

Data Submitted (UTC 11): 7/10/2018 7:00:00 AM

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Organization: MMAC

Title: Administrator

Comments: 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 need to be 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 the 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 crossings 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.