#### Résumé

# **Burrett W. Clay**

Geologist Certified Mineral Examiner, CME 0001 17442 N 66<sup>th</sup> Lane Glendale, Arizona 85308

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I graduated from college and began working for the Bureau of Land Management (BLM) in 1977. My first job for the Bureau was examining mining claims in Colorado. In late 1980 I transferred to Salt Lake City Utah where I was the District Geologist. I performed a number of validity examinations while I was in Utah. In 1984-85 I spent a year in the Washington Office where I was on the staff of the Division of Mining Law and Salable Minerals. At that time, among other things, I prepared BLM Manual section 3891 - Mining Claim Validity Examination Procedures.

I transferred to Phoenix Arizona, where from 1985 until I retired in July of 2010 I was responsible for the training of mineral specialists for the BLM. My area of focus for my own technical expertise is in the examination of mining claims. In 1989, at the request of the Bureau's Assistant Director for Minerals, I lead development of the Mineral Examiner Certification Program. I was a member of the Certification Panel from its beginning until my retirement. I was certified as a Mineral Examiner (CME 0001) and a Review Mineral Examiner (CRME 001). I was one of a handful of experts who performed Washington Office Directorate level technical review on mineral patent reports. I have authored or co-authored numerous pieces of Bureau guidance related to the validity examination of mining claims including BLM Manual Section 3895 - Certification of Mineral Examiners, BLM Handbook 3890-1 - Mineral Examiners Handbook, and BLM Handbook 3890-3 - Validity Mineral Reports

I provided several states with technical assistance in validity examinations, usually in high profile cases or those which were breaking new ground either technically or legally (see attachment 1). As an example in Nevada I worked on both the Pass Minerals (Ian Matheson) and the Carlwood Development (Cactus Gold/Charles Ager) cases. Pass Minerals required us breaking new technical grounds and our work in Carlwood Development has provided new legal guidance for "dummy locator" issues. I have testified as an expert witness on the validity of mining claims in administrative hearings on many occasions. I have provided technical assistance to the DOI Solicitors (Washington and Regional offices) both on specific cases and on general technical questions. I also have assisted law enforcement (BLM, State, FBI and DOJ) in several cases including Earthly Mineral Solutions in Nevada.

At the Training Center as well as having the overall responsibility for all minerals training, I have been an instructor for almost every subject in the validity examination curricula.

In 2010 I retired from the government with almost 42 years of combined government service. In 2011, the Nevada State Office brought me back on duty, as a rehired annuitant, to help with some validity examinations, provide coaching and on-the-job training to some of their staff, and to serve as their review mineral examiner. My temporary appointment expired in Oct 2012 at which time I returned to retirement.

Because of Certification program requirements, only current BLM employees may be review mineral examiners. Therefore, upon my retirement, my Review Mineral Examiner certification was suspended as per BLM Manual section 3895. My status as a Certified Mineral Examiner is still current.

Since 2012 I have provided training to BLM mineral examiners on mining claim related subjects including placer mining, mining law, and expert witness testimony. I have also done some mining law related consulting. I have an ongoing contract with the State of California to provide expertise on placer mining claim issues related to an ongoing court case. In Dec 2015 I completed a contract with the Arizona State Office of BLM evaluating 103 mining claims to determine if they had been properly located and recorded. I found that 97 out of 103 had fatal flaws in their recordation.

### **Education:**

Bachelor of Science in Geology (Honors) 1977 Weber State College, Ogden, Utah

# Training includes but is not limited to:

Beginning Minerals Training, Course 3000-1, July-Dec. 1977 BLM Phoenix Training Center, Phoenix, Arizona

Mine and Beneficiation, Capital and Cost Estimating, Course 3000-11, Nov. 1983 BLM Phoenix Training Center, Phoenix, Arizona

Advanced Minerals Training, Course 3000-3, March 1983 BLM Phoenix Training Center, Phoenix, Arizona

Disseminated Gold Deposits; Evaluation, Patenting & Management, Course 3000-3, Feb. 1988, BLM Phoenix Training Center, Phoenix, Arizona

Fundamentals and Applications of Fire Assay, August 2000 Center for Advanced Mineral and Metallurgical Processing, Montana Tech, Butte MT

31st Annual Rocky Mountain Mineral Law Institute, July 1985 Rocky Mountain Mineral Law Foundation

33rd Annual Rocky Mountain Mineral Law Institute, July 1987 Rocky Mountain Mineral Law Foundation

35th Annual Rocky Mountain Mineral Law Institute, July 1989 Rocky Mountain Mineral Law Foundation

39th Annual Rocky Mountain Mineral Law Institute, July 1993 Rocky Mountain Mineral Law Foundation

40th Annual Rocky Mountain Mineral Law Institute, July 1994 Rocky Mountain Mineral Law Foundation

112th Annual Meeting, Exposition & Short Courses, Dec 2006 Northwest Mining Association

113th Annual Meeting, Exposition & Short Courses, Dec 2007 Northwest Mining Association

114th Annual Meeting, Exposition & Short Courses, Dec 2008 Northwest Mining Association

115th Annual Meeting, Exposition & Short Courses, Dec 2009 Northwest Mining Association

117th Annual Meeting, Exposition & Short Courses, Dec 2011 Northwest Mining Association

## **Experience:**

Mineral Examiner, July 1977 - Nov 1980 Colorado State Office, Bureau of Land Management

District Geologist, Dec 1980 - Nov 1984 Salt Lake District Office, Bureau of Land Management

Mining Law Staff Specialist, Dec 1984 - Sept 1985 Division of Mining Law and Salable Minerals (WO-680) Washington Office, Bureau of Land Management

Minerals Program Leader, Oct 1985 - Dec 1987 Phoenix Training Center, Bureau of Land Management

Assistant Chief, Division of Training Development, Dec. 1987 - April 1989 Phoenix Training Center, Bureau of Land Management

Chief, Division of Minerals Training, April 1989 - Sept 1994 Phoenix Training Center, Bureau of Land Management Acting Director, Jan 1995 - June 1995 National Training Center, Bureau of Land Management

Division Chief/Supervisory Geologist, responsible for Minerals Training Programs, July 1995 - July 2010

National Training Center, Bureau of Land Management

Retired July 2010 - June 2011

Geologist/Certified Review Mineral Examiner, June 2011 - Oct 2012 Nevada State Office, Bureau of Land Management

Semi-retired Consultant Oct 2012 - present

#### Certification:

Certified Mineral Examiner
Certified Review Mineral Examiner
Member of BLM National Mineral Examiners Certification Panel since 1990
Chairman of BLM National Mineral Examiners Certification Panel

### Other:

Member of Society of Mining Engineers since 1986

Co-authored Mineral Report - Results of Analyses of Standard and Blank Samples Tested at Selected Assay Laboratories in North America, 2003

Extended Technical Reviewer for Directorate level review of mineral patent reports.

Instructor in several BLM courses including:

3800-01, Mining Claim Validity Examination Procedures,

3800-02, Mine and Beneficiation Methods,

3800-03, Mining and Beneficiation Cost Estimation and Economic Evaluation,

3800-08, Technical Standards for Mineral Reports, and

3800-14. Alaska Advanced Placers.

Principle subjects taught include, but are not limited to, field methods, sampling procedures, heavy equipment operation, underground mining methods, beneficiation methods, grass roots cost estimating, technical review, professional ethics, expert witness testimony and mining law.