

# Jefferson Mining District

The Date of August 5, 2015.

Joe Martori,  
Rand Mining District,  
c/o Sleepy Bear Mining, LLC,  
25422 Trabuco Rd. Bldg 105, Ste. 486, Lake Forest, CA 92630.

Joe Martori,

Greetings. The Assembly of Jefferson Mining District congratulates efforts to re-activate the Rand mining district as we accept is true from the representations made in the recent ICMJ article by Scott Harn

[http://www.icmj.com/article.php?id=3298&keywords=MMAC\\_&PLP\\_Update\\_--\\_Rand\\_Mining\\_District\\_Gets\\_Organized](http://www.icmj.com/article.php?id=3298&keywords=MMAC_&PLP_Update_--_Rand_Mining_District_Gets_Organized) and as did the Tombstone Mining District before you in Arizona. Jefferson Mining District encourages the formation of any legitimate mining districts because of their unique governmental status as a Guard in protection given the mandate of Coordination, 43 USC § 1712. It is in this Spirit we communicate with you today.

While we applaud beginning processes to re-activating the Rand mining district and will support that effort to the ends it will protect its Assembly, we have concern, as represented in the article, of an apparent and continuing misapprehension of the mining law and of various federal laws with respect to Advisory Councils, Cooperating Agency status, Coordination, and mining districts in general, or as is falsely promoted through Minerals and Mining Advisory Council, (MMAC), or additionally, by its "outline" or the lack of authority for new, so-called, administrative mining districts; As well, Jefferson Mining District cautions and instructs against any mining district, if a Rand or other government, if intending to properly execute its obligations and duties, from requesting and being accepted into an inferior position on an advisory council committee, by any name, being any of these is harmful to mineral estate grantees or other mineral entrymen, as the extensive Coordination experience of Jefferson Mining District in these matters prove.

Jefferson Mining District has special expertise in Coordination, {government to government}, now going on 4 years, and has offered to and does help governmental bodies to coordinate with state and federal agencies in their respective locales. On the other hand, You know of the rejection Order of public mining district record [http://www.jeffersonminingdistrict.com/MMAC\\_Offer\\_Rejection\\_Order.pdf](http://www.jeffersonminingdistrict.com/MMAC_Offer_Rejection_Order.pdf) of the Jefferson Mining District Assembly upon the offer to become a member under MMAC, admittedly a mere advisory council, purporting though not lawfully able to represent all mineral estate grantees or other mineral entryman, a fraud to assert such, being harmful and destructive to them and to coordination as with local governments, such as mining districts, for the factual and law-based reasons stated therein.

Because of the quest of Jefferson Mining District to see all Miners are afforded the best protections, because of the recent article of the ICMJ, and because in light of applicable law the report has you taking some questionable actions with regard and with respect to actually protecting producers and property owners within the Rand district even before its actual establishment, given the article has you acting in behalf of a Rand mining district, Jefferson Mining District Assembly would like to know and inquires upon three questions, summarized initially, but to be answered from the more fully developed related question in context of the law, references, and facts below:

- 1) . . . What part of the Federal Advisory Committee Act . . . is not at the pleasure and discretion of the Lead Agency that Coordinating, 43 USC § 1712, . . . is not the superior course of action?
- 2) What part of the A Desk Guide to Cooperating Agency Relationships and Coordination with Intergovernmental Partners . . . does not explain that the Cooperating Agency status, engaged . . . does not prove that Cooperating Agency status is inferior to formally coordinating directly with an agency, as a mining district has right and ought to . . . ?
- 3) What part of the Relation Back Doctrine to the Act of 1872, . . . authorizes any delegated power or gives lawful force and effect to an otherwise arbitrary and capricious or any MMAC “outline”, limitations in establishment of mining districts, or as to the fabrication of eco-region “administrative mining districts” unknown and contrary to the law, tradition, custom, or culture of Miners?

Incorporating summarized question 1), with regard to the yet to be formed Rand mining district request to engage through a so-called, “BLM Round Table meeting”, in advising the Bureau of Land Management, BLM, an Advisory Council capacity, with its required consensus-based property-defeating methodology, What part of the Federal Advisory Committee Act, establishing administrative eco-regions, and which “*formalizes a process for establishing, operating, overseeing, and terminating Federal advisory committees (FACs)*”, FACA, <http://www.gsa.gov/portal/category/21244> or as the National Environmental Policy Act, NEPA, works to supplement, does not speak contrary to your assertion that participating in an advisory capacity through an advisory council committee, identified euphemistically as a “Round Table”, or other advisory council, is an appropriate course for a mining district to take where expecting to have any lasting force and effect or taking permanent action that is not at the pleasure and discretion of the Lead Agency that Coordinating with an Agency directly, 43 USC § 1712, and its judicial remedy preservation, instead, is not the superior course of action?

Incorporating question 2), With respect to Coordination, fulfilled though not meeting the total obligations and duties of either the BLM or a mining district to its Assembly, or a county to its people for that matter, the acceptance of the status of a Cooperating Agency, referencing Page 35, “*Does a CA relationship require the BLM and the cooperators to make decisions by consensus? No. Consensus may not always be achievable or consistent with the BLM’s legal obligations or policy decisions.*”, What part of the A Desk Guide to Cooperating Agency Relationships and Coordination with Intergovernmental Partners

[http://www.blm.gov/style/medialib/blm/wo/Planning\\_and\\_Renewable\\_Resources/NEPS.Par.93370.File.dat/BLM\\_DeskGuide\\_CA\\_Relationships.pdf](http://www.blm.gov/style/medialib/blm/wo/Planning_and_Renewable_Resources/NEPS.Par.93370.File.dat/BLM_DeskGuide_CA_Relationships.pdf) does not explain that the Cooperating Agency status, engaged by the Rand mining district where a government accepted any advisory position does not prove that Cooperating Agency status is inferior to formally coordinating directly with an agency, as a mining district has right and ought to, not conditioned, controlled, and constrained by consensus-based or "round table" interests?

Incorporating question, 3), Being hard-pressed to find any, given mining district establishment is on relation back to the common law of Miner's, property, rights, and purposes established in case law predating the Act of 1866 and by that enactment expressed, What part of the Relation Back Doctrine to the Act of 1872, amending, the continuing acknowledgment of miners' Power establishing mining districts, authorizes any delegated power or gives lawful force and effect to an otherwise arbitrary and capricious or any MMAC "outline", limitations in establishment of mining districts, or as to the fabrication of eco-region "administrative mining districts" unknown and contrary to the law, tradition, custom, or culture of Miners?

If you would be so kind as to timely respond to these 3 questions to the Interim Chairman before the next Jefferson Mining District assembly, August 14, 2015, to better inform us of the knowing intention of the Rand mining district to either pursue the inferior Cooperating Agency or Advisory Council path or to revisit its current inferior status as represented in the article, change course, and begin to assert the superior coordination capacity directly to better protect the Rand Assembly, discarding MMAC bureaucratic consensus-based overburden.

### Charting A Better Course

Because of the quest of Jefferson Mining District to see miners are afforded the best protections, because of the recent article of the ICMJ, and because in light of applicable law the report has you taking some very questionable actions with regard and with respect to actually protecting producers and property owners within the Rand district, given the article has you acting in behalf of the Rand Assembly, our experience provide authority to offer and guide a more proper action.

A correct reading and application of the above referenced authorities, and as experience of the Coordinating Officers for Jefferson Mining District confirms, will guide you to a more effective course to take the adoption of which will surely meet the requirements of the law better for the Rand mining district Assembly, exercising its own power, rather than the course plotted by an Advisory Council. Avoiding inferior status' will allow the district to maintain remedy against colluding agency influences adverse to law, property, and its granted uses, or as the quote on the left-hand side of the Jefferson Mining District website restates from documentation provided by those antagonistic, even foreign, interests which the federal agencies promote to our detriment: "Policy Consensus ORG - *Cautionary Note: Participation is the Key to Legitimacy. Government-sponsored consensus processes are not the traditional forums in which policies are made, administered, or adjudicated in a democracy. In traditional forums, the mechanisms for determining who participates directly in the writing and administration of law are spelled out in*

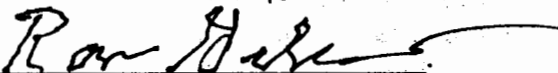
*constitutions, charters, statutes, and rules. Consensus-seeking processes are adjuncts to traditional democratic processes; they can shift the locus of public decision making", which as we note is "Against the republic form of representative government."*

We believe when one finally understands the actual "field of battle", as it were and has become, and applies the laws correctly one will begin to serve the Rand mining district Assembly, and they each themselves, better more fully appreciating and understanding the actual conditions besetting legitimate mining districts, such as Jefferson Mining Districts and even the counties generally as against the agency, avoid special interest collusion and deceptive tactics, and assert mining district authority directly without further obfuscation. Proper apprehension will show MMAC is unnecessary and detrimental, as the Assembly of Jefferson Mining District orders and applicable law confirms.

Being the actual condition all miners face, anticipating there will be no valid answer in response to our inquiry herein to the contrary, and after reading the above federal authorities, you should agree the immediate step now is to withdraw from the inferior, if not the demonstrably harmful, Cooperating Agency status or by Advisory capacity with the BLM or by "round table". We encourage the eventual Rand Mining District make such a change in course to become more consistent with the rigors of the law, with a proper understanding of law, and the proper application of law, asserting the superior Coordination as required in law, 43 USC § 1712, forever abandoning the inferior Advisory Council Cooperating Agency collusion with the agencies to the better, if not the prevailing, protection of all. In this way, mining districts, without the bureaucratic overburden and servitude, will be better able to stand united and respond in an effective coordinated response to the threats against us.

We ask the eventual Rand Mining District to commit to direct coordination to better protect its Assembly instead of what applicable law identifies being a subversive agency collaborator that can only do harm to property possessors and producers.

Executed, August 5, 2015, by

  
Ron Gibson.

Interim-chairman elect, Office of Jefferson Mining District,  
on the behalf and behest of its Assembly.  
820 Crater Lake Ave., Suite 114, Medford, Oregon. 97504.

cc: Jefferson Mining District Recorder.