

File No. MA 003-04

L. Kamerman)
Mining and Lands Commissioner)

Wednesday, the 11th day
of February, 2004.

THE MINING ACT

IN THE MATTER OF

Mining Claims P-817604, 817605, 817607, 817608, 833192, 833195, 947828 to 947831, both inclusive, 947833 to 947882, both inclusive, 947885 to 947899, both inclusive, 949074, 949904 to 949929, both inclusive, 950035 to 950038, both inclusive, 982288 to 982292, both inclusive, 996605, 996609, 997233 and 1087474 to 1087477, both inclusive, situate in the Townships of Keefer and Denton, in the Porcupine Mining Division, (hereinafter referred to as the "Mining Claims");

AND IN THE MATTER OF

An Application for an Order pursuant to subsection 81(2.1) of the **Mining Act**, R.S.O. 1990, c. M.14, as amended, for the removal of a "Memo Of Agreement" notation on the abstracts the Mining Claims, (hereinafter referred to as the "Memo of Agreement");

AND IN THE MATTER OF

FRANK GALATA

Applicant

ORDER

WHEREAS Mr. Glenn Galata, agent for the applicant, in correspondence dated the 9th day of February, 2004, contacted the tribunal and requested that the notation "Memo Of Agreement: Frank Galata (A33969) and Frank Zobebelein (A49486) File Number: 683/87", which may have been recorded on the abstracts of the Mining Claims, effective the 2nd day of October, 1987, be removed from the abstracts of each of the Mining Claims;

AND WHEREAS Mr. Galata informed the tribunal that the reason for his request was that it was the intention of the applicant to bring the Mining Claims to lease;

AND WHEREAS the tribunal notes that a previous application (refer to tribunal file CC.1191), involving the Mining Claims, between the applicant and Mr. Frank Zobebelein (and Keefer Lake Resources Inc.) was dismissed by the tribunal on consent and without conditions on the 28th day of June, 1996;

AND WHEREAS the tribunal further notes that in its Order of the 28th day of June, 1996, the ownership of the Mining Claims was transferred from Keefer Lake Resources to Frank Galata without conditions, but that the Memo of Agreement was not ordered removed from the abstracts of the Mining Claims;

AND WHEREAS the tribunal further notes that Mining Claims P-817603, 817606, 833191, 833193, 833194 and 947832 were listed in Schedules "A" and "B" to the "Memo of Agreement" but are now cancelled and were not a part of tribunal file CC 1191;

AND WHEREAS the tribunal further notes that the "Memo Of Agreement" notation was not placed on the abstracts of Mining Claims P-996605, 996609 and 1087474 to 1087477, both inclusive and therefore does not have to be ordered to be removed;

1. THIS TRIBUNAL ORDERS that this application be and is hereby granted for only those Mining Claims which have the notation "MEMO OF AGREEMENT: FRANK GALATA (A33969) AND FRANK ZOEBELEIN (A49486) FILE NUMBER: 683/87" being Mining Claims P-817604, 817605, 817607, 817608, 833192, 833195, 947828 to 947831, both inclusive, 947833 to 947882, both inclusive, 947885 to 947899, both inclusive, 949074, 949904 to 949929, both inclusive, 950035 to 950038, both inclusive, 982288 to 982292, both inclusive and 997233, and that that notation be removed from the abstracts of those aforementioned Mining Claims to allow for them to be taken to lease.

THIS TRIBUNAL FURTHER ADVISES that pursuant to subsection 129(4) of the **Mining Act** as amended, a copy of this Order shall be forwarded by this tribunal to the Provincial Mining Recorder **WHO IS HEREBY DIRECTED** to amend the records in the Provincial Recording Office as necessary in accordance with the aforementioned subsection 129(4).

DATED this 11th day of February, 2004.

Original signed by L. Kamerman

L. Kamerman
MINING AND LANDS COMMISSIONER