



93543

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IN REPLY REFER TO

OR MC 29760 (Wash)
OR MC 29761 (Wash)
3852/3833 (943.3)

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

OREGON STATE OFFICE
P.O. Box 2965 (4729 NE Oregon Street)
Portland, Oregon 97208

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

DEC 15 1981

834,138

DECISION

Russell A. Woodward, Agent : Temporary Deferment
Rujac Mining Company :
P.O. Box 358 :
Stevenson, Washington 98648 :

Deferment of Annual Assessment Work Granted

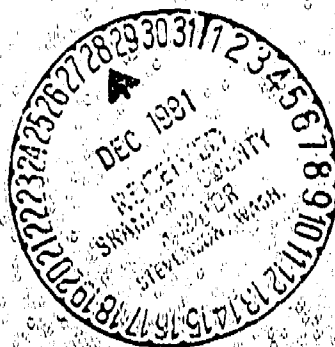
The request for deferment of assessment work for the year ending at noon, September 1, 1980, was filed December 30, 1980, and involves two claims situated within the Mt. St. Helens "Red Zone", an area to which access has been denied because of the eruptions of the volcano. The claims, located October 1, 1979, are situated in the SE $\frac{1}{4}$ of Section 34, T. 10 N., R. 8 E., Will. Mer., Washington, and are known as the Rujac #1 and Rujac #2.

Regulation 43 CFR 3851.1, based on 30 U.S.C. 28, provides that the period within which the work required to be done shall commence at 12 o'clock meridian on the 1st day of September succeeding the date of location of each claim. (Emphasis added.) As the claims were located October 1, 1979, assessment work was not required until the assessment year beginning at noon September 1, 1980, and ending at noon September 1, 1981. Accordingly, the filing of the request meets the requirements of 43 CFR 3833.2-1(c), as your 1980 notice of intention to hold the claims.

However, in order to comply with this requirement for 1981, you will need to furnish a new notice of intention to hold these claims. It must be received in this office on or before December 30, 1981.

Meanwhile, having substantially complied with regulation 43 CFR 3852.2, Rujac Mining Company is granted a deferment of the performance of assessment work due September 1, 1981, as to the Rujac #1 and Rujac #2 mining claims (identified above). Access to these claims has been denied because they are situated within the Mt. St. Helens "Red Zone". This deferment shall be for a period of one year beginning September 1, 1981, through August 31, 1982, subject to the following conditions:

1. The deferment granted shall be renewable (upon request) for a further period of one year if justifiable conditions continue to exist.



2. The deferment herein granted shall terminate automatically as of the date conditions preventing the assessment work from being done are removed.

3. All deferred assessment work may be performed at any time after termination of the deferment, or renewal thereof, but must be completed not later than the end of the first assessment year commencing after the termination of the deferment, and shall be in addition to the annual assessment work required by law for such latter year.

4. This deferment must not be construed as a determination either that a valid discovery has been made or, if made, continues to subsist on either of the claims involved.

In accordance with regulation 43 CFR 3852.3, Rujac Mining Company must file or record in the office in which it filed or recorded its petition, this decision disposing of the petition. Evidence of the recordation must be submitted to this BLM office within thirty (30) days from the date this decision is received.

Harold A. Berends

Enclosure:

Notarized Dupl. Orig.

STATE OF OREGON)
) ss.
County of Multnomah)

Subscribed and sworn to before me this 15th day of December, 1981,
at Portland, Oregon.

[Signature]
Notary Public for Oregon

My Commission Expires: March 7, 1985