BURLEY
DISTRICT OFFICE
BURLEY, IDAHO
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Thomas F. Miller
United Silver Mines, Inc.
2508 Zinfandel Drive
Rancho Cordova, CA 95670
October 24, 1994

Mr. Tom Dyer, Mgr.
Bureau of Land Management
Burley District Office
Route 3, Box 1
Burley, ID 83318

Ref. Grading Little Birch Creek Road to Vipont Mine

Dear Mr. Dyer:

The above road, approximately 7 miles in length, was built nearly 115 years ago to develop and service the Vipont Mine, which was discovered in 1864.

The road from what we refer to as the upper narrows (approx. 4½ miles) was the California Trail gold miners' wagon road, built of course in 1849.

The road was rebuilt in a major way in 1918, when the Vipont Silver Mining Co. opened up the mine and made it into a major silver and gold producer. They also opened up the road over Granite Pass to the northeast. Skoro Mines had the county grade the road to Goose Creek and to the mine at least twice a year from 1956 to 1976. I (Tom Miller) became involved in 1966 and bought the Vipont in 1968. In 1977, United Silver Mines made semi-major improvement on the road with a Cat loader and grader. I received many compliments from the BLM, other government agencies, cattlemen, and others who used the road.

I believe a good job was done and work was done in very thoughtful and environmentally considerate manner.

Since 1977, constant maintenance was done on the road with Cat, grader and loader. Major work was done in 1984, when extensive flooding totally washed out the road in four places. Considerable work was required on the upper narrows, where over 2000 tons of boulders, etc. were hauled to restore the road.

There hasn't been much done on the road since 1989 because of low metal prices. Since then the road has deteriorated badly and in some places was extremely rough and nearly impassable.

I plan to do work at the Vipont next year--1995, and of course figured in as a cost the repair and upkeep of the road, even though we are just one of many that use it. Simplot is a major user and has never really helped much on the road, which is all right with me. Their cattle, however, cause considerable deterioration of the road.

For this reason I had hired a Cat to do the needed maintenance and clear out the caved banks caused by weathering and livestock. I intended to have it graded after the Cat work was completed.

When Karen Shilling and the BLM cop, J. D. Hart, showed up Oct. 18, and in an arrogant, rude and forceful manner told the Cat skinner, Al Ange to stop, load, and get out, I believe they were totally out of line. I found this out early Wednesday morning, Oct. 19. I was busy with some geologists and engineers from Denver and didn't get to your office until 3:00 P.M. I might add that you treated me in a kind, courteous way, and I appreciate that.

I believe Karen to be overzealous in her job, and a bit misinformed, but full well knowing the effect Mr. Hart would have upon Mr. Ange when he showed up with forceful threats, and carrying a loaded gun.

I believe in the final analysis, the BLM people, including Salt Lake BLM, will all stick together against my position, which is: the County and I maintained the road for over 48 years, and it has been treated as a public road up Little Birch Creek for use by all--including the BLM.

I would like to remind Karen of what President Clinton stated over a month ago; that it was his goal that all government agencies treat the public with more respect and kindness when dealing with them. I would hope that his wish is exercised in your office by all--not just a jew.

Incidentally, the Cat was loaded and removed, even though I had intended to do more work on the mine property itself. This cost me much in time and in money for your people to force the Cat out of the area.

Sincerely,

Thomas F. Miller

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c.c. Idaho State BLM director
Utah State BLM director
Brian Timmons--Latham & Watkins