

Respond to:
M. D. Milliron, General Manager
PIERCE-MILL CREEK PCI TRUST

Dated: December 2, 2022

TO: Slater Turner and Shane Jeffries
USDA-FOREST SERVICE
Ochoco National Forest (ONF)
3160 NE 3rd Street
Prineville, OR 97754

Asseveration of Proposed Action #58831, LEMON GULCH TRAILS PROJECT

AFFIDAVIT OF TRUTH and OBJECTION TO #58831

Now comes the Affiant, M. D. Milliron, General Manager of PIERCE-MILL CREEK PCI TRUST of [REDACTED]

AFFIANT IS COMPETENT TO TESTIFY

Affiant is aware of the extreme fire danger that Project 58831 would produce:

- a. Overcrowding of trail use and planned camping.
- b. Unsupervised riding and campsite use.
- c. Lack of enforcement of any part of Project 58831.
- d. Likely unauthorize camp fires or smoking.
- e. 80% of Forest Fires are caused by Humans.
- f. Nationwide exposure could produce over 5000 bikers/weekend.
- g. Lack of communication ability at the sight means poor emergency service.
- h. Emergency Fire Response hours away.
- i. No access for Equipment to fight any Fire.
- j. No reliable SEAT or HELICOPTER RESPONSE as priority not guaranteed.
- k. No EMS landing sight proposed or approved by the FAA
- l. No water available to fight a Fire.

Crook County is in a Severe Draught that will continue for over 10 years, (attached map).

Prineville Airport Runway 29 is the predominate Runway, winds are from 290 degrees.

- a. All property affected by 58831 is Private Property and downwind from 58831.
- b. Every Mill Creek Property Owner is in DANGER from a Fire started at 58831.

The Human Impact of 58831 is Severe for Mill Creek Area Residents As:

- a. Anxiety and worry about Fire Danger would be never ending.
- b. They would be unable to travel, hunt and fish for worry of Fire Danger.
- c. The Increased cost of Insurance or Denial of Coverage because of Fire Danger.
- d. Their inability to care for their animals should a Fire happen.
- e. The lowering of Property Values because of 58831.

This Trails Project should never have been considered at Lemon Gulch because of the Fire Danger To Private Property Owners. If the Ochoco National Forest had Notified All of the Property Owners adjacent to 58831 at the very beginning as required, ALL OF THE CONCERNS OF THE PRIVATE PROPERTY OWNERS WOULD HAVE BEEN PRESENTD AT THE BEGINNING. RATHER THAN THIS LATE DATE.

Ochoco National Forest has thousands of acres available that are not adjacent to Private Property that would be more suitable to Mountain Bikers and of no concern to Private Property Owners that are not in close proximity to the Project.

It is not to late to realize that Mountain Bikers could enjoy a much larger project, that is more challenging, better planned and does not have the negative effects that 58831 presents..

All the facts stated herein are true, correct, and complete in accordance with Affiant's best firsthand knowledge and understanding, and if called upon to testify as a witness, Affiant shall so state.

DEMAND FOR MITIGATION

Due to the lack of DUE DILIGENCE by the FOREST SERVICE to address these concerns and properly notify the Mill Creek Property owners as required by regulation; a Environmental Impact Statement should be made, NO ACTION SHOULD BE TAKEN.

Affiant believes the USDA-FOREST SERVICE LACKS THE EXPERTISE TO ADDRESS ALL THE ISSUES as demonstrated by the issues presented herein.

This instrument applies to the Proposed Action #58831, LEMON GULCH TRAIL PROJECT by the USDA-FOREST SERVICE as it effects the Affiant, **M. D. Milliron, General Manager, PIERCE-MILL CREEK PCI TRUST** for the following reasons to wit:

The Right of Affiant as recognized and so stated by our forefathers in the Declaration of Independence, are Unalienable.

The Right of Affiant to be secure in his person, house, papers, and effects is recognized and so stated in Article Four of the Bill of Rights of the Constitution of These united States of America.

The Right of Affiant to be protected against ineffectual claims of USDA-FOREST SERVICE is recognized and so stated in Article Five of the Bill of Rights of the Constitution of These united States of America; in pertinent part - "no person shall be deprived of life, liberty, or property, with out due process of Law;"

The Rights of Affiant as recognized and so stated in the "Bill of Rights," otherwise the "Bill of Rights" would have been called the "Bill of Privileges."

USDA-FOREST SERVICE has failed to produce any documents relating to their attempt to implement LEMON GULCH TRAILS PORJECT PROPOSAL #58831.

USDA-FOREST SERVICE has failed to obtain proper due process as required by regulation, and "Process of Service" is defective and incomplete, and fails upon its face, due to insufficient Law.

USDA-FOREST SERVICE has failed to acquire venue and jurisdiction as required by the People or General Laws of Oregon

Affiant has not been served due process as required by regulation, and the USDA-FOREST SERVICE has no Warrant in Law, and is not Judicial in Nature, and is not sealed with authority recognized in Oregon.

The USDA-FOREST SERVICE ACTIONS depict irregular and abusive process, said lack jurisdictional facts necessary to place or bring Affiant within your venue.

USDA-FOREST SERVICE has committed a fraud upon Affiant.

Therefore, upon any further action by Affiant without proof in writing of the existence of a contract between the USDA- FOREST SERVICE and Affiant, and a complete and factual sworn statement by USDA-FOREST SERVICE rebutting each and every statement made herein by Affiant; Affiant shall consider this Proposed Action #58831, LEMON GULCH TRAILS PROJECT null and void.

The facts attested to herein are ultimate facts absent evidence to the contrary and there exist no evidence to the contrary. Hence any Claim USDA-FOREST SERVICE has against Affiant or Affiant's property is void.

This instrument is intended in "Good Faith" to protect, secure, and defend the Rights, Immunities, and property of Affiant.

Verification

The Undersigned Affiant, M. D. Milliron, does herewith swear, declare, and affirm that Affiant issues this Affidavit of Truth with sincere intent, that Affiant is competent to state the matters set forth herein, that the contents are true, correct, complete, and certain, admissible as evidence, and reasonable and just in accordance with Affiant's best firsthand knowledge and understanding.

NOTICE TO THE PRINCIPAL IS NOTICE TO THE AGENTS NOTICE TO THE AGENT IS NOTICE TO THE PRINCIPLE

YOU, HAVE TEN (10) DAYS IN WHICH TO REBUT THIS AFFIDAVIT, POINT FOR POINT, FROM RECEIPT OF THIS CERTIFIED MAIL, UCC 1-204. A LACK OF RESPONSE, OR AN INCOMPLETE RESPONSE, ON YOUR PART MEANS THAT YOU ASSENT TO THIS AFFIDAVIT AND A FAULT EXISTS UCC1-201(16), CREATING FRAUD THROUGH MATERIAL MISREPRESENTATION WHICH VITIATES ALL FORMS, CONTRACTS, AGREEMENTS, ETC. EXPRESSED OR IMPLIED, FROM THE BEGINNING, UCC1-103. ANY AND ALL CORRESPONDENCE MUST BE COMPLETED IN WRITING, SIGNED IN A WET INK SIGNATURE, AND PERFORMED BY A PERSON WITH COMMERCIAL LIABILITY AND UNDER PENALTY OF PERJURY IRC § 6065.

December 9th, 2022

M. D. Milliron, Affiant



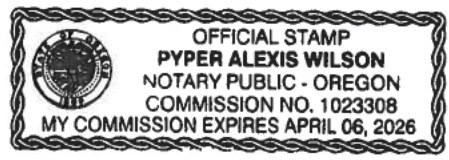
NOTARY VERIFICATION

At Prineville, Oregon

December 9th, 2022

On this day personally came before me the above-named Affiant, who proved his identity to me to my satisfaction, and she acknowledged his signature on this Affidavit in my presence and stated that he did so with full understanding that he was subject to the penalties of perjury.

Piper Alexis Wilson
Notary Public of the State of Oregon



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