

# MINING MAGAZINES .COM

## E - Market Report

Why is a "Gray Gold"

Leaving the Scene?

"New Style" Investment

What is Needed Retail

Investment Product

**WHY IS A "GRAY GOLD"**  
**LEAVING THE SCENE?**  
**"NEW STYLE" INVESTMENT**  
**WHAT IS NEEDED RETAIL**  
**INVESTMENT PRODUCT**  
**ROCK?**

Synthesized By Barry Murray, "the" Prospector



***Comes Now Before The Court of Public Opinion, a “Siuslaw Mining District Hearing” as posted on [www.MiningDistrictsForum.com](http://www.MiningDistrictsForum.com).***

**T**his complaint is based upon the fact that US Mining Law of 1872 (as well as the Homestead Act of 1862) as both were based upon a performance contract between the Entry Person faithfully following CFR Regulations, and the US Government promising that years of expenditure and labor would protect the title. Which has lead to a possible material or anticipatory Breach of Contract legal action.

So the matter today is concerning the economic validity of mining claims somehow involved in a Mining Law apex rule private party dispute as in [Moise and Leon Berger, 82 IBLA 253,255] and an unproven at the moment (except for photos of big tire large loader tracks) of a mineral trespass of the FoamKrete™ grandfathered-in nepheline syenite quarry.

The US Forest Service Ranger has the right, according to [United States v. Osterlund, supra] to protect the rights of my valid mining claims in a contest with the fee simple privately owned Section 36 (a school section sold without any mineral rights) *Koch Brothers Georgia-Pacific quarry*. But instead of Ranger Jones adjudicating, she has appears to gone off any acceptable script by suggesting that the long established claims somehow be opened up for Mineral Leasing. Which most likely would benefit the neighboring Koch Brothers Georgia-Pacific operations!

This is a just a little worrisome to a mostly lifelong Democrat (except for voting for Libertarian Ross Perot over NAFTA, and Libertarian hard money Ron Paul supporting a gold standard) is that the Koch brothers are two of the richest men in the world with each having a net worth of \$53.7 billion, according to Forbes.

Their known Republican political contributions (which in the critical 2016 election cycle was **\$9,840,000 for lobbying** and **\$11,369,690 for campaign contributions** which are hard to track) were used to attack ultra right wing SuperPac targets as California Proposition 23, which would have suspended the state’s *Global Warming Solutions Act of 2006*.

I of course, a frugal man, am on the true patriotic side of protecting America from harm. For having a DNA history of grandfathers fighting tyranny since one was an AIDE to General Washington, with 3 more winning decisive victory at Kings Mountain, 3 again at New Orleans, and an uncle plus 2 ranger cousins at Battle of San Jacinto for Texas, Tennessee family on both sides in the Un-Civil War, the Spanish American, on to an uncle on Bataan Death March (be-headed) and cousin driving a Higgins boat on D-day to make repeated landing on the beaches under direct fire, and my fighting the Cold War in USAF Intel (two outstanding unit awards, the latter with a bronze star cluster), and the latest defending America by a cousin Marine deployed mutable times to Iraq and Afghanistan. Which makes, to me, Tweets labeling *those pro-*

*testing the retreat from the Paris Accords as “Traitors!”* a very dishonorable moment in history.

As I actually am in the middle of the road (getting hit both ways) of political thought, I have not appreciated confrontations from Waldport neighbors, as log truck drivers concerned for their jobs that verbally think I am a “tree-hugging Bastard Traitor of the American way, who should go back to whatever hole your people climbed out of?”

A clear suspicion that my immigrant ancient Scots/Irish ancestry, with native American cheekbones and skin color acquired through a proven DNA marker of Powhatan himself. Which most likely will not meet Aryon/Neanderthal Neo Nationalist standards of the “Pocahontas test” which a noted Casino Capitalist personally used to welch on a million dollar bet.

Just a little bit more painful when it comes from fundamentalist, racist, well armed SuperPatriots who have never served; and/or members of the so-called Christian Right but Fundamentally Wrong, for perhaps have never opened their Bible to Matthew 22:36-40, or Jeremiah 2:7.

Native Americans who believe God’s name is Creator do not understand how the forked tongue people wish to destroy the natural laws we all are born with concerning living together in villages and protecting the sustainability of a promised bounty of the Earth.

I am also concerned that the Walport District Ranger I directed my personalized plan of action to had a Native American/Mexican sounding name. Apparently, he was replaced after the filing of my totally green Plan of Action with a different thinking District Ranger that types her name in ALL CAPS, which Internet content producers consider to be SHOUTING.

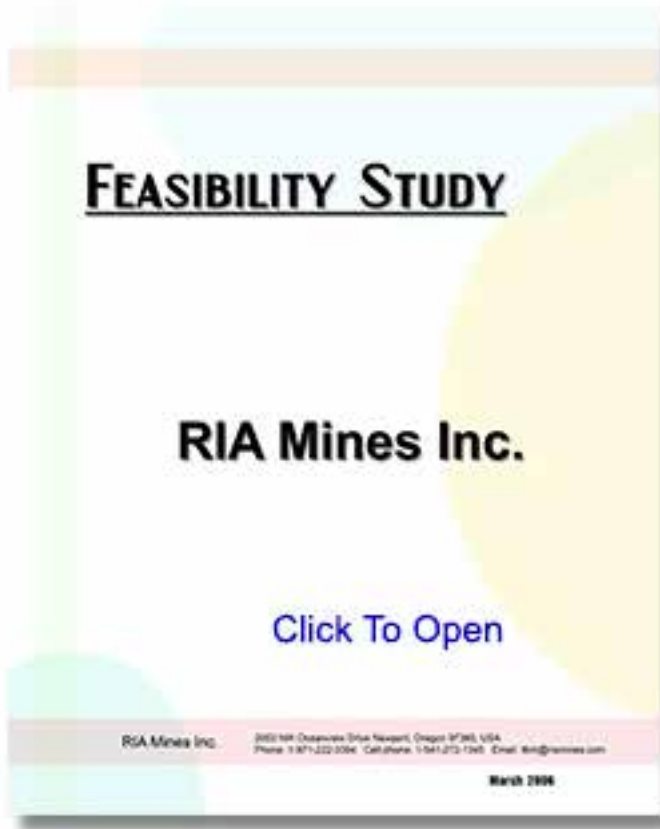
Yes, I am a proud of being a practicable clean air tree hugger, with credits including volunteering to plant trees in high school on the famous Tillamook Burn; joining in as a neighbor to fight small brush fires; and with help from a mentor Forest Service Editor a number of freelance magazine articles as smoke-jumper training, the life of a manned forest fire lookout, and outdoor education presentations about “life zones” and the importance of water, long before Global Warming was considered the culprit.

And, I guess being the first to pioneer the Pacific Crest National Scenic Trail [[Search for a Shadow of the Past](#)], a tale that followed my seven pages of text and photos article in LIFE Magazine September 3, 1971; which why I was awarded a governmental contract for a 16 page brochure explaining why the USFS is mandated beyond timber and watershed management, to recreational and mining working together.

I have for years been fighting abuse of our environment in my Mac&Murray publishing venture of USATravelMagazines.com. This has been demonstrated in my personal articles in Alaska/[WashingtonTravelMagazine.com](#) (the only one still operating since the Mac & Murray hack attack)/Oregon/and CaliforniaTravelMagazine.com (unfinished).

I was compelled to put the magazine business aside to return to Waldport after RIA was turned down for wanting to compete with 3M's use of nepheline syenite roofing granules (in reality, not a great idea when used with tar based shingles known to explode in forest fires) where after the implosion of this company I have spent five years of research time for marketing purposes and preparing my FoamKrete™ answer to Global Warming.

Business professor Dr. Tom B. Manton, of RIA Mines Inc was to be candidate Kerry's pick to be Ambassador to Pakistan, for his schoolmate friendship with Benazir Bhutto, who was assassinated just as she was to take office. Tom didn't last much longer. He died in prison waiting trial on child molestation charges brought about for picking up his laptop in for repairs, loaded with kiddy porn, on his way to the airport for a meeting with the newly elected Prime Minister. Pakistan also has a workable pocket deposit of Nepheline Syenite. With Dr, Mantons death, our option contract became null and void.



In addition Dr. Manton had mentioned in the RIA Feasibility "Plan of Action", that the USFS rejected, that "there is a privately held quarry right next to the land that RIA Mines have contract with the lease holder who has been holding the "leases?" on 640 acres on table Mountain for the last 20 years. This addition track of land is 320 acres and has a working

quarry on it and does not need any State or Federal permission [wrong]. We have agreed [with Georgia Pacific] in principle to lease this land for the mineral rights [none] from this private party."

Note the suggestions for other Nepheline Syenite uses as nuclear waste containment, and a clean air steel production flux. And note that Consulting Geologist Ricardo Villasenor included strategic (REE) Rare Earths elements of Lanthan-



num and Cerium.

### ***My One Man Feasibility Study (click logo to understand the market appeal)***

Of course, my USFS plan of action for FoamKrete™ is totally in support of Oregon's natural resource answers to long-term Global Warming. Just as Oregon's United Front is more concerned about immediate Climate Change safety. As a building material of FoamKrete™ which has a four hours wildfire of 3,000° protection; and the conservation of energy with a rock wool 'R' value which is twice that of fiberglass insulation, FoamKrete™ really should be considered one answer to surviving Climate Change.

I really have not complain about the political problem involved in use of the 210 spur road to reopen the east quarry underground mine, out of visible sight on a skyline view by tourists visiting an attractive destination village of Newport, has been complicated by Nepheline Syenite boulders blocking access from the USFS 52 open to public use as the Tidewater to Toledo road.

When meeting with Siuslaw Mining and Minerals Administrator Robert Ginn, and Area Mining Geologist Ruth Seeger, who wanted supporting scientific papers showing that a selected use out of a "Swiss Army Knife" Nepheline Syenite uses that had an added value over what looks to be common variety gravel.

We all seemed to be in agreement the first step should be rehabilitating the haul road leading from another grandfathered quarry used for jetty stone at Newport. Robert asked that I fill out the FS 2800-5 form he handed me accurately because the USFS did not have any money left to fight a big lawsuit. I absolutely agreed with him as there is no time for either of us should be wasting resources in court. And in the Plan of Action submitted he inspired me to be fair by making a reply to his request of not bringing in high priced lawyers that tend to drag out any contest for billing reasons. Agreed.

But this spur has been in use since my first interest in the property in the 1980s to service a State of Oregon microwave facility located upon the surface of my Nepheline #1 (out of 32



claims not in conflict). There also is an underground electricity delivery line from Toledo. I have not requested to tap into that because of complications.

When USFS Region 6 called to ask permission to install additional parking sheds for the State of Oregon's benefit, which really should be behind a locked gate, of course, I politely agreed for everyone in Lincoln County to enjoy wireless communication benefits.

What I asked for in return was a key, for open access without it makes it difficult reaching part of my claims. The gate was installed at the border of 210 instead of at spur of 212 which contains the facility. I still do not have a key. I one time asked a J-P contractor[?] to use his key so I could direct a crew hired to brush out the old established road for assessment work requirements to the grandfathered-in east quarry. I was absolutely verbally forbidden by ????

### *FSM 2814.24 - Provide Reasonable Alternatives*

*Forest officers should provide bona fide prospectors and miners reasonable alternative access routes, exploration methods, special use permits, and operating plan provisions in order that they may carry out necessary mineral associated activities without violation of laws and regulations.*

### ***How did the intrigue over such a small matter become so serious?***

President Donald J. Trump issued Executive Order 13817 on December 20 2017, as the United States is heavily reliant on imports of certain mineral commodities that are vital to the Nation's security and economic prosperity," which "creates a strategic vulnerability for both its economy and military to adverse foreign government action, natural disaster, and other events that can disrupt supply of these key minerals."



The Secretary of Interior followed this with a priority draft list for public comment (which I am doing right now) that contain:

- ***Aluminum; which is present on Table Mountain as 19% Al<sub>2</sub>O<sub>3</sub>***
- ***Rare earth elements group; Table Mountain has been identified as having lanthanum and cerium elements of a "rare earth deposit."***

Perhaps my personal opposition to having the U.S. Bureau of Mines facility in Albany that made the first discovery in identifying Table Mountain as a unique nepheline syenite rare earths family closed down by Congress for cost-cutting reasons, may have added to my name being placed on a Nixon style "hit list". The big business winner was a next

door Teledyne Wah Chang facility, and of course as Lesly Stall of Sixty Minutes pondered about the bankruptcy of Union Carbide's Mountain Pass deposit, the US rare earths industry disappeared when China took over manufacturing electric motors for cross-bred Ford automobiles.

Startling news for long-term investors perhaps leading to a possible fake News item of: *"USDA Ordered to Stop Talking to Public; We are still embargoed from certain forms of communications, such as posting any notices in the Federal Register," said the US Forest Service Director in an email, who requested their name be withheld". Which is somewhat in conflict with:*

*§228.6 Availability of information to the public.*

*Except as provided herein, all information and data submitted by an operator pursuant to the regulations in this part shall be available for examination by the public at the Office of the District Ranger in accordance with the provisions of 7 CFR 1.1–1.6 and 36 CFR 200.5–200.10. Specifically identified information and data submitted by the operator as confidential concerning trade secrets or privileged commercial or financial information will not be available for public examination. Information and data to be withheld from public examination may include, but is not limited to, known or estimated outline of the mineral deposits and their location, attitude, extent, outcrops, and content, and the known or planned location of exploration pits, drill holes, excavations pertaining to location and entry pursuant to the United States mining laws, and other commercial information which relates to competitive rights of the operator.*

### ***What is the fuss all about?***

Access to a world-class Nepheline Cement deposit; and the alleged theft of Barry Murray's Nepheline Syenite stockpile shown on the cover as "Whose Rock was This Rock" published by the Siuslaw Mining District complaint concerning the costly delay in ignoring the required plan of action of going green by going underground between two "Grandfathered", already permitted quarries.

Read the document that was engineered to appeal to Oregon "treehuggers" as the tailing dump would consist of an affordable FoamKrete™ AAC and CLC concrete that has a has a four hour at 3.000° degrees; and a insulation 'R' value twice what is available today.

Click the cover button to access the 68 page form, to figure out why it was unofficially denied.

And, on MiningMagazines.com there is a need to keep Barry Murray from being sued for fraud, just as Elon Musk of Tesla was targeted by his enemies, for misrepresenting what the value of a mine-able FoamKrete™ might have been without the Waldport Ranger signature of approval. Something that has already cost \$5 million by losing the funding of www.ECO-Mining-Minerals.com, a contractor, who was named in said Plan of Action as the designated operators allowed to mine the Nepheline Syenite.

The Table Mountain, Lincoln County, Oregon Prealcaline Nepheline Syenite deposit is much larger than the 3M Prealcaline Nepheline Syenite quarry in New Mexico. These "strategic minerals" the only other economical US supply, and in direct competition with a multinational cartel of Uniman (Canada, Norway) and Russia and China who are both pioneering the idea of

using a clear-listed Alumino-Silicates Cement for affordable housing that is so far ahead of US. .

Part of the concrete gap happened when the U.S. Bureau of Mines (who did unpublished lab reports on the Table Mountain Nepheline Syenite) was closed for “cost saving reasons” as an answer a growing need for wildfire resistant (4 hours at 3000°) building material that has the absolutely unique hydrostatic abilities of Roman cement, beyond the need of nepheline syenite in sewer pipes, and affordable housing to survive floods, tidal surges, flash flooding and earthquake/tsunami disasters.

This is my ‘Prudent Man’, as qualified by the US Mining law of 1872 (preceding the establishment of the USFS in 1905) protest is done as a First Amendment protected Inquiry from the ‘People’s Siuslaw Mining District’, a Trust with a duty to protect the free-floating in-place Table Mountain nepheline syenite tonnage sold to investors, which could be instant losers through the malfeasance of what District Ranger had to say in her not certified letter delivered to my POB on Christmas Eve concerning the value of ore documented in the printed certified filing on July 23, 2018, of a 36 CFR 228 form FS-2800-5/ OMB NO 0596-0022.

A 165 page copy of the paper filed PDF copy of the Filing of my accessible for reading in PDF format for public reading is accessed by clicking on the cover ; and/or an updated version soon to be available on [www.MiningDistrictsForum.com](http://www.MiningDistrictsForum.com).

This “document” is offered to comply with case law of underlying case law as United States v Keith O’Leary, et al, which established that in “Administrative Procedure Acts, especially when involving mining claims, that where the contestee may submit written testimony at a hearing”. As this compliance has not been met, let us go to the First Amendment-Protected Right of “Miner’s Law”, administered by Mining Districts before Congress incorporated some very sensible management essentials into the U.S. Mining Law of 1872.

For those that do not have a mining family background, as I, through a Great Uncle Peter Hardiman Burnett, the Oregon Tail’s first Wagon-master, who was appointed by cousin President Polk to be Oregon’s first Chief Justice, before running off the California Gold Fields where his experiences on the Yuba Bar eventually passed him along to be California’s first Governor, let me explain how Mining District Law (essentially a poor man’s law” came about. This horseback history was also passed along to me by my noted Western Mining Lawyer father, well known for writing appellate briefs all the way up the expensive and time wasting court room ladder correcting wrongs against an industry that “tree huggers” love to hate.

Apparently before California was admitted into the Union, and as the Sutter discovery was being overrun by prospectors of all nationalities Congress allowed that self-proclaimed Mining Districts be allowed to formulate their own regulations. And these individuals did so well defining what was fair for all that “Miners Laws” from camps with differing situations depending upon the geologic lay of the land. Much emphasis was put on protecting US citizens.

So this is the why the Siuslaw Mining District assisted complaint was published 30 days



before any further FS fine print trickery against the validity of the claims for not being “mineral materials” and therefore subject to 2814.14 - WO AMENDMENT 2800-2007-2 EFFECTIVE DATE: 04/04/2007

*“Right To Manage and Dispose of Common Varieties of Mineral Materials  
Common varieties may be sold and are not locatable (FSM 2850) except for certain claims established prior to July 23, 1955 (FSM 2812). Uncommon varieties are locatable. See FSM 2813.12 for more information on uncommon varieties of mineral materials. The most troublesome problem of mineral materials is to determine whether a particular deposit is common (and salable) or special (and locatable). This matter, in case of question, should be referred to the Forest Service mineral examiner.”*

For a simpler to understand graphic explaining the salable value of clear-listed Alumino-Silicates Cement please consider that each of the elements, if separated, have a market value themselves. Which would a silly thing to do as the matrix is such a perfect mix for a superior AAC and CLC style a of “Roman Cement” that handles surges of water, and earthquakes so well.

Which is why I am just a little concerned that the US Forest Service, during this partial governmental shutdown may have plans to invalidate The Department of the Interior Bureau of Land Management registered claims, listed as my ORMC \$4,960 year mining claim block maintenance fee as LOCATABLE MINERALS / Mining Claims. Perhaps this intra-agency politic has something to do with Secretary of the Interior Ryan Zinke stepping down before his the subject of more than a dozen ethics investigations brought jail time.

And wondering why the printed page certified filing delivered with return receipt on July 23, 2018, of a normally seven-page FS-2800-5, where 65 plus pages of attachments were allowed to be so totally ignored, and not returned, by certified return receipt as required, with a yes/no signature, as was my cover letter when filing the printed Plan of Action form that seems to have disappeared?

How is it those that control by the rule of law, are free to ignore their own regulations?

### ***Here was my cover letter for the Plan of Action filing***

*Ranger Central Coast Ranger District  
1130 Forestry Lane  
P.O. Box 400  
Waldport, Oregon 97394*

*Sorry for the formal way to file a document that does require:*

*§ 228.5 Plan of operations—approval.(a) Operations shall be conducted in accordance with an approved plan of operations, except as provided in paragraph (b) of this section and in §228.4*

(a), (b), and (e). A proposed plan of operation shall be submitted to the District Ranger, who shall promptly acknowledge receipt thereof to the operator. The authorized officer shall, within thirty (30) days of such receipt, analyze the proposal, considering the economics of the operation along with the other factors in determining the reasonableness of the requirements for surface resource protection, and;

(1) Notify the operator that he has approved the plan of operations; or

(2) Notify the operator that the proposed operations are such as not to require an operating plan; or (3) Notify the operator of any changes in, or additions to, the plan of operations deemed necessary to meet the purpose of the regulations in this part; or

(4) Notify the operator that the plan is being reviewed, but that more time, not to exceed an additional sixty (60) days, is necessary to complete such review, setting forth the reasons why additional time is needed: Provided, however, That days during which the area of operations is inaccessible for inspection shall not be included when computing the sixty (60) day period;

### ***The crux of the matter***

District Ranger Michele Jones in an un-certified reply without the advice of Area Mining Geologist Ruth Seeger that my 228.5 Plan of operations—was rejected? —came in a letter delivered to my POX on Christmas Eve, 138 days after my certified delivery to the USDA. A long, long way past compliance deadlines, and any chance of legally start surface development before winter snows fall. Jones has a few paragraphs in her letter that somehow needs a legal official reply. This is why claimant Barry Murray and the Siuslaw Mining District is prepared to offer advice. Especially when trying to figure out the most puzzling non-official announcement as:

**“The Forest Service recognizes that you may have identified what you believe are special or unique values and/or uses for the material. However, because this proposal addresses mineral materials, the Forest Service cannot evaluate your proposal under the U.S. mining laws or locatable mineral authorities at 36 CFR 228 Subpart A.”**

The full text, uncertified, letter reply, delivered with hard to understand paragraphs, titled Exhibit 1), Catch 22, for possible court action, follows, below.

At the very least Ranger Jones was disregarding President Trumps tweets bragging that he was fast-tracking approval of “over-regulated” Mining Plans of Action. And his Secretary of Interior supporting locatable alumina and a rare earths for strategic minerals need. Apparently this “fast track” only was intended as a political favor “gift” for far right Republican support.

At the least it was simply Ranger Jones, accidentally, citing, on purpose(?) an outdated BLM 36 CFR 228.41— leading to the Forest Service minerals USDA § 228.42 of today that reads:

#### ***Forest Service, USDA § 228.42***

(d) Minerals not covered by this subpart. Mineral materials do not include any mineral used in manufacturing, industrial processing, or chemical operations for which no other mineral can be

substituted due to unique properties giving the particular mineral a distinct and special value; nor do they include block pumice which in nature occurs in pieces having one dimension of two inches or more which is valuable and used for some application that requires such dimensions. [as polished Nepheline Syenite tiles] Disposal of minerals not covered by this subpart is subject to the terms of the United States Mining Laws, as amended (30 U.S.C. 22 et seq.), on those portions of the National Forest System where those laws apply. Such minerals may include:

(1) Mineral suitable and used as soil amendment because of a constituent element other than calcium or magnesium carbonate that chemically alters the soil;

(2) Limestone suitable and used, without substantial **admixtures, for cement manufacture**, metallurgy, production of quicklime, sugar refining, whitening, fillers, paper manufacture, and desulfurization of stack gases;

(3) **Silica** suitable and used for glass manufacture, production of **metallic silicon, flux**, and **rock wool**;

(4) **Alumino-silicates** or clays having exceptional qualities suitable and used for production of **aluminum**, ceramics, drilling mud, taconite binder, foundry castings, and other purposes for which common clays cannot be used;

(5) Gypsum suitable and used for wallboard, plaster, or cement.

(6) Block pumice which occurs in nature in pieces having one dimension of two inches or more and which is valuable and used for some application that requires such dimensions; and

(7) Stone recognized through marketing factors for its special and distinct properties of strength and durability making it suitable for structural support and used for that purpose. [as tiles]

I would like an understandable statement in writing as to why my validate mineral Nepheline Syenite mining claims are now at risk, and why the Mineral Material Sale Act of 1947 has been quoted as a threat to invalidate my claims so they could be leased, most probably, to the first in line land grab neighbor benefiting Koch Industries, which as shown by past performance would be able to acquire a beautiful stand of second growth timber, which would be needed to be cleared to open pit mine the total Nepheline Syenite deposit for any "common variety" use including today's hard to find highway construction gravel that meets new "Superpave" specs.

The Table Mountain Nepheline Claims were first staked in partnership with a geologist that was working for my father's Geological Consulting Company while completing Hastings Law School. We both had read sections, as above, which is why I understand to that nano technology was not known at the time of *McClarty v. Secretary of Interior*, 408 F.2d 908 (9th Cir. 1969).

Shortly after passing the bar my friend was hired by the BLM in Washington, D.C., where



he lasted a few years examining plans of actions concerning “common variety mining claims” before being picked up as a full partner for a firm on Pennsylvania Avenue NW that has a great view of the White House. I am not identifying him for he, off the cuff just as an old friend commented last year that my filing a FS-2800-5 “was a slam dunk.”

Because his private opinion matched mine, I finally get to use a lawyers favorite phrase. Re-marking to Ranger Jones decision[?] “From what can be gathered from your proposal, the material you are interested in is a common variety under Forest Service regulations and is subjected to disposal under 36 CFR 228 Subpart C. Additional considerations beyond those referenced in your proposal are required before the Forest Service would consider revisiting disposal authorities.”

So let me briefly say, Ranger Jones your invalid over value arguments — “lack merit!”

*Here are the market value graphics as presented in the filed Form:*

**The insider's information here is in the chemistry:**

| <b>Chinese Nepheline Syenite In Bulk</b> | <b>Oregon Nepheline Syenite In Bulk</b> |
|--|---|
| SiO2 = from 60% to 84%                   | SiO2 = from 58% to 59.62%               |
| Al2O3 = from 17.4% to 19.3%              | Al2O3 = from 18.25% to 19.35%           |
| CaO = from 0.9% to 1.3%                  | CaO = from 0.85% to 1.3%                |
| MgO = from 0.2% to 0.4%                  | MgO = from 0.2% to 0.3%                 |
| LOI = from 0.5 to 0.6                    | LOI = from 0.31 to 4.61                 |
| K2O = from 5.4% to 7%                    | K2O = from 4%                           |
| Na2O = from 6.1% to 7%                   | Na2O = from 12.52%                      |

**\$250 per -325 face powder ton, Freight on Board, China**

**\$20 per in-place Table Mountain ton of rock Lincoln County, Oregon**



**Nepheline Syenite 325mesh**

**US \$240-260 / Metric Ton**  
**25 Metric Tons (Min. Order)**

**6 YRS** Guangzhou Changying T...

16.7%

[Contact Supplier](#)

And, going past the citing out of date CFR regulations for “added value of un-common minerals” The University of the Mining Law of 1872 “Prudent Man Rule” has expanded by so many case law citations to add an de facto Marketability Rule found in the final decisions of actual Federal Court cases.

Which means when it comes to the “Marketability Rule”, Table Mountain Nepheline Syenite may just have a little validity when comparing the prices asked on Alibaba.com, where the closest supplier is asking \$250 FOB for nepheline syenite of almost the exact same chemistry.

The Alibaba.com FOB China, my closest competition out of only 10 possible commercial producers in the world. China also was the first to deliver a very affordable Nepheline Syenite formula 3D printed house.

It is difficult to quote what the cost of importing competitive European/Canadian nepheline syenite by the ton, as the formula protected product is hidden behind numbers. The United States International Trade Commission last report Investigation No. 731-TA-525 on Canadian Nepheline Syenite tariffs before NAFTA even did away with listing redacted values.

The largest supplier of a clear listed “alumino-silicates” geopolymers cement is Russia which has started exporting their 3D nepheline house printer, complete with their proprietary formulas to Texas. And while I like the idea of proving FoamKrete™ this old horse wrangler wants to know if the new tariff on natural Aluminum has been paid?

It is in violation of underlying case law of United States v Keith O’Leary, et al. which established that “both contestants may submit written testimony for any hearing”, before a replacement Mining Manager, who also has broken off promised meetings and communications. This is why my complaint has to be published during a Forest Service Federal shutdown on [www.MiningDistrictsForum.com](http://www.MiningDistrictsForum.com).

Which possibly may also disappear for asking questions about possible collusion, thanks to recent FCC business practices, with a very large ultra-conservative SuperPac that may have been allegedly diverting funding for the dirty tricks consisting of controlling/censoring/destroying ad revenue) of a small supply side [www.MiningMagazines.com](http://www.MiningMagazines.com) web-ring that includes [MiningInvestment.com](http://MiningInvestment.com) / [TheProspector.com](http://TheProspector.com) / [TheMiningInvestor.com](http://TheMiningInvestor.com) / [WesternMiner.com](http://WesternMiner.com) /and [OregonMining.net](http://OregonMining.net) (which will soon return for another round of “hack-a-mole” (by whom ?), and Table Mountain’s [www.FoamKrete.com](http://www.FoamKrete.com) whose e-mail responses have also disappeared.

President Donald Trump may hype himself as a master deal-maker. And brags about his ability to pick wonderful, wonderful, nice guys to “Help make America Great Again” but the performance of his appointees to manage the Department of the Interior, and the USFS, or the Federal Communications Commission (FCC) which cannot solve the disappearance of fairness in E-Mail, and the Federal Trade Commission (FTC) who does not understand what a monopoly is, really cry out for a public inquiry.

## ***What are the consequences of Ranger Jones ill-advised letter?***

A possible class action lawsuit based upon an alleged collusion attack (for now) until independent sources provide affidavits that could stand up in a court. The investigation underway is if PAC money might have been spent for competitive advantage five different ways by a privately owned conglomerate of Koch Industries, which also may perhaps may violation of FTC unfair trade practices Sherman Antitrust Act.

The second largest private company in America, Koch Industries is in a competitive conglomerate lazy, perhaps un-fair advantage, over marketing FoamKrete™, consisting of:

- 1) The neighboring Georgia-Pacific (who could supply the wood to build tilt-up FoamKrete™ frames.
- 2) Flint Hills Resources — supplying polymers, oil sands, and roofing applications as RIA Feasibility Study had suggested.
- 3) Guardian Industries — glass, building products, and fiberglass insulation.
- 4) Koch Fertilizer, LLC, — one of the world's largest makers of nitrogen fertilizers, that the USDA considers a common variety.
- 5) Koch Minerals —one of the world's largest managers of dry-bulk commodities.

Another threat to claim ownership control is the one family European cartel of Unimin, who forced down a felsite quarry on Kings Mountain in North Carolina by dumping felspathic Canadian Nepheline Syenite, forcing the helpless small business into bankruptcy. They now own the quarry.

I declare right now, nearing 80-years old, I will fight any format of legal CLAIM JUMPING in court, even if I have to represent myself.

## ***See you in Court?***

As underlain by the case law of United States v Keith O'Leary, et al, which established that The University of the Mining Law if 1872 "Prudent Man Rule" was expanded by many citations to add a de facto Marketability Rule.

Which when it comes to Table Mountain Nepheline Syenite may just have a little validity when comparing the prices asked on Alibaba.com, where the closest supplier is asking \$250 FOB for almost the exact same chemistry.

And that the pages of added-value appear to have been ignored as well as the RIA Feasibility Study which explained that Nepheline Syenite had a futuristic role in manufacturing neclar waste glass log containers.

And university level research showing that as a flux in the steel making process to help clean air, and the possibility of US steel output demands — only 5% of the world's production— for a



steel border wall fence keeping up with Chinese (49 %) imports which of course will be paid for by a super trade deal, protecting American jobs , by the use of tariffs?

The purpose of Barry Murray's inquiry as to the possibility of this filing response, published by [www.MiningDistrictsForum.com](http://www.MiningDistrictsForum.com) due to the government shutdown, is to see if the Hatch Act of 1939, officially An Act to Prevent Pernicious Political Activities, may apply.

In an effort to inquire into, and validated by a frontier U.S. Mining Law of 1872, the suggestion that a Prudent Man Barry Murray DBA FoamKrete.com may a class action "breach of contract" law suit of Murray v Secretary of Agriculture, et al.

And since my last letter from Oregon Senator Jeff Merkley (D) announcing the Wildfire-Resilient Communities Act, which would create a \$1 billion fund to provide stability and allow the U.S. Forest Service to speed up and broaden the scale of its response to catastrophic wildfires, something rightful that I also had mentioned in my Plan of Action as a good idea when defending the green Blue State West from forest mismanagement, and not allowing FEMA funding to help those that lost their homes to fire—which is something where FoamKrete™ could help.

The real surprise was our Jeff publicizing that, "When I ran for re-election in 2014, the Koch Brothers pounded the airwaves with millions of dollars [S11,123,135] in attack ads. I fought back. Our grassroots supporters fought back. And we won."

And that inspired me to fight back, also. At the end of my life what do I have to loose, other than a \$ Bullion property, already set aside for affordable housing to help solve the working homeless problem.

I would like any help from Oregon polititions and research staff, as a grassroots constituent, to see if any "dark money" Federal Election Commission (FEC) rules are being manipulated for private company advantages. That is if anyone involved in a possible collusion is in violation of a federal criminal conflict of interest law by assisting a company in which he owns stock, or have otherwise appears to have violated the Hatch Act will actually go to jail?

During the election of 2018 Oregon's Governor, Kate Brown (D) was hate crime hammered with almost kiddy porn negative storybook TV ads, where KGW in Portland tried to apologize for, but admitted not knowing who had paid the media placement bill. I think I became a target for OregonMining.com supporting Kate Brown for standing up to an illegal Posse Comitatus Act (1878) Terrorist invasion from Nevada by armed fundamentalist Second Amendment Seventh-day Adventist Branch Davidians, followers of American domestic terrorist Timothy James McVeigh, and the John Birch Society (founded by a Koch), Sagebrush Revolution, and Tea Party twits that tweet. How do I know this? From the testimony of an ex-brother-in-law that went to prison for yelling back to a judge at a sentencing hearing that the whole court, and established laws, were illegal.

As Oregon Mining law accepts the filing of original claims, and the yearly required Assessment Affidavit of \$100 per claim \$3,200 for Table Mountain, and as the Ore Bin newsletter of the Oregon Department of Mineral Industries has been suggesting someone develop a rock wool plant, Oregon's Governor is involved, especially if it comes down to production instead under small-scale surface mining operations ORS 517.753.

While it would be nice to have some legal support from Oregon politicians, pragmatically I could use some small, no strings, other than updates, donations sent to under siege claim holder Barry Murray personally, by check open to Postal Fraud Inspection, at the same POB 678, Waldport, Oregon 97394, as found on the full exhibited Forest Ranger letter, Exhibit 1 found below. Please note that Jones suggested if I had any questions to contact the current Siuslaw Mining and Minerals Administrator who for the past few months has been ducking my e-mails and phone calls. Given the USDA shutdown I doubt he is in his office, which is why I had to turn to my Siuslaw Mining District resources at [www.MiningDistrictsForum.com](http://www.MiningDistrictsForum.com) for advice from all concerned with ECO Green Mining in Oregon. f

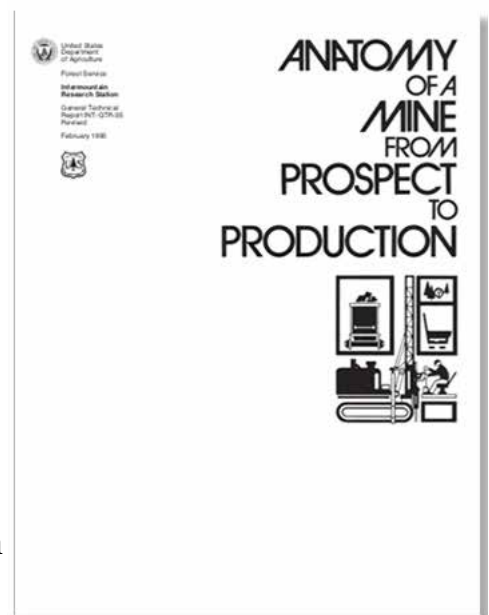
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This is why I have highlighted the easy to understand Forest Service Report INT-GTR-35 [\*Anatomy of a Mine From Prospect to Production\*](#), which I referenced to write the Plan of Action which is spinning in the wind.

### ***What to do?***

While it would be nice to have some legal support from Oregon politicians, pragmatically I could use some small, no strings, other than updates, donations sent to under siege claim holder Barry Murray personally, by check open to Postal Fraud Inspection, at the same POB 678, Waldport, Oregon 97394, as found on the full exhibited Forest Ranger letter, Exhibit 1 found below.





File Code: 2800

Date: December 12, 2018

Mr. Barry Murray  
3703 East Alsea Highway  
PO Box 678  
Waldport, OR 97394

Dear Mr. Murray,

This letter is in response to your correspondences with the Siuslaw National Forest regarding your proposal to develop a mining operation on lands managed by the Forest Service. In your correspondences it appears you believe this material to be subjected to authorities under the United States Mining Laws, as amended, as well as Forest Service regulations at 36 CFR 228 Subpart A. Those laws and authorities address locatable minerals.

From what can be gathered from your proposal, the material you are interested in is a common variety under Forest Service regulations and is subjected to disposal under 36 CFR 228 Subpart C. Additional considerations beyond those referenced in your proposal are required before the Forest Service would consider revisiting disposal authorities. Forest Service regulations at 36 CFR 228 Subpart C outline categories under which disposal may be authorized. Additionally, "the Forest Service amended its Mineral Material Disposal regulations...to establish five categories of minerals, based on use, as disposable under the Mineral Material Sale Act of 1947, rather than available for location under the mining law (Maley; "Mineral Law," 6<sup>th</sup> ed., 1996, p.624). Forest Service regulations at 36 CFR 228.41(c) states "[t]his subpart applies to mineral materials which consist of petrified wood and common varieties of sand, gravel, stone, pumice, pumicite, cinders, clay, and other similar materials. Such mineral materials include deposits which, although they have economic value, are used for agriculture, animal husbandry, building, abrasion, construction, landscaping, and similar uses. This subpart also applies to other materials which may not be minerals but are produced using mining methods, such as peat. The categories of these materials...are: 1. Agricultural Supply and Animal Husbandry Materials; 2. Building Materials; 3. Abrasive Materials; 4. Construction Materials; and 5. Landscaping Materials.

United States Federal courts as well as Interior Board of Land Appeals have addressed material classification considerations. Criteria have been established for determining the differences between common and uncommon varieties of stone, and between common variety (mineral material) and locatable minerals classifications. *McClarty v. Secretary of Interior*, 408 F.2d 908 (9<sup>th</sup> Cir. 1969) and IBLA72-118: "These guidelines...are as follows: (1) there must be a comparison of the mineral deposit in question with other deposits of such minerals generally; (2) the mineral deposit in question must have a unique property; (3) the unique property must give the deposit a distinct and special value; (4) if the special value is for uses to which ordinary varieties of the mineral are put, the deposit must have some distinct and special value for such use; and (5) the distinct and special value must be reflected by the higher price which the material commands in the market place. The Court of Appeals...explained 'value' by indicating that price cannot be the exclusive way of proving that a deposit has a distinct and special





economic value attributable to the unique property of the deposit.”

The Forest Service recognizes that you may have identified what you believe are special or unique values and/or uses for the material. However, because this proposal addresses mineral materials, the Forest Service cannot evaluate your proposal under the U.S. mining laws or locatable mineral authorities at 36 CFR 228 Subpart A.

If you have any additional questions, please contact Jared Richey at [jrichey@fs.ed.us](mailto:jrichey@fs.ed.us) or at 541-367-5168.

Sincerely,



MICHELE JONES  
District Ranger



Wild Fire Safe - 4 hrs @ 3,000°

ECO-HOUSING-AMERICA.COM

Flash Flood - Tidal Wave Proof

FOAM KRETE

“A MEETING OF HIGH TECH MINDS TO PROTECT THE AMERICAN HOME BUILDING INDUSTRY SO IT CAN BE GREAT ONCE AGAIN.”

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>> [WWW.ECO-MINERALS-STOCKPILE.COM](http://WWW.ECO-MINERALS-STOCKPILE.COM) >> [WWW.ECO-MINING-MILLING.COM](http://WWW.ECO-MINING-MILLING.COM) >>  
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*Question District Ranger?*

As the major competitors of my Nepheline Syenite are multinational, does anyone in the USFS care about shipping ECO-Housing-America.com jobs overseas?

Following the USDA Exhibit 1, questions concerning the “mineral value” of claims that contain clearly clear-listed mineral materials as Alumino-Silicates, Metallic Silicon Dioxide (known Flux, and Rock Wool exemptions to common variety exemptions, I would like to present the latest filed Affidavit of Labor that shows honest contribution to the development of the claims.

**1> The USD price of precipitated Silicon Dioxide (SiO<sub>2</sub>) is on-line researchable at \$600-800 / per ton.**

As a “soluble Nepheline silicon” used at 59 percent of the necessary AAC secret formula volume, makes the Table Mountain deposit being worth is no less than \$354 per -325 metric ton if that were not already included, at no extra cost in the natural bundle.

**2> Market price of the totally scientifically recognized AAC/CLC secret of soluble Alumina Oxide of (Al<sub>2</sub>O<sub>3</sub>), or Alumina out of Australian bauxite that has been ranging from \$322 + per metric ton, for 400,000 tons a month delivered to China.**

As the acceptable AAC percentage formula of 5% – 8% Alumina by volume, out of an ore that assays a higher 19.35% than the Chinese bulk FOB price, calculates out to be worth \$64.40 per metric ton.

Lincoln County, Oregon 2018-09288  
 09/19/2018 03:19:10 PM Doc-MCL Cont# Page# Sine#  
 \$5.00 \$11.00 \$60.00 \$10.00 \$7.00 - Total = \$93.00

Owner's name and current mailing address:  
 BARRY MURRAY  
 POB 608  
 WILSONPORT, OR 97144

After recording, return to (Name, Address, Zip):  
 BARRY MURRAY  
 POB 608  
 WILSONPORT, OR 97144

SPACED RESERVED FOR RECORDER'S USE

Dana W. Jenkins, Lincoln County Clerk

NAME TITLE  
 By \_\_\_\_\_ Deputy

**Mining Claim Affidavit**  
 (PAYMENT OF FEDERAL FEES OR PERFORMANCE OF ANNUAL ASSESSMENT WORK)

STATE OF OREGON, County of LINCOLN ) ss. \_\_\_\_\_ being first duly sworn,  
 I, BARRY MURRAY  
 declare in regard to the following unpatented mining claim(s):

| NAME OF CLAIM                   | BLM RECORDS FOR LOCATION SERIAL NO. | MINING AND MINERAL RECORDS BOOK AND PAGE OR INSTRUMENT OR OTHER RECORDING NO. |
|---------------------------------|-------------------------------------|---|
| NEPHELINE THROUGH NEPHELINE #32 | ORMC 15134370 151374                | BOOK PAGE 463 to 494  |

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

For the assessment year ending at 12 o'clock Meridian on September 1, 2018, (check one of the two sections below and fill out where applicable):

11 (1) If federal requirements for maintenance for requirements have been met: The federal fee requirements have been met by the claim owner or agent of the owner and the claim owner or agent of the owner intends to hold the above-named claim in good standing for the applicable assessment year.

11 (2) If federal qualifications for maintenance for requirements have been met including filing certified statements of maintenance for requirements: The following annual labor has been performed or improvements have been made for the above-named claim:  
 Number of days labor performed: 50 Value of Improvements: \$5,000  
 Character and location of improvements: BULK SAMPLING, MILLING TESTS, CHEMICAL RATIO FORMULATION EXPERIMENTS  
 Dates of performing labor and making improvements: JUNE TO AUGUST 2018

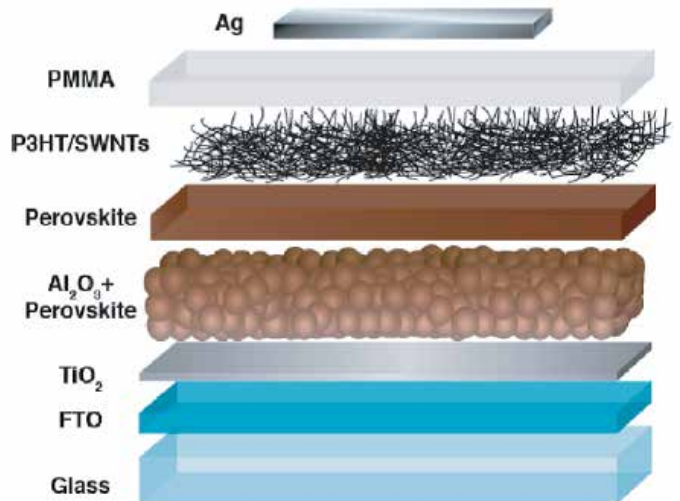
Performed at request of and for the benefit of: BARRY MURRAY

Performed by: BARRY MURRAY, ROBERTA DICKERSON, MICHAEL McTIERNAN, HAROLD BENJAMIN  
 Amount paid and by whom paid (if work done by person other than owner):

OFFICIAL STAMP  
 STEVEN RIVAS  
 NOTARY PUBLIC-OREGON  
 COMMISSION NO. 954786  
 MY COMMISSION EXPIRES SEPTEMBER 25, 2020

BARRY MURRAY  
 AND SWORN TO before me on September 19, 2018  
 Notary Public Oregon  
 My commission expires September 25, 2020

**+3> What the Bulk sampling and Milling Tests (as described on the Mining Claim Affidavit of Labor, and Chemical Ratio Formulation Experiments, which turned up a surprise that in highly alkaline rocks (as nephelin-syenites), Perovskite forms in association with nepheline.**



Click the thin film solar diagram for the government paper, or got to [EnergySage](http://EnergySage).

And for an idea how valuable this could be in the development of [ECO-Housing-America](http://ECO-Housing-America), go to my favorite truth teller at [Wikipedia](http://Wikipedia).

My concern, on the eve of turning 80, with days of my life slipping away is to help fund ECO-Housing-America as a CO-OP Trust to immediately work with Governor Brown, and



Oregon cities that can take advantage of a recently passed public-private bonding proposition, to help the housing crisis homeless build a new life for themselves from the land up (leased, donated, purchased) itself, without any welfare give-aways.

The other thing “Miz Bobby” and I want to do with the Murray Family Trust is to develop a large rescue ranch for at risk horses (as a girls 4H project horse that needs a home when she leaves for collage, etc); and Border Collies that end up running away from owners too stupid they don’t know how to communicate; and of course a herd of wool sheep for the dogs to protect; plus as “ranch retreat” for at risk teens, with a single battered mother as an alternative to living on the streets.

There is opportunity for larger corporations to merge with ECO-Minerals-Stockpile , as a Master Limited Partnership, supporting flow-through to individual Limited Partnerships. And perhaps use a 501-C-3 charity to let everyone involved have a tax write-off.

I am also looking for an all veteran group to take over being the operators of ECO-Mining-Milling, once this silly contest over added value goes away before going through appeal, after appeal, to make a perhaps colluded Russian Competitor? / Red Mafia / SuperPac / USDA follow their own “red tape” regulations!

2016 Oregon ... *Nepheline Syenite*

# Barry Murray... "The Prospector"

A mining investment consultant with 60 years field experience

1955 Moab, Utah... *Uranium*

Alaska ... *Photovoltaics*

Nevada ... *Marble*

Idaho ... *Gold, Rare Earths*    Panama ... *Placer Gold*    Montana ... *Gold*    California...*Gold*

[www.theprospector.com](http://www.theprospector.com)

I have been so censored through hacking of the “free Internet” that I suggest, beyond my POB 678, Waldport, Oregon 97394, that you might try contacting me at through a “clean?” 503-753-5868, and give [ProspectorBarryMurray@gmail.com](mailto:ProspectorBarryMurray@gmail.com) a try. No reply? Try another way.