

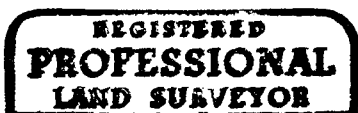
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Including the comments relative to the "calls", I perceive the BLM's report by Terry Nickerson to be an intentional distortion of the facts and deceptively written. The sequence of events are described one way, when the opposite actually happened. This occurred concerning the wire brushing of the original stone. He also failed to report all the facts he was aware of.

The paramount evidence recovered during my investigation, from interviews, evidence of intentional distortion of facts, unsupported statements and uncertainties in BLM reports, an extensive field investigation, recovery of physical evidence; including original marked stone, man made ring of stones, evidence of both original bearing trees, supplemented with pictures, is conclusive as to the location of the original corner.

The official perpetuation of the one quarter corner by Jackson County is in accordance with state statutes and the BLM Manual of Surveying Instructions.

As a public official, I feel it is pertinent to, and in the best interest of the public, that this corner report be filed as an official record. I wish also to forwarn the public, other agencies and surveyors, of the BLM's common practice of falsifying surveys.

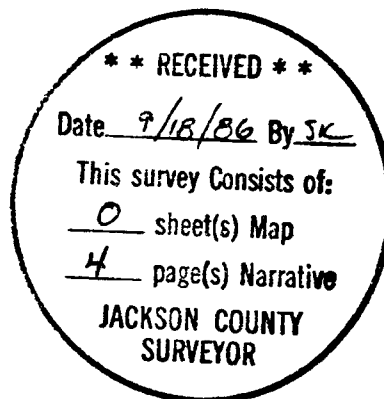


Edward A. McGinty



September 17, 1986
Edward A. McGinty
Jackson County Surveyor

JOB FILE 85-54



C O R N E R R E P O R T

QUARTER CORNER COMMON TO SECTIONS 4 & 5, T33S,R2W,WM.

In order to resolve certain discrepancies in the investigative report of the Bureau of Land Management's Medford District Manager to the Bureau's Oregon State Director, I personally felt an investigation of the fact was in order.

On May 27, at approximately 10 a.m., myself, Tom Newcomb and Ron Frost arrived at the County Re-established quarter corner and found the original stone badly marred, showing severe scratch marks on one face. Immediately, I recognized the stone to be similar to soap stone. The composition of this stone was very soft and could be easily marked with a fingernail. The stone was very smooth and slick where the BLM scratches appeared. I carefully inspected the area of the stone where Tom Newcomb had identified the original marks. This concurred with the pictures taken prior to the stone being tampered with, by the BLM surveyors. I could easily see and feel remains of the original marks on the stone. Most of these marks had been badly tampered with, by the BLM surveyors. I ran my hand over the stone and easily removed small particles of stone, leaving a whitish color on my hand. I do concur with the BLM report that the stone is on a moderate slope. I also observed that it is physically impossible for any stone to roll on this slight slope and come to rest in a rock mound, standing on end, without the aid of man.

I personally removed the stone and later carried it out for the following reasons:

- 1) To protect the stone from further tampering or destruction by the BLM surveyors, either intentionally, or due to their lack of knowledge on the care and protection of evidence.
- 2) The BLM's investigative report indicated that a piece of this stone was removed and analyzed by a BLM geologist. I was certain they either did not give the BLM geologist pieces of this specific stone or the geologist was in error.
- 3) Because of the above fact, I felt it was necessary to have a certified registered geologist analyze this stone. I later notified the local and state office of my action in the removal of the stone. Remarks: BLM reports on the picture taken by Tom Newcomb that this stone is setting on top of two other stones; the original picture proves this statement absolutely false.

While at the corner, I removed the top portion of the rocks from around the county monument. This had been previously disturbed by the county re-establishment crew and possibly by the BLM's surveyors. As I continued to where the stones had not been disturbed by the County or BLM, I found fragments of the original northwest bearing tree which apparently fell along the westerly side of the remaining stones. I found in undisturbed soil, the man made ring of stones constructed by the original surveyor. I then rebuilt the mound with a few additional stones.

In the statement of the BLM's official decision, W.W.Glenn, Chief of Cadastral Survey, reports that a rock out crop exists at the location of the Northwest bearing

tree described by Rufus Moore. I realized that W.W.Glenn had never been close to this corner. Also that his statement was indeed false concerning the presence of a rock out crop. I considered it a gross distortion of the facts to imply that no bearing tree of this size could exist in a rock out crop. I could see no rock out crops, even close to the vicinity of any of the bearing trees or the quarter corner. At the location of the original bearing tree to the Northwest, an isolated stone was found, partly in the original bearing tree's stump hole. Under this stone is found roots and bark of the original fir bearing tree. These remains appear well preserved, because of this stone. I had Tom Newcomb take pictures of Mr. Glenn's imaginary rock out-crop. (Tom's pictures did not develop). Due to the lack of a shovel and the time of day, we left the site.

On July 16, I returned to the quarter corner with Ron Frost. When we first arrived, I took several pictures of the remains of the evidence of the original Northwest bearing tree. The remnants of this bearing tree were marked with ribbon. It appears the direction which it fell, was over the west portion of the original stone. This may have damaged or destroyed the original madrone bearing tree, to the Southeast, providing it was still standing. It is apparent from evidence of the remnants, that the original fir bearing tree covered and obscured the visibility of the original monument. I continued to search and at bearing and distance and approximately 6 inches deep, unearthed the remains of the original Madrone bearing tree. This was documented with pictures.

Note: BLM report shows finding evidence of Madrone here, but did not have slightest idea where it came from.

I have interviewed some of the BLM personnel who participated in the BLM resurvey in 1967-68 and each one's testimony varied slightly on one point. Usually they were assigned an area or zone to search. When they found a stone (providing it was approximately the size called for), they would clean the stone of moss or other material and thoroughly inspect it. One said that after this, he would roll the stone down the hill. Another said that he would turn it over and place it back, approximately in the same hole. Yet another said that he would set it close to the hole. I have taken a few pictures of the many stones and apparently all three methods may have occurred. Note: Pictures show the original stone was not disturbed. Also there were many years of accumulated moss on the Southwest side where very little moss usually grows. I took a few pictures of stones which appear to have been moved, during the search. Some stones of the approximate size recorded by R.Moore were found, thoroughly cleaned of moss and turned over. Jelley or Aanrud may have been present during the search, but no one was willing to swear to it.

According to individuals that worked on the 1967-68 retracement, topography "calls" were taken on the random line instead of the true line. This proves a portion of the official survey published for public use is fraudulent or falsely prepared. Specifically for example, by where the true section line crosses Evans Creek. In as much as the BLM report and its conclusions relied heavily on the crossing of Evans Creek. I began at the BLM proportional quarter

corner, with a 200 foot steel chain and clinometer, and rough measured southerly along the section line as marked and identified by a BLM employee. I found that the topography tie to Evans Creek was completely erroneous and falsely documented in the official transcribed field notes by Jelley and Aanrud. This policy of falsifying topography was and still is a common practice by many BLM Cadastral Surveyors, with the blessing of the State Office.

My past experience, in attempting to acquire copies of the original field book notes, was that it is forbidden. It appears that if a corner is questionable, these books are immediately destroyed if they have not been previously destroyed, as they may conflict with the transcribed notes. If these notes were available, they would certainly prove or disprove if Jelley or Aanrud were present at the time a search for the original quarter corner was made. They also may resolve other questionable statements made by the BLM. The fact that Jelley or Aanrud falsified the Evans Creek crossing is magnified by the re-established quarter corner by Jackson County which is more in conformity with the original survey notes of Rufus Moore.

August 14, 1986; Myself and Ron Frost, met with BLM Surveyors Terry Nickerson and Phil Goss.

August 18, 1986; Because of information I recieved from the above noted meeting, I felt is pertinent that a remeasurement to Evans Creek was necessary to verify a previous rough chained distance. Myself, Roberta Romio and Tom Newcomb arrived at the original quarter corner. Roberta, in spite of limited experience, could easily determine the remains of the fir bearing tree, including fir bark. She found a small fir fragment, which she indicated looked like an old blaze. Tom and I agreed it was quite possible. I proceeded, taking additional pictures, to document the fir tree because of Terry Nickerson's remarks on August 14, 1986. He said if he could have found anything such as roots, fir bark or remains of a fir tree, his report would have been different. We then proceeded to the BLM quarter corner monument. We measured southerly along the BLM marked section line, taking a picture at stations 5+94 to show the area overgrown mainly with Alder trees. These trees were as old as 30 years. I took pictures showing Evans Creek's present location has been quite stable for the last 30 years without any measurable change. At approximately station 6+60, South of the BLM quarter corner, Tom Newcomb encountered several yellow jacket stings. At the Evans Creek crossing of the section line, I took pictures of the crossing and up and down the stream, etc. This distance agreed reasonably with a previous rough measurement made by myself and Ron Frost.

In as much as the official BLM transcript was falsified on Evans Creek, it appeared advisable to remeasure other BLM topog calls. Therefor, we preceeded southerly along the BLM marked line, to a ridge tie which again BLM falsified. We continued southerly to a creek tie and again this BLM tie was false. Tom Newcomb appeared ill, as a result of 7 yellow jacket stings. By now, I was satisfied the BLM survey record was completely unreliable and I felt it unnecessary to retrace it further.