>BOOM</u>	<u>B 617-P 967</u>
A MC <u>72250</u>	<u>DUPLEX</u>	<u>B 617-P 968</u>
A MC <u>72251</u>	<u>GOLD-SHAD</u>	<u>B 617-P 970</u>
A MC <u>72253</u>	<u>ALICE</u>	<u>B 617-P 966</u>
A MC <u>371732</u>	<u>LION CUB 1+2</u>	<u>B 4389-P 417</u>
A MC <u>370620</u>	<u>LION</u>	<u>B 4361-P 738</u>

CLAIMANT'S NAME Frank Malunga STATE AZ

ADDRESS 10980 W. Cherry Creek Rd CITY Payson

PHONE: 928 633-5528 ZIP 86327

CHECK HERE IF THIS IS A CHANGE OF ADDRESS

SIGNATURE _____
 TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LET ALL ADDITIONAL CHARGES ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY

ENTERED INTO COMPUTER: _____ DATE _____ DETAILS _____ VERIFIED _____

RECEIVED
 BLM, AZ STATE OFFICE
 2007 AUG 28 A 9:29
 PHOENIX, ARIZONA

MAINTENANCE FEE PAYMENT

\$100.00 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 1998
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.

BUREAU OF LAND MANAGEMENT

1 N. CENTRAL AVE
PHOENIX, AZ. 85004

THE CLAIMS ARE SITUATED IN MARICOPA COUNTY,
ARIZONA.

CK # 3328 #1340456
COUNT: <u>1</u> \$ <u>125</u> INT: <u>MX</u>
FOR OFFICIAL USE ONLY

BLM SERIAL NUMBERS

NAMES OF CLAIMS OR SITES

A MC 367879 THRU A MC _____ SUNBURST #7
COUNTY BOOK/DOCKET 33359, PAGE(S) OR FEE NO(S) -05 AMC341087

A MC _____ THRU A MC _____ AMC 367879
COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____ AMC #72700
AMC 371732
AMC 370620
COUNTY _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	BOOK/DOCKET & PAGE OR FEE NUMBER
A MC _____	_____	<u>AMC 72229</u>
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: FRANK MELLUZZO
ADDRESS: 10980 W CHERRY CREEK RD CITY: DEWENY, ARIZONA

CHECK HERE IF THIS IS A CHANGE OF ADDRESS
PHONE: (928) 632 5528 ZIP: 86327

SIGNATURE: _____
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL OWNERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY
ENTERED INTO COMPUTER: 8/30/06 RF

RECEIVED
B.L.M. AZ STATE OFFICE
TIME STAMP
AUG 22 11 01 AM '98

MAINTENANCE FEE PAYMENT

\$100.00 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 1998
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.

BUREAU OF LAND MANAGEMENT

1 N. CENTRAL AVE
 PHOENIX, AZ. 85004

CK. #3328 #1340456

COUNT: 7 \$ 875- INT: PMC

FOR OFFICIAL USE ONLY

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY, ARIZONA.

BLM SERIAL NUMBERS _____ NAMES OF CLAIMS OR SITES _____

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>72731</u>	<u>JUNI PER</u>	<u>D 128 P288</u>
A MC <u>72751</u>	<u>SOWLER'S WATER GATE</u>	<u>D 1388 P2842</u>
A MC <u>72756</u>	<u>GOLD HOLE</u>	<u>D 557 P916</u>
A MC <u>72723</u>	<u>GOLD BULLION MS</u>	<u>MS D921 P850</u>
A MC <u>72724</u>	<u>GOLD BULLION MS</u>	<u>MS D796- P082</u>
A MC <u>371732</u>	<u>LION COB- 1+2</u>	<u>B-4389- P417</u>
A MC <u>370620</u>	<u>LION</u>	<u>B-4361 P738</u>
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: FRANK MELLUZZO

ADDRESS: 10980 W. CHERRY CREEK RD CITY: DEWEY STATE: AZ

CHECK HERE IF THIS IS A CHANGE OF ADDRESS PHONE: (928) 632-5526 778-86027

SIGNATURE: _____
 TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL OWNERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY

ENTERED INTO COMPUTER: _____

RECEIVED
 B.L.M. AZ
 PHOENIX, ARIZONA

MAINTENANCE FEE PAYMENT

\$100.00 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 1998
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.

BUREAU OF LAND MANAGEMENT

1 N. CENTRAL AVE
PHOENIX, AZ. 85004

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY,
ARIZONA.

CK. #3328 #1340456
COUNT: 7 \$ 875- INT: MMC
FOR OFFICIAL USE ONLY

BLM SERIAL NUMBERS _____ NAMES OF CLAIMS OR SITES _____
A MC _____ THRU A MC _____
COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____
A MC _____ THRU A MC _____
COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>341087</u>	<u>SUNNY BROOK</u>	<u>D3239 P380-81</u>
A MC <u>341088</u>	<u>CLINKER</u>	<u>D3239 P382-83</u>
A MC <u>341089</u>	<u>EL-TORO</u>	<u>D3239 P384-85</u>
A MC <u>72249</u>	<u>BOOM</u>	<u>B617 - P967</u>
A MC <u>72250</u>	<u>DUPLEX</u>	<u>B617 - P968</u>
A MC <u>72251</u>	<u>GOLD SHAD</u>	<u>B617 P970</u>
A MC <u>72253</u>	<u>ALICE</u>	<u>B617 P966</u>
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: FRANK MELLUZZO
ADDRESS: 10980 W. CHERRY CREEK RD CITY: DEWEY STATE: AZ.

CHECK HERE IF THIS IS A CHANGE OF ADDRESS
PHONE: (928) 632 5528 ZIP: 86327

SIGNATURE: _____
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL OWNERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY
ENTERED INTO COMPUTER: _____

RECEIVED
B.L.M. AZ STATE OFFICE
AUG 22 11 11 AM '98

United States Department of the Interior
Bureau of Land Management
 BUSINESS & SUPPORT SVCS DIV
 ONE N CENTRAL AVE
 PHOENIX, AZ 85004 -2203
 Phone: (602) 417-9200

Receipt

No: 1340456

Transaction #: 1385659	
Date of Transaction: 08/22/2006	
CUSTOMER:	FRANK MELLUZZO 10980 W CHERRY CREEK RD DEWEY, AZ 86327

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS-NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED (455) CASES: AMC72731/\$1875.00	MAINT 2007/15	- n/a -	1875.00
TOTAL:					\$1,875.00

PAYMENT INFORMATION			
1	AMOUNT:	\$1,875.00	POSTMARKED: N/A
	TYPE:	CHECK	RECEIVED: 08/22/2006
	CHECK NO:	3328	
	NAME:	MELLUZZO, FRANK 10980 W CHERRY CREEK RD DEWEY AZ 86327	

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

MAINTENANCE FEE PAYMENT

**\$10000 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 2005
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT YEAR
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.**

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE

222 N. Central Av.
P.O. Box. AZ. 85004-2205

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY,
ARIZONA.

CL# 29,80 1129663
COUNT: 4 \$ 500 INT: TRK
FOR OFFICIAL USE ONLY

BLM SERIAL NUMBERS

NAMES OF CLAIMS OR SITES

LEAD CASE FILES
AMC 72700

A MC _____ THRU A MC _____

Amc 72229

COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

Amc 341087

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>72700</u>	<u>GLORY ANNA I</u>	<u>B 129 P 115</u>
A MC <u>72702</u>	<u>GLORY ANNA 3</u>	<u>B 136 P 563</u>
A MC <u>72708</u>	<u>LA DORA 4</u>	<u>B 129 P 269</u>
A MC <u>72709</u>	<u>SUZANE 1</u>	<u>B 144 P 341</u>
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: FRANK MELLOZZO

ADDRESS: 10980 W. CHERRY CREEK RD CITY: DEWEE

STATE: AZ

PHONE: (928) 632-5528

ZIP: 86327

CHECK HERE IF THIS IS A CHANGE OF ADDRESS

SIGNATURE: Frank Mellozzo
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL ORDERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY

ENTERED INTO COMPUTER: _____

9/12/05
DATE

RE
INITIALS

VERIFIED

PHOENIX, ARIZONA
2005 AUG 16 A 11:19
RECEIVED
B.L.M. AZ STATE OFFICE

MAINTENANCE FEE PAYMENT 1

\$100.00 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 2005
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE

222 N. Central Av.
Phoenix, AZ. 85004-2203

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY,
ARIZONA.

CR. # 2980 1129663
COUNT: 5 \$ 625 INT: TMC
FOR OFFICIAL USE ONLY

BLM SERIAL NUMBERS

NAMES OF CLAIMS OR SITES

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>72731</u>	<u>JUNIPER</u>	<u>D 128 P 288</u>
A MC <u>72751</u>	<u>FOWLER'S WATER GATE</u>	<u>D 1388 P 2842</u>
A MC <u>72756</u>	<u>GOLD HOLE</u>	<u>D 557 P 916</u>
A MC <u>72723</u>	<u>GOLD BULLION M.S.</u>	<u>M.S. D 927 P 850</u>
A MC <u>72724</u>	<u>GOLD BULLION M.S.</u>	<u>MS D 796 P 082</u>
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: FRANK MELLUZZO

ADDRESS: 10980 W CHERRY CREEK RD CITY: DEWEY STATE: AZ

PHONE: (928) 632 5528 ZIP: 86327

CHECK HERE IF THIS IS A CHANGE OF ADDRESS

SIGNATURE: Frank Melluzzo
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL OWNERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY
ENTERED INTO COMPUTER: 9/12/05 DATE
INITIALS RE VERIFIED

TIME STAMP
PHOENIX, ARIZONA
2005 AUG 16 9 11:18

RECEIVED
B.L.M. AZ STATE OFFICE

MAINTENANCE FEE PAYMENT 1

10000 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 2005
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE

222 N. Central Av.
P.O. Box. AZ. 85004-2203

OK # 2980 1129663
COUNT: 1 : 875 INT: JMC
FOR OFFICIAL USE ONLY

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY,
ARIZONA.

BLM SERIAL NUMBERS

NAMES OF CLAIMS OR SITES

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC 341087	SUNNY BROOK	D3239 P380-81
A MC 341088	CLINKER	D3239 P382-83
A MC 341089	EL-TORO	D3239 P384-85
A MC 72249	BOOM	B617 P967
A MC 72250	DUPLEX	B617 P968
A MC 72251	GOLD-SHAD	B617 P970
A MC 72253	ALICE	B617 P966
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: FRANK MELLUZZO

ADDRESS: 10980 W. CHERRY CREEK RD CITY: DEWEY STATE: AZ

PHONE: (928) 630-5528 ZIP: 86321

CHECK HERE IF THIS IS A CHANGE OF ADDRESS

SIGNATURE: [Signature]
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL ORDERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY
ENTERED INTO COMPUTER: 9/12/05 DATE
RE INITIALS
VERIFIED

TIME STAMP
PHOENIX, ARIZONA
2005 AUG 16 A 11:18
RECEIVED
B.L.M. AZ STATE OFFICE

United States Department of the Interior
Bureau of Land Management
 BUSINESS & SUPPORT SVCS DIV
 222 N CENTRAL AVE
 PHOENIX, AZ 85004 -2203
 Phone: (602) 417-9200

Receipt	
No:	1129663

Transaction #: 1168692
Date of Transaction: 08/16/2005
CUSTOMER: FRANK MELLUZZO 10609 N 8TH ST PHOENIX,AZ 85020

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS-NOT NEW-UNADJUD,ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED (455) CASES: AMC72700/\$2000.00	MAINT 2006/16	- n/a -	2000.00
TOTAL:					\$2,000.00

PAYMENT INFORMATION			
1	AMOUNT:	\$2,000.00	POSTMARKED: N/A
	TYPE:	CHECK	RECEIVED: 08/16/2005
	CHECK NO:	2980	
	NAME:	MELLUZZO, FRANK 10609 N 8TH ST PHOENIX AZ 85020	

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

MAINTENANCE FEE PAYMENT

MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 2004
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE

222 N. Central Av.
Ox. A.Z. 85004-2205

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY,
ARIZONA.

YMC
Ch. # 2624 937227
COUNT: 7 \$ 875.00 INT. EC
FOR OFFICIAL USE ONLY

BLM SERIAL NUMBERS NAMES OF CLAIMS OR SITES
A MC _____ THRU A MC _____
COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____
A MC _____ THRU A MC _____
COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____

72229
72700
341087
SC

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC 341087	SUNNY BROOK	D 3239-P 380-81
A MC 341088	CLINKER	D 3239-P 382-83
A MC 341089	EL-TORO	D 3239-P 384-85
A MC 72249	BOOM	B 617-P 967
A MC 72250	DUPLEX	B 617-P 968
A MC 72251	GOLD-SHAD	B 617-P 970
A MC 72253	ALICE	B 617-P 966
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: Frank Maluszko

ADDRESS: 10980 W. Cherry Creek Rd CITY: Douglas STATE: AZ

PHONE: (928) 632-5528 ZIP: 86327

CHECK HERE IF THIS IS A CHANGE OF ADDRESS

SIGNATURE: _____ TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL OWNERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY
ENTERED INTO COMPUTER: 9/15/04 DATE AB INITIALS SC VERIFIED

RECEIVED
B.L.M. AZ STATE OFFICE
2004 AUG 25 A 11:40
PHOENIX, ARIZONA

MAINTENANCE FEE PAYMENT

SIGNED MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 2004
\$125.00 IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE

222 N. Central Av.
P.O. Box. AZ. 85004-2205

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY,
ARIZONA.

Ch. # 2624		937227	
COUNTY: 5	625.00		INT. SC
FOR OFFICIAL USE ONLY			

BLM SERIAL NUMBERS

NAMES OF CLAIMS OR SITES

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

COUNTY
BOOK/DOCKET & PAGE
OR FEE NUMBER

BLM
SERIAL NUMBERS

NAME OF CLAIMS/SITES

A MC 72731 ✓

JUNIPER

D 128 P 288

A MC 72751 ✓

FOWLER'S WATER GATE

D 1388 P 2842

A MC 72756

GOLD HOLE

D 557 P 916

A MC 72723 ✓

GOLD BULLION M.S

MS-D927 P 850

A MC 72724 ✓

GOLD BULLION M.S

MS-D796 P 082

A MC _____

A MC _____

A MC _____

A MC _____

CLAIMANT'S NAME: Frank Melluzzo

ADDRESS: 10980 W. Cherry Creek Rd CITY: Peoria

STATE: Az

PHONE: (928) 632-5528

ZIP: 86327

CHECK HERE IF THIS IS A CHANGE OF ADDRESS

SIGNATURE: _____
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL OWNERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY		
ENTERED INTO COMPUTER: _____	DATE _____	INITIALS _____
_____	_____	VERIFIED _____

RECEIVED
B.L.M. AZ STATE OFFICE
AUG 25 A 11:40
PHOENIX, ARIZONA

\$125.00

MAINTENANCE FEE PAYMENT

**MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 2004
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.**

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE

222 N. Central Ave.
P.O. Box. AZ. 85004-2203

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY,
ARIZONA.

HMC	
Ck. # 2624	937227
COUNT: <u>4</u>	\$ <u>500.00</u> INT. <u>50</u>
FOR OFFICIAL USE ONLY	

BLM SERIAL NUMBERS

NAMES OF CLAIMS OR SITES

A MC _____ THRU A MC _____
 COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____
 A MC _____ THRU A MC _____
 COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

COUNTY
BOOK/DOCKET & PAGE
OR FEE NUMBER

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>72700</u>	<u>GLORY-ANNA I</u>	<u>B 129 P 115</u>
A MC <u>72702</u>	<u>GLORY-ANNA 3</u>	<u>B 136 P 563</u>
A MC <u>72708</u>	<u>LA DORA 4</u>	<u>B 129 P 269</u>
A MC <u>72709</u>	<u>SUZANE 1</u>	<u>B 144 P 341</u>
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: Frank Melluso
 ADDRESS: 10980 W. Cherry Creek Rd CITY: Douney STATE: Calif.
 PHONE: (928) 632-5528 ZIP: 96327

CHECK HERE IF THIS IS A CHANGE OF ADDRESS

SIGNATURE: _____
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL ORDERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY

ENTERED INTO COMPUTER: _____ DATE _____ INITIALS _____ VERIFIED _____

RECEIVED
 L.M. AZ STATE OFFICE
 AUG 25 A 11:39
 PHOENIX, ARIZONA

United States Department of the Interior
Bureau of Land Management
 BUSINESS & SUPPORT SVCS DIV
 222 N CENTRAL AVE
 PHOENIX, AZ 85004 -2203
 Phone: (602) 417-9200

Receipt	
No:	937227

Transaction #: 971552
Date of Transaction: 08/25/2004
CUSTOMER: FRANK MELLUZZO 10609 N 8TH ST PHOENIX, AZ 85020

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS-NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED (455) CASES: AMC341087/\$2000.00	MAINT 2005/16	- n/a -	2000.00
TOTAL:					\$2,000.00

PAYMENT INFORMATION			
1	AMOUNT:	\$2,000.00	POSTMARKED: N/A
	TYPE:	CHECK	RECEIVED: 08/25/2004
	CHECK NO:	2624	
	NAME:	MELLUZZO, FRANK 10609 N 8TH ST PHOENIX AZ 85020	

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

LEAD FILE NUMBERS

AMC 72700, 72229, 341087

AMC NUMBER (S)	AMOUNT
72700	100
72702	100
72708 - 72709	200
72731	100
72751	100
72756	100
72723 - 72724	200
341087 - 341089	300
72249 - 72251	300
72253	100
TOTAL:	\$ 1600⁰⁰

AMC NUMBER (S)	AMOUNT
TOTAL:	\$

5100.00 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 2003
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE

222 N. Central Ave.
Phx. AZ. 85004-2203

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY,
ARIZONA.

COUNT: 4 \$ 400 INT. (R)
FOR OFFICIAL USE ONLY

BLM SERIAL NUMBERS

NAMES OF CLAIMS OR SITES

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>72700</u> ✓	<u>GLORY ANNA 1</u>	<u>B 129 - P 115</u>
A MC <u>72702</u> ✓	<u>GLORY ANNA 3</u>	<u>B 136 - P 563</u>
A MC <u>72708</u> ✓	<u>LA DORA 4</u>	<u>B 129 - P 269</u>
A MC <u>72709</u> ✓	<u>SUZANE 1</u>	<u>B 144 - P 341</u>
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: FRANK MELLUZZO

ADDRESS: 10609 N. 8TH ST CITY: PHX STATE: AZ

PHONE: (602) 961-1048 ZIP: 85020

CHECK HERE IF THIS IS A CHANGE OF ADDRESS

SIGNATURE: Frank Melluzzo
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL OWNERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY
ENTERED INTO COMPUTER: 9/10/03 DATE
ES INITIALES
PS 10/19/03 VERIFIED

RECEIVED
BLM, AZ STATE OFFICE
2003 AUG 20 A 9:00
PHOENIX, ARIZONA

**\$100.00 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 2003
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.**

**BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE**

222 N. Central Ave.
P.O. Box R.Z. 85004-2203

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY,
ARIZONA.

Amc 72700

COUNT: <u>5</u>	\$ <u>500</u>	INT: <u>VB</u>
FOR OFFICIAL USE ONLY		

BLM SERIAL NUMBERS	NAMES OF CLAIMS OR SITES	PHOENIX, ARIZONA	2003 AUG 20 A 9:00	B.L.M. AZ STATE OFFICE RECEIVED
A MC _____ THRU A MC _____	COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____			
A MC _____ THRU A MC _____	COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____			

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>72731</u> ✓	<u>JUNIPER</u>	<u>D 129-P 288</u>
A MC <u>72751</u> ✓	<u>SOWLERS WATER GATE</u>	<u>D 1388-P 2842</u>
A MC <u>72756</u> ✓	<u>GOLD HOLE</u>	<u>D 557-P 916</u>
A MC <u>72723</u> ✓	<u>GOLD BULLION MS</u>	<u>MS D 927-P 850</u>
A MC <u>72724</u> ✓	<u>GOLD BULLION MS</u>	<u>MS D 796-P 082</u>
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: FRANK MELLUZZO
 ADDRESS: 10609 N. 8th ST CITY: PHX STATE: AZ
 PHONE: (602) 961-1048 ZIP: 85020

CHECK HERE IF THIS IS A CHANGE OF ADDRESS

SIGNATURE: Frank Melluzzo
 TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL OWNERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY

ENTERED INTO COMPUTER: <u>9/10/03</u>	INITIALS: <u>[Signature]</u>	VERIFIED: <u>PS 10/17/03</u>
DATE	INITIALS	VERIFIED

PHOENIX, ARIZONA
 2003 AUG 20 A 9:00
 RECEIVED B.L.M. AZ STATE OFFICE

**\$10000 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 2003
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.**

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE

222 N. Central Ave.
P.O. Box RZ, 85004-2205

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY,
ARIZONA.

COUNTY: 7 \$ 700 INT. (TR)
FOR OFFICIAL USE ONLY

BLM SERIAL NUMBERS

NAMES OF CLAIMS OR SITES

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____ PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>341087</u> ✓	<u>SUNNY BROOK</u>	<u>D 3239-P 380-81</u>
A MC <u>341088</u> ✓	<u>CHINKER</u>	<u>D 3239-P 382-83</u>
A MC <u>341089</u> ✓	<u>EL-TORO</u>	<u>D 3239 P 384-85</u>
A MC <u>72249</u> ✓	<u>BOOM</u>	<u>B 617-P 967</u>
A MC <u>72250</u> ✓	<u>DUPLEX</u>	<u>B 617-P 968</u>
A MC <u>72251</u> ✓	<u>GOLD-SHAD</u>	<u>B 617-P 979</u>
A MC <u>72253</u> ✓	<u>ALICE</u>	<u>B 617-P 966</u>
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: FRANK MELLUZZO
ADDRESS: 10609 N. 8th ST CITY: PHX STATE: AZ
PHONE: (602) 861-1048 ZIP: 85020

CHECK HERE IF THIS IS A CHANGE OF ADDRESS

SIGNATURE: Frank Melluzzo
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL ORDERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY

ENTERED INTO COMPUTER: g/h/les DATE

V.S. DETAILS

08/19/03 VERIFIED

TIME STAMP
RECEIVED
B.L.M. AZ STATE OFFICE
2003 AUG 20 A 9:00
PHOENIX, ARIZONA

**United States Department of the Interior
Bureau of Land Management
BUSINESS & SUPPORT SVCS DIV**

222 N CENTRAL AVE
PHOENIX, AZ 85004 -2203
Phone: (602) 417-9200

Receipt

No: 734196

Transaction #: 763680

Date of Transaction: 08/20/2003

CUSTOMER: FRANK MELLUZZO
10609 N 8TH ST
PHOENIX, AZ 85020

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS-NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED (455) CASES: AMC341087/\$1600.00	MAIN 2004 (16)	- n/a -	1600.00
TOTAL:					\$1,600.00

PAYMENT INFORMATION			
1	AMOUNT:	\$1,600.00	POSTMARKED: N/A
	TYPE:	CHECK	RECEIVED: 08/20/2003
	CHECK NO:	2284	
	NAME:	MELLUZZO, FRANK 10609 N 8TH ST PHOENIX AZ 85020	

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

Receipt No. 543387

Trans No. 568008

LEAD FILE #'S _____

72229, 72700, 341087

AMC Number	Code	Amount	
72249-72251	482	300	
72253	|	100	
72700		100	
72702		100	
72708-72709		200	
72723-72724		200	
72731		100	
72751		100	
72756		100	
341087-341089		|	300
TOTAL:		\$1,600	

AMC Number	Code	Amount
TOTAL:		\$

Date of Doc 8/19/02

Date of Rec't " "

Amount Rec'd 1,600

Amount Earned 1,600

- 480 POL
- 481 NOI
- 482 MAINT
- 396 TRANS
- 635 AMEND

Date Entered: 9/26/02 AB

Date Verified: " "

Sent to Accts: " "

Date Earned: _____

NOTES:

543387
CK # 12537

Sept. 1, 2002

MAINTENANCE FEE PAYMENT

**\$100.00 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 19__
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.**

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
3787 NORTH 7TH STREET 222 N. Central Ave
PHOENIX, AZ 85014 (OR) 85004-2203
P.O. BOX 16563, PHOENIX, AZ 85011

COUNT: 9 \$ 900.00 INT: mc
FOR OFFICIAL USE ONLY

THE CLAIMS ARE SITUATED IN Maricopa COUNTY,
ARIZONA.

YEAR 2002

BLM SERIAL NUMBERS _____ NAMES OF CLAIMS OR SITES _____

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

A MC _____ THRU A MC _____

COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>72700</u>	<u>GLORY ANA #1</u>	<u>B. 129-115</u>
A MC <u>72702</u>	<u>CLORY ANA #3</u>	<u>B 136-563</u>
A MC <u>72708</u>	<u>LA DORA #4</u>	<u>B. 129-269</u>
A MC <u>72709</u>	<u>SUZANE #1</u>	<u>B 144-341</u>
A MC <u>72731</u>	<u>JUNIPER</u>	<u>B 128-288</u>
A MC <u>72751</u>	<u>FOWLERS WATERGATE</u>	<u>DKT 1388-2842</u>
A MC <u>72756</u>	<u>GOLD HOLE</u>	<u>B 557-916</u>
A MC <u>72723</u>	<u>GOLD BULLION MILLS</u>	<u>B 927 850</u>
A MC <u>72724</u>	<u>GOLD BULLION MILLS</u>	<u>B 926 082</u>
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: FRANK MELLUZZO

ADDRESS: 10609 W. 8th St CITY: PHX STATE: AZ

CHECK HERE IF THIS IS A CHANGE OF ADDRESS PHONE: (602) 861-1048 ZIP: 85020

SIGNATURE: Frank Melluzzo
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL OWNERS ON REVERSE SIDE OF THIS FORM

TIME STAMP
PHOENIX, ARIZONA
2002 AUG 19 P 1:44
RECEIVED
B.L.M. AZ STATE OFFICE

FOR OFFICIAL USE ONLY
ENTERED INTO COMPUTER: 9/26/02 as
DATE INITIALS VERIFIED

543387
CK# 12537

Sept. 1, 2002

MAINTENANCE FEE PAYMENT

**\$100.00 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 19__
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.**

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE 222 N. CENTRAL
3707 NORTH 7TH STREET
PHOENIX, AZ 85014 (OR) 85004-2203
P.O. BOX 16563, PHOENIX, AZ 85011

COUNT: 1 \$ 700.⁰⁰ INT: JMC
FOR OFFICIAL USE ONLY

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY,
ARIZONA.

YEAR 2002

BLM SERIAL NUMBERS _____ NAMES OF CLAIMS OR SITES _____
A MC _____ THRU A MC _____
COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____
A MC _____ THRU A MC _____
COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>341087</u>	<u>SUNNY BROOK</u>	<u>D3239 P380-381</u>
A MC <u>341088</u>	<u>CLINKER</u>	<u>D3239-P382-383</u>
A MC <u>341089</u>	<u>EL TORO</u>	<u>D3239-P384-385</u>
A MC <u>72249</u>	<u>BOOM</u>	<u>B617 - P967</u>
A MC <u>72250</u>	<u>DUPLEX</u>	<u>B617 - P968</u>
A MC <u>72251</u>	<u>GOLD SHAD</u>	<u>B617 - P970</u>
A MC <u>72253</u>	<u>ALICE</u>	<u>B617 P966</u>
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: _____
ADDRESS: 10609 N. 8th ST CITY: PHX STATE: AZ

CHECK HERE IF THIS IS A CHANGE OF ADDRESS PHONE: (602) 861-1048 ZIP: 85020

SIGNATURE: [Signature]
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

TIME STAMP
PHOENIX, ARIZONA
2002 AUG 19 P 1:44
RECEIVED B.L.M. AZ STATE OFFICE

LIST ALL ADDITIONAL OWNERS ON REVERSE SIDE OF THIS FORM
FOR OFFICIAL USE ONLY
ENTERED INTO COMPUTER: 9/26/02 ab
DATE INITIALS VERIFIED

United States Department of the Interior
Bureau of Land Management
 BUSINESS & SUPPORT SVCS DIV
 222 N CENTRAL AVE
 PHOENIX, AZ 85004 -2203
 Phone: (602) 417-9200

Receipt	
No:	543387

Transaction #: 568008
Date of Transaction: 08/19/2002
CUSTOMER: FRANK MELLUZZO 10609 N 8TH ST PHOENIX,AZ 85020

LINE #	QTY	DESCRIPTION	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS-NOT NEW-UNADJUD,ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED (455) CASES: AMC72700/\$1600.00	MAINT 2003 (16)	- n/a -	1600.00
TOTAL:					\$1,600.00

PAYMENT INFORMATION			
1	AMOUNT:	\$1,600.00	POSTMARKED: N/A
	TYPE:	CHECK	RECEIVED: 08/19/2002
	CHECK NO:	12537	
	NAME:	MELLUZZO, FRANK 10609 N 8TH ST PHOENIX AZ 85020	

REMARKS

This receipt was generated by the automated BLM Collections and Billing System and is a paper representation of a portion of the official electronic record contained therein.

Receipt No. 360037

LEAD FILE #'S 72229

Trans No. 378562

72700

341087

AMC Number	Code	Amount
72249	482	100
72250		
72251		
72253		
72700		
72702		
72708		
72709		
72733		
72724		
72731		
72751		
72756		
341087		
341088		
341089		
TOTAL:	482	\$1600

AMC Number	Code	Amount
TOTAL:		\$

Date of Doc 8/20/2001

Date Entered: 10/23/01 aj

Date of Rec't 8-20-01

Date Verified: _____

Amount Rec'd 1600

Sent to Accts: _____

Amount Earned 1600.00

Date Earned: _____

- 480 POL
- 481 NOI
- 482 MAINT
- 396 TRANS
- 635 AMEND

NOTES:

MAINTENANCE FEE PAYMENT Sept. 01, 2001

**\$100.00 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 19__
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.**

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
222 NORTH CENTRAL AVENUE
PHOENIX, AZ 85004-2003

COUNT: 4 \$ 400.⁰⁰ INT: RC
FOR OFFICIAL USE ONLY

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY, ARIZONA.

BLM SERIAL NUMBERS NAMES OF CLAIMS OR SITES
A MC _____ THRU A MC _____
COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____
A MC _____ THRU A MC _____
COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>72700</u>	<u>GLORY ANNA 1</u>	<u>B 129-P 115</u>
A MC <u>72702</u>	<u>GLORY ANNA 3</u>	<u>B 136-P 563</u>
A MC <u>72708</u>	<u>LA DORA 4</u>	<u>B 129-P 269</u>
A MC <u>72709</u>	<u>SUZONNE 1</u>	<u>B 144-P 341</u>
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: FRANK MELLOZZO

ADDRESS: 10609 N. 8th ST CITY: PHX. STATE: AZ

PHONE: 602-861-1048 ZIP: 85020

CHECK HERE IF THIS IS A CHANGE OF ADDRESS

SIGNATURE: Frank Mellozzo
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL OWNERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY
ENTERED INTO COMPUTER: _____
DATE INITIALS VERIFIED

TIME STAMP
PHOENIX, ARIZONA
2001 AUG 20 A 9:52
BLM STATE OFFICE
RECEIVED

MAINTENANCE FEE PAYMENT Sept. 01, 2001

\$100.00 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 19
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.

BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
222 NORTH CENTRAL AVENUE
PHOENIX, AZ 85004-2003

COUNT: 5 \$ 500.00 INT: RC
FOR OFFICIAL USE ONLY

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY, ARIZONA.

BLM SERIAL NUMBERS NAMES OF CLAIMS OR SITES

A MC _____ THRU A MC _____
COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

A MC _____ THRU A MC _____
COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>72731</u>	<u>JUNIPER</u>	<u>D128-P288</u>
A MC <u>72751</u>	<u>FOWLERS WATER GATE</u>	<u>D1388-P2842</u>
A MC <u>72756</u>	<u>GOLD HOLE</u>	<u>D557-P916</u>
A MC <u>72723</u>	<u>GOLD BULLION MS</u>	<u>MS. D927-P850</u>
A MC <u>72724</u>	<u>GOLD BULLION MS.</u>	<u>MS. D796-P082</u>
A MC _____	_____	_____
A MC _____	_____	_____
A MC _____	_____	_____

CLAIMANT'S NAME: FRANK MELLOZZO

ADDRESS: 10609 N. 8th ST CITY: PHX STATE: AZ.

CHECK HERE IF THIS IS A CHANGE OF ADDRESS PHONE: 602 861-1048 ZIP: 85020

SIGNATURE: [Signature]
TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL OWNERS ON REVERSE SIDE OF THIS FORM
FOR OFFICIAL USE ONLY
ENTERED INTO COMPUTER: _____ DATE _____ INITIALS _____ VERIFIED _____

RECEIVED
BLM STATE OFFICE
2001 AUG 20 4 52 PM

MAINTENANCE FEE PAYMENT Sept. 01, 2001

\$100.00 MAINTENANCE FEE PAYMENT DUE ON OR BEFORE AUGUST 31, 19__
IN LIEU OF ASSESSMENT WORK FOR THE UPCOMING ASSESSMENT
YEAR BEGINNING SEPTEMBER 1 OF THE YEAR NOTED ABOVE.

BUREAU OF LAND MANAGEMENT
 ARIZONA STATE OFFICE
 222 NORTH CENTRAL AVENUE
 PHOENIX, AZ 85004-2003

COUNT: 7 \$ 700.00 INT: KC
FOR OFFICIAL USE ONLY

THE CLAIMS ARE SITUATED IN YAVAPAI COUNTY, ARIZONA.

BLM SERIAL NUMBERS _____ NAMES OF CLAIMS OR SITES _____

A MC _____ THRU A MC _____
 COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

A MC _____ THRU A MC _____
 COUNTY BOOK/DOCKET _____, PAGE(S) OR FEE NO(S) _____

(OR) IF NOT CONSECUTIVE NUMBERS LIST SEPARATELY BELOW:

BLM SERIAL NUMBERS	NAME OF CLAIMS/SITES	COUNTY BOOK/DOCKET & PAGE OR FEE NUMBER
A MC <u>341087</u>	<u>SUNNY BROOK</u>	<u>D 3239 P 380-81</u>
A MC <u>341088</u>	<u>CLINKER</u>	<u>D 3239 P 382-83</u>
A MC <u>341089</u>	<u>EL-TORO</u>	<u>D 3239 P 384-85</u>
A MC <u>72249</u>	<u>BOOM</u>	<u>B 617 P 967</u>
A MC <u>72250</u>	<u>DUPLEX</u>	<u>B 617 P 968</u>
A MC <u>72251</u>	<u>GOLD-SHAD</u>	<u>B 617 P 970</u>
A MC <u>72253</u>	<u>ALICE</u>	<u>B 617 P 966</u>
A MC _____	_____	_____

CLAIMANT'S NAME: FRANK MELLUZZO

ADDRESS: 10609 N. 8th ST CITY: PHX STATE: AZ

CHECK HERE IF THIS IS A CHANGE OF ADDRESS PHONE: 602 861-1048 ZIP: 85020

SIGNATURE: Frank Melluzzo
 TO RECORD WITH THE COUNTY, ONE CLAIMANT OR THE AGENT MUST SIGN

LIST ALL ADDITIONAL OWNERS ON REVERSE SIDE OF THIS FORM

FOR OFFICIAL USE ONLY

ENTERED INTO COMPUTER: _____
 DATE _____ INITIALS _____ VERIFIED _____

RECORDED
 BLM STATE OFFICE
 2001 AUG 20 9:52
 TIME STAMP

United States Department of the Interior
Bureau of Land Management
 BUSINESS & SUPPORT SVCS DIV
 222 N CENTRAL AVE
 PHOENIX, AZ 85004 -2203
 Phone: (602) 417-9200

Receipt	
No:	360037

Transaction #: 378562
Date of Transaction: 08/20/2001

CUSTOMER: MELLUZZO STONE CO., INC.
 P.O. BOX 42623
 PHOENIX, AZ 85080

LINE #	QTY	COMMODITY / SUBJECT / ACTION / PRODUCT	REMARKS	UNIT PRICE	TOTAL
1	1.00	LOCATABLE MINERALS / MINING CLAIMS-NOT NEW-UNADJUD, ONE AUTH NO. ONLY / MINING CLAIM MONEY RECEIVED (455)	MAINT FEES 2002 (16)	- n/a -	\$1,600.00

TOTAL: **\$1,600.00**

PAYMENT INFORMATION

1	AMOUNT:	\$1,600.00	POSTMARKED:	N/A
	TYPE:	CHECK	RECEIVED:	08/20/2001
	CHECK NO:	3096		
	NAME:	MELLUZZO STONE CO., INC. P.O. BOX 42623 PHOENIX AZ 85080		

REMARKS

CASE SERIAL NUMBER INFORMATION

TRNS #	LINE #	CASES
378562	1	AMC72700/\$1600.00

This receipt was generated by the automated BLM Collections and Billings System and is a paper representation of a portion of the official electronic record contained therein.

ENTERED INTO COMPUTER

10/23/01 aj

NOTICE!!

These documents have been scanned!

Do not place un-scanned documents beneath this notice!

Do not remove this notice from this file!

GPO Jacket No. 560-102
Print Order 61549
Rise Business Services, LLC
Job=AZ15 9/12/2019



Box Number= AZ15245



Claim Begin-End: AMC072229-AMC072253

5 Miscellaneous



AZ15245-8

AMC069887-AMC072229

United States Department of the Interior
BUREAU OF LAND MANAGEMENT
ARIZONA STATE OFFICE
Phoenix, Arizona 85004-0003

In Reply Refer To:
AMC 341087
AMC 72229

MEMORANDUM

To: Case File
From: Mary Hyde
Subject: Documentation of Telephone Conversation

Name of Person Contacted: Mrs. Melluzzo

Telephone Number of Person Contacted: 861-1048

Date of Contact: 1/7/99

Telephone claimant to inquire about address. Address on mining claim location notice was a Dewey, Arizona address; address on POL was a Phoenix address.

Frank Melluzzo has a Phoenix address; however, these claims are in the name of Cherry Valley Spring Water LLC, HC 61 Box 1635, Dewey, Arizona 86327 is the correct address to use.

Mary

72248
 131612
 72723
 186870
 204000
 131992
 4i

UNITED STATES
 DEPARTMENT OF THE INTERIOR
 BUREAU OF LAND MANAGEMENT
 ARIZONA STATE OFFICE
 BOX 16563
 PHOENIX AZ 85011

POSTAGE AND FEES PAID
 U.S. DEPARTMENT OF THE INTERIOR
 INT 415



OFFICIAL BUSINESS
 PENALTY FOR PRIVATE USE \$300



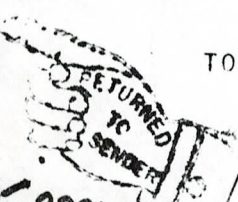
ATTENTION MINING CLAIMANTS
 PROPER FILING FEES MUST ACCOMPANY YOUR DOCUMENTS. NEW
 FEES APPLY TO EACH MINING CLAIM, MILL SITE OR TUNNEL SITE,
 NEW RECORDATION FILING - \$10 PER CLAIM. ANNUAL FILINGS
 (ASSESSMENT AFFIDAVIT OR NOTICES OF INTENTION TO HOLD) \$5
 PER CLAIM. AMENDMENTS TO RECORDED NOTICES OR CERTIFICATES
 OF LOCATION - \$5 PER CLAIM. TRANSFERS OF INTEREST - \$5 PER
 CLAIM. ANNUAL FILINGS AND FEES MUST BE RECEIVED IN THE
 PROPER BLM OFFICE BY CLOSE OF BUSINESS 12/30/89.

131612-131664-

TO: WILLIAMS HERB
 STAR RT CHERRY
 DENEY AZ 86327

Moved, left no address
 Forwarding order expired
 Insufficient address
 No such number
 Attempted, not known
 Route # 41 Initials

131612
 131664
 131992
 132004
 CH



Herbert?
 72248-72253- 72749- 204000-204002-
 72723, 72724- 72751, 72752-
 72734-72736. 72756- 131992-132004-
 72740, 72741-186870-186889-

DSC 1260-34
 (Aug. 1982)

Undeliverable address for claimant(s) shown above
 has been deleted from the record. No other
 address is available. Affected claims are
 as shown.

10-26-89 4i

January 22, 1986

AMC Number

Claim Name

72239	Buffalo Ridge No. 2
72241 thru 72245	Buffalo Ridge No. 4 thru 8
72765 thru 72771	El Rame No. 2 thru 8
72774 thru 72780	El Rame No. 11 thru 17
72785 thru 72795	El Rame No. 22 thru 32
72799 thru 72804	El Rame No. 36, 37, 39 thru 42
72806 thru 72809	El Rame No. 44 thru 47

We are returning your affidavit(s) because the claim(s) referenced have

been closed out and are therefore inactive.

If you have questions call our Mining Claims Section at (602) 241-5550.

72229

May 22, 1985

I spoke with Wayne Melluzzo today; he said that all mail concerning his mining claims and those of Frank, Wanita, Deno, Glenna, Gloria, Kay Ann and Geno Melluzzo can be sent to: 1965 E. Beardsley Road, Phoenix, Arizona 85024.

Pelly Bailey

W. SCOTT DONALDSON

ATTORNEY-AT-LAW
34 W. MONROE STREET, SUITE 1010
PHOENIX, ARIZONA 85003
(602) 258-8907

8 August 1984

Bureau of Land Management
P.O. Box 16563
Phoenix, Arizona 85011

Attn: Thomas E. Reitemyer

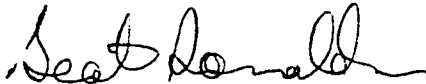
MINERAL PATENT APPLICATION A-7967
WITHDRAWAL OF APPLICATION

Tom:

I am attorney for Frank Melluzzo and Harry T. Nichols in Mineral Patent Application No. A-7967. That application, in which Messrs. Melluzzo and Nichols are applicants, involves the Buffalo Ridge unpatented mining claims.

The applicants hereby withdraw said mineral application and request that the Bureau of Land Management take no further steps regarding the application. Please inform me as to how the Bureau normally returns a withdrawn application to the applicant.

Very truly yours,



W. SCOTT DONALDSON

WSD:djd

cc: Frank Melluzzo

Wayne Melluzzo

RECEIVED
B.L.M. AZ STATE OFFICE
AUG 9 1984
07.45 A.M.
PHOENIX, ARIZONA

1092180
D/C

680848
D/C

36

22

EXHIBIT "A"

MS 4525
A. 20.643
5 25 48

A 6390
O CL
Rec & PP

A 6390
Rec & PP Pur
ApIn

A 6390
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A 6390
O CL Rec & PP

ME Pats

02-64-0079
D/C

3
2 40

7 39 82

MS 4333
A. 20.174

AR 09537 20'

**BUFFALO RIDGE
NO. 3 LODE
5-28-1953**

1224541
D/C

10 23.19
**BUFFALO RIDGE
NO. 4 LODE
5-28-1953**

AR 034506
R/W 10'
**BUFFALO RIDGE
NO. 5 LODE
4-22-1953**

A 6390
O CL Rec & PP

A 6390
Rec & PP Pur
ApIn

A 1026
R/W 10'

MS 2524 82.644

11 38.48

15 35 70

12 0 24
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65338
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13 6.70

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A 6390
Rec & PP Pur ApIn
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O CL Rec & PP

SCALE
0 10 20
to the inch

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Contest Number
AR 034008-1

file 72246+7

UNITED STATES OF AMERICA,

) Involving:

Contestant)

vs.)

Frank Melluzzo
Wanita Jean Melluzzo

Contestee(s))

IN CHANCE CLAIM

NITA JEAN #3 - A MC 72246 ✓
NITA JEAN #4 - A MC 72247 ✓
(aka Last Chance #1 and #2)
placer mining claims

COMPLAINT
(Contest of Mining Claims)

In accordance with Title 43, Code of Federal Regulations, Part 4, Subpart E, the United States of America, acting by and through the State Director, Bureau of Land Management, Department of the Interior, and on behalf of the United States Department of the Interior, Bureau of Land Management brings this contest against the contestee(s) named above, and alleges:

1. The lands hereinafter described are public lands of the United States.

2. The contestant is informed and believes that the above-named contestee(s) is (are) the owner(s), or asserts the ownership, of the above-named unpatented mining claim(s). The contestant is also informed and believes that the contestee(s) ~~is~~ (are) the only ~~party~~ (parties) of interest and that the contestee's(s') address(es) ~~is~~ (are):

Frank Melluzzo
Wanita Jean Melluzzo
706 E. Peoria Avenue
Phoenix, AZ 85020

The contestant is also informed and believes that the contestee(s) is (are) over the age of twenty-one years except:

No exception

3. Said mining claim(s) is (are) situate in Maricopa County,
State of Arizona, and ~~is~~ (are) further identified as follows:

NITA JEAN #s 3 and 4 are situated on U.S. Government Lot 26 (24.56 acres) in the NW $\frac{1}{4}$ Sec. 21, T. 3 N., R. 3 E., GSR Mer., Arizona; located April 4, 1955, recorded April 5, 1955, in Docket 1589, pages 372 and 373; amended January 16, 1973, in Docket 10533 pages 726 and 727; amended January 25, 1980, in Docket 14210 pages 306 and 307, all records of Maricopa County, Arizona. Recorded with the Bureau of Land Management on October 16, 1979 under Serial Numbers A MC 72246 and A MC 72247.

4. So far as known to the contestant, there are no proceedings pending for the acquisition of title to, or an interest in, the above-described lands, except:

That those lands are included within Recreation and Public Purposes application AR 034008 filed by the City of Phoenix.

5. Contestant charges separately and collectively that:

- a. Valuable minerals have not been found within the limits of the claims so as to constitute a valid discovery within the meaning of the mining laws.
- b. The land within the claims is non-mineral in character.
- c. The material found within the limits of the claims is not a valuable mineral deposit under Section 3 of the Act of July 23, 1955 (69 Stat. 367, 30 USC 601).
- d. The lands are not chiefly valuable for building stone as required by the Act of August 4, 1892 (27 Stat. 348; 30 USC 161).



Wherefore, Contestant requests that it be allowed to prove its allegations and that one, or both, of the following actions be taken, as indicated:

1. The Mineral entry be cancelled.
2. Said Mining Claim(s) be declared null and void.

NOTICE

This complaint is filed in the Arizona State Office, Bureau of Land Management, Room 2400, Valley Bank Center, 201 N. Central Ave.,
(Street address)

Phoenix, Arizona 85073, and any papers
(City) (State)
pertaining thereto shall be sent to such office for service on the contestant.

Unless contestee(s) files (file) an answer to the complaint in such office within thirty (30) days after service of this notice and complaint, the allegations of the complaint will be taken as admitted and the case will be decided without a hearing. Any answer should be filed in accordance with Title 43, Code of Federal Regulations, Part 4, Subpart E, a copy of which is attached.

Dated this 7 day of April, 19 83.

UNITED STATES OF AMERICA

/s/ Glendon E. Collins

By _____
Deputy State Director for Operations

(Title)

Bureau of Land Management
Department of the Interior

cc: Phoenix DO



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Contest Number
AR 034008-1

UNITED STATES OF AMERICA,

) Involving:
)
) Contestant)

IN CHANCERY COURT

vs.

) NITA JEAN #3 - A MC 72246
) NITA JEAN #4 - A MC 72247
) (aka Last Chance #1 and #2)
) placer mining claims

Frank Melluzzo
Wanita Jean Melluzzo

)
)
)
)
) Contestee(s))

COMPLAINT
(Contest of Mining Claims)

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Frank Melluzzo
Wanita Jean Melluzzo
706 E. Peoria Avenue
Phoenix, AZ 85020

The contestant is also informed and believes that the contestee(s) is (are) over the age of twenty-one years except:

No exception

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(Street address)

Phoenix, Arizona 85073, and any papers
(City) (State)
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Dated this 7 day of April, 19 83.

UNITED STATES OF AMERICA

/s/ Glendon E. Collins

By _____
Deputy State Director for Operations

(Title)

Bureau of Land Management
Department of the Interior

cc: Phoenix DO

Affidavit of Publication

A.M.C 72239 three 72245

PUBLIC NOTICE

PUBLIC NOTICE

NOTICE OF FORFEITURE

TO: GENO MELLUZZO, and GLENNA R. SPATES a/k/a GLENNA R. MELLUZZO

YOU, AND EACH OF YOU, ARE HEREBY NOTIFIED that the undersigned, and other co-owners, have performed the required statutory annual labor in the amount of \$100 per claim for each of the following time periods upon each of the following described unpatented mining claims all situated in the County of Maricopa, State of Arizona, to-wit:

Name of Claim	Type of Claim
Buffalo Ridge No. 2	Placer
Buffalo Ridge No. 3	Placer
Buffalo Ridge No. 4	Placer
Buffalo Ridge No. 5	Placer
Buffalo Ridge No. 6	Placer
Buffalo Ridge No. 7	Placer
Buffalo Ridge No. 8	Placer

Location Certificate Recorded at: (Original)	(Amended)	Period for which Labor was performed
Dkt 1123, pg 39/Dkt 8821, pg 186		1960-1979 (19 yrs.)
Dkt 1143, pg 570/Dkt 8821, pg 187		1960-1979 (19 yrs.)
Dkt 1143, pg 571/Dkt 8821, pg 188		1960-1979 (19 yrs.)
Dkt 1314, pg 448/Dkt 10533, pg 728		1960-1979 (19 yrs.)
Dkt 1314, pg 448/Dkt 8821, pg 189		1960-1979 (19 yrs.)
Dkt 1484, pg 43/Dkt 8821, pg 190		1960-1979 (19 yrs.)
Dkt 1484, pg 44/Dkt 8821, pg 191		1960-1979 (19 yrs.)

If you, as co-owner(s), shall fail or refuse to contribute your portion of such expenditures within ninety days of personal service of this notice upon you, or within ninety days after the publication hereof, your interest in the foregoing claims shall become the property of the undersigned and the other co-owners, your co-owners, who have made the required expenditures, pursuant to the United States Code, Title 30, Section 28.

Frank Melluzzo, for himself and the other co-owners of the claims

Publish Dec. 1, 8, 15, 22, 29, 1979, Jan. 5, 12, 19, 26, Feb. 2, 9, 16, 23, 1980.

STATE OF ARIZONA,
COUNT OF MARICOPA ss.

I, Burt Freireich Publisher of

THE NEWS-SUN

a newspaper of general circulation, published in Sun City, County of Maricopa, State of Arizona, do solemnly swear that a copy of the above notice, in the matter of

Notice of Forfeiture

as per clipping attached, was published weekly in the regular and entire edition of the said newspaper, and not in any supplement thereof, for a period of

13 consecutive weeks, as follows, to-wit:

December 1, 8, 15, 22, and 29, 1979
January 5, 12, 19, 26, and Feb. 2, 9, 16, and 23, 1980

Burt Freireich

Subscribed and sworn to before me, this 23rd day of February, 1980

Edith Sauer
Notary Public

(My Commission expires My commission expires Apr. 15, 1983 1983)

RECEIVED
BIRMINGHAM
AZ STATE OFFICE
DEC 23 9 55 AM '79
PHOENIX, ARIZONA

Affidavit of Publication

A.M.C 72230 ^{thru} 72237

STATE OF ARIZONA,
COUNTY OF MARICOPA ss.

I, Burt Freireich Publisher of

THE NEWS-SUN

a newspaper of general circulation, published in Sun City, County of Maricopa, State of Arizona, do solemnly swear that a copy of the above notice, in the matter of

Notice of Forfeiture

RECEIVED
CLERK OF STATE OFFICE
PHOENIX, ARIZONA
DEC 21 9 54 AM '79

as per clipping attached, was published weekly in the regular and entire edition of the said newspaper, and not in any supplement thereof, for a period of

13 consecutive weeks, as follows, to-wit:

October 6, 13, 20, 27, November 3, 10, 17, 24, Dec. 1, 8, 15, 22, and 29, 1979

Burt Freireich

Subscribed and sworn to before me, this 20th day of December, 1979

Edith Davis
Notary Public

My commission expires Apr. 15, 1983

(My Commission expires _____, 19____)

*Transfer Effortone
3/25/80*

PUBLIC NOTICE

PUBLIC NOTICE

NOTICE OF FORFEITURE

TO: GENO MELLUZZO, and
GLENN R. SPATES a/k/a GLENN R. MELLUZZO
YOU, AND EACH OF YOU, ARE HEREBY NOTIFIED that the undersigned, and other co-owners, have performed the required statutory annual labor in the amount of \$100 per claim for each of the following time periods upon each of the following described unpatented mining claims all situated in the County of Maricopa, State of Arizona, to-wit:

Name of Claim	Type of Claim	Location Cert. recorded at	Period for which labor was performed
White Shale #1	Placer	Dkt. 2751, page 74	1960 thru 1979 (19 yr)
White Shale #2	Placer	Dkt. 2751, page 75	1960 thru 1979 (19 yr)
White Shale #3	Placer	Dkt. 2751, page 76	1960 thru 1979 (19 yr)
White Shale #4	Placer	Dkt. 2751, page 77	1960 thru 1979 (19 yr)
White Shale #5	Placer	Dkt. 2751, page 78	1960 thru 1979 (19 yr)
White Shale #6	Placer	Dkt. 2751, page 79	1960 thru 1979 (19 yr)
White Shale #7	Placer	Dkt. 2751, page 80	1960 thru 1979 (19 yr)
White Shale #8	Placer	Dkt. 2751, page 81	1960 thru 1979 (19 yr)

If you, as co-owners, shall fail or refuse to contribute your portion of such expenditures within ninety days of personal service of this notice upon you, or within ninety days after the publication hereof, your interest in the foregoing claims shall become the property of the undersigned and the other co-owners, your co-owners, who have made the required expenditures, pursuant to the United States Code, Title 30, Section 28.

Frank Melluzzo, for himself and the other co-owners of the claims

Publish Oct. 6, 13, 20, 27, Nov. 3, 10, 17, 24, Dec. 1, 8, 15, 22, 29, 1979.

AMC 72247

DEL TIERRA ENGINEERING & MINING CORP.

U.S. Mineral Surveys Mining Exploration

HARVEY W. SMITH, E.M. PRESIDENT

Registered Mining Engineer U. S. Mineral Surveyor
4310 North Brown Avenue / Suite 5 Scottsdale, Arizona 85251
Tel. 602 / 946-3996



Reproduction of the Colby
'Ranch' - 9/22/80
Lynn D. Hoffman Long

February 21, 1980

Bureau of Land Management
Dept. of the Interior
2400 Valley Bank Center
Phoenix, AZ 85073

Dear Sir:

Enclosed are two amended placer location notices and a claim map. The Bureau of Land Management serial numbers are indicated thereon. Please have these recorded.

Sincerely,

Harvey W. Smith, E.M.
President

HWS/ck

RECEIVED
B.L.M. AZ STATE OFFICE
FEB 25 1980
10:00 A.M.
PHOENIX, ARIZONA

NOTICE!!

These documents have been scanned!

Do not place un-scanned documents beneath this notice!

Do not remove this notice from this file!

GPO Jacket No. 560-102
Print Order 61549
Rise Business Services, LLC
Job=AZ15 9/12/2019



Box Number= AZ15245



Claim Begin-End: AMC072229-AMC072253

6 Location Notices-Amendments and Supporting Documents



AZ15245-8 AMC069887-AMC072229

**NO
DOCUMENTS
FOUND**

NO DOCUMENTS FOUND
NO DOCUMENTS FOUND