

**IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA**

**FOURTH APPELLATE DISTRICT**

**DIVISION TWO**

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**E064087**

**IN RE SUCTION DREDGE MINING CASES**

THE NEW 49'ERS, INC., *et al.*; BEN KIMBLE, *et al.*; and  
PUBLIC LANDS FOR THE PEOPLE, INC. *et al.*

Plaintiffs and Appellants,

v.

CALIFORNIA DEPARTMENT OF FISH & WILDLIFE, *et al.*

Defendants and Respondents.

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Appeal from the Superior Court of San Bernardino County  
Hon. Gilbert Ochoa, Department R-9  
Coordinated Proceeding JCPDS4720  
SCCVCV1200482 (Siskiyou County); CIVDS1012922 (San Bernardino County);  
CIVDS1203849 (San Bernardino County)

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**DECLARATION OF RIP RIPPLE**

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August 5, 2015

Rip Ripple declares:

1. I am 74 years old and live in Happy Camp, California.
2. Before moving to Happy Camp, I was employed as an insurance agent in Maryland, and also as a tour bus driver. For reasons too lengthy to get into here, I was ultimately done out of retirement benefits from my earlier employment.
3. During the dredging season of 2006, I was privileged to work with Mark Chestnut, who was, at that time, a commercial suction dredger along New 49'er claims on the Klamath River.
4. I was aware that there were quite a few other commercial suction dredgers working New 49'er claims during those earlier seasons.
5. The gold recovery results obtained on Mark Chestnut's dredge were so impressive that after devoting a season with Mark, I changed my life plans and decided that I would ultimately move to Happy Camp and supplement my Social Security income by dredging for gold along the Klamath River.
6. In addition to the opportunity to make money, the exhilaration I experienced from uncovering raw gold along the bottom of the river was more than I could have ever hoped for when considering how to enjoy my final days on this earth.
7. I finally moved to Happy Camp during the summer of 2009. I arrived almost at the exact moment when the dredge moratorium was imposed on California suction dredging.
8. Since I was not allowed to suction dredge, I bought a high-banker so that I could supplement my meager income by digging for gold along the banks of the Klamath. While I have had some limited success with this, the gold recovery is quite small compared to what I would be recovering out in the river with a gold dredge.

9. Some people see me shoveling into a high-banker and write me off as a recreational miner, but recreation is the last thing on my mind. I'm just trying to survive.

10. Because the gold I was recovering from pick and shovel mining was not enough to make ends meet, more than 3 years ago I was forced to get a part time job driving a Siskiyou County transit bus.

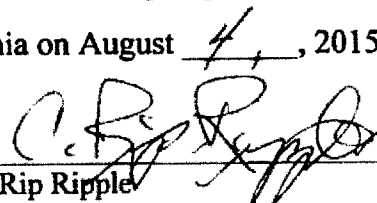
11. My doctor informed me last year that even if I pass the physical, I will no longer be qualified to drive a transit bus when I turn 75 this next February. I'm at a loss for what I am going to do.

12. I have been patiently waiting since 2009 for the dredging moratorium to end so that I could resume my retirement dream. Early this spring, I had hopes that this Court was going to put an end to it. I cannot even begin to express my personal disappointment when that did not happen on June 23rd.

13. The activity of suction dredging is physical. At nearly 75, with no further job opportunities available, I am strongly concerned that my remaining opportunity to dredge for gold will not last much longer. Therefore, I am asking this Court to provide suction dredgers along the Klamath River with at least some limited relief.

I certify under penalty of perjury that the foregoing is true and correct.

Executed at Happy Camp, California on August 4, 2015.

  
Rip Ripple  
Declarant