



## **CONTACT INFORMATION**

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PRINTED: 09-14-2012

ARIZONA DEPARTMENT OF MINES AND MINERAL RESOURCES AZMILS DATA

PRIMARY NAME: BY CHANCE MINE

ALTERNATE NAMES:

V O MINE  
COPPER U O CLAIMS  
COPPER V O PROSPECT  
SOELLE

PIMA COUNTY MILS NUMBER: 253

LOCATION: TOWNSHIP 14 S RANGE 2 E SECTION 12 QUARTER NE  
LATITUDE: N 32DEG 13MIN 39SEC LONGITUDE: W 112DEG 07MIN 03SEC  
TOPO MAP NAME: QUIJOTOA MTS - 15 MIN

CURRENT STATUS: PAST PRODUCER

COMMODITY:

SILVER  
COPPER OXIDE  
GOLD LODE  
URANIUM

BIBLIOGRAPHY:

S.B. KEITH, AZBM BULL. 189, P. 140, 1974  
US AEC PRR PIMA COUNTY ARIZ, 1953, P. 656  
ADMMR BY CHANCE MINE FILE

BY CHANCE MINE

REFERENCES

PIMA COUNTY  
QUIJOTOA DIST.  
TT14S, R2E, Sec 12

Soelle Property (file) may be the same property

MILS Sheet sequence number 0040190144 BY CHANCE MINE

ABM Bull. 189 p. 140

USAEC Preliminary Reconnaissance Report p. 656

GJBX 143 1981 Radioactive Occurrences and Uranium Production in Arizona p. 230  
ABG&MT Report

Alternate names: Copper U O Claims, V O Mine, Childs, Calloway, H. M. Mining Co.

DEPARTMENT OF MINERAL RESOURCES  
STATE OF ARIZONA  
FIELD ENGINEERS REPORT

Mine  By Chance Mine

Date Dec. 21, 1956

District Quijotoa District ---Pima County

Engineer Axel L. Johnson

Subject: Field Engineers Report. Personal Visit & Information from V. R. Calloway, Operator.

Location In the Brownell Mts., about 5 miles north of Quijotoa. (8 miles by road)

Number of Claims 12 unpatented claims.

Owners Philip Childs, Aho, Ariz., the owner of 3 claims.  
John Cooley, Quijotoa, the owner of 9 claims.

Lessees & Operators V. R. Calloway, Santa Rosa Trading Post or Gen. Del. Aho, Ariz.  
with two other partners.

Principal Minerals  Copper ore -----siliceous and low grade.

Number of Men Employed 4

Production Rate 100 x tons per week.

Geology Country rock appears to be rhyolite and is very siliceous. Copper carbonates (mostly malachite, with some azurite) has been deposited in the cleavage cracks and porous parts of the host rock. Limonite and hematite is also present to a considerable extent.

Ore Values Mr. Calloway reports that the ore runs about 1.0 % Copper, about 70 % Silica, and from 13 to 14 % in Alumina. Ore also contains 3 to 4 oz. of Silver. There may be some decrease in the alumina content, after some of the surface rock has been removed.

Ore in Sight and Probable Very little ore in sight. Probable ore is uncertain, and no estimates of tonnage has been made.

Milling and Marketing Facilities Ore is trucked to Phelps Dodge Copper smelter at Aho, Ariz., a distance of 57 miles by Valentine Trucking Co. of Tucson, Ariz. A semi truck and trailer hauling 15 to 17 tons per load is used. Charge for trucking the ore is \$ 2.75 per ton. (about 5 cents per ton mile) Smelter charge is \$ 3.00 per ton.

Present Mine Workings One relatively small open cut, where operations are conducted.

Present Operations Ore is blasted, then moved by a TD 14 bulldozer for about 300 ft. and over the edge of a bank into the ore truck. This method of operation could be improved on. The distance is too far, and the ore is diluted with waste, to some extent, on its way to the truck. Operations were started about one month ago.

Proposed Plans Mr. Calloway states that he expects to increase production to 100 tons per day shortly, if the Phelps Dodge Corp. at Aho will give him a contract for that amount.

COOLEY, JOHN  
Quijotoa, Ariz.

BY CHANCE MINE, Quijotoa Dist., Pima County - 12 unp. claims.

(Philip Childs - Ajo, Ariz., - Owner 3 claims)  
(John Cooley, - Owner 9 claims)

LESSEES & OPERATORS - V. R. Calloway, Santa Rosa Trading Post or  
12-21-56 Gen. Del. Ajo, Ariz.

CHILDS, PHILIP  
Ajo, Arizona

BY CHANCE MINE, Quijotoa District - Pima County- 12 unp. claims

(Philip Childs - Owner 3 claims)  
(John Cooley, Quijotoa, - Owner 9 claims)

LESSEES & OPERATORS - V. R. CALLOWAY, Santa Rosa Trading Post or  
12-21-56 Gen. Del. Ajo, Ariz.

*By Chance Mine*

*A  
Pima*

*S: - Copper*

*V. R. Calloway et al  
Santa Rosa Trading Post  
Sells, Ariz*

\*

*AMLS7*

BY CHANCE MINE

PIMA COUNTY

RRB WR 4/2/82: Still in the company of Nyal Niemuth the VO Mine was visited in Sec. 1 and 12, T14S R2E. Mineralization is principally malachite in fractures. No recent activity.

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NJN WR 4/2/82: With Dick Beard visited the Devils Wash Placer, Pima County and the V.O. Mine, Pima County. Dick Beard is writing a report on the Devil's Wash Placer Mine. A separate report has been written on the V.O.

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TO: John H. Jett, Director  
FROM: Nyal J. Niemuth, Mineral Resource Engineer  
SUBJECT: Visit to V.O. Mine, Pima County, (By Chance Mine file)  
See also: Soelle Property (file)  
DATE: March 30, 1982

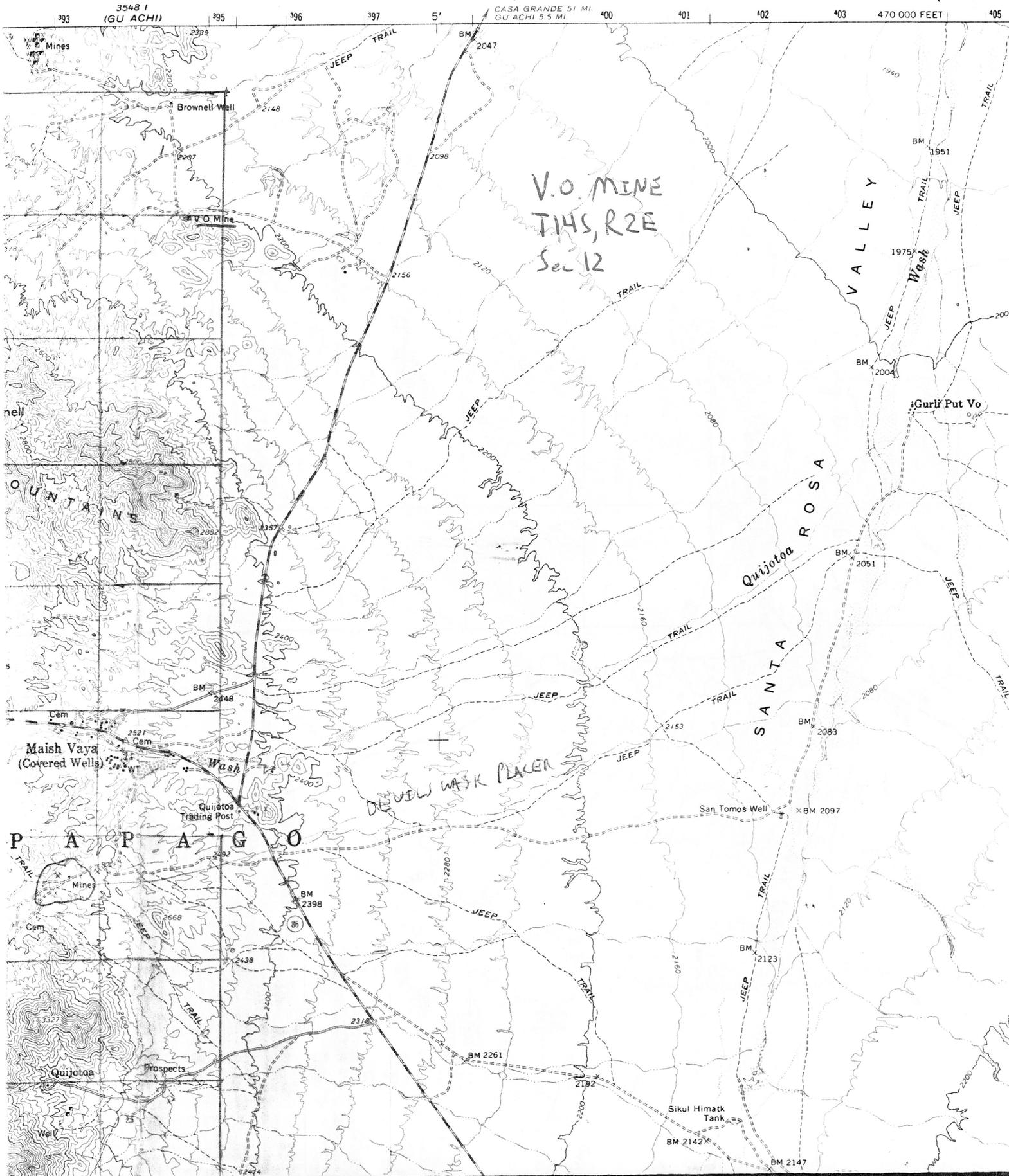
With Dick Beard visited the V.O. Mine, Pima County. There is no activity and no equipment at the property. There has probably been no activity since the IBLA decision dated 9/14/78 (copy of decision in file).

The property is a shear zone in a light colored rhyolite. Mineralization consists of copper oxides and carbonates on fractures of the rhyolite (estimate .5-1% Cu). Silver mineralization may be present associated with the copper and with manganese in the fractures.

Workings on the property consist of one shaft (open), a small open pit west of the shaft approximately 100 feet across (water filled) and several prospect pits and trenches. A stockpile of mined material remains a couple hundred feet south of the pit where it appears the trucks used to be loaded. Two, 8" churn drill holes were located on the structure, one was filled and the other open to some unknown depth.

cc: Tucson Office

QUIJOTOA MTS. QUADRAN  
ARIZONA-PIMA CO.  
15 MINUTE SERIES (TOPOGRA







United States Department of the Interior

Abstract & File  
By Chance Mine  
File

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

JOHN A. COOLEY

IBLA 77-325

Decided August 14, 1978

Appeal from a decision of the Arizona State Office, Bureau of Land Management, declaring appellant's Vo No. 3 mining claim, located in the Papago Indian Reservation, null and void for failure to pay rent. A-9964.

Affirmed.

1. Mining Claims: INDIAN LANDS; LOCATABLE PUBLIC LANDS--Indian Lands--advance rentals; PRACTICE AND PROCEDURE--Admissions; RENTALS; STATUTORY CONSTRUCTION.

The holder of a mining claim located within the Papago Indian Reservation under Sec. 3 of the Act of June 18, 1934, 48 Stat. 984 (repealed, Act of May 27, 1955, 69 Stat. 67) is required to make the annual rental payment for the claim in advance (on or before the anniversary date of location of the claim). A decision invalidating a claim will be upheld where proceedings to void the claim are not initiated until several months after the rental due date, there is no evidence the rent was paid for the year, and appellant admits the failure to pay was an oversight.

APPEARANCES: John A. Cooley, pro se.

OPINION BY ADMINISTRATIVE LAW JUDGE STUEBING

John A. Cooley brings this appeal from a decision of the Arizona State Office, Bureau of Land Management (BLM), dated April 7, 1977, declaring appellant's Vo No. 3 mining claim null and void. The claim was located in the Papago Indian Reservation on October 13, 1953. The decision of the BLM below declared the claim null and void because of the failure of appellant to make the annual rental

INDEX CODE:  
43 CFR 3825.1(b)

payment by the anniversary date of the location, October 13, 1976, as required by regulation. 43 CFR 3825.1(b).

Appellant alleges in his statement of reasons for appeal that he mailed a check, dated January 8, 1976, in payment of the rent for the Vo No. 3 mining claim and 27 other mining claims for the year 1976. His check was promptly returned by the Bureau of Indian Affairs (the agency to which rental payments for mining claims in the Papago Indian Reservation are made). The BIA explained in its letter of transmittal that the rent for each of the claims should be paid before the anniversary date of the location of the claim, but during the month when the payment for the given claim is due. Appellant asserts that he subsequently did this for 27 other claims, but he "somehow missed" the payment for the Vo No. 3 claim. It is alleged by the appellant that the Bureau of Indian Affairs (BIA) had previously accepted a single annual payment for his several claims such as he earlier submitted in this case.

A copy of the letter from the BIA to the appellant which accompanied the return of his check is in the case file. Attached to the letter, as an enclosure, is a list of appellant's mining claims showing the due date for the annual rental payment for each claim.

Authority for location of mining claims on Papago Indian Reservation lands prior to 1955 was provided by section 3 of the Act of June 18, 1934, 48 Stat. 984 (repealed, Act of May 27, 1955, 69 Stat. 67). Section 3 opened lands of the reservation to exploration and location under the mining laws of the United States and provided that a yearly rental of not to exceed 5 cents per acre shall be paid. The land in the reservation was subsequently withdrawn from all forms of exploration, location and entry under the mining laws by the Act of May 27, 1955, 69 Stat. 67, which repealed the pertinent provisions of section 3. However, the Act of May 27, 1955, specifically excepted those claims which had been validly initiated before the date of the Act and which were thereafter maintained under the mining laws of the United States.

The statute authorizing mining claims in the Papago Indian Reservation has been implemented in part by regulation at 43 CFR 3825.1(b) which provides as follows:

In addition to complying with the existing laws and regulations governing the recording of mining locations with the proper local recording officer, the locator of a mining claim within the Papago Indian Reservation shall furnish to the superintendent or other officer in charge of the reservation, within 90 days of such location, a

copy of the location notice, together with a sum amounting to 5 cents for each acre and 5 cents for each fractional part of an acre embraced in the location for deposit with the Treasury of the United States to the credit of the Papago Tribe as yearly rental. Failure to make the required annual rental payment in advance each year until an application for patent has been filed for the claim shall be deemed sufficient grounds for invalidating the claim. The payment of annual rental must be made to the superintendent or other officer in charge of the reservation each year on or prior to the anniversary date of the mining location. [Emphasis added.]

[1] The regulation clearly authorizes the BLM to invalidate claims for late rental payment, although it does not require invalidation in every instance. Charles Ketchum, 16 IBLA 82, 84 (1974);<sup>a</sup> I. M. Clausen, 7 IBLA 286, 288 (1972).<sup>b</sup> Accordingly, a decision regarding whether to declare a claim null and void for failure to make timely payment of rent involves an exercise of discretion. I. M. Clausen, supra at 288. We are unable to find an abuse of discretion where proceedings are initiated to invalidate a mining claim several months after the due date for the rental payment and no acceptable payment has been made prior to that time. See Charles Ketchum, supra at 85 (distinguishing I. M. Clausen, supra).

Appellant's allegation regarding the past practice of the BIA in accepting a lump sum advance payment for several mining claims is not persuasive. The past practice of the BIA in the manner of accepting rental payments does not constitute a waiver of violation of the regulation requiring rental payment in advance of the anniversary date which will provide a sufficient basis for reversing a decision voiding the claim. See I. M. Clausen, supra at 288-89.

The general rule regarding tender of payment is that an objection to a tender must be made in good time and the grounds of the objection must be specified. 74 Am. Jur. 2d Tender § 10 (1974); see Gaunt v. Alabama Bound Oil and Gas Co., 281 F. 653 (8th Cir. 1922). The BIA carefully explained their procedure with respect to rental payments in the letter returning appellant's lump sum check on January 14, 1976, (almost 9 months in advance of the rental due date). The BIA also provided appellant with a list of his numerous mining claims in the reservation showing the anniversary date for each by which the rental payment is due. Appellant admits that he subsequently paid other claims at the appropriate time during the year, but that he somehow missed the subject claim. Thus, it was appellant's oversight rather than any conduct of the BIA which led to the invalidation of the claim. There was no failure on his part to understand what was required, and no reliance by him on

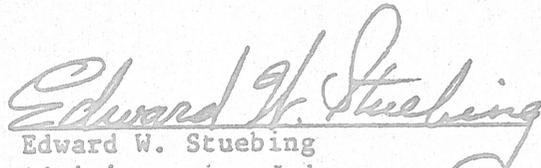
a) GFS(MIN) 45(1974)

b) GFS(MIN) 55(1972)

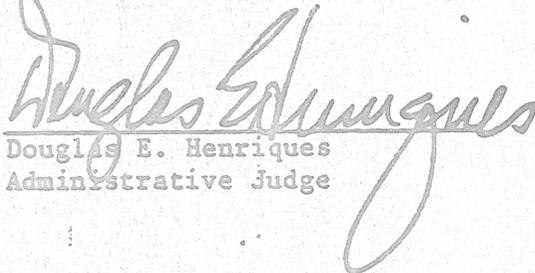
any past practice of the BIA. He simply forgot to pay the rental for this particular claim. Nor can we properly treat the small amount of the rental as de minimus. The rental for all such claims is small because the acreage of a claim is limited by statute, and the annual rental is fixed at only 5 cents per acre. Were we to excuse this appellant on the basis of the small amount of money involved, the discretion to invalidate for this reason would be lost, as all such claims are charged at the same rate.

We conclude that there is no basis for any equitable relief.

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 CFR 4.1, the decision appealed from is affirmed.

  
Edward W. Stuebing  
Administrative Judge

I concur:

  
Douglas E. Henriques  
Administrative Judge

TO: John H. Jett, Director  
FROM: Nyal J. Niemuth, Mineral Resource Engineer  
SUBJECT: Visit to V.O. Mine, Pima County, (By Chance Mine file)  
See also: Soelle Property (file)  
DATE: March 30, 1982

With Dick Beard visited the V.O. Mine, Pima County. There is no activity and no equipment at the property. There has probably been no activity since the IBLA decision dated 9/14/78 (copy of decision in file).

The property is a shear zone in a light colored rhyolite. Mineralization consists of copper oxides and carbonates on fractures of the rhyolite (estimate .5-1% Cu). Silver mineralization may be present associated with trace copper and with manganese in the fractures.

Workings on the property consist of one shaft (open), a small open pit west of the shaft approximately 100 feet across (water filled) and several prospect pits and trenches. A stockpile of mined material remains a couple hundred feet south of the pit where it appears the trucks used to be loaded. Two, 8" churn drill holes were located on the structure, one was filled and the other open to some unknown depth.

cc: Tucson Office

9  
Black  
W  
L.F. Harris,  
10 N. Park Ave.,  
Tucson, Ariz.

Jan. 25th, 1955.

Mr. James C. Soelle,  
1627 Palmcroft Drive,  
S.W. Phoenix, Arizona.

Dear Mr. Soelle:

In regards to the phone conversation which I had the pleasure of having with you this evening I confirm the statement which I made whereby we grant you a Ten day option from this date for preliminary examination of a group of mining claims located in the Brownell Mining District, close to Sells, Ariz.

Terms: as per my letter of Jan 14th. and subject to approval by owners and acceptance of suggested modifications.

I enclose a copy of claim map which shows Group A, under lease, group B, in which we have a 50% interest and lease on other 50%, and Group C, owned by other parties but which can probably be obtained on similar terms.

In regards to sinking the present shaft which is 33' deep to 50 Ft. level and X-Cutting over to vein, we have a letter from a contractor in the district who would underake to do this for about \$30.00 per ft.

It would seem that this is the logical thing to do or else sink a shaft on one of the Churn Drill holes to the ore. Therefore, for the expenditure of from \$1500 to \$2000 on this work the showing can be proved one way or another, and is the basis for a lease.

I trust that your engineer will be able to examine the properties as soon as possible. During the working days you can always contact me or Mr. Otto Duke at Stearns Roger Co. as per above address and in the evenings I can be found at Geronimo Hotel Room 211. In case I should be absent you can contact Mr. Duke at 1603 N. Euclid-Phone 4-4927.

Looking forward to hearing from you soon in this regards, I remain.

Sincerely

(Sgd.) Les E. Harris

c/c/ L.F. Paddison  
c.c. O.D.  
c.c. L.E.H.

ARTHUR R. STILL  
MINING GEOLOGIST

TELEPHONE: 658  
P. O. BOX 1512

ROOM 24, UNION BLOCK  
PRESCOTT, ARIZONA

February 14, 1955

Mr. H. F. Mills, General Manager  
Iron King Branch  
Shattuck Denn Mining Corporation  
Prescott, Arizona

Re: Silver, Copper, Uranium Prospect  
Pima County, Arizona

Dear Mr. Mills:

The following brief letter report summarizes my opinions and conclusions regarding the above named prospect which I visited on February 9th in the company of Mr. James C. Soelle, of Phoenix, and a Mr. Cooley, one of the owners of the property being examined.

Summary:

In brief, this property was not what it was indicated to be by the data available prior to the examination. It is merely a meager showing of copper oxide with associated very weak radioactivity in a shear zone in a rhyolite host.

Since the exposures do not indicate the possibility of sufficient tonnage to make the property of interest as a copper prospect and since I see no reason geologically why the uranium content should increase within any reasonable depth, I have no alternative but to recommend that your firm abandon any further examination of the property.

General:

The mineralization on the property consists of a weak copper staining along a relatively major vertical shear zone in the bounding rhyolite. At the best showing on the property, the pits on the Copper UO#1 claim, this copper oxide is exposed over a width of some 12 ft. but it appears to pinch out within 150 feet in one direction and it is covered by alluvium within less than 50 feet in the other direction.

The three churn drill holes which were drilled on the property a few years ago could not be probed for uranium since two of them were filled to within a few feet of the collar and the third was completely missing as it had been drilled directly in the bottom of a small sand wash.

No data could be obtained to substantiate the silver and copper values attributed to the third, and missing, drill hole.

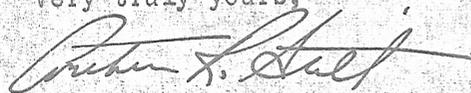
However, the present owners once "saw" an assay sheet covering the bottom 15 feet of this hole and it ran "about" 125 oz. in silver and some 2% copper.

All of the copper stained material is weakly radioactive with minor, and local, highs along the two walls. The highest actual chemical assay obtained to date by the property owners has been 0.12%  $U_3O_8$  and this one sample came from a small hot spot some 30" in diameter. The remainder of the zone would go, according to both the owners and my own count, probably something in the order of 0.02%  $U_3O_8$ .

The 1.5%  $U_3O_8$  value which was attributed to the churn drill hole was entirely a misunderstanding as this value was, in fact, supposed to have been obtained on the Squaw property some five miles away and now under option to Vance Thornburg. This figure was thrown in with the data on the property being examined merely to show that there was some known uranium of an economic grade within the district. It is my own opinion that this "misunderstanding" was probably knowingly passed along by Harris to Paddison in order to arouse interest in the property.

A brief visit to the Squaw property revealed that the copper-uranium mineralization at this occurrence is confined to a 30 degree fault which is bounded on both walls by a reddish basalt. The one known economic grade uranium oreshoot on the property consists of some ten tons which would not, by my count, average over 0.5%  $U_3O_8$ . It is of humerous interest to note here that upon being questioned about the Squaw mine Mr. Cooley volunteered the information that after mining approximately 5 tons of the uranium shoot he decided that he had better leave the rest or he would "ruin the mine" for any later sale.

Very truly yours,



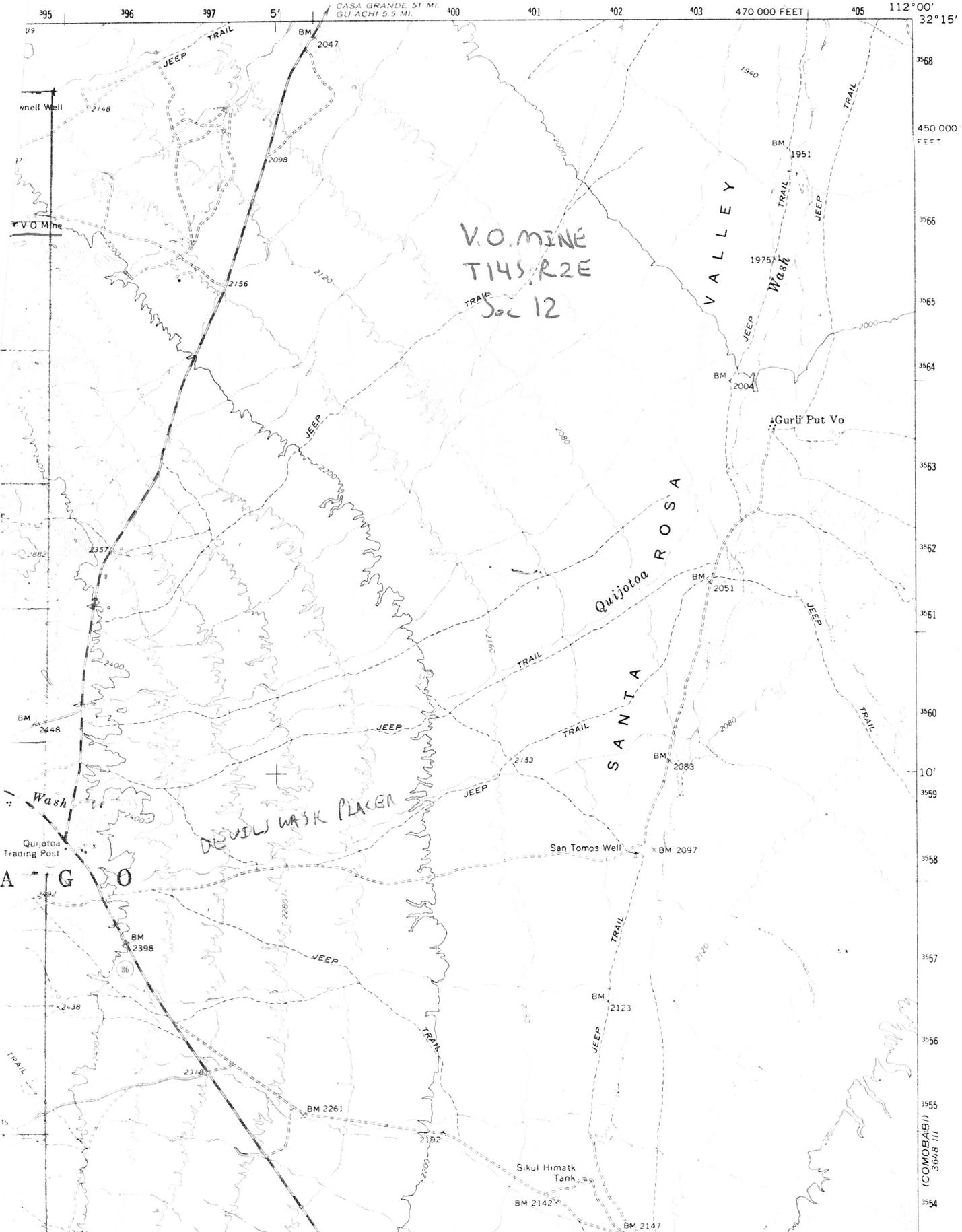
Arthur R. Still



cc: James C. Soelle

QUIJOTOA MTS. QUADRANGLE  
ARIZONA-PIMA CO.  
15 MINUTE SERIES (TOPOGRAPHIC)

3648 IV  
(SANTA ROSA MTS.)



(COMORBAB I)  
3648 III



FD

B6-03

65-04

QUEEN #1  
QUEEN DEEP HOLE  
NO. 1  
MAY 1903

COPPER UO #2

COPPER UO #3  
LIMESTONE

UO #6

COPPER UO #5  
PT

COPPER UO #4

ATOMIC

MITA

QUEEN

⊙

⊗

CONCHO

COPPER UO #10

GO

QUEEN #1

⊙

⊗

CONCHO #1



LEGEND

GROUP "A"

GROUP "B"

GROUP "C"



MINING CLAIMS IN BROWNELL MINING DIST. ARIZONA