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11/27/91

ARIZONA DEPARTMENT OF MINES AND MINERAL RESOURCES FILE DATA

PRIMARY NAME: PAUL CLAIMS

ALTERNATE NAMES:

NATIONAL MARBLE PLACERS
GODFATHER 1-3
LIGIER WHITE MARBLE

COCHISE COUNTY MILS NUMBER: 772

LOCATION: TOWNSHIP 16 S RANGE 23 E SECTION 33 QUARTER C
LATITUDE: N 32DEG 00MIN 10SEC LONGITUDE: W 110DEG 00MIN 20SEC
TOPO MAP NAME: DRAGON - 7.5 MIN

Latitude = 32 59' 47"
Long -110 00' 21"

CURRENT STATUS: DEVEL DEPOSIT

COMMODITY:

STONE MARBLE

BIBLIOGRAPHY:

ADMMR PAUL CLAIMS FILE
ADDITONAL WORKINGS IN SECS 26, 27, 28, 35
AZBM BULL 155
GEO FILE - MIERITZ, RICHARD, 1970
SHENK, JONATHAN, 1985, PRELIMINARY REPT ON AZ
MARBLE OCCURENCES & PROD. P4 IN GEOL FILE
BAIN, GEORGE W., 1963, MARBLE OCCURRENCES IN
THE DRAGON PASS AREA, IN GEOL FILE

PRINTED: 11-14-2001

ARIZONA DEPARTMENT OF MINES AND MINERAL RESOURCES AZMILS DATA

PRIMARY NAME: PAUL CLAIMS

ALTERNATE NAMES:

NATIONAL MARBLE PLACERS
GODFATHER 1-3
LIGIER WHITE MARBLE
DRAGOON MARBLE MINE
ALPHA CALCIT MINE

COCHISE COUNTY MILS NUMBER: 772

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LATITUDE: N 32DEG 00MIN 10SEC LONGITUDE: W 110DEG 00MIN 20SEC
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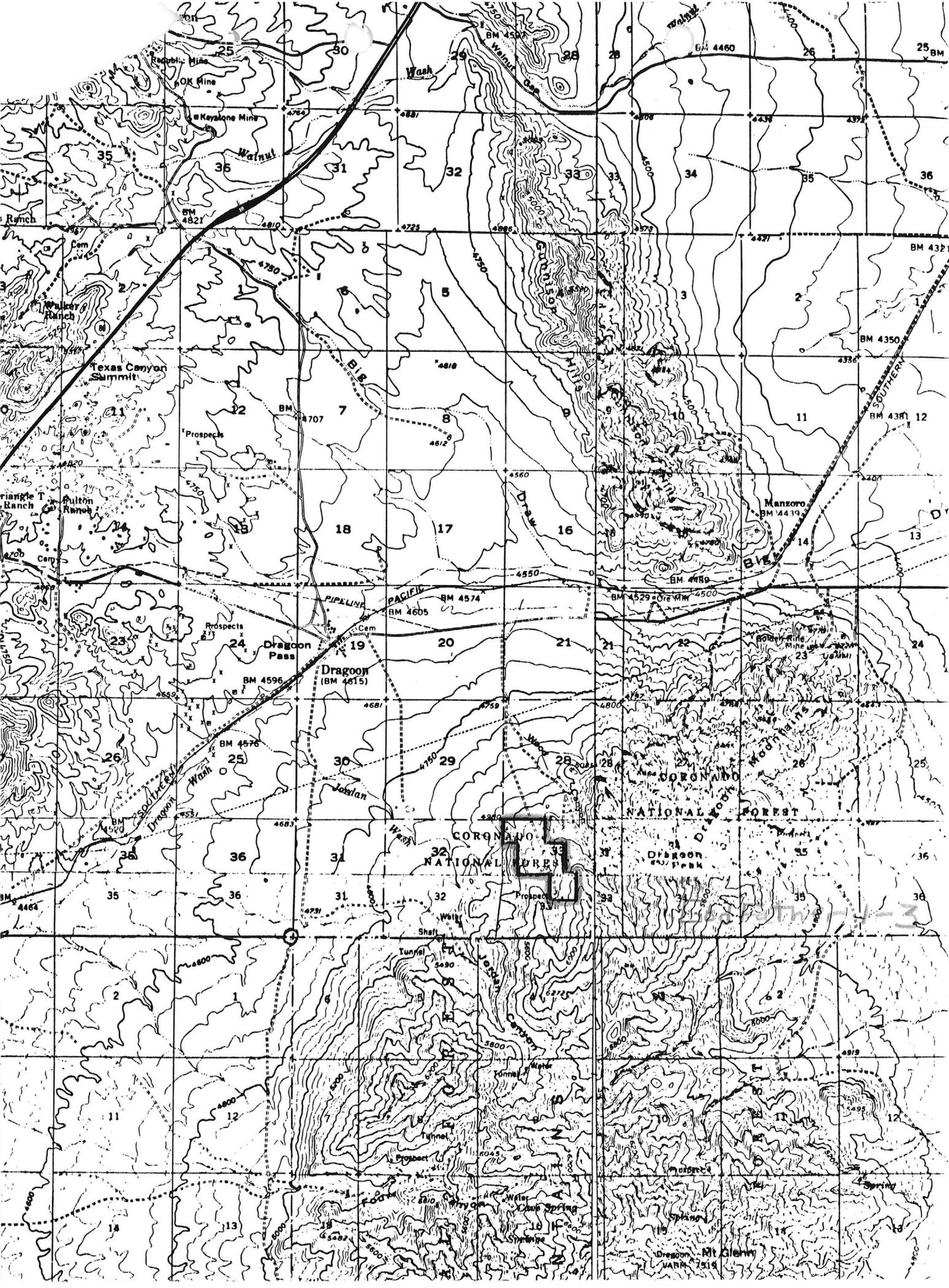
CURRENT STATUS: DEVEL DEPOSIT

COMMODITY:

STONE MARBLE

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ADMMR PAUL CLAIMS FILE
ADDITIONAL WORKINGS IN SECS 26, 27, 28, 35
AZBM BULL 155, (1949), P. 47-48
GEO FILE - MIERITZ, RICHARD, 1970
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THE DRAGOON PASS AREA, IN GEOL FILE



*Paul Claims (F)
Ligier Marble Quarry (file)
Cochise County*

Habitat (cont)

to sustain the cattle and livestock that are now allowed to graze on your national forest lands. What about the wild life that is rapidly in decline? What would be left for the sportsmen for game?

this area is our home. We have chosen to live here for many reasons. It's natural beauty and undeveloped terrain is something we can all treasure. Our home and water is worth saving, let us join together and stop the marble mine that would destroy our homelands. It must be done. We, the people have a right to clean air, soil, and water. DMPC seeks to preserve those common God given rights.

Use your power to help stop the

Callix Mining Company

Together we can preserve the
Dragoon Mountains by doing the
following:

- * sign a petition
- * make a call/write a letter, let your government know you care about your public treasure
- * come to our next meeting

Dragoon Mountain Preservation

Coalition

PO Box 214

Dragoon, AZ. 85609

wray@vtc.net

(520) 586-3751

(520)826-3698

US Representative Jim Kolbe
77 Cattle Portal B-160
Sierra Vista, AZ. 85635
(520) 459-3115
jim.kolbe@mail.house.gov

Governor Jane Hull
1700 W. Washington
Phoenix, AZ. 85007
comments: 1-800-953-0883
azgov@gv.state.az.us

Cochise County Government
1415 W. Melody Lane
Bisbee, AZ. 85603
1-800-635-7296
Bedmin@co.cochise.az.us

Duane Bennett
Coronado National Forest
5990 S. Highway 92
Hereford, AZ. 85615

Dragoon Mountain Preservation Coalition

Mining threatens the little town of Dragoon and the Dragoon Mountain Range.

Our coalition aims to stop the proposed 160 acre open pit marble mine on Dragoon Mt. just south of Interstate 10 exit 318. 5 mi

Not
A foreign company is seeking a permit from the US Forest Service to mine & crush marble for use in decorative stone and plastic composites.
*Not
ACCURATE*

We share interest only in abundant clean water, air and land.
Sportsmen, agriculturists, ranchers, recreationists, history lovers, nature lovers and visitors alike.

20(531-8097)

5/5/00

What?

Not True

Purpose

To preserve the Dagoon Mountains as they are now for us and for the future generations that will follow. The proposed marble mine would destroy the mountain area leaving a deep gaping hole. The mine company 'says' the hole will only be 300 feet deep. They say the will rip only 300 feet of the side-wall off the mountain, above the pit. Yet the company is asking for a permit to mine over 160 acres. This is only the start, as far as mining goes. First one mountain, then the next and on and on, like the foreign companies continue to do in Appalachia - historically, once permitted, mining companies don't have to go through the public hearing process again, and they can bash and wheel away the mountains bit by bit, for years and years down the road. Is the what the US Forest Service is willing to allow? DMPC is not willing to allow the destruction of these beautiful mountains.

Background

A foreign company named Calmar ^{city} seeks to mine great quantities of marble from the Dagoon Mountains. The foreign company will use this marble for plastics.

Not True

The lands were set aside by the United States to preserve the wilderness. Now the Forest Service is asked to allow a foreign company to pillage the resources.

neither a true

Jobs

Foreign mining companies usually bring their own trained workers to accomplish their goal. The capital made from this opportunistic venture will go back to Europe, leaving our community with the destruction and clean up. Our tax dollars should go to protect and preserve our lands. Will we allow what belongs to all of us to be given to a foreign company, a company that will destroy the beautiful and majestic mountains.

History

These lands were the ancestral lands of the Chiricahua Nation (people of the mountains). The sacred mountain spirits lived in every mountain top and were the messengers of God, bringing protection and guidance to the people. The Chiricahuas lived harmoniously with mother nature and the mountains are sacred to them. The deforestation in the region took place in the mid 1800's. The wood was needed for mining, the railroad and the development of Tombstone and other settlements in Cochise County. The

This a stretch -

juniper, cedar, mesquite were cut down for heating and the pine forest never replanted. The damage is visible to this day. Before the mid 1800's the annual rainfall was 21 inches. Now reduced to 3 or 4 inches. This is due to the deforestation of the mountain areas and the damage to the bio diversities of the high deserts. All this damage is irreparable. Many lives were sacrificed as the take over unfolded and history marched on taking the native, grey wolf, antelope, jaguar, medicinal plants, grasslands, gold, silver and the spirit along with it. What will be left for the children? What about the tourist who comes to see the native and the vastness of the land that no longer exists in Europe. The next generation will demand solutions, not lies or neglect.

Habitat

The lesser long nose bat, an endangered species lives at an undisclosed location in the Dagoon Mountains and feeds on the agave plant that grows there. Is there enough water resources in this region to supply mining, farming, ranching, golf courses, theme parks or massive development? Will there be enough water

Paul Claims (f)
Ligier Red Marble Quarry
(file)
Cochise Co.

ALPHA CALCIT ARIZONA, LTD.

10645 N. Tatum Boulevard, Suite C-2, 601; PHOENIX, Arizona 85028-3063
Phone & Fax (602) 840 - 0414, E-mail DRBKOE@swlink.net

August 25, 2000

Ken Phillips, Chief Engineer
AZ Dept. of Mines and Mineral Resources
1502 West Washington
Phoenix, AZ 85007

Re: "Dragoon Mountain Preservation Coalition" Misinformation.

Dear Mr. Phillips:

"Mining threatens the little town of Dragoon..." complains a brochure and letters sent to politicians and government administrations. The complaint is based on misinformation and intentional falsehoods designed to create an emotional reaction by the recipient. In contrast to the fantasies presented point by point by the "Coalition's" pamphlet we give in the following a brief summary of what the Alpha Calcit Mine Operating Plan really proposes:

- 1) The proposed marble quarry will expand the existing quarry in Section 33 Township 16 South Range 23 East from its present visible size to an overall quarry that measures approximately 300 feet by 1,200 feet (**Less than 10 acres!**) NOT THE 160 ACRES SUGGESTED BY THE PAMPHLET. Further the quarry is visible and will be visible from the I-10 Willcox - Benson for a short distance, but is a little more than 5 miles from the Interstate as the crow flies. The quarry is over 2 miles from the village of Dragoon and over one mile from the closest neighbor (one single home). Access to the quarry will be along existing public and Forest Service roads from the paved Dragoon road.
The operation will be quite small. The total of the maximum yearly production will be **less** than the **daily** production of one of the average Arizona copper mines. As an added fact, the mining claims on which the operation will be conducted were first located in 1881 by the Ancestral Liguere family, and have been maintained legally since that date by the Liguere Heirs and the current owners, a local family. Mining of marble has been conducted at different times throughout that period, with the latest production during the latter half of the 1980's.
- 2) Alpha Calcit Arizona, LTD is a wholly owned subsidiary of the Cologne, Germany, based company Alpha Calcit Fuellstoff (= fillers) Co. The Arizona company has been established for the specific pupose to develop limestone/marble properties in the US. The proposed Dragoon mine is the first such venture. The company is in the process of preparing a Mine Operating Plan for approval by the U. S. Forest Service and other

Federal and State agencies who have regulatory authority over such operations. The products from the Dragoon Quarry and supporting mill facilities (appr. 4 miles from Dragoon near the railroad tracks) will primarily be finely ground calcium carbonate to be marketed as mineral fillers used in a variety of manufactured products in the US. In addition, by products of crushed and ground marble will be sold for such things as mineral for livestock feed, swimming pool sand, golf course sand, and with the agreement from the U.S.F.S., crushed aggregate for landscaping and similar uses.

- 3) Alpha Calcit Arizona has an interest in operating a marble quarry with the absolute **minimum impact** on any and all facets of the surrounding **environment**. This operation will be conducted with the same care for plants, animals, culture, air, water and all the things which make up the environment of the area, just as the parent company conducts its mine and milling operations in seven quarries located in five European and Near East Countries. A photo brochure prepared to illustrate some of the European operations is on file with the Coronado National Forest Service offices in Tucson that show how a reputable company operates in a delicate environment without destroying nature's balance.

- 4) Under the title "**PURPOSE**" the coalition pamphlet describes incorrectly what "may" happen to the area if the operating plan is approved. The facts are that there will be no "gaping hole". In reality the plan describes a quarrying operation that will remove a wedge of rock from the mountain side that will traverse from the valley bottom to about one half way up the mountain, that is about 300 feet thick and 1,200 feet long. This wedge will be centered on the existing open exposed quarry. As stated above the areal extent of the quarry will be less than ten (10) acres, NOT the 160 mentioned in the pamphlet.
Further, any expansion of this operating plan will require submission and review of a complete new operating plan that will require public comment and ultimate approval by the regulatory authorities. Likewise any new mine would have to follow the same procedure.
The quarry will be developed in at least three separate segments, with each segment mined out completely. When the next segment is opened, reclamation and replanting of the previous segment will start so that at any given point in time, there will be only one third of ten acres exposed. The reclamation will consist of creating narrow benches that will be revegetated with all native plants to restore the slope to a condition very similar to its present state (with the present exposed quarry reclaimed with the other segments!).

- 5) Under the title "**Background**" the coalition describes again the incorrect information regarding the use of the rock that will be mined from the quarry. Further, the pamphlet is totally incorrect in the description of the status of the land in question where this operation will be located. In fact these lands have not been set aside. They are a part of the Coronado National Forrest, and under the mining act of 1872 as revised, are open to mineral location and production just as any other U. S. Forest and BLM lands in these United States. The claims are held by a U. S. citizen residing in Cochise County, Arizona who has rights to, and for these claims, superior to the rights of any

other citizen. The claim holder has made a completely legal agreement with a company which has established a Corporate presence in the State of Arizona wherein they have a right to conduct business in the State and in the United States of America. No lands or any rights of any other citizen are being taken advantage of in the form of "pillaging".

- 6) Under the title "**Jobs**" the coalition again errs badly in their description of the potential for job creation. In reality only the General Manager of the project will be from Germany. All other personnel will be recruited from available workers in Cochise County and nearby towns and cities of Southern Arizona. There will be a total workforce of approximately twenty (20) positions, all of which will be paid at a level comparable to other mining operations in Arizona. The Arizona headquarters of Alpha Calcit Arizona will be located at Willcox, with the mine management at the Quarry and Mill sites. The resultant increase in the tax base of Cochise County, the towns nearby and the State will be significant. The County will take on additional road maintenance work for the public roads, but the taxes paid by the project will exceed that cost.

- 7) Under the title "**History**", the coalition describes a sorry history of exploitation during the past 400 plus years since the Spanish first set foot on these lands. However, history has taken on a revised "reality" during the recent decades of the 20th century. The land is now a part of the United States of America, the State of Arizona and Cochise County and as part of the Coronado National Forest is open to mineral claiming by citizens of the US. No historical account of what has happened, real or imagined, can change that fact.

- 8) Under the title "**Habitat**", the coalition fears great harm to wildlife, cattle grazing and other users of the natural habitat of the area. While there may be a temporary disturbance to plants and animals within the boundaries of the operation, it is factual that both plants and animals adjust to such interruptions quite well. With proper re-claiming of the land, the wildlife will return to the area after mining is complete. In regard to the **water** resources of the area, very little water will be used by this project. Beyond water for domestic purposes, only a minimal spray will be used in dust control at the mining, crushing and sorting operations, particularly, as most of these installations are closed so that the dust can be reclaimed for use. The mill for fine grinding will be on private land, and will use only minimal water. All these installations are closed for the purpose of **dust and noise reduction**. Groundwater protection will be done according to regulations. Dust control on roadways will be accomplished by using a dust free surfacing. No well development will be necessary so that no interference with existing water production will occur. The water that is needed will be imported from outside sources.
The maximum interruption of the daily lives of some neighbors will be from **traffic** on the access road to the quarry site. This will be tightly regulated by the company so as to cause the absolute minimum of discomfort to the lives of the people of Dragoon. Workmen will use as few as possible number of automobiles for transportation. The

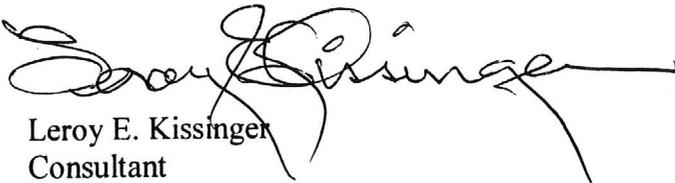
material which will be transported to the fine grinding mill, will fill less than ten (10) trucks per day.

Please, remember that the U. S. Forest Service is not an advocate for either side of this controversy. They are the agency assigned to make sure that the laws and regulations of the United States are complied with. All of the information regarding this project proposal will be submitted to the Forrest Service as the application is completed. It will be available for review by the public at any time after that.

If there is a need for additional information not contained herein you may also contact either Mr. Leroy E. Kissinger, Mining Consultant, Geologist, retired Director of the Arizona Department of Mining and Mineral Resources, by telephone at (520) 531-9297 or by fax at (520) 531-8097 in Tucson, or Mr. Berthold K. Koester, Dr. of Laws, by telephone and fax at (602) 840-0414 in Scottsdale. These men are authorized to exclusively represent Alpha Calcit Arizona, Ltd. in Arizona.

Very sincerely,

Alpha Calcit Arizona, Ltd.



Leroy E. Kissinger
Consultant

ALPHA CALCIT ARIZONA, LTD.

: 04/07/1999

10645 N TATUM BLVD

-0871497-3

STE C-2 601

PHOENIX AZ 850283053

EXPIRATION:

BERTHOLD K KOESTER

APPOINTED 04/07/1999

10645 N TATUM BLVD

BANKRUPTCY:

STE C-2 601

PHOENIX AZ 850283053

PHOENIX AZ 850283053

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ON 07/09/1999 NAME CHANGED TO

ALPHA CALCIT, LTD.

*Page 1 Claims (F)
Cochise Co.*

Received July 22, 2004
K

OPPORTUNITY TO COMMENT

Minerals Exploration Proposal, Section 33, T16S, R23E Douglas Ranger District, Coronado National Forest Cochise County, Arizona

Background

The U. S. Forest Service, Coronado National Forest (CNF), has received a request from a mining operator for authorization to perform core drilling to explore an existing marble deposit on the Douglas Ranger District, specifically in Section 33, Township 16 South, Range 23 East, Gila and Salt River Meridian (see map).

This Opportunity to Comment is being offered to interested parties and tribes to assist the Forest Service in its National Environmental Policy Act (NEPA) review of the proposed project. The Forest Service's proposed action is to authorize the proposed exploration as described below.

Purpose and Need

The purpose and need for agency action is derived from a Forest Service commitment to consider requests for minerals exploration on National Forest System lands, in accordance with objectives expressed in the Coronado National Forest Plan (The Land and Resource Management Plan for Coronado National Forest, 1986, as amended).

The Mining Act of July 26, 1866 (14 Stat. 253) declared all mineral lands of the public domain open to exploration and occupation. The General Mining Law of May 10, 1872, authorized placer and lode mining claims, mill sites and tunnel sites of specific dimensions.

Project Description

Approval of the proposed minerals exploration would allow the following activities to occur.

The mining operator would use a Joy 22 or Longyear 34 drill rig to drill at two core drilling locations. Cores will be drilled at a 5 degree angle down in an easterly direction. Drill pads will be located at the end of existing roadbeds leading to the existing quarries. Drill pads will be established out of washes. Other vehicles on site will be service vehicles for the drill rig. Two individuals will be operating the drill rig. Access to the mining claims will be on existing roadways. A minimal amount of road repair is anticipated to allow safe ingress and egress for the drill rig.

Requests for Comments

You are encouraged to offer comments about the proposed project as soon as possible. Comments received by the Forest Service no later than August 16, 2004 will be considered in the analysis of the proposed activity. Comments related to advocacy of the project shall not be considered as part of the project scope unless they are based on or linked to a specific issue or concern.

Written comments may be submitted via U.S. mail or electronic mail to Ms. Beverley A. Everson, Geology and Minerals Program Manager, at the Coronado National Forest Supervisor's Office, 300 West Congress Street, Tucson, AZ and email, beverson@fs.fed.us. For further information about the project and to offer verbal or in-person comments, please contact Ms. Everson at (520) 670-4606.



**ALPHA
CALCIT
MARBLE
MINE**

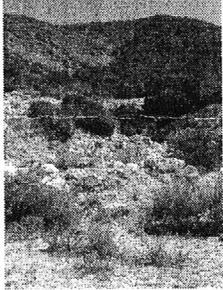
NATIONAL CORONADO FOREST 

This slide show provides important information regarding the proposed Alpha Calcit Marble Mine in the Driest Canyon located on the Coronado National Forest in Cochise County, Arizona

ALPHA CALCIT MARBLE MINE

A Proposal Initiated by Alpha Calcit Arizona, Limited (ACA, Ltd.) for Environmental Analysis by the Coronado National Forest 

ACA, Ltd. PROPOSAL

Expand an existing marble mine in the Driest Canyon for the purpose of extracting "locatable" minerals with the option of purchasing "salable" minerals 

DEFINITION

Locatable (Unique) Minerals:
Minerals that have a special value or special use (for which no other mineral can be substituted), and are acquired through mining claim location

DEFINITION

Salable (Common) Minerals:
Common varieties of minerals that are not locatable by mining claim 

ACA, Ltd. Plans to Use Quarried Ore for Commercial Uses Including:

- Paper (locatable)
- Cast polymer industry (locatable)
- Desulphurization agent of power plant stack gases (locatable)
- Terrazzo tile production (salable)
- Supplements for livestock feed (salable)
- Swimming pool and golf course sand (salable)
- Fillers and extenders in plaster and paint products (salable)

Details of Proposed Mining Operation

The project area includes the Tapia-Bliss claims (aka Godfather 1-3 and 5-15 claims). The existing 6-acre quarry in the Dragoon Mountains would be expanded to roughly 25 acres for the purpose of mining limestone, marble, and related products in the Escabrosa limestone formation

Scope of Mining Project



ACA, Ltd. projects it will extract approximately 100,000 short tons of finished product per year over a period of 20 years.

Short Ton = 2000 lbs

Equipment to be Used in the Mining/Haul Operations:



- Compressed air percussion drill(s)
 - Wheel or track driven front-loading tractor(s)
 - Tractor-dozer (Caterpillar D-10 size class)
 - Rubber-tired haulers
 - Mobile crusher (located inside quarry)
 - Motor grader (Caterpillar 140 size class)
- Periodic blasting will be used in the ore extraction process

Handling of Ore

Ore will be color-sorted and temporarily stockpiled onsite at a 4-acre sorting plant before being transported to a grinding/packaging plant near the railroad approximately 1½ miles east of the haul road (Lizard Lane)

Mining Operations on National Forest System Land is Authorized By:

- General Mining Law of May 10, 1872, as amended
- 36 Code of Federal Regulations, Part 228
- Federal Land Policy and Management Act of 1976
- Forest Service Manual 2800

National Environmental Policy Act (NEPA) General Compliance Process

- Agency accepts a proposal for analysis and develops a proposed action
- Internal and external scoping take place to identify issues
- Determine the significant issues to be analyzed in the environmental document. Analysis of the proposed action and no action alternatives is mandatory
- Develop alternatives to the proposed action that address the significant issues

NEPA General Compliance Process Cont.

- Analyze environmental consequences of the proposed action and alternatives
 - Environmental consequences
 - Assessments could include, but are not limited to, archeological surveys, traditional cultural properties, wildlife, soil, water, and community economics
 - Analysis discloses direct, indirect, and cumulative effects
- Issue the environmental document for comment
- Respond to the comments
- Issue and disclose a decision
- Comply with the administrative appeal process

NEPA Decision Framework

Based on the results of the Environmental Impact Statement, the decision will address:

- Whether the mining proposal will proceed as proposed or as modified by mitigation measures
- If mining activity is allowed, the mitigation measures and monitoring requirements that would be implemented
- Consistency with applicable laws, regulations, policies and the Coronado Forest Plan

Applicable Laws

- National Environmental Policy Act (NEPA)
- Forest Land Planning and Management Act (FLPMA)
- General Mining Law of 1872
- Endangered Species Act (ESA)
- American Indian Religious Freedom Act (AIRFA)
- National Historic Preservation Act (NHPA)
- Clean Water Act (CWA)
- Clean Air Act (CAA)

NOTE: The Forest Service does not have the authority to deny a proposal for mining of locatable minerals as per the General Mining Law of 1872. However, the agency does have the discretion to deny disposal of common variety (salable) mineral materials

Responsible Official

The Regional Forester (who oversees management of all national forests in Arizona and New Mexico) is the official responsible for deciding which Draft EIS alternative will be selected and implemented

Environmental Impact
Statement Process Includes:

- Identification of issues
- Development of alternatives
- Analysis of alternatives with disclosure of effects and values
- Issuance of a Draft EIS for public review and comment
- Issuance of a Final EIS with responses to comments

Environmental Impact
Statement Process Includes Cont:

- Notice of Decision by the Responsible Official (Regional Forester)
- Appeal period before implementation of the decision
- Participation of affected tribes, agencies, the proponent, and other interested parties throughout the NEPA process

Role of Public Participation

- Assist the agency in identification of significant issues (scoping)
- Review Draft EIS for completeness and accuracy
- Exercise right of appeal following issuance of decision, if applicable

Preliminary Issues
Identified for Analysis

- Archaeological and historical sites (including those important to Chiricahua Apaches and other tribes)
- Public safety (truck traffic through a residential area on the Lizard Lane access road; cattle grazing; hunting season traffic conflicts that may lead to restrictions on Forest users)
- Flora and fauna (may adversely affect populations or habitat, including the lesser long-nosed bat and American peregrine falcon)

Preliminary Issues
Identified for Analysis

- Water quantity and quality (potential reduction of local water supplies to mitigate dust on roads; effects of runoff from mine)
- Visual quality (incompatible with scenic landscape qualities)
- Air quality (increase of dust)
- Noise (impacts to humans and animal species)

ALTERNATIVES

Alternative 1: No Action (required by law)

- Deny Plan of Operations submitted by ACA, Ltd.
- No mining operations would occur
Note: Forest Service cannot deny statutory rights to mine locatable minerals (1872 Mining Law). The Forest Service can deny mining of common variety minerals but may be impractical due to closely associated locatable minerals

Alternative 2: Proposed Action

- Approve Plan of Operations submitted by ACA, Ltd.
- Allows mining operation through expansion of existing quarry. Removal of 100,000 short tons of marble annually for a 20-year period
- Includes construction of crushing facility on adjacent private land
- Employs blasting and use of heavy equipment to move ore from quarry to processing plant
- Access to quarry via County road to Forest boundary, and Forest Road 689 from boundary to quarry area
- Construction of new access road from SE end of quarry to top of exposed face and top bench of quarry

Alternative 2- Proposed Action Cont.

Mitigations:

- All waste rock from mining operations to be removed from National Forest System lands
- Avoid adverse effects to archeological, heritage, and cultural sites
- Reclaim and revegetate terraced benches before initiating mining of subsequent benches
- Needed utilities to be installed underground
- Limited operational periods to be defined for protection of Federally-listed species
- Relocate agave plants subject to disturbance to nearby undisturbed areas

Alternative 2- Proposed Action Cont.

Mitigations:

- Water for mining operation will be obtained from off-site sources
- Terrace benches will be sloped toward mine to catch run-off; run-off flow to be directed into catch basins or check dams for natural filtering before leaving National Forest System lands
- Temporary structures required to operate mine will be screened or painted to blend with natural surroundings
- Hazardous materials storage will be in compliance with applicable State and Federal requirements
- Equipment used in mining and haul operations will be cleaned to limit spread of noxious weeds

Alternative 3

- Approve Plan of Operations submitted by ACA, Ltd.
- Allows mining operation through expansion of existing quarry. Removal of 100,000 short tons of marble annually for a 20-year period
- Includes construction of crushing facility on adjacent private land
- Employs blasting and use of heavy equipment to move ore from quarry to processing plant
- Access to quarry via County road to Forest boundary, and Forest Road 689 from boundary to quarry area
- Construction of new access road from SE end of quarry to top of exposed face and top bench of quarry

Opportunities to Provide Comment



- During scoping (throughout the environmental analysis)
- Upon issuance of a Draft EIS (minimum 45-day comment period)

How Public Comments Are Used in the EIS Process

The Forest Service will assess and consider comments both individually and collectively, and respond by one or more of the means listed below, stating its response in the Final EIS.

Possible responses are to:

1. Modify alternatives including the proposed action
2. Develop and evaluate alternatives not previously given serious consideration by the agency
3. Supplement, improve, or modify the analyses
4. Make factual corrections

Tips on Providing Comments

“Comments on an environmental impact statement or on a proposed action shall be as specific as possible and may address either the adequacy of the statement or the merits of the alternatives discussed or both.” --
Council on Environmental Quality



TIMELY COMMENTING

Public comments during the scoping phase of this project are most helpful when received by April 30, 2003

How to Submit Comments

- **Written comments.** Mail to: Alpha Calcit Marble Mine EIS, Coronado National Forest, 300 West Congress, Tucson, AZ 85701
- **Email comments.** Send to: jruyle@fs.fed.us
- **Verbal comments.** Ask for assistance from the Forest Service team to record or send copy of recorded comments to “written comments” address

Thank you for taking time to learn more about the Alpha Calcit Marble Mine proposal and Environmental Impact Statement process

FOR MORE INFORMATION

Please contact:

Jennifer Ruyle, Team Leader
Alpha Calcit Marble Mine EIS
Coronado National Forest
300 West Congress
Tucson, AZ 85701
Phone (520) 670-4552
jruyle@fs.fed.us

be made in the order the request was received. Anyone wishing to make a written statement in lieu of an oral statement should send their statement to Barbara Fecso, Dairy and Sweeteners Analysis Group, Economic Policy and Analysis Staff, Farm Service Agency, USDA, 1400 Independence Avenue, SW., STOP 0516, Washington, DC 20250-0516; Telephone: (202) 720-4146; Fax: (202) 690-1480; e-mail: barbara.fecso@usda.gov. Statements must be received by close of business on January 29, 2003.

Persons with disabilities who require special accommodations to attend or participate in the meeting should contact Barbara Fecso.

Signed in Washington, DC on January 22, 2003.

James R. Little,

Executive Vice President, Commodity Credit Corporation.

[FR Doc. 03-1821 Filed 1-23-03; 12:43 pm]

BILLING CODE 3410-05-P

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service

Agency Information Collection Activities: Proposed Collection; Comment Request—Information Collection for the Summer Food Service Program

AGENCY: Food and Nutrition Service, USDA.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, the Food and Nutrition Service announces its intention to request the Office of Management and Budget's (OMB) review of the information collections related to the Summer Food Service Program, OMB number 0584-0280.
DATES: Comments on this notice must be received or postmarked by March 28, 2003.

ADDRESSES: Comments are invited on:
(a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
(b) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
(c) ways to enhance the quality, utility and clarity of the information to be collected; and
(d) ways to minimize the burden of collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical or

other technological collection techniques or other forms of information technology. Comments and requests for copies of this information collection may be sent to Mr. Terry Hallberg, Chief, Program Analysis and Monitoring Branch, Child Nutrition Division, Food and Nutrition Service, USDA, 3101 Park Center Drive, Room 640, Alexandria, Virginia 22302.

All responses to this Notice will be summarized and included in the request for OMB approval, and will become a matter of public record.

FOR FURTHER INFORMATION: Contact Mr. Terry Hallberg at (703) 305-2600.

SUPPLEMENTARY INFORMATION:

Title: Summer Food Service Program.

OMB Number: 0584-0280.

Expiration Date: 2/28/03.

Type of Request: Extension of a currently approved collection.

Abstract: Section 13 of the National School Lunch Act (NSLA), as amended, authorizes the Summer Food Service Program. The Summer Food Service Program provides assistance to States to initiate and maintain nonprofit food service programs for needy children during the summer months and at other approved times. The food service to be provided under the Summer Food Service Program is intended to serve as a substitute for the National School Lunch Program and the School Breakfast Program during times when school is not in session. Under the program, a sponsor receives reimbursement for serving nutritious, well-balanced meals to eligible children at food service sites. Subsection 13(m) of the NSLA directs that "States and service institutions participating in programs under this section shall keep accounts and records as may be necessary to enable the Secretary to determine whether there has been compliance with this section and the regulations hereunder. Such accounts and records shall be available at any reasonable time for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of five years, as the Secretary determines necessary." Pursuant to this provision, the Food and Nutrition Service has issued Part 225 of Title 7 of the Code of Federal Regulations to implement the Summer Food Service Program.

Respondents: State agencies, sponsors, camps and other sites, and households.

Estimated Number of Respondents: 54 State agencies, 3,789 sponsors, 4,436 camps and other sites, and 69,722 households.

Total Number of Respondents: 78,001.

Average Number of Responses per Respondent: The number of responses is estimated to be 4 responses per respondent per year.

Total Annual Responses: 312,004.

Average Time per Response: 1.219 hours.

Estimated Total Annual Burden on Respondents: The recordkeeping burden hours is estimated at 27,268, and the reporting burden hours is estimated at 353,116, for an estimated total annual burden of 380,384 hours.

Dated: January 21, 2003.

Roberto Salazar,
Administrator.

[FR Doc. 03-1754 Filed 1-24-03; 8:45 am]

BILLING CODE 3410-30-P

DEPARTMENT OF AGRICULTURE

Forest Service

Coronado National Forest, Arizona; Alpha Calcit Marble Mine

AGENCY: Forest Service, USDA.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The Forest Service accepted a Plan of Operations from Alpha Calcit Arizona, Limited, for mining and road construction in the Dragoon Mountain Range of the Coronado National Forest in southern Arizona, as required by the 1872 Mining Law, as amended, and its implementing regulations at 36 CFR part 228. The proposed mine expansion is located within an inventoried roadless area.

DATES: Comments concerning the scope of the analysis should be received by April 30, 2003. The draft environmental impact statement is expected by December, 2003. The final environmental impact statement is expected in March, 2004.

ADDRESSES: Send written comments to Jennifer Ruyle, Alpha Calcit Environmental Analysis Team Leader, Coronado National Forest, Federal Building, FB-42; 300 West Congress, Tucson, Arizona, 85701.

Send electronic mail comments to jruyle@fs.fed.us, Alpha Calcit Environmental Analysis Team Leader.

FOR FURTHER INFORMATION CONTACT: John McGee, Forest Supervisor, Coronado National Forest, USDA Forest Service or Jennifer Ruyle, Analysis Team Leader, Coronado National Forest, USDA Forest Service at the above address.

SUPPLEMENTARY INFORMATION:

Alpha Calcit Arizona, Limited, is seeking approval for a Plan of Operations to expand an existing marble

mine in the Dragoon Mountain Range of the Coronado National Forest in southern Arizona. The proposed mine expansion is located in an inventoried roadless area as defined in the Forest Service Roadless Area Conservation Final Environmental Impact Statement, November 2000. See page 14 of EIS Volume 2—Maps of Inventoried Roadless Areas, Coronado National Forest Inventoried Roadless Areas. This Forest Roadless Area map is also found on the web at <http://roadless.fs.fed.us/states/az/coro.pdf>. The proposal includes the construction of approximately 1/2 mile of new road in the inventoried roadless area, and reconstruction (widening) of existing access roads thereby making it subject to regulations at 36 CFR 294.12 and Interim Directive Forest Service Manual (FSM) 1925 policy. Paragraph (a) of the regulation prohibits new road construction or reconstruction in inventoried roadless areas while paragraph (b) provides exceptions to the prohibition. This proposal conforms to the requirements of exception (b)(3) in the regulations because the proposed road construction is needed pursuant to outstanding rights provided by statute (1872 Mining Law). This proposal also falls under similar exception language in FSM 1925.04 b (d).

Purpose and Need for Action

The purpose of this proposal is to make locatable mineral material available to Alpha Calcit Arizona, Limited, as provided by statute. The statutes authorizing this use of National Forest System lands and resources include the 1872 Mining Law, as amended, and its implementing regulations at 36 CFR part 228; the Federal Land Policy and Management Act of 1976, and Forest Service Policy as described in the Directives System (Forest Service Manual 2800).

The Forest Service accepted a Final Plan of Operations, as required by law, regulation and policy, from Alpha Calcit Arizona, Limited, for proposed mining of limestone, marble, and related products in the Dragoon Mountains of the Coronado National Forest. This action responds to the goals and objectives outlined in the Land and Resource Management Plan for the Coronado National Forest. It also contributes to meeting the goal of supporting environmentally sound minerals development and reclamation.

Proposed Action

The Proposed Action is to approve the Plan of Operations submitted by Alpha Calcit Arizona, Limited, to mine marble in the Tapia-Bliss claims in the Dragoon

Mountain Range of the Coronado National Forest with mitigations for land and resource protection. The Final Plan of Operations accepted from Alpha Calcit Arizona, Limited, consists of:

- Expansion of an existing quarry for the purpose of mining marble, limestone, and related products from the Escabrosa limestone formation in the Dragoon Mountain Range of the Coronado National Forest,
- Mining 100,000 short tons (approximately 2,000 pounds per ton) of marble annually for a period of 20 years,
- Constructing a crushing facility on private land approximately 2,300 feet north of the center of the quarry area, in the NE 1/4 of the NW 1/4 of Section 33, T.17S., R.23E., (G&SRB&M),
- Employing blasting and the use of heavy equipment to move material from the quarry to the processing plant,
- Accessing the quarry area via County Road to the Forest boundary, and via Forest Road (FR) 689 from the boundary into the quarry area, and
- Constructing a new access road from the southeast end of the quarry to the top of the exposed face and top bench of the quarry in the SW 1/4 of the SE 1/4 of Section 33, T.17S., R.23E., (G&SRB&M).

This alternative includes modifications to mitigate effects. Mitigations include measures to address waste rock management, avoidance of significant archeological and historical sites, avoidance of impacts to resources and places important to tribes with traditional ties to the area, reclamation and revegetation, utility installation, protection of endangered, threatened, or sensitive flora or fauna, consideration of agave plants, water sources, hazardous material storage, and other best management practices.

Possible Alternatives

Alternative 1—No Action

The No Action Alternative would deny the Plan of Operations submitted by Alpha Calcit Arizona, Limited, to mine marble in the Tapia-Bliss claims in the Dragoon Mountain Range of the Coronado National Forest. Mining operations would not be implemented.

- The agency does not have discretion to deny statutory rights to mine locatable minerals subject to the 1872 Mining Law.
- The agency has discretion to deny the mining of common variety minerals, but it may be impractical to deny mining of common variety marble closely associated with locatable marble in the project area.

Alternative 2—The Proposed Action

Alternative 3

Approve the described Plan of Operations submitted by Alpha Calcit Arizona, Limited, to mine marble, without the mitigation measures listed previously.

Responsible Official

The Responsible Official is Harv Forsgren, Regional Forester. His address is Harv Forsgren, USDA Forest Service, Southwestern Region; 333 Broadway, Southeast; Albuquerque, New Mexico, 87102.

Nature of Decision To Be Made

Based on the results of the environmental analysis, the decision will address the following:

1. Whether or not the mining proposal would proceed as proposed or as modified by mitigation measures.
2. If mining activity is allowed, the mitigation measures and monitoring requirements that would be implemented.
3. Consistency with applicable laws, regulations, policies, and the Forest Plan.

Scoping Process

The Forest Service will be seeking information, comments and assistance from Tribal Governments, Federal, State and local agencies, individuals and organizations that may be interested in, or affected by, the proposed activities. Written comments will be solicited through a scoping report mailed to individuals and entities known to be interested or affected. This report will be mailed in March of 2003. Information about the proposal will also be available at a public open house to be held on March 11, 2003 from 3 PM to 8 PM, at the Benson Public Library, 300 S. Huachuca, Benson, AZ 85602.

Preliminary Issues

Analysis of the proposal, as submitted by the proponent, indicates that the following preliminary issues should be considered in the analysis. A final set of issues will be defined following scoping and consultation.

Heritage Resources

- Mining and support activities (access, construction of crushing facilities) may have adverse effects on archaeological and historical sites.
- The Dragoon Mountains are important in Chiricahua Apache history and culture; some Chiricahua Apaches retain traditional ties to the area. Mining activities may be incompatible with the historical and cultural associations.

Public Safety

- Truck traffic through an adjacent residential area, with mixed residential and truck traffic on Lizard Lane (access road) may pose a safety hazard.
- Mine traffic may conflict with cattle grazing along the access road.

Flora and Fauna

- Mining and associated activities may adversely affect populations or habitat of certain management indicator species.
- Mining and associated activities may adversely affect individuals, populations, or habitat of threatened, endangered, or sensitive species, including the Lesser long-nosed bat or American peregrine falcon.

Water Quantity and Quality

- Waters running in or around the mine and along the access road may adversely affect adjacent landowners and other Forest users.
- Lack of a water storage or filtration plant may adversely affect adjacent landowners and other Forest users.
- Potential dust mitigation (watering) may reduce local water supplies.

Access

- Proposed access may not be wide enough to allow haul vehicles to pass.
- Traffic conflicts may become acute during hunting season.
- Resolution of safety issues may result in restrictions on access by general Forest users.

Visual Quality

- Appearance of the mine face and roads may be incompatible with scenic qualities of the landscape.

Air Quality

- Mining activities (blasting, crushing, or use and maintenance of access roads) may increase dust.

Comment Requested

This notice of intent initiates the scoping process which guides the development of the environmental impact statement.

Early Notice of Importance of Public Participation in Subsequent Environmental Review: A draft environmental impact statement will be prepared for comment. The comment period on the draft environmental impact statement will be 45 days from the date the Environmental Protection Agency publishes the notice of availability in the *Federal Register*.

The Forest Service believes, at this early stage, it is important to give reviewers notice of several court rulings related to public participation in the

environmental review process. First, reviewers of draft environmental impact statements must structure their participation in the environmental review of the proposal so that it is meaningful and alerts an agency to the reviewer's position and contentions. *Vermont Yankee Nuclear Power Corp. v. NRDC*, 435 U.S. 519, 553 (1978). Also, environmental objections that could be raised at the draft environmental impact statement stage, but that are not raised until after completion of the final environmental impact statement, may be waived or dismissed by the courts. *City of Angoon v. Hodel*, 803 F.2d 1016, 1022 (9th Cir. 1986) and *Wisconsin Heritages, Inc. v. Harris*, 490 F. Supp. 1334, 1338 (E.D. Wis. 1980). Because of these court rulings, it is very important that those interested in this proposed action participate by the close of the 45-day comment period so that substantive comments and objections are made available to the Forest Service at a time when it can meaningfully consider them and respond to them in the final environmental impact statement.

To assist the Forest Service in identifying and considering issues and concerns on the proposed action, comments on the draft environmental impact statement should be as specific as possible. It is also helpful if comments refer to specific pages or chapters of the draft statement. Comments may also address the adequacy of the draft environmental impact statement or the merits of the alternatives formulated and discussed in the statement. Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.

Comments received, including the names and addresses of those who comment, will be considered part of the public record on this proposal and will be available for public inspection.

(Authority: 40 CFR 1501.7 and 1508.22; Forest Service Handbook 1909.15, Section 21)

Dated: January 13, 2003.

Abel M. Camarena,

Deputy Regional Forester.

[FR Doc. 03-1693 Filed 1-24-03; 8:45 am]

BILLING CODE 3410-11-P

DEPARTMENT OF AGRICULTURE**Opal Creek Scenic Recreation Area (SRA) Advisory Council**

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: An Opal Creek Scenic Recreation Area Advisory Council meeting will convene in Stayton, Oregon on Monday, February 10, 2003. The meeting is scheduled to begin at 6 p.m., and will conclude at approximately 8:30 p.m. The meeting will be held in the South Room of the Stayton Community Center located at 400 West Virginia Street in Stayton, Oregon.

The Opal Creek Wilderness and Opal Creek Scenic Recreation Area Act of 196 (Opal Creek Act) (Pub. L. 104-208) directed the Secretary of Agriculture to establish the Opal Creek Scenic Recreation Area Advisory Council. The Advisory Council is comprised of thirteen members representing state, county and city governments, and representatives of various organizations, which include mining industry, environmental organizations, inholders in Opal Creek Scenic Recreation Area, economic development, Indian tribes, adjacent landowners and recreation interests. The council provides advice to the Secretary of Agriculture on preparation of a comprehensive Opal Creek Management Plan for the SRA, and consults on a periodic and regular basis on the management of the area. Tentative agenda items include information sharing on the following topics:

Update on SRA Management Plan appeal;

Process for recruitment and appointment of replacement Council members;

Review of Draft Information Strategy Plan for implementing new use rules.

A direct public comment period is tentatively scheduled to begin at 8 p.m. Time allotted for individual presentations will be limited to 3 minutes. Written comments are encouraged, particularly if the material cannot be presented within the time limits of the comment period. Written comments may be submitted prior to the February 10 meeting by sending them to Designated Federal Official Rodney Stewart at the address given below.

FOR FURTHER INFORMATION CONTACT: For more information regarding this meeting, contact Designated Federal Official Rodney Stewart; Willamette National Forest, Detroit Ranger District, HC 73 Box 320, Mill City, OR 97360; (503) 854-3366.

Dated: January 17, 2003.

Dallas J. Emch,

Forest Supervisor.

[FR Doc. 03-1721 Filed 1-24-03; 8:45 am]

BILLING CODE 3410-11-M



Paul Claims
Ken A. Phillips
April 9, 2003

mine file and 3 ring book

Cochise County

Coronado National Forest Alpha-Calcit NEPA Process Open House March 11, 2003

The Coronado National Forest held a public scoping open house at the Benson, Arizona public library on March 11, 2003 from 1:00 pm to 8:00 pm. The purpose of the open house was to provide information to the interested public about the proposed Mining Plan of Operations for the Alpha Calcit marble mine near Dragoon, Arizona. The open house marks the beginning of the public's involvement in the National Environmental Policy Act (NEPA) General Compliance Process.

The Forest Service has determined to perform the NEPA Compliance Process and prepare the Draft Environmental Impact Study (Draft EIS) and Final Environmental Impact Study. The Forest Service is performing the process in house under their current budgets.

The open house was used by the Forest Service to explain to the public the variety of issues that will be addressed and analyzed in the process of issuing the Draft EIS. Each issue area was the subject of a display manned by a Forest Service specialist in that field.

Mining, minerals and geology was the dominant area represented. In addition to a geologic description a few specimens of marble were exhibited. There were numerous photographs of the current appearance of the quarry, a computer generated image of the mine in full production, and an image of the mine site after reclamation.

- 1) Geology and Minerals – Geologic maps, cross sections, and 4 specimens from the deposit were exhibited. Only one of the specimens, the smallest, was typical of the clean white, high calcium rock Alpha Calcit hopes to mine and process. It is my opinion that the specimens exhibited were not representative of the ore the company is planning to produce.
- 2) Mining – Mining is planned as a multiple bench quarry on a canyon wall. Mining will be selective for high calcium, white marble. The production rate is planned at 20,000 tons per year. The company claims a 20-year mine life as currently designed.
- 3) Processing – Mine run material will be crushed in the quarry before transport to an industrial site along the railroad about 3 miles north of the mine. Processing will consist of size reduction and classification to produce minus 20-micron size, specialty coated fillers. Significant portions of the processing operation use proprietary processes currently in use at Alpha Calcit mines and plants in Western Europe.
- 4) Markets generally will be to the paper, plastics, adhesives, and resin industries.
- 5) Reclamation – Alpha-Calcit has presented “before, during and after” mining photographs and computer generated images of what the site will look like. The reclaimed site will likely meet current scenic view standards established by the Forest Service. Forest service personnel have stated that they will require a “final blast” to remove the “extreme linear features” left by the quarry benches.
- 6) Scenic view – Scenic views have been classified and quantified. Based on such classifications the current appearance of the marble quarry does not meet a predetermined standard. The reclaimed site will likely meet scenic view standards if the benches are blasted to remove the “extreme linear features.”

- 7) Wildlife and plants – The Forest Service will conduct surveys for the presence of listed endangered and/or threatened plants and animals. When questioned their specialists agreed they were not specifically aware of any, but still insisted that federal law required a detailed survey. The wildlife specialist did state that there might be bat-feeding areas near the quarry since photos showed flowering Yucca plants typical of those that bats eat from.
- 8) Cultural and Historical
 - a) Cultural – Federal law requires to Forest Service to determine what, if any impact Federal decisions will have on Native Americans. Since the Dragoon Mountains were at one time part of an established Apache Reservation the Forest Service insists there will have to be some consultation with Native Americans. Usually this results in identifying situations that may require special care, but usually, at least in Arizona, does not stop a mining venture.
 - b) Historical – Federal law requires to Forest Service to determine what, if any impact Federal decisions will have on historical artifacts, buildings, and other structures including historical trash dumps. The Historical-Cultural Specialist from the Forest Service was not aware of any particular historical items that would be affected by the mine.
- 9) Roads and Access – Roads and access are one of the complicated issues.
 - a) Legal access and the roadless inventory designation
 - i) In the simplest sense, the Alpha Calcit's mine location is within an inventoried roadless area. It shouldn't be, but the fact is, it is.
 - ii) Thus no new road construction or improvement of existing roads can take place except to a valid pre-existing right. The Alpha Calcit calcium carbonate mine may be a valid pre-existing right, but Alpha Calcit will have to help the Forest Service prove it.
 - iii) Proof of a valid existing right has multiple facets.
 - (1) The claims must predate the roadless inventory designation and I believe they do.
 - (2) The minerals must be locatable, that is, they must qualify under the General Mining Law and not be common variety materials like common rock.
 - (3) There must be a sufficient, defined quantity of valuable mineral such that a prudent individual would be justified in spending their time and money in developing the mine with a reasonable chance of economic success.
 - (4) There must be a market for the minerals.
 - (5) Since the minerals are non-metals they must possess unique properties that set them apart from common mineral materials. In the case of marble or limestone they must contain over 95% CaCO₃ and be used were that chemical property is necessary.
 - b) Access and road use on existing roads past homes. The access route to the Alpha Calcit mine includes crossing non Forest Service administered lands on local roads. The road has a couple of private residences located along it. These residential owners have asked numerous questions as to how mining traffic might impact their homes and use of the road. Alpha Calcit needs to provide details as to the type, size, frequency of travel, time-of-day of travel, etc. to the Forest Service for inclusion in the Draft EIS.

PAUL CLAIMS

COCHISE COUNTY

HEM WR 4/29/88: Mr. Dale Tapia visited the office seeking advice on the subject of common variety material sales from unpatented mining claims. Mr. Tapia is one of the owners of the Godfather 1-3, building stone placer claims, formerly Paul Claims, Cochise County. He reported having difficulties with the Forest Service accepting his claims as valid and to complicate matters a third party was interested in acquiring the common material rights. A visit to the property was immediately scheduled and a letter outlining the results of that examination was sent to the Forest Service. Recent conversations with the owner and Forest Service representative indicate tha the problems are being amicably resolved.

ORDER FOR ANALYTICAL SERVICE

Samples Sent to:

SKYLINE LABS, INC.

1775 W. SAHUARO • P.O. BOX 50106
TUCSON, ARIZONA 85703
(602) 622-4836 FAX (602) 622-6065

*PAUL CLAIM
Ligier white marble
Cochise Co AZ*

*UKZ003
4-5-89
hand*

(Report and invoice in duplicate will be sent to address below unless otherwise instructed)

Address Report To:

H. Matson

TEL 628 5399 FAX _____

PROJ. NO. _____
P.O. NO.: _____
SHIPMENT NO.: _____
DATE SHIPPED: _____
SHIPPED VIA: _____
NO. OF CARTONS: _____
NO. OF SAMPLES: 1
(Information above helps us trace lost shipments)

Send Invoice To: AZ Dept of Mines & Mineral Resources
416 W Congress
TUCSON AZ 85701

Send Copy of Report To: _____

LIST SAMPLE NOS.	DESCRIBE MATERIAL* (ROCK CHIP, SOIL, WATER, DRILL CORE, ETC.)	Au & Ag		Au		Au		Indicate Method of Analysis** (*See Below)	If 31 - Element Emission Spec Scan Desired
		STANDARD FIRE ASSAY (OZ/TON)	FIRE ASSAY AA FINISH (PPM)	FIRE ASSAY AA FINISH (PPM)	GEOCHEM AA (PPM)	GEOCHEM AA (PPM)			
		Au .002 Ag .01	Au .002 Au .01	Au .002 Au .02	Au .002 Au .02				
PC 891	Rx chip							✓ Appropriate Box For Au and Ag Analysis LIST ADDITIONAL ELEMENTS TO BE DETERMINED (Give anticipated range of values, if possible)	
								Whole Rock Analysis carbonate R. test for CaO MgO CO ₂ Fe ₂ O ₃	

PAYMENT FOR SERVICES REQUESTED MUST ACCOMPANY ORDER UNLESS CREDIT ARRANGED

Signature of person authorizing work: H. Matson
(Use Continuation Sheet If Necessary)

INSTRUCTIONS

*If other than standard preparation is desired, please advise.

**METHOD OF ANALYSIS FOR ADDITIONAL ELEMENTS:

G - Geochem, A - Routine Quantitative Assay

†SAMPLE STORAGE: Pulps stored 90 days pending instructions, bulk rejects stored 30 days pending instructions.

Enclose yellow original with samples, send white copy by mail, retain pink copy. White copy will be returned to shipper as an acknowledgement that shipment has been received.

ACKNOWLEDGEMENT

INDICATE DESIRED DISPOSITION OF SAMPLES AFTER ANALYSIS	Bulk Rejects	Pulp
Return at customer's expense via:		
Store temporarily pending instructions†	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Discard immediately		

ORDER FOR ANALYTICAL SERVICE

Samples Sent to:

SKYLINE LABS, INC.

1775 W. SAHUARO • P.O. BOX 50106
TUCSON, ARIZONA 85703
(602) 622-4836 FAX (602) 622-6065

*PAUL CLAIM
Ligier white marble
Cochise Co AZ*

*UKZ003
4-5-89
hand*

(Report and invoice in duplicate will be sent to address below unless otherwise instructed)

Address Report To:

H. Matson

PROJ. NO. _____

PO. NO.: _____

SHIPMENT NO.: _____

DATE SHIPPED: _____

SHIPPED VIA: _____

NO. OF CARTONS: _____

NO. OF SAMPLES: 1

(Information above helps us trace lost shipments)

TEL 628 5399 FAX _____

Send Invoice To: AZ Dept of Mines & Mineral Resources
416 W Congress
TUCSON AZ 85701

Send Copy of Report To: _____

LIST SAMPLE NOS.	DESCRIBE MATERIAL* (ROCK CHIP, SOIL, WATER, DRILL CORE, ETC.)	Au & Ag		Au		Au		* Appropriate Box For Au and Ag Analysis LIST ADDITIONAL ELEMENTS TO BE DETERMINED (Give anticipated range of values, if possible)	Indicate Method of Analysis** (*See Below)	If 31 - Element Emission Spec Scan Desired
		STANDARD FIRE ASSAY (OZ/TON)		FRE ASSAY AA FINISH (PPM)		GEOCHEM AA (PPM)				
		Au .002	Ag .01	Au .002	Au .01	Au .002	Au .02			
PC 891	Rx chip							Whole Rock Analysis carbonate R. test for CaO MgO CO ₂ Fe ₂ O ₃		

PAYMENT FOR SERVICES REQUESTED MUST ACCOMPANY ORDER UNLESS CREDIT ARRANGED

Signature of person authorizing work: H. Matson

(Use Continuation Sheet If Necessary)

INSTRUCTIONS

*If other than standard preparation is desired, please advise.

**METHOD OF ANALYSIS FOR ADDITIONAL ELEMENTS:

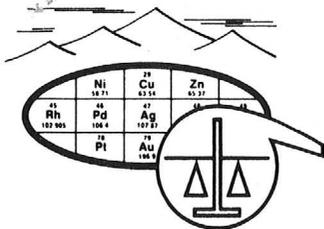
G - Geochem, A - Routine Quantitative Assay

†SAMPLE STORAGE: Pulps stored 90 days pending instructions, bulk rejects stored 30 days pending instructions.

Enclose yellow original with samples, send white copy by mail, retain pink copy. White copy will be returned to shipper as an acknowledgement that shipment has been received.

INDICATE DESIRED DISPOSITION OF SAMPLES AFTER ANALYSIS	Bulk Rejects	Pulp
Return at customer's expense via:		
Store temporarily pending instructions†	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Discard immediately		

CLIENT



SKYLINE LABS, INC.
 1775 W. Sahuaro Dr. • P.O. Box 50106
 Tucson, Arizona 85703
 (602) 622-4836

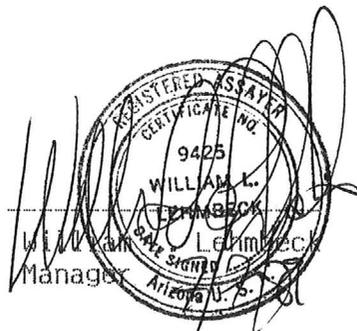
REPORT OF ANALYSIS

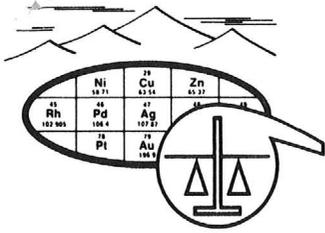
JOB NO. VKZ 003
 July 7, 1989
 PC 891
 PAGE 1 OF 1

ARIZONA DEPT. OF MINES & MINERAL RES
 Attn: H. Matson
 416 W. Congress Room 190
 Tucson, AZ 85701

Analysis of 1 Rock Chip Samples

ITEM	SAMPLE NO.	CaO (%)	MgO (%)	CO2 (%)	Fe2O3 (%)
1	PC 891	48.7	2.1	39.5	.09





SKYLINE LABS, INC.
1775 W. Sahuaro Dr. • P.O. Box 50106
Tucson, Arizona 85703
(602) 622-4836

REPORT OF ANALYSIS

JOB NO. VKZ 003
July 7, 1989
PC 891
PAGE 1 OF 1

ARIZONA DEPT. OF MINES & MINERAL RES
Attn: H. Matson
416 W. Congress Room 190
Tucson, AZ 85701

Analysis of 1 Rock Chip Samples

ITEM	SAMPLE NO.	CaO (%)	MgO (%)	CO2 (%)	Fe2O3 (%)
1	PC 891	48.7	2.1	39.5	.09



United States
Department of
Agriculture

Forest
Service

Southwestern
Region

16-MS
517 Gold Avenue SW.
Albuquerque, NM 87102-0084
(505) 842-3275

Reply To: 2850

Date: OCT 20 1988

Jose Tapia
Box 248
Dragoon, AZ 85609

CERTIFIED MAIL--RRR

RE: Coronado NF--Godfather 1-3 Placer Mining Claims

Dear Mr. Tapia:

I have concluded that the material you propose for removal from the Godfather 1-3 Placer Mining Claims, is a common variety mineral material (30 U.S.C. 611). Therefore, it is not subject to disposal under the 1872 Mining Law. I am directing the District Ranger/Forest Supervisor to return your plan of operations because the regulations in 36 CFR 228 (Subpart A) do not apply to common variety (nonlocatable) mineral materials. You may resubmit a proposal to acquire this material according to procedures in 36 CFR 228 (Subpart C). The District Ranger/Forest Supervisor may elect not to dispose of this material at the selected location for numerous reasons (see 36 CFR 228.43).

My decision is subject to administrative review in accordance with regulations at 36 CFR 211.18.

Sincerely,

for 
DAVID F. JOLLY
Regional Forester

cc:
AZ Zone
Coronado NF
WO, MG



Caring for the Land and Serving People

FS-6200-28b(4/88)

**CONTRACT FOR THE SALE OF
MINERAL MATERIALS**
(Ref. FSM 2850)

Forest Service Unit Name

DOUGLAS RANGER DISTRICT

Contract Number

NOTE: This information is being collected to process your application and effect a binding contract agreement. This information will also be used to identify and communicate with applicants. Response to this request is required to obtain a benefit.

THIS AGREEMENT, made this 8th day of March, 1988, under authority of the Acts of July 31, 1947 (61 Stat. 681), as amended (30 U.S.C. 601 et seq.), March 4, 1917 (16 U.S.C. 520), and June 11, 1960 (74 Stat. 205), and the regulations set forth in 36 CFR 228, Subpart C, between the UNITED STATES OF AMERICA (hereinafter called the "Government"), acting through the Authorized Officer of the Forest Service (hereinafter called the "Authorized Officer", and Joe Tapia (hereinafter called the "Purchaser."))

WITNESSETH, That the parties hereto mutually agree as follows:

Sec. 1. Contract area. The Government hereby sells to Purchaser and Purchaser hereby buys from Government, under the terms and conditions of this contract, all of the mineral materials described in Sec. 2 below, for severance, extraction, or removal, on the following-described lands situated in the Coronado National Forest, County of Cochise, State of Arizona, as shown on the operating plan marked "Exhibit B", attached hereto and made a part hereof, viz:

Township 16 South, Range 23 East, Sec. 33 Meridian, containing 2.5 acres, more or less.

Sec. 2. Amount and price of materials. The total purchase price will be determined by multiplying the total quantity of each kind of mineral material designated by the respective unit price as set forth below, or as changed through reappraisal hereunder.

KIND OF MATERIALS	QUANTITY (Units Specified)	PRICE PER UNIT	TOTAL PRICE
Limestone & marble	10 tons	\$1.50	\$15.00
TOTAL			

Determination by the Authorized Officer of the quantity of materials taken is binding on Purchaser subject to appeal only as provided in Sec. 14. All materials in the contract area in excess of the stimated quantity listed above are reserved by Government.

Sec. 3. Payments, passage of title, and risk of loss. Title to materials sold hereunder passes to Purchaser immediately before excavation and upon proper payment for such materials. No part of the materials sold hereunder may be severed, extracted, or removed by Purchaser until payment for such materials has been made in accordance with the following:

(a) Unless materials sold under this contract are paid for in full in advance, payment for materials must be made in installments of not less than \$ _____ each. The first installment must be paid upon approval of this contract.

(b) Each additional installment is due and payable as billed by the Authorized Officer in advance of removal of the remaining material. The first installment will be retained as additional security for the full and faithful performance of this contract by Purchaser, and will be applied in whole or in part to the payment of the last installment required hereunder to make the total payment equal the total price set forth in Sec. 2, above.

The total purchase price must equal the sum of the total quantities severed, extracted, or designated therefor, multiplied by their respective unit prices. The balance due where less than a full installment remains to be paid upon the total price will be the value of material remaining to be severed or extracted. Each installment will be held in suspense until the quantity of material covered thereby has been determined. The total purchase price must be paid at least 60 days before the expiration date of the contract.

Upon termination, if the total payments made under the contract exceed the total value of the actual materials removed, the excess will be returned to Purchaser, except as noted in 36 CFR 228.66.

(c) Risk of loss shall be borne by the party holding title to the mineral material at the time of loss except that nothing herein shall be construed to relieve either party from liability for breach of contract or any wrongful or negligent act.

Sec. 4. Stipulation and reserved items. The rights of Purchaser are subject to the regulations in 36 CFR 228, Subpart C, which are made a part of this contract, and to the stipulations, if any, which are attached hereto and made a part hereof as Exhibit A.

Sec. 5. Bonds

(a) Purchaser must file with the Authorized Officer and must maintain at all times the bond required under the regulations to be furnished as a condition to the award of this contract in the amounts established by the Authorized Officer and to furnish additional bonds or security as the Authorized Officer may require.

(b) If all terms of this contract are not faithfully and fully performed by Purchaser, the bond in the sum of \$ _____ filed at the time of the signing of this contract will be forfeited to the amount of damages determined by the Authorized Officer. If damages exceed the amount of the bond, Purchaser hereby acknowledges liability for such excess. Upon satisfactory performance of this contract, the bonds will be canceled, or if cash or United States securities were furnished in lieu of a security bond, such cash or securities will be returned to Purchaser.

(c) Whenever any bond furnished under this contract is found unsatisfactory by the Authorized Officer, the Authorized Officer may require a new bond which is satisfactory.

Sec. 6. Expiration of contract and extensions of time. This contract will expire _____ year(s) from the date of approval unless an extension of time is granted in accordance with the provisions of 36 CFR 228.53(b). Written application for an extension of time may be made by Purchaser between 30 and 90 days before the expiration date of the contract.

Sec. 7. Duties of Purchaser. Purchaser must take fire precaution and conservation measures and must dispose of slash and other debris resulting from operations hereunder in accordance with written instructions from the Authorized Officer.

Sec. 8. Notice of operations. Purchaser must notify the Authorized Officer immediately of the commencement and termination of operations hereunder. A report of production will be furnished at least annually by Purchaser to the Authorized Officer.

Sec. 9. Responsibility for damages. Purchaser is liable in damages for the loss or destruction of all Government property for which Purchaser is directly or indirectly responsible under this contract, or resulting from Purchaser's failure to perform under this contract in accordance with the instructions of the Authorized Officer, as well as for costs incurred by Government resulting from Purchaser's breach of any of the terms hereof, or Purchaser's failure to engage in proper conservation practice. For damages resulting from willful action or gross negligence of Purchaser, Purchaser's contractors or sub-contractors, or any of their employees, Purchaser is liable for triple the appraised value of damaged or destroyed materials as determined by the Authorized Officer. If the Authorized Officer determines that the damage or destruction did not result from Purchaser's willful action or gross negligence, lesser damages may be charged, but not less than the actual appraised value of the materials. Purchaser must pay the Government for such damages within 30 days after a written demand therefor by the Authorized Officer.

Sec. 10. Violations, suspension, and cancellation

(a) If Purchaser violates any provision of this contract, the Authorized Officer may, after giving written notice, suspend any further operations for the Purchaser under this contract, except such operations as may be necessary to remedy any violations. The Authorized Officer may grant Purchaser an additional 30 days, after service of written notice, to correct any violations. If Purchaser fails to remedy all violations, the Authorized Officer may, by written notice, cancel this contract and take appropriate action to recover all damages suffered by the Government by reason of such violations, including application toward payment of such damages of any advance payments and bonds.

(b) If Purchaser extracts or removes any mineral materials sold under this contract during any period of suspension, or if Purchaser extracts any of such material after expiration of the time for extraction or the cancellation of this contract, such extraction or removal is in trespass and renders Purchaser liable for triple damages.

Sec. 11. Time for removal of personal property. Purchaser has the right within _____ months after expiration of the time for extraction and removal of mineral materials, if not in default, to remove equipment, improvements, or other personal property from Government lands or rights-of-way. Any improvements such as road surfacing, culverts, and bridges which have become a permanent part of a Government road may not be removed. Any equipment, improvements, or other personal property remaining on Government lands and rights-of-way at the end of the period for removal as set forth herein becomes the property of the Government.

Sec. 12. Assignments. This contract or any portion of it may not be assigned without written approval of the Authorized Officer.

Sec. 13. Tenure. Unless otherwise provided by this contract, Purchaser has the right to extract and remove the materials until the termination of the contract, notwithstanding any subsequent appropriation or disposition under the general land laws, including the mining and mineral leasing laws.

Sec. 14. Appeal. Unless specifically excluded by 36 CFR 211.18(b), Purchaser may appeal any decision by the Authorized Officer regarding this sale of mineral materials.

PURCHASER
Joe Tapia _____
(Individual or Firm Name)
Box 248 _____
(Address, include zip code)
Dragoon, AZ 85609 _____
(Signature)
X _____
(Signature)

THE UNITED STATES OF AMERICA
BY _____
(Authorized Officer)
DFR _____
(Title)
4/20/88 _____
(Date)

BILL FOR COLLECTION
(Ref. FSM 8530)

1. Place of Issue
Douglas, AZ 85607

2. Date of Issue
4/20/88

Please pay by money order, bank draft, or check payable to FOREST SERVICE, USDA. Mail payment with this statement in the enclosed envelope to: UNIT COLLECTION OFFICER, FOREST SERVICE, 300 W. Congress, Tucson, AZ 85701

Mr. Joe Tapia
Box 248
Dragoon, AZ 85609

Please Show Any Change Of Address Below:

FOLD HERE

3. Date or Period	4. Description	5. Amount
1988	Marble (Limestone)	\$15.00

NOTE: Payments not received by the due date are subject to a LATE PAYMENT CHARGE at the rate currently published by the Department of the Treasury unless a different rate is prescribed by contract or agreement.

6. Date Payment Due
4/28/88

7. Amount Due
\$15.00

FOLD HERE

8. Bill Number 1221	9. Unit Number TQ 05	10. Sub-Unit Number	11. Timber Sale Contract Number			
12. Remarks		13. FOREST SERVICE ACCOUNTING DATA				
		TRANS. CODE	MANAGEMENT CODE	FY	OBJ CLASS MAJ. SUB.	AMOUNT
		A	898605			\$15.00
14. TOTAL 				\$15.00		

CORONADO N. F. - DOUGLAS R. D.
RR# 1, BOX 228R, DOUGLAS, AZ 85607

1304 3468

2810

3/11/86

Mr. Jose Tapia
Box 248
Dragoon, AZ 85609

Dear Mr. Tapia:

This letter is in response to your Amendment #1 to your Notice of Intent dated August 8, 1984.

Since the road to the Godfather Claims was closed out by the previous operators, I am hereby approving Amendment #1 to allow you to do the following work, in addition, to what was approved in my letter dated August 16, 1984.

1. Open up the road from the salt ground turnaround up into the quarries as far as is needed to carry out the approved work.
2. Construct, install and maintain a gate according to the attached standards, with a Forest Service lock and your lock.

As a condition of this approval you are required to maintain waterbars high enough to turn the water off the road, at all locations where they currently exist and to post a cash or surety bond of \$650.00 to insure rehabilitation of the road and pits and for the future removal of the gate, as outlined in the attached Rehabilitation Plan.

The "Notice to Operators" section of your N. O. I. dated August 8, 1984 also apply to this approval of Amendment #1.

Approval of work under this amendment is granted for a period of two (2) years from this date and work may commence as soon as I received the bond.

1
Tapia

2

Thank you for your cooperation and please let me know if you have any questions.

Sincerely,

BERNARD H. BRUNNER
District Ranger

Enclosures



United States
Department of
Agriculture

Forest
Service

Douglas Ranger District
RR 1 Box 228R
Douglas, AZ 85607

Reply to: 2850

Date: April 20, 1988

Mr. Joe Tapia
Box 248
Dragoon, AZ 85609

L

Dear Mr. Tapia:

On March 8, 1988, while inspecting the marble quarry in the Dragoon Mountains at the site of the Godfather Claims, Les Dufour and I met your son Dale who was loading marble into a truck. We spoke to him, and while we were there talking to him, your son Danny and your daughter in law also arrived and so we were able to all speak together.

I realize that this has been a very confusing case, and I am going to try to handle this removal of the marble as fairly as possible.

I told them that the marble is a common variety, and must be sold, and not removed as a locateable mineral from a mining claim. I also told them that we are in the process of selling the material to the Sierra Materials Company, and that they must not remove any more marble than was already loaded onto the truck. Since the case has been somewhat confusing, I told them that instead of issuing them a violation notice, I would sell you the material that has already been removed, both that on the truck and that on display at the Dragoon Post Office. Together we estimated that this probably totaled about ten tons. Ten tons at \$1.50 a ton totals \$15.00. Enclosed is a bill for collection for this amount. Please remit payment on or before April 28. Also enclosed is a "Contract for the sale of Mineral Materials" which you must sign on the reverse by the red X, and return the copy to us. However, you are not to remove any more marble. The operating plan which you had with us is no longer appropriate since the marble is not locateable. Therefore the gate which you very recently placed on the road under the old operating plan is not authorized, although whoever ultimately has permission to remove the material may use the gate if it remains. Approval for you to maintain the gate expired on March 11, 1988, as you can see from the attached copy of my letter to you. Also, I find no record that you submitted the required bond.

I find that I may have been in error on one point, in telling your sons that we had written to you that you were not to remove the material as a locateable mineral, although I believe this could have been inferred from our telephone conversation of August 10, 1987, as well as from other conversations.



Mr. Joe Tapia

Page 2
April 20, 1988

Your sons told me that the marble had special quality, I believe they said for sculpture and for architecture, and therefore should be locateable. If you believe this to be the case, you should write to me and tell me so, and if you have it you should send me any information you may have to show why it has special qualities for our consideration. If you feel that the marble should be put up for competitive bidding you should write to me and tell me so, but you should do so before we sell it to someone else.

If you have any questions on the above, please contact me.

Sincerely,



BERNARD H. BRUNNER
District Ranger

Enclosure



STATE OF ARIZONA
DEPARTMENT OF MINES AND MINERAL RESOURCES

May 5, 1988

Bernard H. Brunner
District Ranger
U.S. Forest Service
RR 1 - Box 228R
Douglas, AZ 85607

Dear Mr. Brunner,

At the request of the owners, I have personally examined the Godfather 1-3 placer claims in T16S, R23E, Sec. 33 G&SRBM, Cochise County which were located for marble building stone. The owners sought an expert opinion as to whether the material was properly located as an uncommon variety building stone placer claim or if they should apply for a common variety mineral material sales contract as demanded in a letter from the U.S. Forest Service. That letter further stated that the material could be sold to a third party without the claimants consent. This would seem to be contradictory to both 43 CFR 3601.1 and 36 CFR 228.41 since removal of material from the quarry site by a third party would interfere with the mining of any high quality marble ruled locatable.

As to the validity of the current unpatented mining claims the following data is pertinent:

- 1) The deposit has been worked intermittently for marble by various claimants and lessees for many years before 1955 even though the most recent location by the present owners was in 1980.
- 2) There apparently exists little documentation on the end uses of this production except by oral statements.
- 3) The production has been reported principally as marble chips used as building stone terrazzo, as roofing gravel, and for landscaping. Some less fractured marble has been used for small cut blocks and rough building stone blocks.
- 4) Some chemical grade calcium carbonate may have been produced from a more friable unit of marble and shipped as a livestock feed additive. This material could also be marketed to cultured marble manufacturers.
- 5) One of the claimants assisted in a core drilling program on the property in the late 60's designed to establish a mineable resource of high brightness and quality, friable marble for use as a mineral filler. A brightness range of 91-88% classed the target as marginally suitable.
- 6) The marble removed has, on the whole, sold for prices far in excess of that which would have been expected for a common variety rock. In Tucson for example, white marble chips sell for \$29.50 a yard at one retailer while "decomposed" granite landscape rock sells for \$19.50 and common gravel \$12 a yard. The claimants have sold a limited quantity for similar premium prices.

The field examination conducted on April 28, 1988, confirmed the presence of white coarsely crystalline marble on the claim block which may be suitable for architectural stone. A mineable width of structurally sound white marble is at least partially covered by waste rock at the largest quarry site. Other grey and greyish white highly fractured marble has been mined at the cut into the hillside. A white, friable or soft marble is exposed downhill at the most northern open cut and the material appears suitable as chemical grade calcium carbonate. Other potential resources occur near the mouth of the canyon under partial alluvial cover. No attempt was made at determining tonnage estimates for the various grades of marble.

The question as to the locatability of the marble might best be answered by referring to U.S. v. Vaughn et al, 56 IBLA 247, in which a marble deposit was declared an uncommon variety and therefore locatable, based on a comparison of similar marble and the higher market price that it would bring in relation to common stone products. The higher market price is the manifestation of a special and distinct value even though some of the material may have a common variety end use. The decision also confirmed Verrue v. U.S. 457 F. 2d 1202, in that the claimant was not required to have successfully marketed the material in question himself to prove that it was marketable. The fact that similar material can be sold at a premium is adequate proof.

There is a relatively small number of marble deposits which may be exploited in Arizona, lending credence to a unique and special value classification for a deposit of reasonable quality. It is my personal opinion that the marble on the Godfather Claims is of adequate quality to be locatable under mining law 30 U.S.C. 611.

Thank you for your consideration in this matter.

Sincerely,

Harrison E. Matson

Harrison E. Matson
Mining Geologist
Arizona Registration #21611

HEM:fd

cc: Dale Tapia
cc: James McNulty - Attorney

E X H I B I T B.

Description of Property of National Marble Corporation covering some ten placer mining claims, taken up under location, 1,600 acres approximately.

The West half of the Southeast quarter ($W\frac{1}{2}$ S.E. $\frac{1}{4}$), and the east half of the Southwest quarter ($E\frac{1}{2}$ S.W. $\frac{1}{4}$) of Section 28, Township 16 South, Range 23 East G. and S.R.B. and M. known as the "Calico Marble Placer Mining Claim," also

That certain property beginning at a monument of stone, thence northwesterly 1,400 feet to a monument of stone, thence south 2,640 feet to a monument of stone, thence east 1,320 feet to a monument of stone, thence north 1,320 feet to a monument of stone, thence east 2,640 feet to a monument of stone, thence north 1,320 feet to a monument of stone, thence west 3,960 feet to a monument of stone, containing 160 acres more or less. This claim adjoins the public survey on the south and east, and will be when surveyed the west half of the north west quarter ($W\frac{1}{2}$ N.W. $\frac{1}{4}$) and the northeast quarter of the northwest quarter ($N.E.\frac{1}{4}$ N.W. $\frac{1}{4}$), and the northwest quarter of the northeast quarter ($N.W.\frac{1}{4}$ N.E. $\frac{1}{4}$) of Section 33 in said township and range, and is known as the "Skyros Marble Placer Mining Claim," also

That certain property beginning at a monument of stone, thence northwesterly 1,000 feet to a monument of stone, thence south 1,320 feet to a monument of stone, thence east 1,320 feet to a monument of stone, thence south 2,640 feet to a monument of stone, thence east 1,320 feet to a monument of stone, thence north 3,960 feet to a monument of stone, thence west 2,640 feet to a monument of stone, containing 160 acres more or less. This claim adjoins the "Skyros Claim" on the south and will be when surveyed the west half of the south east quarter ($W\frac{1}{2}$ S.E. $\frac{1}{4}$), and the southwest quarter of the northeast quarter ($S.W.\frac{1}{4}$ N.E. $\frac{1}{4}$), and the southeast quarter of the northwest quarter ($S.E.\frac{1}{4}$ N.W. $\frac{1}{4}$) of said Section 33, and is known as the "Ophir Marble Placer Mining Claim," also

That certain property beginning at a monument of stone, thence northeasterly 1,300 feet to a monument of stone, thence west 1,320 feet to a monument of stone, thence south 5,280 feet to a monument of stone, thence east 1,320 feet to a monument of stone, thence north 5,280 feet to a monument of stone, containing 160 acres more or less. The north half of this claim is the east half of the southeast quarter ($E\frac{1}{2}$ S.E. $\frac{1}{4}$) of section 28 as aforesaid, and the south half of claim is what will be when surveyed the east half of the northeast quarter ($E\frac{1}{2}$ N.E. $\frac{1}{4}$) of said Section 33, and is known as the "Turquoise Marble Placer Mining Claim," also

That certain property beginning at a monument of stone, thence northeasterly 1,400 feet to a monument of stone, thence west 2,640 feet to a monument of stone, thence south 2,640 feet to a monument of stone, thence east 2,640 feet to a monument of stone, thence north 2,640 feet to a monument of stone, containing 160 acres more or less. This claim adjoins the public survey on the south, and will be when surveyed the northwest quarter ($N.W.\frac{1}{4}$) of Section 27 in said township and range, and is known as the "Cinnabar Marble Placer Mining Claim", also

That certain property beginning at a monument of stone, thence southeasterly 1,400 feet to a monument of stone, thence north 2,640 feet to a monument of stone, thence west 2,640 feet to a monument of stone, thence south 2,640 feet to a monument of stone, thence east 2,640 feet to a monument of stone, containing 160 acres more or less. This claim adjoins the public survey on the south and will be when surveyed, the northeast quarter ($N.E.\frac{1}{4}$) of said Section 27, and is known as the "Numidian Marble Placer Mining Claim", also

That certain property beginning at a monument of stone, thence southeasterly 1,000 feet to a monument of stone, thence north 2,640 feet to a monument of stone, thence west 2,640 feet to a monument of stone, thence south 2,640 feet to a monument of stone, thence east 2,640 feet to a monument of stone, containing 160 acres more or

less. This claim adjoins the public survey on the west, and will be when surveyed the north half of the northeast quarter ($N\frac{1}{2}$ N.E. $\frac{1}{4}$) of Section 35, and the south half of the southeast quarter ($S\frac{1}{2}$ S.E. $\frac{1}{4}$) of Section 26, in said township and range, and is known as the "Olivine Marble Placer Mining Claim", also

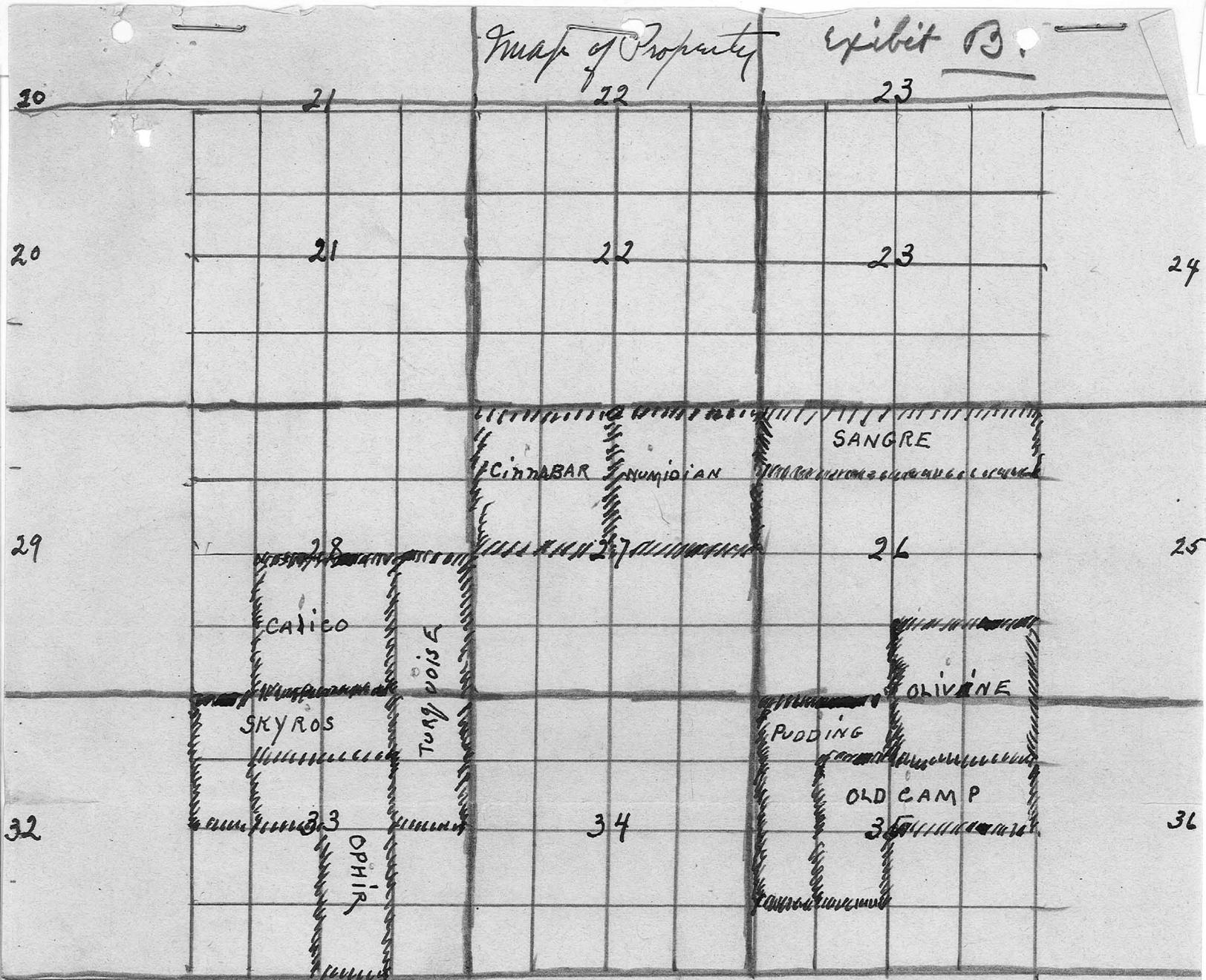
That certain property beginning at a monument of stone, thence northeasterly 600 feet to a monument of stone, thence west 5,280 feet to a monument of stone, thence south 1,320 feet to a monument of stone, thence east 5,280 feet to a monument of stone, thence north 1,320 feet to a monument of stone, containing 160 acres more or less. This claim adjoins the public survey on the north and east, and will be when surveyed the north half of the northeast quarter ($N\frac{1}{2}$ N.E. $\frac{1}{4}$), and the north half of the northwest quarter ($N\frac{1}{2}$ N.W. $\frac{1}{4}$) of said section 26, and is known as the "Sangre Marble Placer Mining Claim", also

That certain property beginning at a monument of stone, thence southeasterly 800 feet to a monument of stone, thence north 1,320 feet to a monument of stone, thence west 3,960 feet to a monument of stone, thence south 2,640 feet to a monument of stone, thence east 1,320 feet to a monument of stone, thence north 1,320 feet to a monument of stone, thence east 2,640 feet to a monument of stone, containing 160 acres more or less. This claim adjoins the public survey on the west, and will be when surveyed the south half of the northeast quarter ($S\frac{1}{2}$ N.E. $\frac{1}{4}$), and the southeast quarter of the northwest quarter ($S.E.\frac{1}{4}$ N.W. $\frac{1}{4}$), and the northeast quarter of the southwest quarter ($N.E.\frac{1}{4}$ S.W. $\frac{1}{4}$) of said Section 35, and is known as "The Old Camp Marble Placer Mining Claim", also

That certain property beginning at a monument of stone, thence southeasterly 500 feet to a monument of stone, thence north 2,640 feet to a monument of stone, thence east 1,320 feet to a monument of stone, thence north 1,320 feet to a monument of stone, thence west 2,640 feet to a monument of stone, thence south 3,960 feet to a monument of stone, thence east 1,320 feet to a monument of stone, containing 160 acres more or less. This claim adjoins the Old Camp claim on the north and west, and will be when surveyed the north half of the northwest quarter ($N\frac{1}{2}$ N.W. $\frac{1}{4}$), and the southwest quarter of the Northwest quarter ($S.W.\frac{1}{4}$ N.W. $\frac{1}{4}$), and the northwest quarter of the southwest quarter ($N.W.\frac{1}{4}$ S.W. $\frac{1}{4}$) of said section 35, and is known as "The Pudding Marble Mining Claim".

Map of Property

Exhibit B.



TOWNSHIP - 16 - S - Range 23 - E

Land S. R. Bantz, Inc.

Exhibit B.