



DIVISION OF  
CORPORATION FINANCE

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
WASHINGTON, D.C. 20549

December 21, 2012

Via E-Mail

Mr. Perry Leopold  
Chief Executive Officer  
North Bay Resources Inc  
PO Box 162  
Skippack, PA 19474

**Re: North Bay Resources Inc  
Form 10-Q for Fiscal Quarter Ended September 30, 2012  
Filed November 9, 2012  
Response dated December 5, 2012  
File No. 000-54213**

Dear Mr. Leopold:

We have reviewed your response and have the following comments. We have limited our review to only your financial statements and related disclosures and do not intend to expand our review to other portions of your documents. In some of our comments, we may ask you to provide us with information so we may better understand your disclosure.

Please respond to this letter within ten business days by amending your filings, by providing the requested information, or by advising us when you will provide the requested response. If you do not believe our comments apply to your facts and circumstances, or do not believe an amendment is appropriate, please tell us why in your response.

After reviewing any amendments to your filings and the information you provide in response to these comments, we may have additional comments.

Form 10-Q for Fiscal Quarter Ended September 30, 2012  
Notes to Unaudited Financial Statements, page 14  
Note 7 – Property, Plant, Equipment and Mineral Claim Assets, page 21

1. We have considered your response to our prior comment and are not in a position to agree with your capitalization of the enumerated expenditures. In this regard, we note from your response that the costs incurred were necessary to create a safe work environment to support your efforts to find potential minable mineral deposits. As such, these expenditures appear to be incurred for exploration and evaluation activities which, consistent with your accounting policy, should be expensed as incurred. Unless the expenditures were incurred for assets that have alternative future uses or salvage values equal to (or greater than) the capitalized amounts, there does not appear to be support for

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their capitalization or an indication that they are not impaired. Please revise, or tell us why you continue to believe no modification is necessary.

You may contact James Giugliano at (202) 551-3319, or Brian Bhandari at (202) 551-3390, if you have questions regarding comments on the financial statements and related matters. Please contact me at (202) 551-3871 with any other questions.

Sincerely,

/s/Tia L. Jenkins

Tia L. Jenkins  
Senior Assistant Chief Accountant  
Office of Beverages, Apparel, and  
Mining