



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

The following file is part of the

Arizona Department of Mines and Mineral Resources Mining Collection

ACCESS STATEMENT

These digitized collections are accessible for purposes of education and research. We have indicated what we know about copyright and rights of privacy, publicity, or trademark. Due to the nature of archival collections, we are not always able to identify this information. We are eager to hear from any rights owners, so that we may obtain accurate information. Upon request, we will remove material from public view while we address a rights issue.

CONSTRAINTS STATEMENT

The Arizona Geological Survey does not claim to control all rights for all materials in its collection. These rights include, but are not limited to: copyright, privacy rights, and cultural protection rights. The User hereby assumes all responsibility for obtaining any rights to use the material in excess of "fair use."

The Survey makes no intellectual property claims to the products created by individual authors in the manuscript collections, except when the author deeded those rights to the Survey or when those authors were employed by the State of Arizona and created intellectual products as a function of their official duties. The Survey does maintain property rights to the physical and digital representations of the works.

QUALITY STATEMENT

The Arizona Geological Survey is not responsible for the accuracy of the records, information, or opinions that may be contained in the files. The Survey collects, catalogs, and archives data on mineral properties regardless of its views of the veracity or accuracy of those data.

PRINTED: 08/16/2002

ARIZONA DEPARTMENT OF MINES AND MINERAL RESOURCES AZMILS DATA

PRIMARY NAME: SUNNYBROOK CLAIMS

ALTERNATE NAMES:

CLAIMS MS 4498
GOLD SHAD

YAVAPAI COUNTY MILS NUMBER: 680B

LOCATION: TOWNSHIP 14 N RANGE 3 E SECTION 20 QUARTER S2
LATITUDE: N 34DEG 34MIN 59SEC LONGITUDE: W 112DEG 03MIN 20SEC
TOPO MAP NAME: CHERRY - 7.5 MIN

CURRENT STATUS: PAST PRODUCER

COMMODITY:

GOLD LODE
COPPER
IRON
SILVER

BIBLIOGRAPHY:

USGS CHERRY QUAD
BLM MINING DISTRICT SHEET 83
ADMMR SUNNYBROOK CLAIMS FILE
ANDERSON, C.A. & C.S. CREASY GEOL. & ORE DEPT
JEROME AREA USGS PP 308 1958 P 177

See: USGS Prof. Paper # 308 - P. 176

R. W. WINGFIELD DECISION HAS REVEALED DEPARTMENT POLICY

By **FRANK P. KNIGHT**, Director

Arizona Department of Mineral Resources

R. W. Wingfield on June 6, 1960, filed an application for a mineral patent on seven lode claims located prior to 1911 and five millsites located in 1959, all in the Prescott National Forest in Yavapai County, Arizona.

During 1961-1963, the mining claims and millsites were examined by the mineral examiners of the United States Forest Service, Department of Agriculture, who reported that there was insufficient evidence to support a mineral location. Upon this recommendation the Bureau of Land Management filed a contest complaint on February 4, 1963, on three charges, including the charge that no valid mineral discovery under the mining laws had been made within the limits of the claims. A hearing on this issue, as well as the others, was held in Prescott, Arizona, on September 24, 1963. From the evidence presented, the hearing examiner concluded that "no discovery of a valuable mineral deposit had been made on five of the seven mining claims and that the millsites were mere naked possessions".¹

In his decision, the examiner stated, "The evidence is sufficiently convincing to hold that a valid discovery of valuable minerals has been made on each of these (two remaining) claims . . . The mineral deposit on the Gold Shad and Clinker claims warrants development as distinguished from exploration."

The Forest Service appealed the examiner's decision to the Director, Bureau of Land Management, and the Office of Appeals and Hearings declared the patent application for the Gold Shad and Clinker lode claims null and void in spite of its recognition of ". . . ample evidence to indicate that a vein of quartz in place carrying gold exists within the limits of each claim," and "the claims were probably profitably mined in the 1930's," although "no mining has been done on the claims since 1940." The decision held that the government presented a prima facie case, which was all it had to do in order to place the burden on the appellant to "establish by a preponderance of the evidence whether, under present circumstances, a person of ordinary prudence would expend substantial sums in the expectation that a profitable mine might be developed."

Seven years after filing patent application and some 60 years after location of the claims, Wingfield's estate was told that its claims were null and void—Mr. Wingfield had died.

This is not a decision of a federal court and the estate may appeal to a United States District Court, but will the Forest Service accept an adverse court decision or appeal it to a higher court—even to the Supreme Court? The two claims would have to be very valuable to stand the expense of such litigation.

OWNERS

Jesse Stephens
Oliver Loper
Bob Wingfield
Camp Verde, Arizona

MINE

SUNNYBROOK

(Date ?)

¹Decision from the Solicitor's Office, Department of Interior, United States vs. Wingfield—A-30642 February 17, 1967.

STATE OF ARIZONA
DEPARTMENT OF MINERAL RESOURCES
MINERAL BUILDING, FAIRGROUNDS
PHOENIX, ARIZONA 85007



Sunnybrook F, k

August 7, 1967

United States v. R. W. Wingfield

C
O
P
Y

R. W. Wingfield on June 6, 1960 filed an application for a mineral patent on seven lode claims located prior to 1911 and five millsites located in 1959, all in the Prescott National Forest in Yavapai County, Arizona. During 1961-1963, "the mining claims and millsites were examined by the mineral examiners of the United States Forest Service, Department of Agriculture, who reported that there was insufficient evidence to support a mineral location. Upon this recommendation the Bureau of Land Management filed a contest complaint on February 4, 1963, on three charges, including the charge that no valid mineral discovery under the mining laws had been made within the limits of the claims. A hearing on this issue as well as the others, was held in Prescott, Arizona, on September 24, 1963. . . From the evidence presented, the hearing examiner concluded that no discovery of a valuable mineral deposit had been made on five of the seven mining claims and that the millsites were mere naked possessions". ^{1/} In his decision, the examiner states, "The evidence is sufficiently convincing to hold that a valid discovery of valuable minerals has been made on each of these (two remaining) claims. . . The mineral deposit on the Gold Shad and Clinker claims warrants development as distinguished from exploration."

^{1/} Decision from the Solicitor's Office, Department of Interior,
United States vs. Wingfield - A-30642 February 17, 1967.

The Forest Service appealed the examiner's decision to the Director, Bureau of Land Management and the Office of Appeals and Hearings declared the patent application for the Gold Shad and Clinker claims null and void in spite of its recognition of ". . . ample evidence to indicate that a vein of quartz in place carrying gold exists within the limits of each claim", and "the claims were probably profitably mined in the 1930's", although "no mining has been done on the claims since 1940". The decision held that the Government presented a prima facie case, which was all it had to do in order to place the burden on the appellant to "establish by a preponderance ^{the} of evidence whether, under present circumstances, a person of ordinary prudence would expend substantial sums in the expectation that a profitable mine might be developed."

Seven years after filing patent application and some sixty years after location of the claims, Mr. Wingfield's estate was told that its claims were null and void - Mr. Wingfield had died. This is not a decision of a federal court and the estate may appeal to a United States District Court, but will the Forest accept an adverse court decision or appeal it to a higher court - even to the Supreme Court? The two claims would have to be very valuable to stand the expense of such litigation.

The significance of the above to other holders of unpatented gold claims is dire, because their claims, which produced profitably before the gold mine closing in 1942, with very few exceptions are unable to produce under the economic conditions of today.

Gold mining historically is cyclic, and what an adverse period it has had since 1940! Now the nation badly needs gold - its gold reserve is insolvent and getting moreso. Congress is considering subsidizing the mines. What justice lies in declaring claims with record of past production null and void because economic

conditions at the time are unfavorable? What about the couple thousand dollars worth of annual work per claim since 1940? What about those who have purchased gold claims and even financed development work in anticipation of what they consider an inevitable increase in the price of gold? And what about those who work their claims when they have time and money to do so, getting some gold to pay for the period of waiting for the right economic conditions, and always with the chance of opening a new lens of high grade?

There is cause for hope in recent court decisions that some at least of the appellate law used in decisions of the Department of the Interior may be denied effectively; but the cost of going to court prevents the testing of many decisions of the Department.

DEPARTMENT OF MINERAL RESOURCES

STATE OF ARIZONA

FIELD ENGINEERS REPORT

Mine Sunnybrook Claims Date August 28, 1962
District Cherry District, Yavapai Co. Engineer Lewis A. Smith
Subject: Interview with R. W. Wingfield, 7-24-62 (at Cottonwood and Camp Verde).

Property: 7 claims (unpatented)

Owners: R. W. Wingfield and H. B. Wingfield, Camp Verde.

Location: 1 mile west of Cherry (NWL/4 of S-20, T14N R3E)

Minerals: Gold

Work: (1) 1000-foot tunnel along with short drifts and a raise.
(2) 325-foot Inclined shaft with level at 100, 200, and 300 feet.
(3) 200-foot inclined shaft.

Geology: The immediate region consists of quartz diorite cut by granodiorite porphyry dikes, both containing pods, lenses, and veins of milky-white quartz. The Sunnybrook vein (Andrew Anderson, U.S.G.S. PP. 308, pp 175-176) strikes N15 degrees W and dips west at 55 degrees. The vein averages 18 inches in width (but up to 4-feet locally, according to Wingfield). Wingfield states that several samples, across the vein, indicate an average gold content of \$35.00 per ton. "Hot Spots" run up to \$100.00 per ton. Wingfield does not believe that \$35-rock will pay to mine under present conditions. The vein has been intermittently traced for over 1 mile. According to Anderson, the vein tends to wedge to the southeast and the gold content is reported to decrease in depth.

The veins in the area, according to Anderson, tend to be stained by limonite (red, black and yellow) which may have been derived from pyrite, chalcopyrite, bornite, sphalerite, and galena. (However, in the Sunnybrook, oxidation went to the bottom of the mine, according to Wingfield). The quartz is sometimes vugular and the vugs are lined by quartz crystals. The quartz sometimes contains tourmaline crystals and chlorite. The wall rocks are generally altered for several feet out from the veins, or lenses, of quartz. The plagioclase feldspar in the quartz diorite alters to sericite and albite feldspar (saussuritized) and epidote and chlorite veinlets or impregnations occur nearby. Anderson places the veins (and igneous rocks) in the Precambrian Age, since they are confined to the igneous rock and since they do not appear in the Paleozoic Rocks bordering the region. At the Sunnybrook, no Paleozoic Rocks are present. Wingfield reported schist remnants near the Sunnybrook but these are not indicated by Anderson.

Anderson also states that the veins are abundant in the Cherry Area, but generally are uniform in character, and discontinuous, range in width from 1-4 feet and strike N to N15 degrees E. The veins, pods and lenses of quartz occur in shear zones and the highest values concentrate where the vein strike changes or where the dip changes flatten the thickness. Wingfield's descriptions of the Sunnybrook deposit would fit this general pattern except that this vein strikes NW.