



## **CONTACT INFORMATION**

Mining Records Curator  
Arizona Geological Survey  
1520 West Adams St.  
Phoenix, AZ 85007  
602-771-1601  
<http://www.azgs.az.gov>  
[inquiries@azgs.az.gov](mailto:inquiries@azgs.az.gov)

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12/26/85

ARIZONA DEPARTMENT OF MINES AND MINERAL RESOURCES FILE DATA

PRIMARY NAME: SAN JUAN MINE

ALTERNATE NAMES:

PIMA COUNTY MILS NUMBER: 72

LOCATION: TOWNSHIP 17 S RANGE 7 E SECTION 30 QTR. NE  
LATITUDE:N 31DEG 54MIN 57SEC LONGITUDE:W 111DEG 40MIN 10SEC  
TOPO MAP NAME: BABOQUIVARI PEAK - 15 MIN

CURRENT STATUS: PAST PRODUCER

COMMODITY:

TUNGSTEN-(M)LD & PL-PRIMARY

BIBLIOGRAPHY:

S.B. KEITH, AZBM BULL. 189, P. 110, 1974  
ADMMR SAN JUAN MINE FILE  
ADMMR BIG BANANA FILE

RI 5650, p. 65

DEPARTMENT OF MINERAL RESOURCES  
STATE OF ARIZONA  
FIELD ENGINEERS REPORT

Mine San Juan Mine

Date Sept. 18, 1956

District Fresnal District, Pima County.

Engineer Axel L. Johnson

Subject: Field Engineers Report. Personal Visit and Information from Claude Boyd, Supt.

Location About 60 miles SW of Tucson. Drive 49 miles ~~and~~ west on Highway # 86. Turn left and drive 7 miles on rough dirt road. Or drive 55 1/2 miles west on Hwy # 86, turn left and drive 7 miles on dirt road. The latter is the best road by far.

Number of Claims <sup>3</sup> (4) unpat. claims.

Owners Mt. States Uranium Co., A. K. Wilson, Jr., President,  
1303 Kennedy, Grand Junction, Colorado.

Operators Same as above.  
Claude Boyd, Box 91, Sells, Ariz. is the Mine Superintendent in charge.

Principal Minerals Tungsten ore in the form of scheelite.

Number of Men Employed 3 men (one shift only)

Production Rate Not much ore production, as exploration work is being continued. Ore obtained from the exploration work, (i.e. drifting) is sent to the Cinderella Mill for milling. Maximum of 10 tons of ore per day is produced by drifting operations. About 100 tons of ore have been produced and sent to the mill the past two months. Operators expect to start stoping ore in a couple of months, with about 10 tons per day ore production.

Geology and Ore Values See my report of June 4, 1952.

Milling & Marketing Facilities Ore milled at the Cinderella mill, 5 1/2 mi. east of Sells, and 8 miles from the mine. Concentrates from this mill is sold direct to the General Services Adm.

Mine Workings (1) 1 inclined shaft --- 78 ft. deep, with a drift at bottom 60 ft. long and being extended.  
(2) 1 inclined shaft --- 50 ft. deep

Past History (1) Owned by C. M. Taylor, 320 N. Park Ave., Tucson, Ariz. by virtue of original location. Located in 1951.  
(2) Relocation of one claim by William H. Coplen in 1953, on account of failure of Mr. Taylor to pay ground rent.  
(3) Legal action, which followed, awarded the claims to Mr. Taylor.  
(4) Claims purchased by William H. Coplen.  
(5) Purchased by Mt. States Uranium Co. from Mr. Coplen on April 20, '56.  
(J. L. Mercer was the agent who made the sale.)

Additional Information Mr. Boyd reports that the Mt. States Uranium Co. has done exploration work by wagon drilling from the surface, since acquiring the property. About 2000 ft. of wagon drilling was done, the holes being from 400 to 140 ' in depth, and contracted for from the White Mountain Drilling Co., Phoenix, Ariz.

Mr. Boyd estimates that the ore horizon, or mineralized area averages approx. 14 ft. in width, but only about 3 ft. of this contains tungsten in commercial quantities. Sometimes this narrows down as low as 18 inches, and in other places it widens out, but is spotty in character.

DEPARTMENT OF MINERAL RESOURCES

STATE OF ARIZONA

FIELD ENGINEERS REPORT

Mine San Juan Mine Date Sept. 18, 1956  
District Fresnal District, Pima County. Engineer Axel L. Johnson  
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DEPARTMENT OF MINERAL RESOURCES  
STATE OF ARIZONA  
FIELD ENGINEERS REPORT

Mine San Juan Mine

Date June 4, 1952.

District Coyote Mining Dist., Pima Co.

Engineer Axel L. Johnson

Subject: Mine Report. ---- Personal Visit

Location Go 49 miles west of Tucson on the Tucson-Aho Road. Turn south and go 7 miles on rough dirt road. Walk last 1/4 mile. Needs new road built for a distance of 3/4 miles.

Number of Claims 4 unpatented claims.

Owners C. M. Taylor, 336 N. Park Ave., Tucson, Ariz. (P. O. Box 1710) --60 %  
A. L. Gorman, 105 E. Mohave Road, Tucson, Ariz. -----40 %

Operators Not in operation.

Metals Found Tungsten ore in the form of scheelite.

Men Employed None. Mine is idle.

Milling Facilities None. This property would need a mill for treating the ore as it is too low a grade for shipment to a custom mill.

Geology The scheelite occurs in a highly altered siliceous shale, the ore being so soft that it can be mined without blasting. The mineralized area is from 6 to 20 ft. wide, averaging about 10 ft. in width, and about 400 ft. long. The depth of the mineralized area is unknown. A 50 ft. deep shaft was still in ore. Mineralized area strikes almost due N. and S., with about an 80 deg. dip to the east. There is only about 1 to 2 ft. of overburden above the ore.

Ore Values A composite sample of all the workings taken by the field engineer ran 0.56 % WO<sub>3</sub>. The tungsten content is quite variable and would probably vary between 0.25 to 1.50 %. The north end of the ore body seems to be considerable better than the south end.

Present Workings 1 shaft 50 ft. deep (inclined 60 deg.)  
1 drift 100 ft. long.  
12 open cuts of various lengths and depths.

Past Production None.

Mill Tests Mill test by Arizona Bureau of Mines shows as follows:  
Heads -----1.05 %  
Coarse concentrates ---52.50 % ----- 18 % of tungsten values.  
Fine concentrates -----47.14 % ----- 47.3 % of tungsten values.  
Recovery ----- 65.3 %

Proposed Plans Owners wish to lease the property to an operator, who has the capital to build a mill on the property. Owners will give a bonded lease at 20 % royalty with option to buy, at \$25,000, or 10 % royalty with a \$10,000 down payment.

Remarks More exploration work would be required to determine if there is sufficient tonnage to warrant the installation of a mill on the property.



UNIVERSITY OF ARIZONA  
ARIZONA BUREAU OF MINES  
ORE TESTING SERVICE

March 20, 1951

Mr. Charles M. Taylor  
Box 1710  
Tucson, Arizona

Dear Mr. Taylor:

Ore Test 1244

The sample of scheelite ore which you delivered to the Arizona Bureau of Mines from south of Sells assayed 1.08 per cent  $WO_3$ .

A sample was crushed by rolls to minus 10-mesh and the material sized into three products by a hydraulic classifier; coarse, fine, and slime. The coarse and fine fractions were tabled separately and the results are given in the following table:

	Tons per 100 tons heads	:	Per cent $WO_3$	:	Distribution per cent $WO_3$
Heads	100.00	:	1.05*	:	100.0
Coarse concentrate	0.36	:	52.50	:	18.0
Fine concentrate	1.05	:	47.14	:	47.3
Coarse middling	3.59	:	0.96	:	3.3
Fine middling #1	4.78	:	1.71	:	7.7
Fine middling #2	11.77	:	0.95	:	10.7
Coarse tailing	25.12	:	0.09	:	2.2
Fine tailing	31.23	:	0.19	:	5.7
Slimes	22.10	:	0.24	:	5.1

\*Calculated

UNIVERSITY OF ARIZONA  
ARIZONA BUREAU OF MINES  
ORE TESTING SERVICE

The coarse concentrate amounted to 0.36 ton per 100 tons of heads, assayed 52.50 per cent  $WO_3$  and contained 18.0 per cent of the tungsten trioxides.

The fine concentrate amounted to 1.05 tons per 100 tons of heads, assayed 47.14 per cent  $WO_3$  and contained 47.3 per cent of the total trioxide.

Combining the two above concentrates produced a concentrate which amounted to 1.41 tons per 100 tons of heads, assayed 48.5 per cent  $WO_3$  and contained 65.3 per cent of the total tungsten trioxide.

The coarse table middling assayed 0.96 per cent  $WO_3$  and the fine middling No. 1 and No. 2 assayed 1.71 and 0.95 per cent  $WO_3$ , respectively.

The coarse tailing assayed 0.09 per cent  $WO_3$  and the fine tailing 0.19 per cent  $WO_3$ . The slimes were not treated and it assayed 0.24 per cent  $WO_3$ .

Tabling after sizing by classification produced a concentrate which assayed 48.5 per cent  $WO_3$  and contained 65.3 per cent of the total tungsten. A large table might produce a higher grade concentrate but the recovery might drop off some.

Yours very truly,

(Signed)

G. H. Roseveare  
Metallurgist

\*



DEPARTMENT OF MINERAL RESOURCES

STATE OF ARIZONA

FIELD ENGINEERS REPORT

Mine San Juan Mine Date June 4, 1952.  
 District Coyote Mining Dist., Pima Co. Engineer Axel L. Johnson  
 Subject: Mine Report. ----- Personal Visit

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Remarks More exploration work would be required to determine if there is sufficient tonnage to warrant the installation of a mill on the property.

The San Juan locality is made up principally of schist, gneiss, pegmatite, speckled or mottled lava and rhyolite.

Scheelite occurs within an altered dike like mass of rhyolite which intrudes older volcanic rocks along a fault zone.

Although the altered portion of this rhyolite dike is largely concealed by surface rocks (talus), outcroppings and shallow workings shown on the accompanying map have shown it to be more than 300 feet long by 15 to 25 or more feet wide.

Apparently the rhyolite dike occupies an ancient fault zone which strikes N. 18 degrees E. and dips steeply to the East. Renewed faulting movement shattered this dike leaving it subject to mineralization by solutions coming up from below. These rising mineral carrying solutions deposited veinlets and replacements of scheelite, together with calcite and some quartz. These solutions also altered the shattered rhyolite largely to sericite and clay. Still later fault movement further broke up or brecciated the "vein".

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UNIVERSITY OF ARIZONA  
ARIZONA BUREAU OF MINES  
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Metallurgist

\*



SAN JUAN MINE

PIMA COUNTY  
FRESNAL DIST.  
T17S, R7E, sec 30

RI 5650 p. 65

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A. Stutenroth is reportedly planning to operate the Big Banana, San Juan tungsten properties. He reported ore to be worth between \$100 and \$150 per ton. KP/WR 12/16/77, 2/6/78 by a.p.

See: Big Banana Mine (file)

MILS SAN JUAN MINE #-0040190382

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IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF PIMA

CHARLES M. TAYLOR

Plaintiff,

vs.

WILLIAM H. COPLEN, also  
known as WILLIAM COPLEN

Defendant.

No. 40733- ONE

BRIEF OF PLAINTIFF

This action was brought to quiet the title to four unpatented mining claims, #2 San Juan, also known as New #2 San Juan, San Juan #3, San Juan #4 and San Juan #5, also known, respectively, as New San Juan #3, San Juan #4 and New San Juan #5. It now appears that only #2 San Juan is in controversy, defendant having avowed in court, through his attorneys, that he makes no claim to San Juan #3, San Juan #4 or San Juan #5. We therefore submit that the plaintiff is entitled to judgment quieting his title to the latter claims without argument.

As to #2 San Juan, the undisputed evidence is that it was located in 1951 by the defendant a grubstake partner of the plaintiff on behalf of both; that about two months thereafter defendant traded his interest in this claim and other claims for plaintiff's interest in the so-called Giant Group of claims and that thereafter, to wit, in May of 1953, defendant attempted to locate a claim known as White Dragon No.1 which, with minor variations, cover the same ground as the #2 San Juan. The notice recites it covers the same area.

Our understanding is that defendant now contends that he was entitled to make this later location for two reasons, first, that no valid locator was made of the #2 San Juan because the southwest and the south center monuments were not erected within the ninety-days location period, and second, that said claim was forfeited by the Government and therefore opened to the location of his White Dragon No.1. We shall discuss these claims in that order.

1. (a) Plaintiff submits that the evidence shows that #2 San Juan was properly monumented. While admitting it was his job under the grubstaking contract with Taylor to monument the ground and although it appears that the matter of completing the monumenting by himself or by the Indian employed was a matter of minutes only, certainly not more than an hour, Mr. Coplen, vitally interested in seeing as an equal partner that a valid location be made, testified he "quit" at "lunch" and went to work at Mr. Taylor's direction monumenting the other three claims, considered to be worthless or nearly so. But in doing this other work he put a post at the southeast corner of San Juan #3 which is also the southwest corner of San Juan #2

When they "split blankets" before the ninety-day period was up there was left only the matter of the south center monument of #2. There are actually two south center monuments, both pointed out by Mr. Jacobs. One is on a line with the other two noted above (southeast and southwest) corners and in addition there is one 150 feet south of the line—all old monuments. These are of course exclusive of the monuments that Coplen put up for the White Dragon #1. Since this country appears to be virgin as far as mining locations are concerned, this center monument must have been put up when #2 San Juan was located unless the Court is to find that Al Gorman and Arthur Jacobs themselves put it up fraudulently.

(b)

(c) In March, 1951, he sold this claim to Taylor. Since there is a dispute as to whether Coplen told Taylor that the claim has not been fully monumented, his deed precludes Coplen from asserting that he did not make a valid location. See

Blake vs Thorne  
2 Ariz 347, 16 Pac. 271

and also,

Alexander vs Sherman  
2 Ariz. 326, 16 Pac. 45

(d)

In any event Coplen didn't relocate this ground because of any defect in the original location. In his own handwriting on the location of the White Dragon No. 1 he states that it was of the same ground as #2 San Juan and that his reason for jumping the ground was the failure to pay rent. He is limited to the reason given.

Morrison Mining Rights 16th. ed. page 144  
Smart vs Staunton  
29 Ariz. 1. 239 Pac. 514

2. On our opinion, the principal question in this case is whether or not there was a forfeiture of the #2 San Juan claim for nonpayment of rent which opened the ground for defendant's location. It is our contention that, first, there was no forfeiture and second, that if there was a forfeiture the defendant is not in a position to take advantage thereof.

(a) Plaintiff submits that there was no forfeiture of the #2 San Juan claim.

It is admitted that the claims involved are located on the Papago Indian Reservation on public lands of the United States. U.S. Code Title 25 Sec. 463 (b) (1) provided as follows:

" The order of the Department of the Interior signed, dated, and approved by Honorable Ray Lyman Wilbur, as Secretary of the Interior, on October 26, 1932, temporarily withdrawing lands of the Papago Indian Reservation in Arizona from all forms of mining mineral entry or claim under the public land mining laws, is hereby revoked and rescinded, and the lands of the said Papago Indian Reservation are hereby restored to exploration and location, under the existing mining laws of the United States, in accordance with the express terms and provisions declared and set forth in the Executive Order established on said Papago Indian Reservation: Provided, that damages shall be paid to the superintendent or other officer in charge of the reservation for the credit of the owner thereof, for loss of any improvements on any land located for mining is such a sum as may be determined by the Secretary of the Interior to be the fair and reasonable value of such improvements: Provided further, That a yearly rental not to exceed 5 cents per acre shall be paid to the superintendent or other officer in charge of the reservation for deposit in the Treasury of the United States to the credit of the Papago Tribe for loss of use or occupancy of any land withdrawn by the requirements of mining operations."

This is the only statutory provisions which we have found which provides for annual rental to be paid to the Papagos. There is nothing that even in this statute which even suggests a forfeiture of mining claims for failure to pay this rental and plaintiff submits that the Department of the Interior is and was entirely without jurisdiction and without power to forfeit a mining claim.

Forfeitures are not favored in the law and statutes purporting to authorize them are strictly construed.

19 Am. Jur. page 527 and cases there cited

23 A. Jur. page 631 and cases there cited.

Inasmuch as the statute in question does not contain any language which can be construed to authorize a forfeiture, we submit that there was no forfeiture and, consequently, the claim was not open to relocation by Mr. Coplan.

(b) If, however, we admit for the sake of argument that this statute does in some manner authorize a forfeiture, we are then faced with the fact that no regulations exist sufficient to carry such authorization into effect. Title 43, Sec. 1201 U.S. Code authorizes the Commissioner of the General Land Office (now the Director of the Bureau of Land Management) to enforce laws pertaining to the public lands through appropriate regulations under the direction of the Secretary of the Interior. Pursuant to this section, Title 43, Sec. 185.37(c) of the Code of Federal Regulations, was promulgated by the United States Department of the Interior, Bureau of Land Management. This section which appears to be the only applicable regulation, provides as follows:



" In addition to complying with the existing laws and regulation governing the recording of mining locations with the proper local recording officer, the locator of a mining claim within the Papago Indian Reservation shall furnish to the superintendent in 90 days of such location, a copy of the location notice, together with the sum amounting to 5 cen's for each acre embraced in the location for deposit with the Treasury of the United States to the credit of the Papago Tribe as yearly rental payment in advance each year until an application for patent has been filed for the claim. Failure to make the required annual rental payment in advance each year until an application for patent has been filed for the claim shall be deemed sufficient grounds for invalidating the claim. The payment of annual rental must be made to the superintendent or such other officer in charge of the reservation each year on or prior to the anniversary date of the mining location."

It is our contention, for the reasons set forth hereinafore, that the Department of the Interior was without authority to promulgate this forfeiture regulation in the absence of statutory authority. If, however, the statute should be construed to authorize such a regulation, we submit that the regulation itself is inadequate for the reason that it does not set forth any procedure for carrying the forfeiture into effect. The only applicable provision is "Failure to make the required annual payment in advance each year" shall be deemed sufficient grounds for invalidating the claim." Who is to invalidate the claim? The Secretary? The Director of Land Management? The commissioner of Indian Affairs? Regional or Local Officer? The regulation does not state. What notice, if any, shall be given the locator prior to invalidation the claim? How many times, if any, does he have if any, does he have within which to pay after delinquency? The regulation is silent. What notice if any, shall be given that the claim has been invalidated? Nothing is said. We submit that the regulation accomplishes nothing since it leaves the matter entirely in confusion. . . . .

(d) When a Federal agency does not have jurisdiction or power under the statute or regulation to take the action involved, its action can be questioned in the courts. . . . . himself  
 The Secretary of the Interior has exercised only a limited jurisdiction over the public domain. If he goes outside of that jurisdiction his acts are void and will be ignored by the Courts. . . . .

A case illustrative of the limited power of the Secretary of the Interior is *El Paso Brick Co. vs McKnight* 233 US 250 58 L. Ed 943. It was tried in the District Court of New Mexico and went from there to the Supreme Court of the Territory of New Mexico and from there to the United States Supreme Court. . . . .

4. No part of White Dragon is valid because the vital act of discovery was within the boundaries of No. 2 .  
 Morrison Mining Rights, 16th. Edition page 38

5. The location by Taylor and Gorman in 1953 was merely to put them in a position to pay the rent on the land and protect themselves against the Indian Services. *El Paso Brick Co. vs. McKnight, supra.* This was a requirement, although an illegal one, of the Indian Agent. Actually it was immaterial to the Indian Service whether the hole was lowered at all. In any event, considered as a mining location, they had the right to adopt all the location requirements, including discovery of ore, except the location work which we submit was shown to have been done.

*Eagle Picher Co. v. Meyer*  
60 Ariz. 214 20 Pac. 2d. 171

The fact that the new hole was only 7½ feet when measured in the presence of the Judge as against over 8 feet which Gorman and Ja testified would seem to be unimportant. In the period between the location and the measurement something afterwards, rock, dirt or debris and weather condition could well account for the insignificant difference Taylor contracted for an extension of the hole at least 8 feet and paid for it. Had there been any shortage Gorman and Jacobs would have discovered and rectified it.

Plaintiff respectfully submits that he is entitled to judgment as prayed for in his complaint.

Sample #10  
w<sub>o3</sub> = 1.42%  
Value = 89.46

Cut #6  
Sample #10  
Width 7'

Sample #9  
w<sub>o3</sub> = 1.90%  
Value = 119.70

Cut #5  
Sample #9  
Width 30"

Sample #8  
w<sub>o3</sub> = 0.32%  
Value = 20.16

Cut #4  
Sample #8  
Width 30"

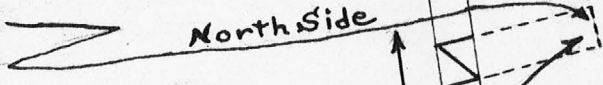
Sample #7  
w<sub>o3</sub> = 0.75%  
Value = 47.25

Cut #4  
Sample #7  
Width 30"

Sample #6  
w<sub>o3</sub> = 0.78%  
Value = 49.14

Cut #3  
Sample #6  
Width 5'

Sample #5  
w<sub>o3</sub> = 0.10%  
Value = 6.30



Sample #4  
w<sub>o3</sub> = 0.12%  
Value = 9.56

Shaft 40'

South Side

N. 8.00' W.

60°

Sample #3  
w<sub>o3</sub> = 0.26%  
Value = 16.38

Cut #2  
Sample #2  
Width 6'

Cut #2  
Sample #3  
Width 30"

Sample #2  
w<sub>o3</sub> = 0.29%  
Value = 18.27

Sample #1  
w<sub>o3</sub> = 0.28%  
Value = 17.64

Cut #1  
Sample #1  
Width 5'



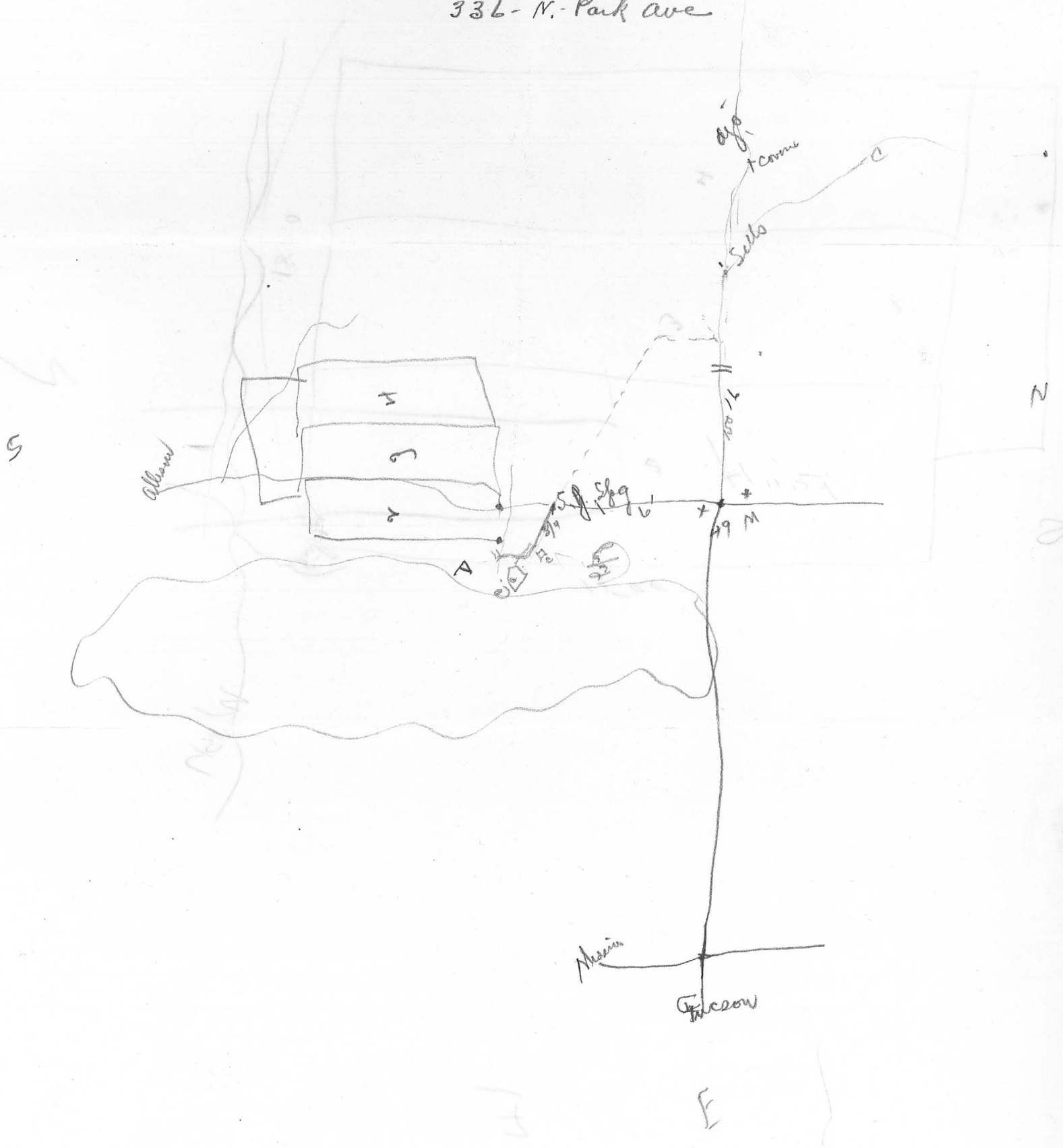
Development on  
San Juan Claim #2  
Pima County, Ariz.  
  
Scale  
1" = 30'

3-6724

PHONE 6-2937

P. O. BOX 1710

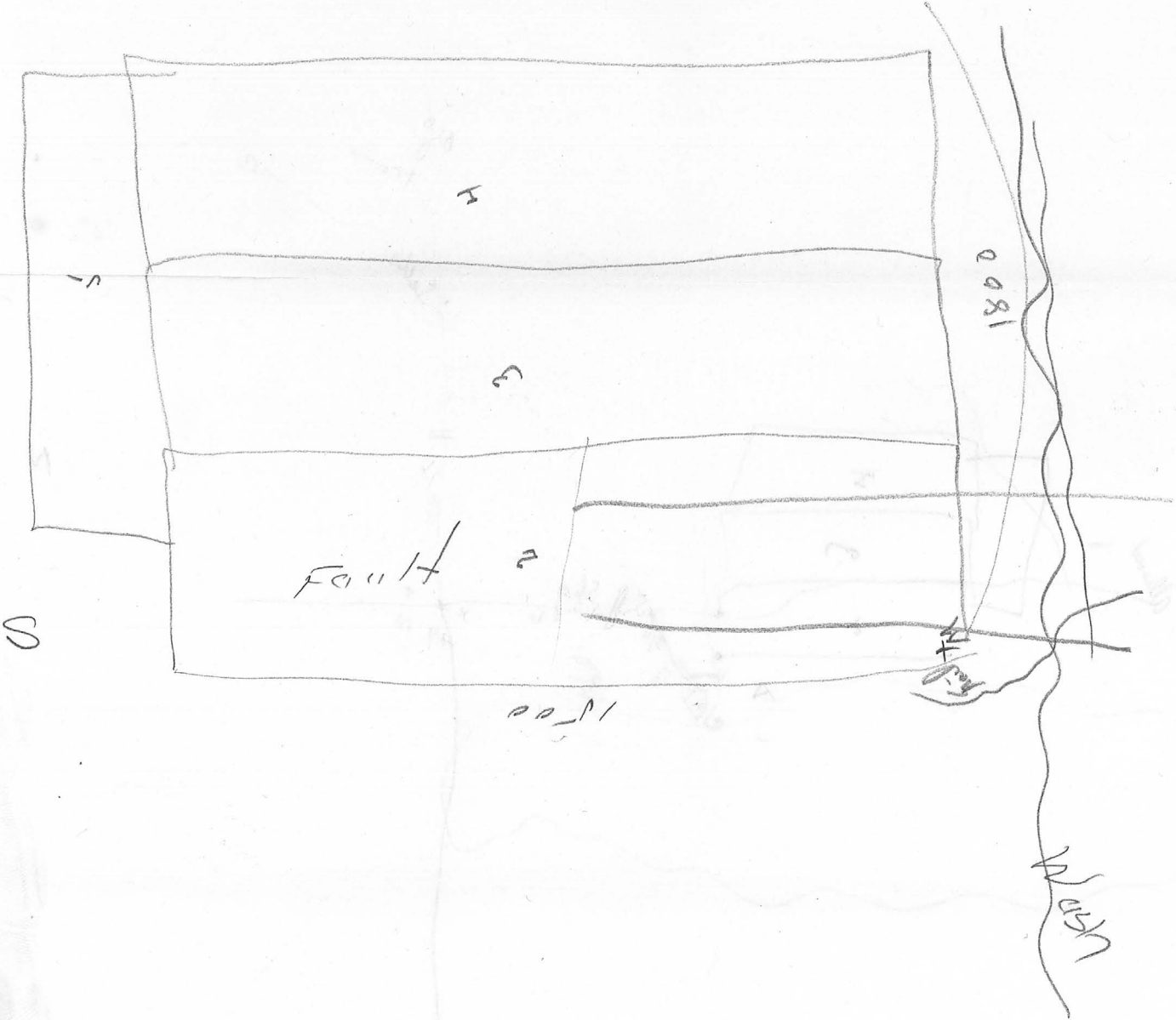
C. M. Taylor  
2844 EAST FIRST STREET  
TUCSON, ARIZONA  
336 - N. - Park ave





C. M. Taylor  
2844 EAST FIRST STREET  
TUCSON, ARIZONA

*W*



*N*

*E*