

COUGAR DAM PROJECT
LANE COUNTY

Cougar Dam Project

Lane Co.

REPORT OF MINERAL EXAMINATION

Job No. 390

Claimants: Cougar Dam Project

Twenty-three different claimants have interests in 10 mining association placer claims of 160 acres each. The claimants and the respective claims are tabulated under "Location Data."

Reason for Examination:

After the construction work on Cougar Dam had been completed, the Corps of Engineers received an inquiry from an owner of six mining claims in the project area in regard to trespass and removal of sand, stone, and gravel from the mining claims. To preclude any further such inquiry or possible charges for damages, a careful search was made of the Lane County records, and the subject 10 claims were found to be in conflict with the Cougar Dam project area.

Subject: Validity of mining claims.

Lands Involved: Ten association placer claims, seven of which are unnamed, and three - Isabella, Saucy Sal, and Epitone - containing a total of some 1,600 acres and located in sections 30, 31, and 32, T. 16 S., R. 5 E., and in sections 5, 28, and 33, T. 17 S., R. 5 E., W.M., within the boundaries of the Willamette National Forest, Lane County, Oregon.

Land Status: National Forest land subject to the following segregation classifications and order:

Power Site Classification No. 164 approved on January 21, 1927, and Federal Power Project 2154 approved April 5, 1954, withdrew among other lands those shown as shaded on the appended map.

In addition, Public Land Order 1808, dated February 27, 1959 (24FR1651), and filed June 13, 1956, establishes the project boundaries as shown on the appended map.

The above withdrawals and project land order involve land entirely within the Forest boundaries.

Location Data:

See pages 3 and 4.

Mining District:

None known

Mining Engineer and
Date of Examination:

Milvoy M. Suchy
May 6, 1964

Accompanied By:

Frank Anderson, resident engineer at
Cougar Dam, Corps of Engineers

LOCATION DATA

<u>Claim</u>	<u>Location Date</u>	<u>Recording Data Date Instrument</u>	<u>Locators</u>		<u>Description</u>
Unnamed	6-1-54	Reel #42 - 54D 7-27-54 34816	Max E. Krueger Gertrude Krueger Albert A. Asbahr John W. Noble	Mildred Noble Arthur Thomas Kegler Rose Ann Kegler Roberta L. Melone	NE $\frac{1}{4}$ sec. 31, T. 16 S., R. 5 E., W.M.
Unnamed	6-1-54	Reel #43 - 54D 7-27-54 34817	Same as above.		E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ sec. 30, T. 16 S., R. 5 E., W.M.
Unnamed	6-1-54	Reel #42 - 54D 7-27-54 34818	Same as above.		SW $\frac{1}{4}$ sec. 5, T. 17 S., R. 5 E., W.M.
Unnamed	6-1-54	Reel #42 - 54D 7-27-54 34819	Same as above.		NW $\frac{1}{4}$ sec. 5, T. 17 S., R. 5 E., W.M.
Unnamed	6-1-54	Reel #42 - 54D 7-27-54 34820	Same as above.		E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ sec. 30, T. 16 S., R. 5 E., W.M.
Unnamed	6-1-54	Reel #42 - 54D 7-27-54 34821	Same as above.		SW $\frac{1}{4}$ sec. 32, T. 16 S., R. 5 E., W.M.
Unnamed	6-1-54	Reel #42 - 54D 7-27-54 34822	Same as above.		SE $\frac{1}{4}$ sec. 31, T. 16 S., R. 5 E., W.M.
Isabella	8-5-54	Reel #42 - 54D 8-5-54 35516	G. R. Wyatt Jerry Melone T. D. Barbour C. W. Barbour	Bert Brooks, Jr. M. O. Huntress Walton Moore J. D. Dahlgren	NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ sec. 28, T. 17 S., R. 5 E., W.M.

LOCATION DATA (Continued)

<u>Claim</u>	<u>Location Date</u>	<u>Recording Data Date Instrument</u>	<u>Locators</u>		<u>Description</u>
Saucy Sal	12-9-53	Reel #30 - 54D 12-9-53 20969 Correction of 18592 on Reel #29 - 53D	F. D. Forester T. A. Pomeroy A. G. Ellet, Jr. Jerry Melone	R. W. Barbour T. D. Barbour Bert Brooks, Jr. J. D. Dahlgren	SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 33, T. 17 S., R. 5 E., W.M.
Epitone	12-31-53	Reel #31 - 54D 12-31-53 21724 Correction of 20154 Reel #30 53D	J. D. Dahlgren Paul Preston Rudell Walton Moore Wayne Barbour	M. O. Huntress Robert Wylie Barbour Bert Brooks, Jr. Jerry Melone	SE $\frac{1}{4}$ sec. 5, T. 17 S., R. 5 E., W.M.

The county records disclosed the addresses of the persons recording the mining claims. The seven unnamed claims were recorded by Arthur T. Kegler (attorney in fact for the group), 1411 Agate Street, Eugene, Oregon.

The Isabella, Saucy Sal and Epitone were recorded by J. D. Dahlgren, 3rd Floor Braniff Building, Oklahoma City, Oklahoma.

An examination of the Eugene telephone directory and the city directory did not disclose the name of a single claimant, including Arthur T. Kegler.

ABSTRACT

The 10 subject association placer claims are located within the project boundaries of Cougar Dam and are accessible from Eugene, Oregon, by following U. S. Highway 126 some 42 miles to the South Fork of the McKenzie River, then about 3 miles up the stream to the area.

The area of the claims is characterized by steep, timbered slopes which are interrupted occasionally by spires and cliffs and lead to predominantly sharp ridges.

The greatest surface value of this area is for the development and control of the water resources represented by the South Fork of the McKenzie drainage. Various forms of water sports are available as a result of the formation of Cougar reservoir.

The Cougar Dam project area and the included mining claims lie in the Western Cascades, a geologic province of early and middle Tertiary volcanic extrusives and contemporary intrusive rocks.

The presence of mining claims in the project area was not known until after Cougar Dam had been built. The mining claims were brought to light by the inquiry of a claim owner in regard to what trespass or material removal may have taken place on his claims by the Corps of Engineers or their contractors.

A mineral examination was made before the water in the reservoir covered the various borrow areas which provided material for Cougar Dam. The material present is believed to be of a common variety and available over a wide area.

The land status of the project area shows that eight of the subject claims lie entirely on lands that were withdrawn prior to the location of the claims. The two remaining claims are also on withdrawn lands that predate the location of the claims, except for two small pieces that lie in section 5, wherein the location of the claims predates the withdrawal.

It is concluded that those portions of the subject claims that are in conflict with the segregated lands are invalid since their inception, as this land was withdrawn from mineral entry. In regard to those portions of the two claims which lie outside of the segregated lands, it is recommended that adverse proceedings be directed against these portions on the charges that a discovery of a valuable mineral deposit has not been made and that the lands are nonmineral in character.

Location and Topography

Five of the claims lie on the dam axis and downstream of the dam, and the remaining five lie in the reservoir above Cougar Dam. The area is accessible from Eugene, Oregon, by following U. S. Highway 126 some 42 miles easterly to the South Fork of the McKenzie River, then about 3 miles upstream, or southerly, to the project area. The appended map contains a small-scale vicinity map which shows the relation of Cougar Dam to the Eugene area.

The area of Cougar Dam and the subject mining claims is characterized by steep, timbered slopes which are interrupted occasionally by spires and cliffs and lead to prominent, mostly sharp ridges. Topography is in the early stages of maturity and displays relief of over 1,000 feet. The South Fork of the McKenzie River has cut precipitous canyons in some places that are 700 feet deep.

Surface Values

The subject mining claims lie within the Cougar Dam project boundary where the greatest surface value is for the development and control of the water resources in the South Fork of the McKenzie drainage. Recreational values are also present in the form of boating, fishing, and camping - particularly in the reservoir area - and should increase as the area is developed.

Areal and Local Geology

Cougar Dam lies in the Western Cascades, a geologic province of early and middle Tertiary volcanic extrusives and contemporaneous intrusive rocks. Volcanics erupted from many vents in the form of lavas and pyroclastics and were in turn intruded by igneous dikes, sills, and stocks. The area was gently warped and folded and displays a considerable amount of fracturing, some faulting, and hydrothermal alteration. The latter disguises many rock units to such a degree that a definite identification of the rock-making minerals is difficult to make.

The basement rock, as disclosed in this area, is made up of a series of bedded pyroclastics which form the valley floors and underlie massive basalt flows that occurred later. Following the accumulation of these pyroclastics, there was a gentle regional warping which resulted in a slope toward the east. Drainage trended toward the east, and vigorous erosion took place. Subsequently, outpourings of basaltic lava filled the newly eroded valleys and resulted in a new gradient of the streams. Pyroclastic material was also deposited along with the basalt flows. Following this volcanic action, the McKenzie River and its tributaries resumed a downward erosion, with the drainage pattern still trending toward the east. The down-cutting was again disrupted by vulcanism, which resulted in the outpouring of tremendous volumes of lava of the

High Cascade series. These blocked the drainages to the east and resulted in the valleys filling with alluvial material. Blocking of the eastward drainage resulted in a reversal of the drainage pattern, and the flow of the McKenzie and its tributaries now started to trend toward the west in essentially the pattern that exists today. Extensive erosion by the rivers and streams in their new channels cut through the alluvial valley fills, leaving remnants which now occur as highbars or gravel terraces along the valley slopes and on the ridges.

Pertinent Information

The fact that mining claims were present in the project area of Cougar Dam was not known by the Corps of Engineers until after the project had been completed and the pool was starting to fill. The Corps of Engineers received a letter from Mr. E. B. Salstrom, Attorney at Law, Eugene, Oregon, on July 15, 1963, informing them of his claims, and also wanting to know if a trespass may have been committed on some of his mining claims in the use of gravel, rock, and sand from the claims for the dam construction. The mining claims lie wholly within the boundaries of the Willamette National Forest and, by an inter-agency agreement, the Forest Service handles all mineral matters on its own lands. The Corps of Engineers then requested that the Forest Service investigate the claims and take what action would be necessary. The claims which were the subject of Mr. Salstrom's letter were all noted in his correspondence. However, in view of the presence of these claims, it was felt that probably others would also be present, so a thorough search was made of the County records to establish all of the claims that are in conflict with the project area of Cougar Dam. Records showed that in addition to the six claims owned by Salstrom, 10 others are also in conflict with the Cougar Dam project area. When the examination was made in 1964, as a result of the six claims disclosed by Mr. Salstrom, the entire project area was examined while the water was still low; that is, the pool was just starting to fill at that time and all improvements were still visible for inspection. A mineral examination of the entire project area made it possible to appraise other claims that might be found after the reservoir had been filled.

Discovery

On May 6, 1964, in the company of Frank Anderson, resident engineer at Cougar Dam, I made an examination of the Cougar reservoir area as well as the area from Cougar Dam north to below the proposed site of Straub Dam. Mr. Anderson pointed out all of the borrow areas used by the Corps of Engineers' contractors in the construction of the Cougar Dam. All of the borrow areas fell within the various power projects. In addition to locating all of the borrow areas that were used by the contractors, a reconnaissance was made of the general geology of the area, particularly in reference to the location and abundance of usable building materials

such as sand, gravel, road base, and large quarry rock. The reservoir was in the filling stage at the time of the examination; however, the water was quite low and all of the borrow areas were still available for inspection.

The mineral examination disclosed that the extrusive and intrusive volcanic flows, and the products of the extensive erosion that took place in the canyon, provide a tremendous inventory of sand, stone, and gravel that is suitable and available for dam-building purposes. In all cases, the material is believed to be of widespread occurrence throughout the project and adjacent areas.

The appended map shows the borrow areas and the subject mining claims, together with the various segregated project and power withdrawal areas. It will be noted that none of the claims conflict with any of the borrow areas; consequently, no material was removed from any of the 10 subject claims. It will also be noted that eight of the claims are located on lands that were withdrawn prior to their location, and only two claims cover small portions of land that were withdrawn subsequent to the claim locations.

The mineral examination of the entire area failed to disclose improvements of any nature that had been made by the mining claimants. Also, Corps of Engineers' personnel, who had been on the project from its beginning, stated that they had never run across any pre-existing pits or cuts of any nature in the area.

Conclusions

A search of the county records revealed ten 160-acre placer claims in conflict with the present project boundaries of Cougar Dam.

The mining claims were staked in 1953 and 1954, and in most cases the addresses of the claimants are not available. A search of the county records, Eugene and vicinity telephone directories, and the city directory revealed only two addresses.

A mineral examination of the area disclosed that the 10 mining claims contain no excavations of any nature, and no material has been removed from any of them. The reservoir area was beginning to fill behind the dam at the time of the mineral examination; however, all of the borrow areas were still available for inspection. The entire area of the 10 mining claims, except for two small areas in section 5, is located on lands that were withdrawn prior to the claim locations.

The igneous character of the country rock, together with the products of extensive erosion that are present in the canyon, presents a tremendous

inventory of available and suitable material for dam construction. It is believed that the building material of the nature needed for dam building is of such widespread occurrence that it is a common variety. The small portions of two claims in section 5 that predate the project withdrawal are believed to be invalid for lack of a discovery of a valuable mineral deposit. The mining claims or portions of mining claims that were located on lands already withdrawn from mineral entry by the various withdrawals are invalid ab initio.

Recommendations

It is recommended:

1. That all of the data relevant to the mining claim locations and the land status be submitted to the Bureau of Land Management, Department of the Interior, for determination of the validity of the portions of the claims in conflict with the segregated lands.
2. That those portions of the two claims in section 5 that are not subject to the mineral withdrawals be protested on the grounds that a discovery of a valuable mineral deposit has not been demonstrated within any of the portions and the lands are nonmineral in character.

Date: 8/30/67

Milvoyn M. Suchy
MILVOY M. SUCHY, Mining Engineer

APPROVED:

Date: 8-30-67

W. E. Bates
Acting Assistant Regional Forester