



Ministry of Northern
Development, Mines and Forestry

Ministère du Développement du
Nord, des Mines et des Forêts

Mining Recorder's Order

Ordonnance du registrateur de concessions minières

In the matter of the Mining Act before the Mining
Recorder:

En ce qui concerne la Loi sur les mines, devant le
registrateur de concessions minières

IN THE MATTER OF:

Mining claims of record P 4213670, P 4213672,
and P 4246867 staked for parts of Lots 9 and 10
Concession I Jamieson Township, Porcupine
Mining Division. Also in the matter of "filed only"
applications to record for mining claims 4246891,
4246892, and 4246894 staked for more or less the
same parts of Jamieson Township.

AND IN THE MATTER OF:

A dispute filed by

DAN PATRIE

Disputant

-against the mining claims of record held by-

AMADOR GOLD CORP.

Respondent

AND WHEREAS:

The details stated in the Dispute document allege
that the mining claims of record are illegal in whole
or in part because: "There was no description of
Lots, Concession, Township on any of all of the
corner posts".

I FIND:

That the details of the Dispute indicate non
compliance with a requirement for staking that
does not exist in the Claim Staking Regulation. O.
Reg. 7/96, therefore,

I ORDER:

That the dispute is dismissed and that "pending
proceedings" be removed from the records for P
4213670, P 4213672 and P 4246867.

AND TAKE NOTICE:

That Section 112 of the Mining Act allows the
parties a right of appeal to the Mining and Lands
Commissioner within 30 days of the date of this
order. An appeal may be commenced by filing the
necessary documents in the office of the Mining
and Lands Commissioner, Toronto. And a copy
served onto the Provincial Recording Office,
Sudbury.

Roy Spooner
Provincial Mining Recorder

Dated at Sudbury, Ontario this day of May,
2010

DETAILS

The land in question became available for staking at 9 a.m. on April 2, 2009 as a result of cancellation and posting of other forfeited mining claims. It would appear that there was competitive staking for the lands on opening morning however the applications to record indicate that the Amador Gold claims were staked (completed) first and filed first. Subsection 44(2) of the Mining Act (MA) gives legal priority to the claim staking completed first and Subsection 63(1) indicates that priority of recording (filing) is also a significant legal factor in determining the priority of rights.

The Amador Gold claims were accepted for recording effective April 2, 2009. Conflicting applications to record for the same parts of Jamieson Township were received in the Provincial Recording office April 17, 2009. Dan Patrie Exploration Ltd. chose to have their conflicting applications taken as 'filed only' and, on June 9, 2009, Dan Patrie filed a dispute against the mining claims of record. The Dispute document indicates the staking, for the mining claims of record, was deficient since the inscriptions on the corner posts did not include a description of the lot and concession.

The rules for staking of mining claims are contained in the Claim Staking Regulation O.Reg 7/96. The current Staking Regulation does not require a description of the lot and concession on the claim posts.

In 1991 the Claim Staking Regulation did, in fact, require a description of the lot and concession. In O. Reg. 115/91, Subsection 13(3) there was a rule stating in part: '... shall inscribe on the No. 1 post a description of the part of the township comprised in the claim, mentioning the lot and concession or the section by number.' That requirement was removed from the rules of claim staking through an amended Claim Staking Regulation in 1996 (O. Reg. 7/96).

As there is no current regulatory requirement for a claim post inscription describing the part of the lot and concession, this dispute is not supported in law and therefore requires no further consideration.

Roy Spooner
Provincial Mining Recorder