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*For your information!
and Education*

info to place with or on your permit! DO NOT FORFEIT YOUR RIGHTS!

1 message

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This permit is an unlawful, unconstitutional action on the part of all promulgating agencies actions, singularly and in concert for the following reasons; #1. federal mining claims are real property [see adams v witmer, 1958] any interference, impairment by any agency to restrict use of real property must be done after due process of law is administered 5th amendment of the constitution [federal] and the 14th applicable to state agencies! #2. the mining laws of 1866, 1870 and 1872 are _not laws but grants to miners and as such cannot be impaired, licensed /permitted by any agency. [see 40 usc @612] clearly exempts " mineral deposits subject to location under the mining laws of the united states". #3. A mining claim is removed from the jurisdiction of the territorial management agencies, the BLM AND USFS epa, as the are removed from the public lands under their jurisdiction see [flpma 1976,] "no provision of this act, shall in any way amend the mining law of 1872 or IMPAIR the rights of miners!" #4. under supreme court HALE V HENKEL 1906, it is stated " the individual can stand on his constitutional rights as a citizen [look at amendments listed below] .He is entitled to carry on his business in his own way. here we see the court says a citizen can rely on the 4th 5th 10th and 14th amendments! this case is binding on ALL COURTS IN THE UNITED STATES! #5. THE RIGHTS OF THE INDIVIDUAL ARE RESTRICTED ONLY TO THE EXTENT THEY HAVE BEEN VOLUNTARILY SURRENDERED BY THE CITIZENSHIP TO AGENCIES OF GOVERNMENT! [SEE DALLAS V MITCHELL, 245 S.W. 944}, #6. Under supreme court [MARBURY V MADISON, 1803], ANY LAW [RULE REGULATION] THAT IS REPUGNANT TO THE CONSTITUTION IS VOID, AND THAT COURTS, DEPARTMENTS / AGENCIES ARE BOUND BY THAT INSTRUMENT!!!! THIS APPLIES THE 14TH AMENDMENT ALSO: " NO STATE / AGENCY UNDER THEIR CONTROL SHALL MAKE AND ENFORCE ANY LAW WHICH SHALL ABRIDGE THE RIGHTS, PRIVELEGES AND IMMUNITIES OF CITIZENS of life, liberty, or property without due process of law, this renders judicial immunity unconstitutional! ' #7. under GIBSON V CHOTEAUWALL. 92, [1872] THE SAME principle which FORBIDS ANY STATE LEGISLATION interfering with congress TO DIPOSE OF THE PUBLIC PROPERTY OF THE UNITED STATES also forbids legislation DEPRIVING THE GRANTEEES OF THE UNITED STATES

OF THE POSSESSION AND FULL ENJOYMENT OF THEIR PROPERTY [FEDERAL MINING CLAIM] [30USC@26] #8.ON PAGE 22 OF THE SOUTH FORK OF THE CLEARWATER RIVER BASIN PLAN ACCEPTED BY IDAHO'S GOVERNING BODY IT IS STATED: A. NO NPDES PERMIT IS NEEDED [AN IMMUNITY FOR PROSECUTION FROM THE EPA].B.IT IS ALSO UNDERSTOOD THAT THE EPA SAYS THAT A RECREATIONAL SIZED DREDGE IS NOT A SOURCE POINT ,THEREBY EXEMPTING THAT SIZE DREDGE DOES NOT REQUIRE A PERMIT ,LET ALONE ON A POLLUTED WATERWAY AS DESCRIBED BY IDAHO DEPT OF ENVIRONMENTAL QUALITIES INTEGRATED WATER REPORT WHICH THE EPA ACCEPTED IN 2019!!!! #9. THE SUPREME COURT HAS STATED THAT THE TRANSFER OF WATER IN A SINGULAR WATER BODY IS NOT IN NEED OF A PERMIT WHETHER THAT WATER IS POLLUTED OR NOT .IT ALSO STATES THAT THE MOVEMENT OF POLLUTED WATER THROUGH AN IN STREAM STRUCTURE OR ENGINEERED DEVICE [SUCTION DREDGE] TO A LOWER PORTION OF THE SAME RIVER DOES NOT CONSTITUTE A DISCHARGE , THEREBY RELEASING SAID PERSONS FROM THE NPDES REQUIREMENT!#10.under the CLEAN WATER ACT fact sheet from the EPA IT STATES AND I QUOTE " THE CLEAN WATER ACT PROTECTS THE NATION'S WATERS. A CLEAN WATER ACT PERMIT IS _ONLY NEEDED IF THESE WATERS ARE GOING TO BE POLLUTED OR DESTROYED"#11. AS PER THE INTEGRATED WATER REPORT ACCEPTED AS TRUE AND CORRECT IN 2019 BY THE EPA IT IS EVIDENT THAT A LARGE NUMBER OF STREAMS DO NOT REQUIRE AN NPDES PERMITFURTHER NO MINING CLAIM WHICH WAS GRANTED A RIGHT TO USE THE WATER CAN BE PERMITTED AS A GRANT REQUIRES NO PERMIT TO ENGAGE IN THE GRANTED, RIGHTFUL ACTIVITY !

THEREFORE ,WITH THE ABOVE FACTS AT HAND, I AS A LAWFUL CLAIM OWNER AND CITIZEN OF THE UNITED STATES PROTEST AND QUESTION THE AUTHORITY OF THE IDEQ, IDWR, BLM ,USFS AND EPA IN IMPAIRING MY RIGHT TO MINE MY FEDERAL MINING CLAIM. RESPECTFULLY ,_____ DATE _____ent from
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