

Umatilla National Forest
Attn: Katie Richardson
72510 Coyote Rd
Pendleton, OR 97801
RE: Umatilla National Forest Aquatic Restoration Project

July 9, 2018

Dear Ms. Richardson,

Thank you for the opportunity to provide input into the Draft Environmental Assessment for the Umatilla National Forest Aquatic Restoration project.

As a claim owner on Bull Run Creek I would like to clarify my position on stream restoration. I still have memories of the Granite Creek restoration, that is now withdrawn from mineral entry. The Eastern Oregon Mining Association tried to work with you on the Granite Creek restoration, but they couldn't seem to find common ground.

As a claim holder on Bull Run Creek I have a personal interest in the restoration project. I have a hardened ford across Bull Run Creek that needs to be left intact and not flooded by backed up water. If restoration can not be done without damage to the ford than a bridge will be needed to built to access these claims, to be constructed by the Umatilla Forest.

Miners giving written permission to the Umatilla National Forest waiving their rights as claim owners for restoration work above the high water mark is permissible. The restoration project may precede as to their written signed and dated agreement.

The state owns the waters, bed and banks up to high water mark. Above high water mark on a lawful mining claim the minerals below the surface vegetation are covered by the mining law and belong to the claim holder. The mining law gives the mine owner the same rights as a private land owner, to buy, sell, or bequeath the ownership of his or her mining claim and mineral rights. Removing, or destroying private property, including roads, hardened ford creek crossing's or claim improvements is "mineral trespass" and is covered by a Oregon State statute for mineral trespass damages. Also damages caused by a stream impoundment flooding above the high water mark covering valuable minerals by the stream restoration project.

Thank you,

Chuck Chase, Cell: 541-310-8510

