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TITLES DIVISION, MINERAL TITLES  
VICTORIA, BC  
NOV 19 2007

**Prospecting and Technical Assessment Report**

**The RocDoc Mineral Tenure  
Port Renfrew BC.  
Vancouver Island, British Columbia**

**Tenure #540078**

**Victoria Mining Division  
NTS: M092C058**



**Report For: Joseph Scott / DBA, Joe Scott Contracting, Westbank BC.**

**Report By:**



**Le Baron Prospecting  
Port Renfrew, BC**

GEOLOGICAL SURVEY OF CANADA  
ASSESSMENT REPORT

29,445

2006-2007

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**Note:** The reference to "I" in this report is notes and discussions with Joe Scott, they are quoting his words, but compiled by the author for this report



## **1.0 Tenure Location & Summary:**

This mineral tenure is located directly south of the town of Port Renfrew BC, which is approximately located 100 kilometers west of Victoria BC. Port Renfrew is a small town of approximately 200 residents, growing in the summer months due to the areas abundance of recreational opportunities such as fishing and camping and hiking.

The tenure, number #540078 was staked online, after a visit to Port Renfrew in the summer of 2006, an observation was made of the abundance of black slate in the area, gold was observed in the quartz veins, and hand panning in the creek showed small flakes of gold. A check on mineral titles online confirmed the ground was open for staking, and subsequently was staked August 29, 2006. There was no sign of development, an old logging skid road traversed the tenure, a fairly new logging road, 1980's was constructed and is access to a large home atop the mountain, off of the tenure. A few small homes are located along the main road, and the ground around them is of no interest to me. My focus was on an area approximately 750 meters east of Power Main, a local road. When I first staked this tenure, the official community plan, 2004 indicated that this area is Forest Lands, with limited development in certain areas in the future, which was not identified, therefore to me, a tenure holder, I could apply, under the mineral tenure act of a one time only bulk sample.

## **2.0 Regional Geology:**

The geology of southwestern Vancouver Island is composed of three distinctly different terranes:

- Paleozoic and Mesozoic metamorphic, volcanic, sedimentary and intrusive rocks of the Wrangellia Terrain
- Mesozoic volcano-sedimentary rocks of the Pacific Rim Terrain including the mostly sedimentary Leech River Complex.
- Tertiary rocks of the Crescent Terrain, including the Metchosin Igneous Complex and the sedimentary Carmanah Group (Yorath and Nasmith, 1995).

The older rocks of Wrangellia were thrust against the younger Leech River rocks along the San Juan Fault that runs roughly east west from Port Renfrew to Cobble Hill. The Leech River Complex (Pacific Rim Terrain) was thrust onto the younger Crescent Terrain rocks along the Leech River Fault. This abduction was accompanied by a magmatic event between 40 and 50 Ma ago.

## **3.0 The Plan:**

Initially, I was looking at a feasibility study to harvest the black slate; I have been in the rock business for many years, and have a large inventory of equipment and workers to start up a quarry. Black slate can fetch a lot of money, particularly in the USA. The quartz veins with Au added a greater value to this slate plan.

#### **4.0 The Situation:**

Not long after staking the tenure, I received communication from the tenure owner to the east of me. The prospector, Scott Phillips has been actively prospecting the area for many years. Though we had never met prior, he seemed to know an awful lot of the geological formations of the San Juan Valley. It was in early January of 2007 when the prospector informed me of the sale of this area which I was un aware of by Timber West.

#### **5.0 Surface / subsurface Dispute:**

As development of once quiet rural areas becomes bigger on Vancouver Island, the potential for more surface / subsurface disputes will become more apparent. The ground in question was once not that long ago forest lands. These forest lands were owned by Timber West Forest Company. Apparently some time in the past few years these lands were made into private forest lands. The Capital Regional District, who controls the bylaws and such in the area, was also unaware of the mineral tenures in the area when they allowed this zoning to take place. The Official Community Plan also does not recognize the fact that there are mineral tenures within the area as well. From what I am told, Timber West listed and sold these lands directly to a development company Three Point Properties, from Victoria BC. I have been denied access to almost 80% of my mineral tenure, in which the Ministry of Energy and Mines permitted me to stake. From what I know, mineral tenures do not show up on land title searches, therefore people who purchase vast parcels of forest lands in rural areas for development should as required contact the regional Gold Commissioner to ensure there is no subsurface ownership. Several meetings with the developer, some unsuccessful, a site inspection by Don Smith, Mines Inspector from Kamloops, and communication with Kim Stone, Gold Commissioner, has resulted in a stale mate situation in which a recommendation was delivered to “avoid the lands in question, and to work outside of the affected area within my mineral tenure”. This recommendation has resulted me in potentially loosing access to 80% of my mineral tenure.

Thus not satisfied with the outcome, and knowing full well of the potential Au deposit, my “hand sampling program” will not affect the development area, the prospector of the tenure next to me is also affected by the sale of these lands to a smaller degree. By the developer denying me access to conduct a “hand sampling program” I have jointly applied to the mediation and arbitration board to help resolve this issue. Hopefully, the mediation can assist us in granting access to continue mineral exploration in the area.

#### **6.0 Mediation:**

This surface / subsurface dispute are pending in mediation. File #13040-20-1-1345

#### **7.0 Privacy Reasons:**

At this time, for confidential reasons, specific information about this surface subsurface dispute is being held confidential pending the outcome of the Mediation and Arbitration Board of Energy and Mines.

**8.0 Technical Data Overview.**

Refer to reference maps / Figures A, B, scale 1-100,000, 1-20,000,  
 Refer to working maps / Figures C, D, E, scale 1-10,000, 1-5,000

Description of Work
3912 meters of survey lines, around entire tenure boundary MTO cell grid and Three Point Properties boundary.
25 rock chip samples / quartz veins, some visible Au.
25 sediment sample points in small stream / hand panning, some fine Au.
2 signs posted along HWY 14, identifying to the public of an active mineral tenure.
Tools: GPS / Lorraine, global map 100. / field loupe, microscope, rock hammer, chisel, survey tape, hip chain line,

Statement of Expenses 2006 – 2007	
Joe Scott = \$30.00 / hr x 64 hrs .....	= \$1920.00
Labor = \$20.00 / hr x 52 hrs .....	= \$1040.00
Transportation \$50.00 / day x 11 days .....	= \$550.00
Accommodations: \$70.00 / day 11 days .....	= \$770.00
Travel / West bank, BC to Port Renfrew 3x total km3336km x \$0.42 =	\$1401.12
BC Ferry \$143.00 round trip x 3 .....	= \$429.00
<b>Total expenses .....</b>	<b>= \$6110.12</b>

**9.0 Author:**

The Author and his mineral exploration company has several years of exploration in the Port Renfrew area, owns many mineral tenures in the area as well. However;

- The author completely dissolves himself and his prospecting company of any and all information within this report.
- The author is solely responsible for the preparation of this report with basic field notes and field maps provided by the owners of this report.
- The author has no interest in the mineral tenures within this report and has never personally verified any of the field work.

Scott Phillips / Le Baron Prospecting, Port Renfrew, BC



08-28-2007

## **10.0 Technical Data / Site Specific information:**

Refer to maps / Figures C, D, E

### ***Tenure Boundary Establishment:***

#### **Figure C**

Where applicable, the tenure has been established infield, also the boundary of the development lands of Three Point Properties. This was done using topographic maps, GPS, and survey ribbon.

#### ***Tenure Boundary***

Point A to B is 690 meters at 180 degrees south.

Point B to C is 1370 meters at 90 degrees east

Point C to D is 1250 meters at 0 degrees north

#### ***Three Point Properties boundary***

Roman number I to II is 770 meters at 180 degrees south

Roman number II to III is 805 meters at 90 degrees east

Roman number III to IV is 77 meters at 180 degrees south

Roman number IV to IIV is 165 meters at 65 degrees north / east

***Rock Chip Sampling:*** In field samples taken / field loupe, microscope 1-20,000.

The geological structure of the area is the Leech River Fault system, sills and dykes and small local faults divide the tenure. Numerous gold bearing quartz veins strike north / east trending and dip steeply within the geological structure. The quartz veins identified infield was in general from a few centimeters wide to over thirty centimeters. 25 basic rock chip samples were obtained, each sample has visible Au.

### ***Quartz veins:***

#### **Figure D,**

Veins 1 to 4 - Power Main Road: the quartz veins in this swarm were smaller in structure than others in the area, traversed to the west.

Vein 1: 100 meters east / west – 8 cm wide – clear to white color, some staining present.

Vein 2: 150 meters east / west – 4 cm wide – white in color, some visible Au

Vein 3: 150 meters east / west - 4 cm wide – white in color, fractured, Au present

Vein 4: 75 meters east / west - 4-6 cm wide – white in color, fractured, Au present

#### **Veins A, B, C, D, E, F**

#### **Figure D,**

The quartz vein swarm in this area has a lot of potential.

The veins were traversed 70 to 90 meters, east / west, across this outcrop / alteration zone.

Veins A, B, C, D showed the most Au, were similar in structure as veins 3 – 4. Vein B, C hosted the most visible Au.

#### **Veins G, H**

#### **Figure E**

These two quartz veins were exposed upon the surface for 200 and 250 meters. The area is of potential

Vein G: 200 meters east / west trend, 4 cm wide, fractured, milky white color, with Au present

Vein H: 250 meters east / west trend, 4-6 cm wide, fractured, white color, Au present

## **11.0 Steam Sediment Sampling:**

There are three identified creeks within this tenure, because of the surface / subsurface dispute, and the pending mediation, only one creek was traversed and 25 hand pan samples were obtained from the moss within the creek using a gold pan, field loupe.

### **Figure D**

#### ***Creek A-1 to B-1***

350 meters – sampled in a north trending creek.

20 meters between sample points.

Small Au flakes were most visible in the first 8 sample points to the north, and then the visible Au became less frequent and finer.

## **12.0 Recommendations.**

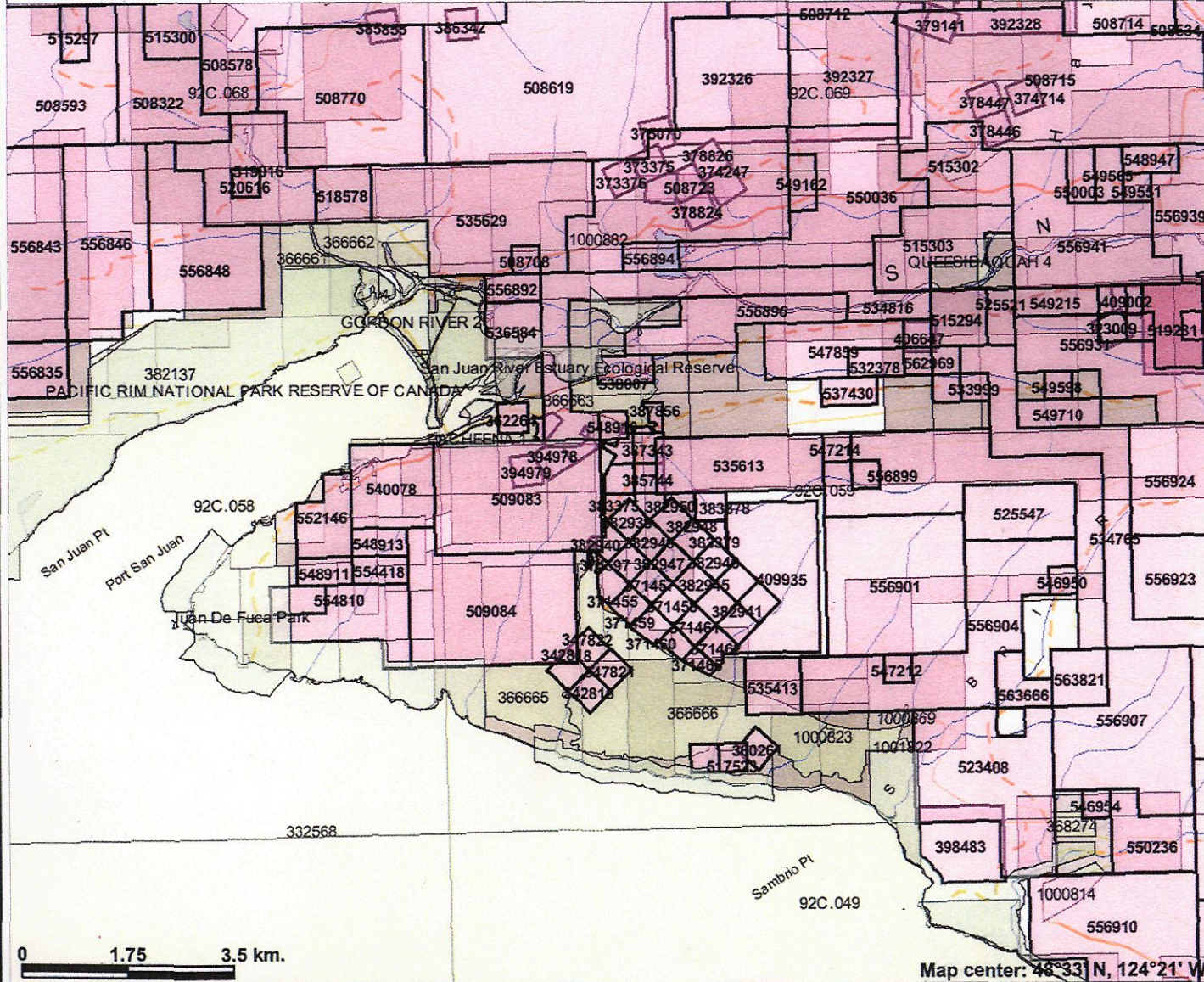
1. Establish an Access Agreement with Three Point Properties through the Mediation process.
2. Geochemical Analysis of the Au in the quartz seams.
3. Follow the “hand sampling plan” as submitted to Ministry of Energy and Mines.
4. Potential to host an Au deposit of size, in the southern portion of Three Point Properties area needs to be identified.

## **13.0 Acknowledgments / Reference**

- MTO: Mineral Titles Online
- Geology of Southern Vancouver Island / Yorath
- Leech River Formation / Muller
- Minfile reference Reports:
  1. Le Baron - #28061
  2. Kinsley - #14320
  3. Galleon - #25697
  4. Leech - #18901, 17381
  5. Gaffers Group - #26731
  6. Murton - #15262, 15607



# MTO overview / Port Renfrew BC



### Legend

- Indian Reserves
- National Parks
- Parks
- Mineral Tenures (Mineral - LRDW)
- Mineral Claim
- Mineral Lease
- Reserves (Mineral - LRDW Sites)
- Placer Claim Designation
- Placer Lease Designation
- No Staking Reserve
- Conditional Reserve
- Release Required Reserve
- Surface Restriction
- Recreation Area
- Others
- Mining Division (MTO)
- Survey Parcels
- BCGS Grid
- Contours (1:250K)
- Contour - Index
- Contour - Intermediate
- Area of Exclusion
- Area of Indefinite Contours
- Annotation (1:250K)
- Transportation - Points (1:250K)
- Airfield
- Anchorage - Seaplane
- Ferry Route
- Heliport
- Seaplane Base
- Air Field
- Airport
- Air Feature - Condition Unknown

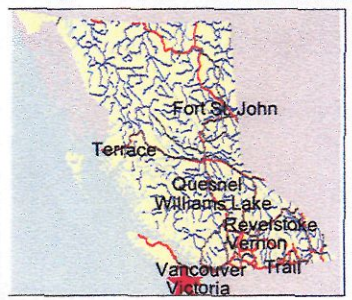
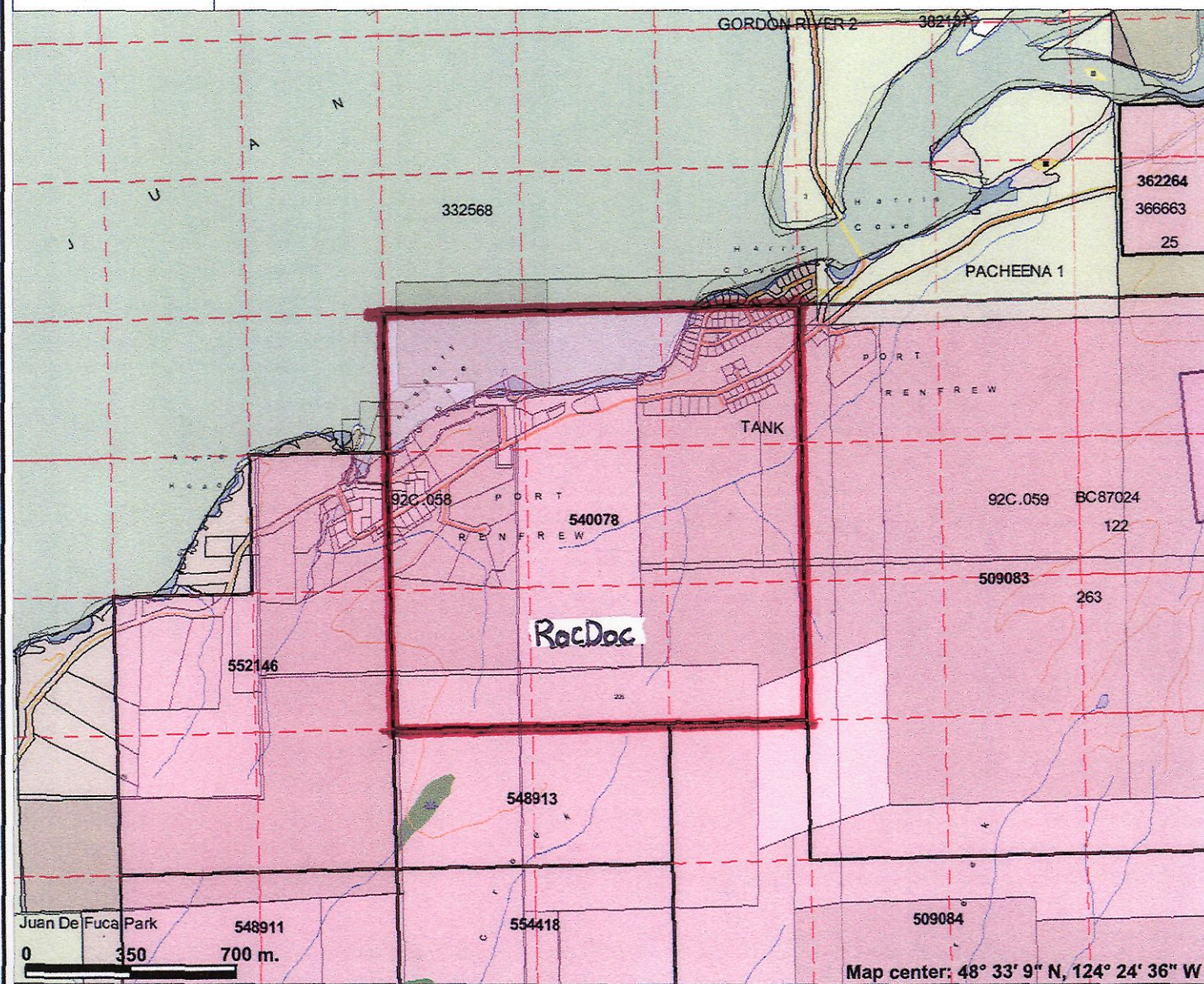
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This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.





# Tenure Overview / 540078 / Roc Doc Contracting



### Legend

- Indian Reserves
- National Parks
- Parks
- Mineral Titles Grid (LRDW)
- Mineral Tenures (Mineral - LRDW)
- Mineral Claim
- Mineral Lease
- Reserves (Mineral - LRDW Sites)
- Placer Claim Designation
- Placer Lease Designation
- No Staking Reserve
- Conditional Reserve
- Release Required Reserve
- Surface Restriction
- Recreation Area
- Others
- Mining Division (MTO)
- Integrated Cadastral Fabric
- Survey Parcels
- BCGS Grid
- Annotation (1:20K)
- Transportation - Points (TRIM)
- Helipad
- Transportation - Lines (TRIM)
- Airfield
- Airport
- Airstrip
- Airport Abandoned
- Ferry Route
- Road (Gravel Undivided) - 1 Lane
- Road (Gravel Undivided) - 2 Lanes
- Road (Gravel Undivided) - U/C - 1 Lane
- Road (Gravel Undivided) - U/C - 2

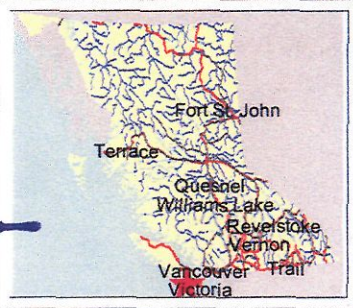
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This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.





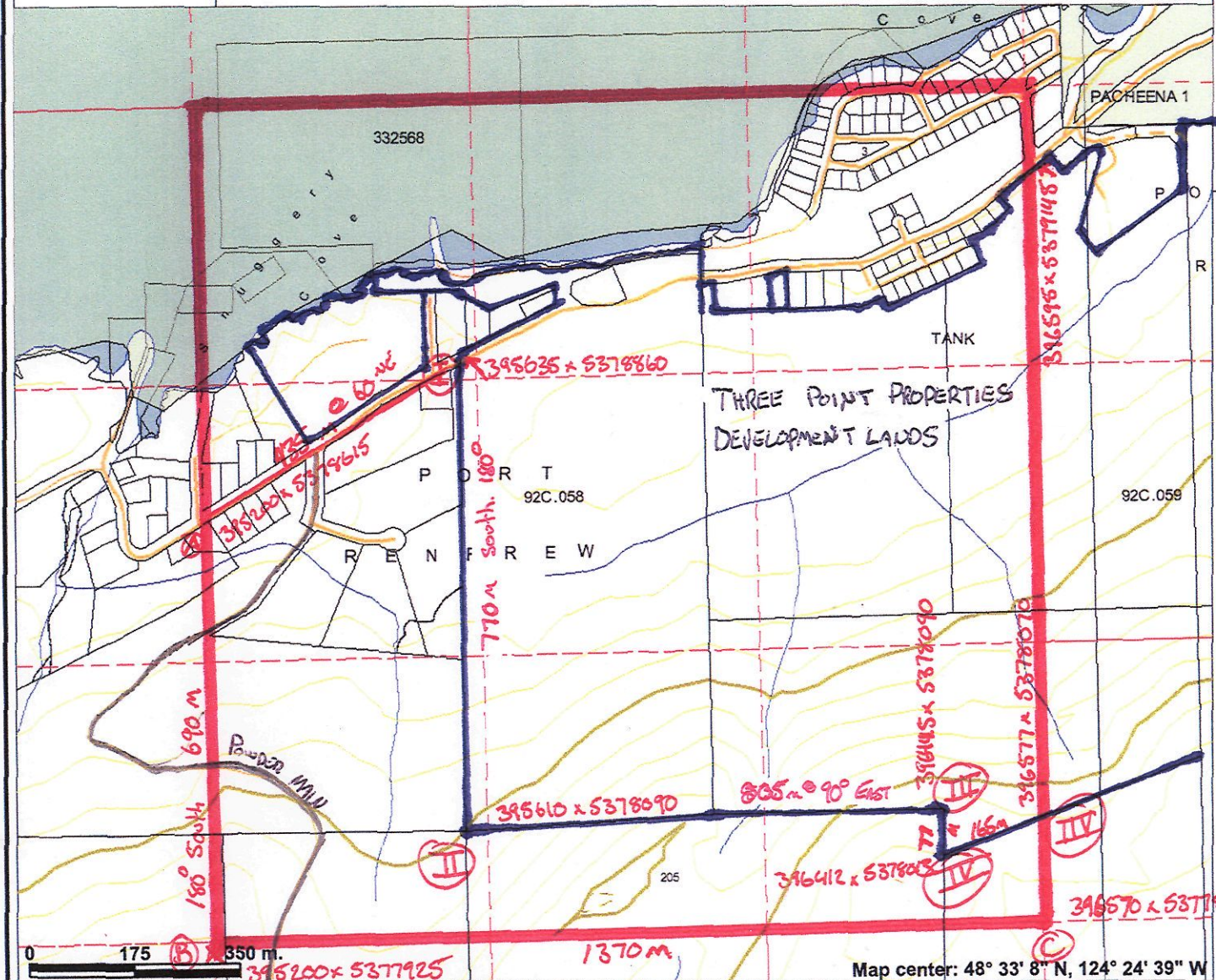
# Work reference map / #540078 / Roc Doc Contracting



### Legend

- Indian Reserves
- National Parks
- Parks
- Mineral Titles Grid (LRDW)
- Reserves (Mineral - LRDW Sites)
- Placer Claim Designation
- Placer Lease Designation
- No Staking Reserve
- Conditional Reserve
- Release Required Reserve
- Surface Restriction
- Recreation Area
- Others
- Mining Division (MTO)
- Integrated Cadastral Fabric
- BCGS Grid
- Contours (TRIM)
- Contour - Index
- Contour - Index.Indefinite
- Contour - Index.Depression
- Contour - Index.Depression Indefinite
- Contour - Intermediate
- Contour - Intermediate.Indefinite
- Contour - Intermediate.Depression
- Contour - Intermediate.Depression Indefinite
- Area of Exclusion
- Area of Indefinite Contours
- Annotation (1:20K)
- Transportation - Points (TRIM)
- Helipad
- Transportation - Lines (TRIM)
- Airfield

Scale: 1:10,000



Map center: 48° 33' 8" N, 124° 24' 39" W

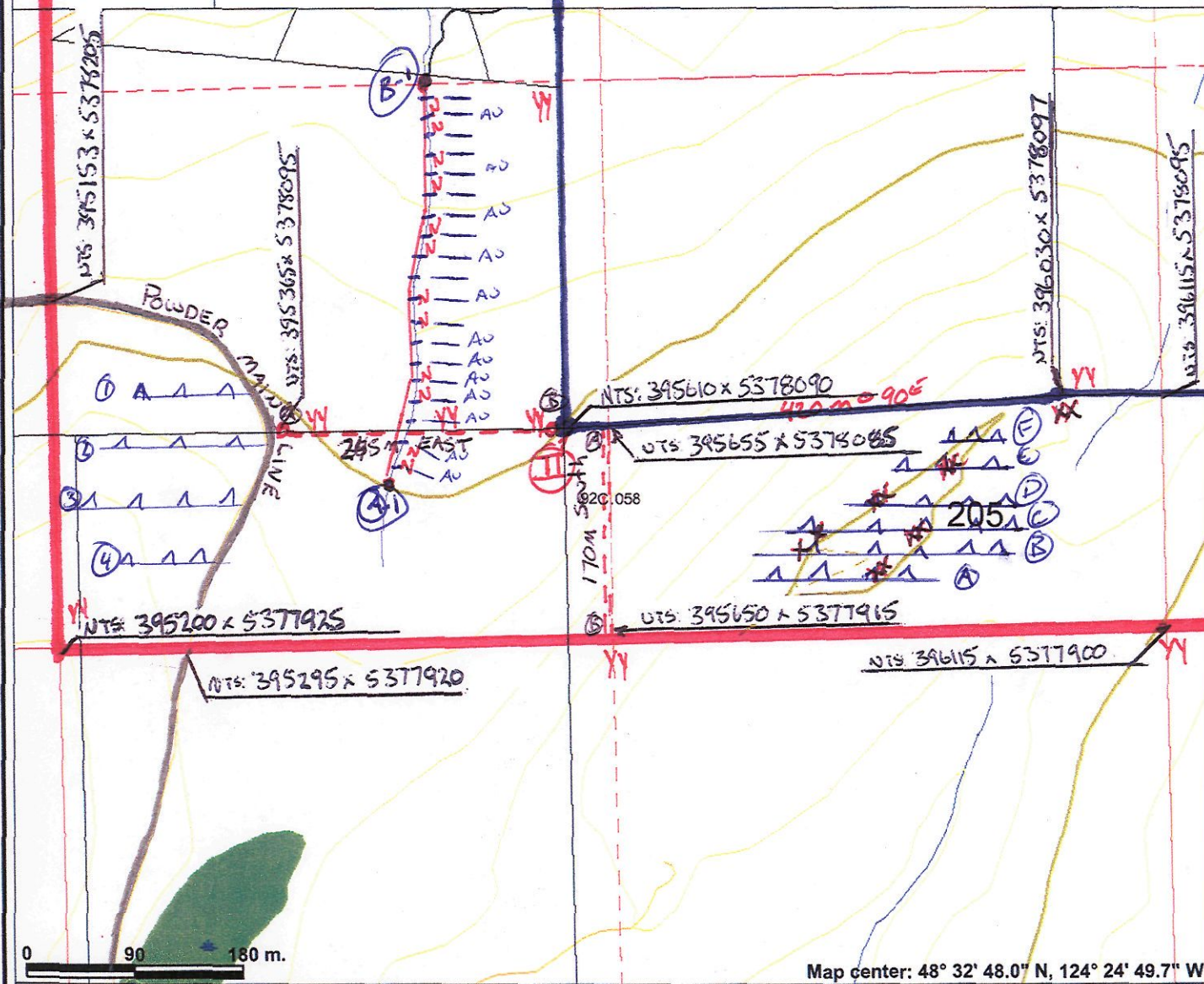
This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Notes: XX= rock chip  
YY=GPS Survey line  
ZZ=stream sediment





# Working map / 540078 / Roc Doc Contracting



### Legend

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- Placer Claim Designation
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- Conditional Reserve
- Release Required Reserve
- Surface Restriction
- Recreation Area
- Others
- Mining Division (MTO)
- Integrated Cadastral Fabric
- BCGS Grid
- Contours (TRIM)
  - Contour - Index
  - Contour - Index.Indefinite
  - Contour - Index.Depression
  - Contour - Index.Depression Indefinite
  - Contour - Intermediate
  - Contour - Intermediate.Indefinite
  - Contour - Intermediate.Depression
  - Contour - Intermediate.Depression Indefinite
- Area of Exclusion
- Area of Indefinite Contours
- Annotation (1:20K)
- Transportation - Points (TRIM)
- Helipad
- Transportation - Lines (TRIM)
- Airfield

Scale: 1:5,000

0 90 180 m.

Map center: 48° 32' 48.0" N, 124° 24' 49.7" W

This map is a user generated static output from an Internet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION.

Notes: XX=rock chip  
YY=GPS Survey line  
ZZ=stream sediment

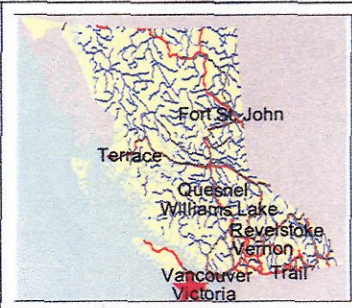




Figure E

12

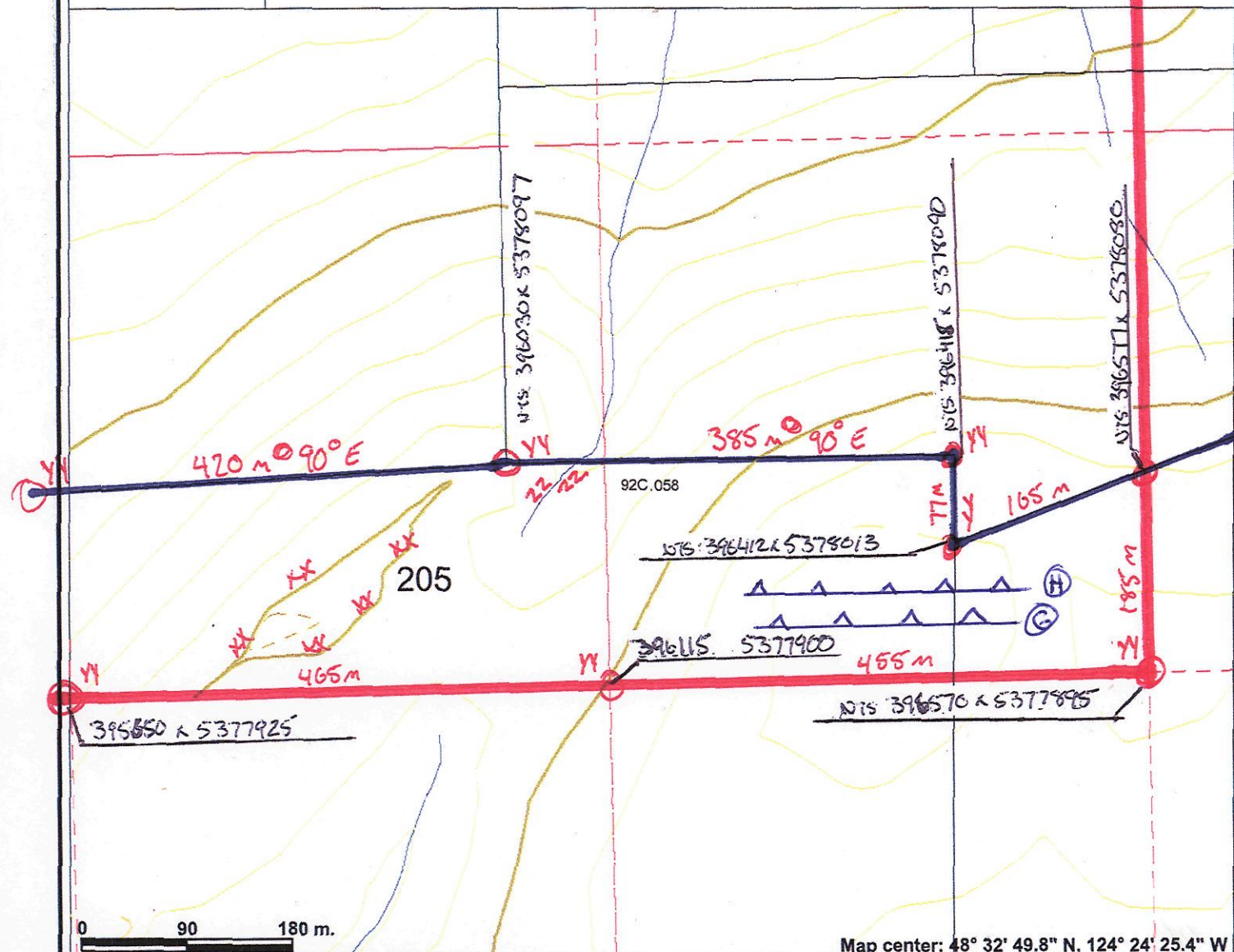
Working map / #540078 / Roc Doc Contracting



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- Contour - Index.Depression Indefinite
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- Contour - Intermediate.Indefinite
- Contour - Intermediate.Depression
- Contour - Intermediate.Depression Indefinite
- Area of Exclusion
- Area of Indefinite Contours
- Annotation (1:20K)
- Transportation - Points (TRIM)
- Helipad
- Transportation - Lines (TRIM)
- Airfield

Scale: 1:5,000



0 90 180 m.

Map center: 48° 32' 49.8" N, 124° 24' 25.4" W

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Notes: XX=rock chip  
YY=GPS survey line  
ZZ=stream sediment



***E-mail Confirmation of Event: MTO***

SOW-M (4166007) 2007/AUG/26 19:8:28 Mineral Titles Online, Transaction event, Email confirmation

From: **MT.online@gov.bc.ca**

Sent: August 27, 2007 3:08:28 AM

To: joe\_scott@telus.net; scottphillips53@msn.com

Event Number: 4166007

Event Type: Exploration and Development Work / Expiry Date Change

Work Type Code: B

Required Work Amount: 1539.37

Total Work Amount: 6110.12

Total Amount Paid: 154.15

PAC Name: The Roc Doc

PAC Debit: 0.00

Tenure Number: 540078

Tenure Type: M

Tenure Subtype: C

Claim Name: ROCDOC

Old Good To Date: 2007/aug/29

New Good To Date: 2009/aug/29

Tenure Required Work Amount: 1539.37

Tenure Submission Fee: 154.15

Your technical work report is due in 90 days as per Section 33 of the Mineral Tenure Act and Section 16 and Schedule A of the Mineral Tenure Act Regulation. Please attach a copy of your confirmation page to the front of your report.

## **Appendix A**

### **Surface / Subsurface Ownership in British Columbia.**

I have quoted the information letter #7 from the Ministry of Energy and Mines so people who read this report understand the rights of both surface and subsurface ownership and the tools that are provided as a guideline to help resolve matters such as mine.

#### **Information Letter #7, Mineral Titles Branch.**

Although landowners hold title to property, it should be understood that their Certificate of Title rarely includes what lies beneath the surface. In British Columbia as in the other Canadian provinces, private surface does not include mineral rights. The Government of British Columbia owns and may dispose of subsurface rights to most lands in the province. This fact may come as quite a surprise to landowners. The critical question asked most often is, "How does the government respect and protect my interest as the owner of the surface?"

Concurrently, the holder of subsurface mineral rights expects the government to facilitate access to find the minerals and develop them. It is a delicate balance involving three parties--the landowner, the mineral title holder, and the government--who must all work together to reach an agreement. The government does, however, provide for the rights and interests of both surface and subsurface owners to prevent potential competing interests from compromising one another

#### **THE RIGHTS AND RESPONSIBILITIES OF A PROPERTY TENURE HOLDER**

Surface rights and subsurface rights are separate and distinct in British Columbia, as they generally are in other Canadian provinces. The rights associated with private property are essentially those which were conveyed in the original Crown grant when title was passed from the government to the original owner or grantee. Whether land is privately owned or is held through some other form of tenure, the right to the occupation of the surface was originally granted by the government on behalf of the Crown, hence the term "Crown granted". Unless otherwise excluded in the property title, the landowner is entitled to soil and the sand and gravel on the property.

A landowner in British Columbia has a secure or indefeasible title, which means that it cannot be defeated, revoked or made void, subject to any existing conditions which are contained in the original Crown grant. In normal circumstances when granting title, the government reserves the right to the subsurface which may include the rights to coal, petroleum, natural gas and all minerals, both base and precious. The rights to these substances may be granted by the government separately under different legislation.

Property owners generally have an inalienable right to the surface of their land which provides the exclusive right to use the land as they wish, subject to any law governing land use (i.e. Municipal Act for zoning) and those rights reserved or withheld by the government. The land owner's rights are primarily contained in the Land Act. It is important to note that, in most cases, a land owner is obliged to represent their rights to



## **THE RIGHTS AND RESPONSIBILITIES OF A PROPERTY TENURE HOLDER, continued**

Others independently, or through a solicitor or an appointed agent. This representation can take many forms and probably the most common is through the posting of signs or fencing to provide notice of the status of the land. A person, who disregards the rights of a landowner and enters private land without authority, may be in trespass, subject to the Trespass Act. In civil matters, policing authorities or government agencies have little or no jurisdiction to enforce the law, in the absence of a legal order.

A free miner (or an employee) who is exercising a right under the Mineral Tenure Act, is entitled to enter private lands, provided those lands are “mineral lands” as defined in section 1 of the Act and are not subject to the restrictions in section 11(2) of the Act, without being in contravention of the Trespass Act.

## **THE RIGHTS AND RESPONSIBILITIES OF A MINERAL TENURE HOLDER**

The administration of mineral titles in British Columbia, which here excludes Crown granted mineral rights, is covered under the Mineral Tenure Act and the Mineral Tenure Act Regulation administered by the Mineral Titles Branch of the Titles and Offshore Division of the Ministry of Energy, Mines and Petroleum Resources.

The rights and responsibilities of persons involved in the exploration for, development and production of minerals, including the acquisition and maintenance of mineral titles, are contained in the Mineral Tenure Act. Those exercising these rights must have a lawful and legitimate mining intent.

To exercise some rights under the Mineral Tenure Act a person, whether an individual or a corporation, must first obtain a Free Miner Certificate (FMC). Being a “free miner,” or one who holds a valid FMC, carries both rights and responsibilities.

The interest of a recorded holder of a mineral or placer claim issued pursuant to the Mineral Tenure Act is a chattel interest and therefore cannot be registered as an interest in real property. This explains why mineral titles do not appear on the title search issued by Land Titles. It is necessary to check the Mineral Titles Online (MTO) map at [www.mtonline.gov.bc.ca](http://www.mtonline.gov.bc.ca) to ascertain the existence of a mineral title over specific ground.

## **RIGHT OF ENTRY AND SURFACE USE OF LANDS BY A FREE MINER**

A free miner has the right under section 11(1) of the Mineral Tenure Act to enter upon all “mineral lands” in order to explore for, develop and produce minerals. “Mineral lands” are defined in section 1 of the Act as those lands where the mineral rights are reserved to the government. As previously noted, the right to the minerals on almost all privately-owned land is reserved to the government; therefore, most private land is deemed to be “mineral lands.”

## **RIGHT OF ENTRY AND SURFACE USE OF LANDS BY A FREE MINER continued:**

However, section 11(2) of the Mineral Tenure Act stipulates that the afore-mentioned right of entry on mineral lands does **not** extend to land which is:

- occupied by a building;
- The curtilage of a dwelling house;
- Orchard land;
- Land under cultivation;
- land lawfully occupied for mining purposes, except for the purposes of exploring for and locating of minerals or placer minerals as permitted by the Mineral Tenure Act;
- Protected heritage property, except as authorized by the local government or minister responsible for the protection of the protected heritage property; or
- Land in a park, except as permitted by section 21.

By rendering past judgments' in cases requiring an interpretation of section 11, the Courts have provided clarification in those situations where the surface is being used. Court precedent forms the operating Ministry policy with respect to the interpretation of section 11(2) of the Mineral Tenure Act. Therefore, "land occupied by a building" can be interpreted as the land directly beneath the land occupied by a structure permanently affixed to the ground. The "curtilage of a dwelling house" is the area around a residence that is used by that residence or dwelling, considered by the courts and interpreted as generally being the 75 meter distance around the residence where the land is defined by gardens, lawns or other clear sign of use by that residence. "Orchard land" and "land under cultivation" have also been reviewed in previous court cases and have been described as lands which are actually producing a crop and are therefore in a present state of being cultivated.

Aside from land covered by the afore-mentioned restrictions, a free miner is legally entitled to enter upon private property without giving notice to the land owner. However, this right is subject to the applicable provisions in the Act, and these will be discussed further on in this guide. It is important to note that the free miner is not required to seek the owner's consent, although the Ministry recommends that a free miner inform a property owner of his or her intentions prior to entering upon the property to carry out any exploration or development work. Written notice to the property owner is only required by law prior to commencement of work which disturbs the surface by mechanical means (section 19(1) of the Mineral Tenure Act), and this provision will be discussed later in this guide.

While a free miner or recorded holder of a mineral title is not legally obligated to consult and inform a surface owner of their plans, it is recommended that they do so as a matter of good business conduct. The need to communicate with another interested party is normally identified by the free miner at the research stage of the mineral exploration program. If, for instance, a preliminary review of the area of interest reveals that land tenure exists, the free miner should communicate with the property owner in order to ensure that the proposed exploration program is viable and would not otherwise be frustrated through a potential dispute caused by failure to communicate.

## **Appendix B**

### **The Mediation and Arbitration Board**

The Mineral Tenure Act provides a clearly defined legal means of resolving disputes between an owner of the surface rights and a mineral title holder. The Mediation and Arbitration Board is established for this purpose and consists of a chairperson and other members appointed pursuant to the Petroleum and Natural Gas Act. It acts as a quasi-judicial body with the authority to render a legally binding order. The Board's decision can be appealed to the Supreme Court of B.C.

Section 19(4) of the Mineral Tenure Act sets out the authority of the Mediation and Arbitration Board to settle matters of dispute arising from rights acquired under the Mineral Tenure Act in respect of entry, taking of right of way, use or occupation, security and rent and compensation. Similarly, section 6 of the Mining Right of Way Act provides for the authority of the Mediation and Arbitration Board to settle disputes arising from the use of access roads for mining purposes.

There are certain legal principles which apply to every dispute resolution process. The authority hearing a dispute must be unbiased and the procedure for conducting a hearing must be fair. Both parties to a dispute must be given the opportunity to be heard and present their case, and to be informed of the other party's evidence. A decision can only be based on the evidence. Every party to a dispute is entitled to legal representation.

Hopefully though mediation in good faith a clear understanding of both parties' rights and responsibilities can be established. If not, a clear directive may be issued to involve the order of access by an Arbitrator. This ruling is final.

This order can only be challenged in the Supreme Court. This is very costly in time and money.