

COPY

220 North Thirtieth Street
Corvallis, Oregon
November 9, 1962

Mr. Hollis Dole
State Dept. Geology and Mineral Industries
10th floor of State Office Building
Portland, Oregon

Dear Hollis:

In recent mail, I received notice from Bureau of Land Management of protest to patent on my Seattle Bar Placer claim; the large 98.8% CaCO_3 deposit which Len Ramp geologically surveyed a couple of years ago.

The complaint acknowledges ownership of the land by Doris and myself and all factors of proper papers of application, but uses the usual phrases of:

- a) No discovery of mineral
- b) Land is adjudged nonmineral

I have written notice asking for a hearing or pre-hearing. Apparently it is now standard procedure of the Forest Service to protest any mining claim, and to cause the claimant expenditure of time and money for lawyer and witnesses. If one does win a hearing, as I did with 2 claims of Watkins, the Forest Service appeals; and after months, some unknown desk jerk in the East issues a decision for the Forest Service.

However, I wish to make a good case for the hearing.

- a) I would like Len Ramp's report. Maybe later I can hire him as a witness.
- b) I have a USGS map listing the said limestone (and % of composition) as a top Southern Oregon deposit.
- c) I sold \$500 worth of rock.
- d) The intruders, which I orally spoke to you about, spent over \$20,000 on road over the area to upper quarry face, and quarried hundreds of tons - sold for agriculture, for chicken grit, for crushed white rock for gardens and roof material. They were independent 'prudent men'. I think they went broke from over expenditure on road, plant and equipment (grinding plant at Ruch).
- e) Don Wilkinson and Les Richards have been at the deposit with me and note its marked purity tonnage. How in hell can Mr. Mel Suchy of the Forest Service say it is nonmineral?
- f) I first located the claim in 1946 and amended location in April 1954, at which time the land was Ore. and Calif. land grant, which carried no surface saleable timber rights. Thus Reg Reynolds (geologist) and I, as locators, had no ulterior timber motive. Assessment work has been done for 16 years.

Now I would like to have a copy of Len Ramp's report. I'd like permission to hire him as a witness if the affair comes to a hearing.

I'd like your personal opinion or suggested guidance. Thank you.

/s/ William E. Caldwell

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STATE DEPARTMENT OF GEOLOGY AND MINERAL INDUSTRIES

1069 STATE OFFICE BUILDING
PORTLAND 1, OREGON

November 15, 1962

Dr. William E. Caldwell
220 North 30th Street
Corvallis, Oregon

Dear Dr. Caldwell:

This is in reply to your letter of November 9 concerning your patent application.

There is no reason at all why you cannot have Len Ramp's report providing he has prepared one. When I was last in Grants Pass I discussed this matter with him and apparently he did not have an adequate base map on which to do his geology and consequently, as I understand it, he did not have a report at that time.

You cannot hire Len as a witness as that is prevented by law. In other words, if you should hire him, he would immediately be discharged as State law prevents Department members from evaluating properties. There is no reason why he could not be subpoenaed to discuss the geology generally if that would be any help but he cannot speak regarding the possible or potential value of the deposit.

It would appear to me you should turn to a professional engineer, such as Les Richards, or a consulting geologist. I am sure Len would have no compunction about going into the field with him to discuss the geology of the area. In this way the information which Len could present at a hearing would be made available to the consulting engineer.

Incidentally, I believe the Department of Interior came up with a new statement on limestone in regard to its definition as a common material. If I can find it I shall send a copy to you. I am not the least bit surprised that Mel Suchy said it is non-mineral. That has been the attitude of the Forest Service for a great many years. Generally they have attacked these as not being economic under conditions as of today and therefore they do not fall into the definition of a valuable mineral. It would appear to me your best bet would be to hire an attorney who has had experience with this line of attack and work with him to prove that the Bureau of Land Management and the Forest Service are not upholding the letter of the law by their making interpretations of their own. I would suggest Herb Lombard, Jr. at Cottage Grove who has had experience with the Department of Interior on the Bohemia hearings, and Irving Rand in Portland who has had experience concerning a property of his own. It is no longer a matter of fact that you are fighting but a matter of department interpretation.

I am sending a copy of this letter and a copy of your letter to Len Ramp and I am sure you will be hearing from him shortly.

Regards.

Sincerely yours,

WD: jr
Len Ramp

Hollis M. Dole
Director

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/s/ William E. Caldwell

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April 14, 1961

Mr. Harold I. Kezer
Mr. F. L. Patterson
c/o Patterson Plumbing Co.
Medford, Oregon

Dear Sirs:

As Mr. Len Ramp, of the State Dept. of Geology and Mineral Industry, went to Township 41 S., Range 4 W.; and specifically to the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 11, he found four men working on or about the area in the process of quarrying marble. He went there at my behest to continue work on the geological mapping of the area. I personally started the survey for area mapping and geological mapping in 1957. I was personally with Mr. Len Ramp (and two young workers,) on the property in early Sept. 1960, as we started assessment work for this assessment work year, and in orienting Mr. Ramp as to land markers in his geological work.

I hereby inform you that you are in trespass on any mining or road work on my mining claim called the Seattle Bar Limestone, (NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 11) located 20th April, 1954, and location recorded Vol. 60 page 278 (371301). It is not an abandoned claim, but is even patent applied and pending, as note the legal pages of the Medford Mail Tribune of dates March 30, April 6, 13, 20, 27, May 4, 11, 18, 25, 1960. Therein is printed notice of publication; and adverse claims were requested. None were received. Naturally, I am proceeding toward patent on this 40 acres; and delay is not mine, but of the government in sending a forest service mineral examiner to attest mineral deposit on the property. I have all the papers in and filing fees paid and receipted.

Your location notice of Sept. 2, 1960 and bargain and sale deed of Sept. 30, 1960 includes 60 acres of which I have no concern. Your claimed 20 acres of N $\frac{1}{2}$ of NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 11 is the N $\frac{1}{2}$ of the 40 acres of my Seattle Bar mining claim, upon which I have been working many years; and specifically in the last 3 years in money and time in legal papers for patent, for legal advertising, for abstract of title by a Medford abstracting company, and in survey work leading to a State Dept. of Geology map and write up. I have had letters and conferences with Ideal Cement officials of Golden, Colo. and Gold Hill, Oregon in evaluating the deposit in size and economy.

Being a Montana School of Mines graduate, (and I have even taught some mining law) I am aware of my rights against a trespasser, or supposed relocater, who has not adequately looked up the records of an area. I am not, at this time, seeking damages or indemnity for rock removed. I do

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Kezer and Patterson

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know the accessibility of the marble on my area as compared to that on the 60 acres of which I have no concern. I propose to you that I will grant a lease for limestone mining on my area; which lease may be mutually profitable. I must hear from you in the matter of a lease in the near future; or I will begin legal action of an injunction nature and suit for double worth of any marble removed.

Sincerely,

/signed/

William Caldwell

William E. Caldwell

WEC:DCC

copy to J and R Equipment Co (Whiteley, Kimball, Ayres)