



About Alta

In 1976, the Town of Alta colluded with Salt Lake City to make the town "dry." TOA would never buy water though it could, but use a SLC "surplus water contract with an anti-growth clause limiting water only to 1976 TOA lands.

For 46 years, TOA has not issued any building permits outside its 1976 boundary, "because we have no water."

This dirty water deal meant no competition for the town's good ole boys. Salt Lake City has controlled the town for 46 years with weaponized water.

Private Road Rights-of-Way on the Lumber-Mine Mill D South Fork Road (Cardiff Fork Road) in Big



Cottonwood Canyon, Utah were granted by Congress by US Land Deeds (patents) to private parties 38 years far before the creation of the Forest Service and Smokey the Road Bully. Congress would never give a \$21.25/hr federal employee (District Ranger) the power and authority to take private property. That is a self-enriching power they reserve for themselves. The new gold in canyon land. D-15

The Civil War cost \$5.2 Billion in old US dollars. The US was dangerously in debt. The National Debt had skyrocketed from \$64.8 million in 1861 to \$2.6 Billion in 1865<sup>1</sup>. For context, the US gov't was selling one acre of land for \$1.25. \$2.6 Billion could purchase 2 billion acres or all the land in the Continental US.

Desperate, Congress gave out US Land Deeds with Rights-of-Way for cash and to get gold. The US gave away 10% of the US land (270 million acres) with Rights-of-Way to family homesteaders, then more for lumber jacks, and miners so the US could grab cash, lumber, and GOLD to pay debts to European creditors, because they would not accept the blizzard of paper money flying around.

In 1869, gold hit \$160<sup>2</sup> an ounce. 1 ounce of gold was enough to buy 160 acre homestead. People hunted for gold to buy land, to make a new life and be free.



1 [https://www.treasurydirect.gov/kids/history/history\\_civilwar.htm](https://www.treasurydirect.gov/kids/history/history_civilwar.htm)  
2 <https://sdbullion.com/gold-price-history#:~:text=For%20the%20majority%20of%20non-war%20US%20history%2C%20the.%24160%20oz%20USD%20in%20the%20year%201869.%20>

Gold has been so important to the US Gov't, that on April 5, 1933, President Roosevelt signed an Executive Order 6102 banning private gold ownership over 5 troy ounces, and making citizen sell their gold to the US Gov't for \$20.67 per ounce. By May 10, 1933 \$300 million of gold coin, and \$470 million of gold certificates had been purchased. "This allowed the Federal Reserve to further inflate the money supply<sup>3</sup>" **Congress instantly had an extra \$1 Billion to spend, because the \$1 Billion in gold they bought at \$20/oz, they now valued at \$35/oz.** Congress needed gold to inflate the money supply "to save the economy."

The Gov't held the price of gold at \$35 an ounce until August 15, 1971 when President Nixon abandoned the Gold Standard. In 1974, President Ford signed legislation permitting Americans to own gold again.

Historically, you were not really a player county or had a seat at the international table unless you had a GOLD hoard.

## **In 1862, Congress hungry for cash was selling US Public Land for \$1 an acre by deeds with Rights-of-Way.**

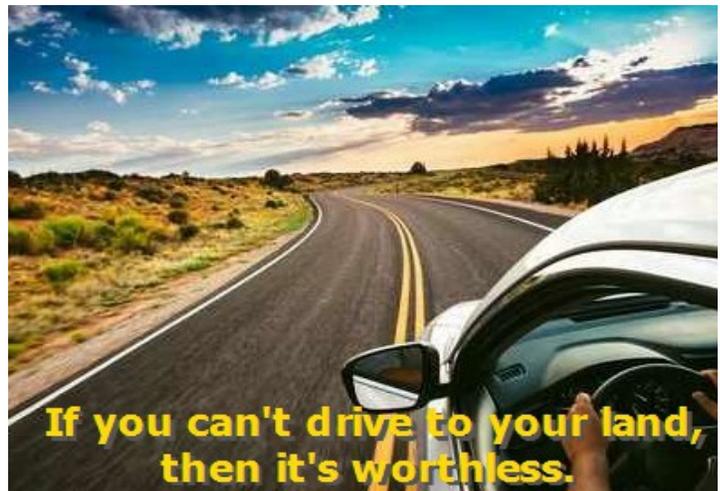
The cash strapped US Gov't rich in land paid land for services like homesteading to develop farmland, tree planting (160 acres for free if you planted 25% in trees), and land for mining gold. US Land Deeds for mining claims are US Land Deeds fee simple like the land our houses sit on plus they include mineral rights (gold, silver, gas, oil). So mining claims are a superior land right when compared to land houses sit on.

**Congress and politicians were so desperate for gold that in 6 years, they passed 4 major pieces of legislation deeding away land with Rights-of-Way for gold, gold, gold for the US Treasury.**

- The Homestead Law of May 20, 1862<sup>4</sup>
- The Mining Law of July 26, 1866<sup>5</sup>
- The Mining Law of 1869
- The Mining Law of 1871
- The Mining Law of May 10, 1872<sup>6</sup>  
(“shall convey all rights and privileges”  
An Act to promote the development of  
the mining Resources of The United  
States.)

1866 Mining Law - “That the mineral lands of the public domain, both surveyed and unsurveyed, are hereby declared to be free and open to exploration and occupation by all citizens of the United States.”<sup>7</sup>

Under the 1866 Mining law, Apex Rights were also granted meaning a gold vein for example



Car Titles don't say - Comes with Road Rights of Way, because it's implied common sense like US Land Deeds to families, farmers, and miners.

3 <https://www.history.com/this-day-in-history/fdr-takes-united-states-off-gold-standard>

4 <https://www.archives.gov/education/lessons/homestead-act>

5 [https://digitalcommons.csumb.edu/cgi/viewcontent.cgi?article=1013&context=hornbeck\\_usa\\_2\\_d](https://digitalcommons.csumb.edu/cgi/viewcontent.cgi?article=1013&context=hornbeck_usa_2_d)

6 <http://minerdiggins.com/Ripple/1872T.html>

while located on a 20.6 acre mining claim legally could be followed for miles outside the 20.6 acres claim for as long or as deep to follow the vein to its end. Like a mineral Rights-of-Way under land the miner did not own.

270 million acres of Public Land became Private Land under the Homestead Act by US Land Deeds with Rights-of-Way.



No family, farmer, or miner would accept US Land Deeds with no Rights-of-Way.

**There is no such thing as a US Land Deed (patent) without Rights-of-Way.**

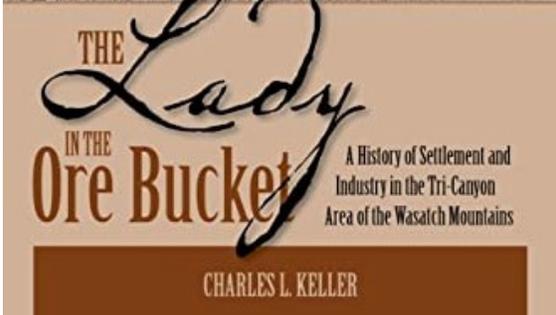
The 1866 Mining Act also granted to “the local legislature of any State or Territory may provide rules for working mines involving easements” It also set a price of \$1.25 per acre up to 160 acres for Homesteaders to by public land by a US Land Deed giving away 10% US lands. Naturally, all US Land Deeds came with Rights-of-Way separate and apart from gov't RS 2477 claims. **How could US Land Deeds to 10% of the land in the US sold to families, farmers, and miners have no Rights-of-Way? This new talking point is dishonest.**

On a side note, 29 of Utah's 28 counties filed RS 2477 road claims over public lands



including Salt Lake County by Mayor Nancy Workman. The following Mayor Peter Corroon withdrew Salt Lake County's RS 2477 claims to take private property in holdings without the payment of just compensation. This is a separate in and of itself, but shows the ill intent of the big to step on the small for the big's self enrichment.

**1850's  
The Big Cottonwood Lumber Company  
Lumber Mill D Road (Cardiff Fork Road)**



The narrative that US Land Deeds to settlers, homesteaders, and Miners did not convey Rights-of-Way is beyond stupid. If in fact US Land Deeds had no conveyed access, there would be no homesteading, no timber planted in exchange for land under the Timber Act, and no GOLD for the US Treasury which traded paper money for the miner's gold. The current story spun by the private land grabbers is nonsense, illogical, and lol.

Under these Mining Laws, Utah produced 715 tons of gold<sup>8</sup> (23

million ounces) worth \$40 billion.

The Forest Service bully story is that Congress hungry for gold, rail roads, and manifest destiny power thru land expansion handed out land locked US Land Deeds to unsuspecting Americans for 100 years. History, common sense, and law say the Forest Service has no evidence, no basis in law, no decency to support it's land grabbing position on Wasatch Canyon roads like the Cardiff Fork Road.

The 1866 Sailor Jack mine, now private property, in Cardiff Fork Canyon, Utah is one of those mines created by a recorded US land deed to a Utah miner. The deal was gold for US land deeds.

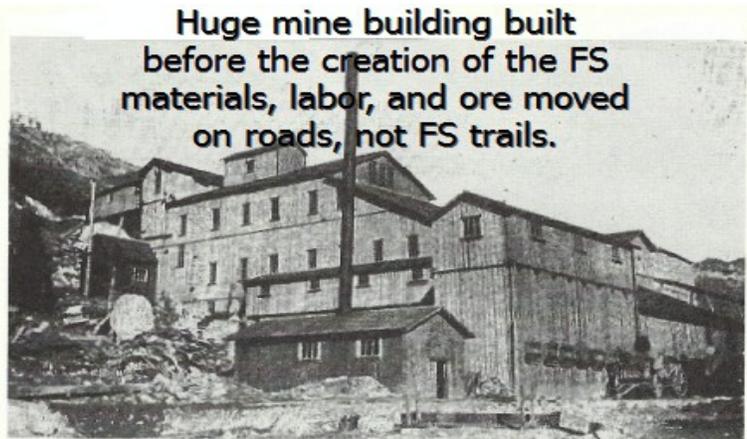


Figure 30. Columbus Consolidated mill at Alta, 1906. (SLMR, 30 May 1906)



Figure 31. The Continental-Alta aerial tramway going down Little Cottonwood Canyon from Grizzly Gulch in 1905. The Columbus Consolidated mill is on the right. (SLMR, 15 October 1905)

**Tram from Grizzly Gulch to Tanner Flat  
Little Cottonwood Canyon 1905 pic**

<sup>8</sup> <https://www.goldmapsonline.com/historic-utah-gold-mines.html#:~:text=So%20far%20it%20has%20produced,producers%20in%20the%20United%20States>.

Congress enacted laws to encourage the development of mineral extraction both lode (hard rock) and placer (gravel) including granting Rights-of-Way over public land to grab gold for the US struggling economy. The US gave away land with Rights-of-Way for GOLD to pay their bills and put gold in the US Treasury. In the old days, gold was the universal money with gold being a marker of how rich a country really was. You really were not a country if you had no gold. During WWII, England secretly shipped their gold bars to the west. Obviously, if Congress granted land deeds to parties without Rights-of-Way the result would be no GOLD to pay war debts to other countries that would not accept paper money (Greenbacks<sup>9</sup>). Pretty simple.

Most of the roads in the Wasatch Mountains east of Salt Lake City, Utah are not Forest Service Roads, but Private Roads and private Rights-of-Way granted by Congress under 1864 laws, and 1866 US Land Deeds like the Sailor Jack in Cardiff Fork Canyon before the FS was created or lands reserved for public use..

In 1864, Congress passed a law that instructed courts deciding questions of contested mining rights to ignore federal ownership, and defer to the miners in actual possession of the ground.<sup>10</sup> with Rights-of-Way.

**The 1866 Mining Act Sec. 8 “And be further enacted, That the right of way for the construction of highways [roads] over public lands, not reserved for public uses, is hereby granted.”<sup>11</sup>**

In 1872, the Chaffee laws of 1869<sup>12</sup> “basically made what the miners were already doing legal” like claiming Rights-of-Way over public land and the Placer Law of 1871 were combined into the General Mining Act of 1872.<sup>13</sup> Under the Apex provision, a miner could follow an ore vein outside their mine claim boundaries as far as the gold, silver, etc vein would go.

“Whether the right-of-way for access was considered as granted to the miner as a member of the public or was to be implied from the statutes forming the general mining law, the right of the miner to traverse the public domain went unquestioned, it seems, until the issue was officially raised in 1959 as to whether a rental could be charged a miner for the use of an access right-of-way across public domain for the purpose of exercising rights granted under the general mining law. In 1959 the Acting Solicitor of the Department of the Interior ruled 9 that the right of access was implied necessarily from the statutory right to enter, prospect, mine and purchase, hence no rental could be charged. **The opinion pointed out that Congress had recognized the right of "free passage or transit over or through the public lands"2 and that federal law2 afforded relief to owners of mining claims where access was denied for any reason<sup>14</sup>.**”

9 [https://www.moaf.org/exhibits/checks\\_balances/abraham-lincoln/greenback](https://www.moaf.org/exhibits/checks_balances/abraham-lincoln/greenback)

10 [https://en.wikipedia.org/wiki/General\\_Mining\\_Act\\_of\\_1872](https://en.wikipedia.org/wiki/General_Mining_Act_of_1872)

11 <http://minerdiggings.com/Ripple/1866T.html>

12 <https://www.historyrhymes.info/2008/05/14/the-general-mining-act-of-1872/>

13 <https://www.linkedin.com/pulse/governments-grab-gold-history-mining-claim-law-arthur-leger>

14 [https://scholarship.law.uwyo.edu/cgi/viewcontent.cgi?article=1263&context=land\\_water](https://scholarship.law.uwyo.edu/cgi/viewcontent.cgi?article=1263&context=land_water)

Clearly, a Congress lusting for quick gold cash readily traded US land deeds with express or implied Rights-of-Way to get that gold and silver for the US Treasury. Even today, “The U.S. Is the home to more than \$6.2 trillion worth of minerals and metals.”<sup>15</sup> with Rights-of-Way as a small price to pay for such US Treasury treasure.

Roads like the 1860's Cardiff Fork Road, Day's Fork Road, Mineral Fork Road, and Silver Fork Road were built by the Big Cottonwood Timber Company, and later improved by mining companies like the Cardiff Mining Company prior to the **March 25, 1904 creation as the Salt Lake Forest Reserve.**

**The FS owns only half of Cardiff Fork Canyon. There is no legal basis for their claims to own the whole road.** The FS has no road deeds and no records that the FS built the road, because the FS did not lift a finger or spend a dime on the Cardiff Fork Road. Instead of making their own roads on their own land, the FS just pirated private roads for the canyon customers.

The Forest Service operates a 605 people capacity, \$500,000 money making Spruces Campground in abutting Day's Fork which is a prime example of FS road bullying and “resource protection” hypocrisy. The FS installed acres of paved roads and paved parking, built a baseball diamond on top of the Day's Fork road to cut out private landowners, cuts hundreds of trees for firewood for their customers, built horseshoe pits, volleyball courts, flush toilets, picnic tables, campfire rings, and a huge pavilion. But next door, Smokey the Bully locks the gate on the private Cardiff Fork Road, installs a hidden camera to trap and ticket landowners. What a contrast of land use and land abuse in our canyons.

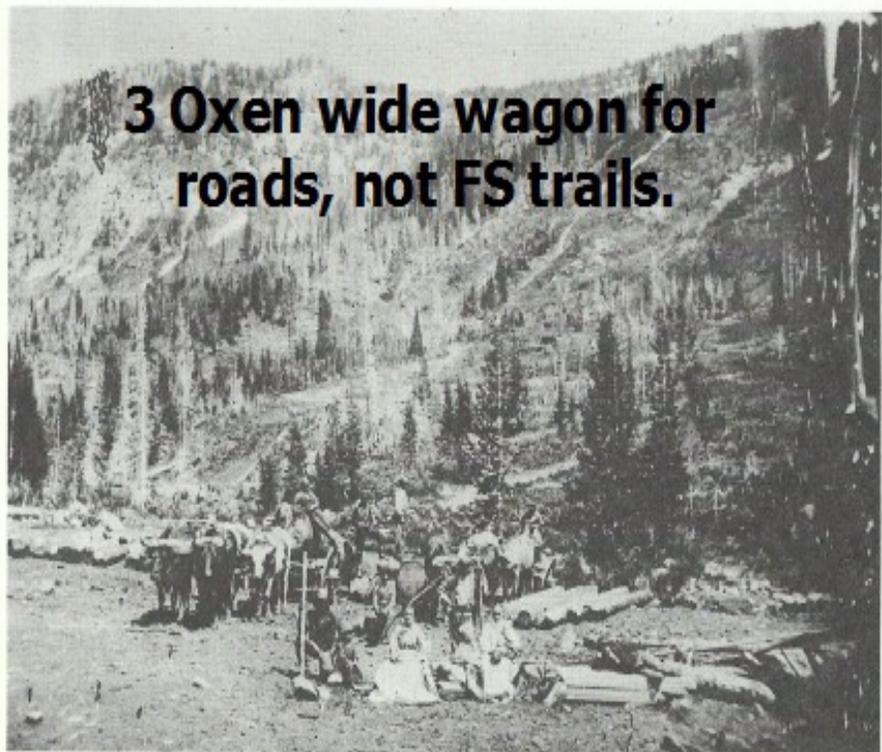
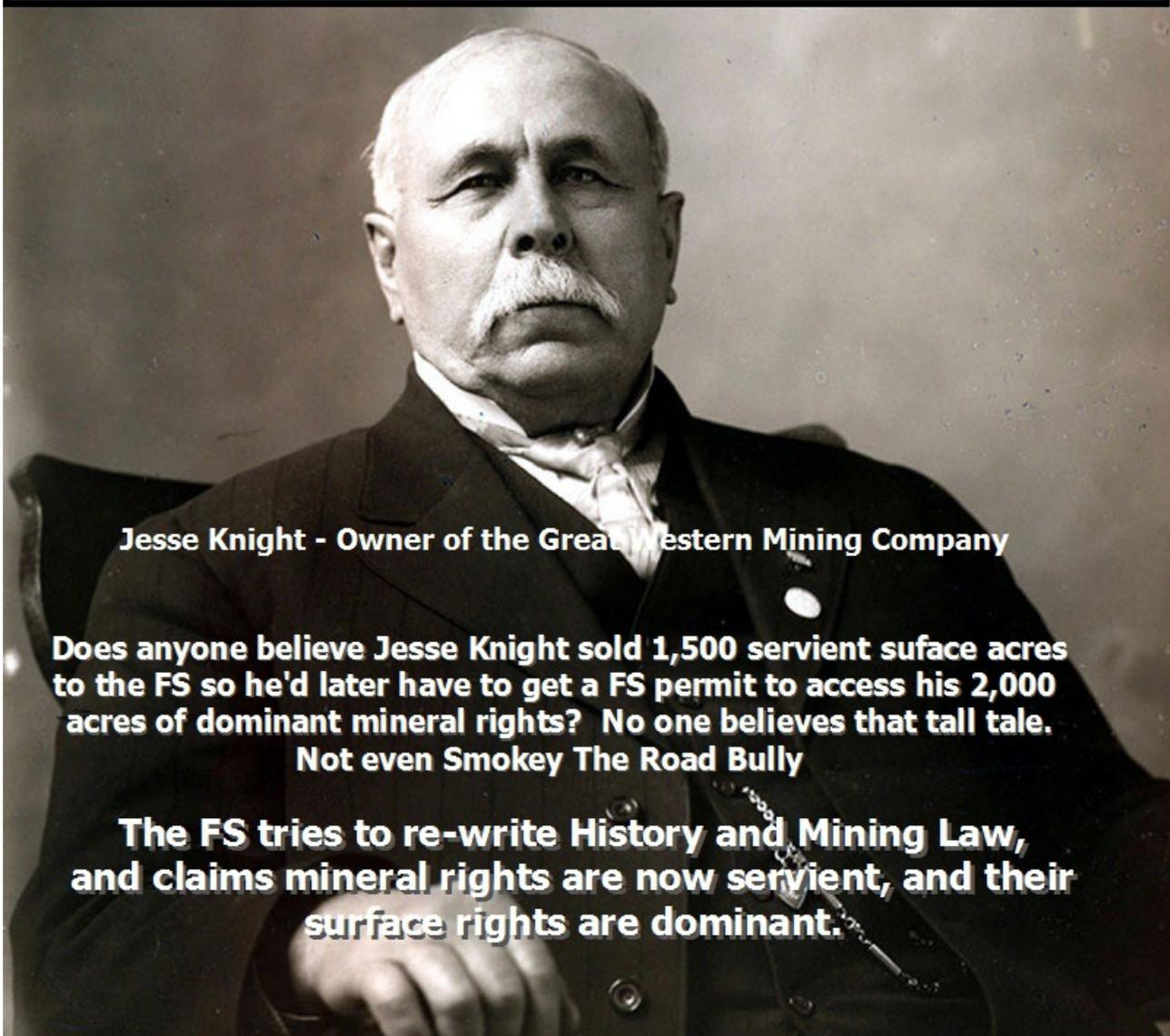


Figure 12. A logging camp in Albion Basin. The presence of several women in the foreground indicates that some loggers had moved their families into the logging camp. (CHO)

**3 oxen wide is like a 350 1 ton truck**

<sup>15</sup> [https://mineralsmakelife.org/policy/?utm\\_campaign=mml2020&utm\\_source=search&utm\\_medium=cpc&utm\\_content=policy](https://mineralsmakelife.org/policy/?utm_campaign=mml2020&utm_source=search&utm_medium=cpc&utm_content=policy)

Jesse Knight drilled the 3 mile Snake Creek tunnel, 9.5' wide, 7' high double rail tracked with a ditch to drain 3.2 billion gallons of water annually. He never got a FS Special Use Permit to drive to his mines.



**Jesse Knight - Owner of the Great Western Mining Company**

**Does anyone believe Jesse Knight sold 1,500 servient surface acres to the FS so he'd later have to get a FS permit to access his 2,000 acres of dominant mineral rights? No one believes that tall tale. Not even Smokey The Road Bully**

**The FS tries to re-write History and Mining Law, and claims mineral rights are now servient, and their surface rights are dominant.**

The Forest Service exercise of unjust raw gov't power is part of a scheme and pattern of dishonest dealings, partnered with Salt Lake City, and Salt Lake County whereby the FS would take control of canyon roads by asserting unlawful ownership of the roads to cut access to private Yellowstone like canyon land.

Salt Lake City's role in this land grabbing scheme was to hoard and to monopolize all the canyon water to cloak, hide and disguise the ulterior speculation motive as so-called "watershed protection" mask to profiteer of canyon land and water. Today, SLC operates a \$40 million "surplus" water sales business in 3 counties.

Salt Lake City talked the Legislature into giving it "First Class City" ridge to ridge extraterritorial armed watershed police powers without any science to support super sizing its water police powers. The new watershed land use weapon bill hid Salt Lake City's name with a bland First Class City designation.

Salt Lake City bragged to the Town of Alta that SLC would use “Salt Lake City's watershed management muscle to deny them [recorded Town of Alta lot owners] water.”<sup>16</sup> But tells the State Legislature writing new laws to cut Salt Lake City's watershed muscle over 5 counties, that Salt Lake City does not use watershed as a land use tool.

“Briefer has publicly said the 1,350-acre Bonanza Flat at the top of Big Cottonwood Canyon in Wasatch County is a key parcel because of its watershed value, but on Wednesday she stressed it was more about the "preservation" of land.”<sup>17</sup>

“Preserved” for who? Who decides who's land get “preserved” and who's land gets developed?



Salt Lake City uses the Forest Service as part of its water muscle for “land preservation” or better described as free backcountry land for the super healthy canyon elite freeloaders who despoil the canyons with their poop, trash, and canyons ripped up with ebike trails everywhere on the backs of small private canyon land owners.

32.4 million Utah acres are already “preserved” as federal lands. It's just not as convenient to access as local private canyon land. Instead having a simple land trading program, bullying and demonizing private landowners seems to be easier and more fun.

Those who use heavy handed tactics call the peaceful land owners an “angry mob<sup>18</sup>” to weaponize public pressure in their unjust scheme to take property from families for free.

<sup>16</sup> August 30, 1993 LeRoy W. Hooton, Jr. Memorandum to Deputy Salt Lake City Mayor Brian Hatch

<sup>17</sup> <https://www.deseret.com/2018/6/27/20647933/wasatch-duchesne-counties-worry-over-salt-lake-city-s-water-muscle>

<sup>18</sup> <https://headtopics.com/us/big-cottonwood-canyon-trails-no-longer-open-to-public-after-forest-service-agreement-collapses-29810036>

**Cardiff Fork Road is a road.**

**Cardiff Fork Road is a trail.**



**The Salt Lake Ranger District Office lacks political diversity.**

There is no science to support the theory that public ownership of land is a more effective method of watershed protection than private ownership of land for watershed protection. In fact, an argument can be made to the opposite that private landownership is a superior watershed protection method. Because local control at the grass roots level of watershed by many private owners provides more boots on the ground than public agency's few boots on the ground.

Valley People living on small lots demand Canyon People live on 20 acre lots, so the Valley People could take the use of private canyon lands for their leisure and pleasure without the payment of just compensation.

The Salt Lake Valley watershed is far more vital, more critical, and bigger for 185,000 acre-feet of well water than the 7 east canyon watershed. In fact, no one really drinks the canyon water nor does Salt Lake City need any canyon water at all. With over 300,000 acre-feet of well water and 61,700

acre-fee of Deer Creek, Salt Lake City's 76,000 acre-feet water demand for the city and its \$40 million "surplus" water business could operate without any canyon water.

**The Forest Service owns only 53% of Cardiff Fork Canyon, but claims 100% of the road. How does that work?**

**Congress granted Right-of-Ways to the Settlers and Miners before the Forest Service was created.**

Additionally, Salt Lake County Health Department egged on by Salt Lake City added burdensome sewer septic system barriers against canyon landowners.

SLCO's United Fire Authority which does not pressure test canyon hydrants nor collect such "useless" data, was egged on by Salt Lake City to dog pile on canyon landowners demanding they get massive amounts of fire protection water while knowing full well water hoarding Salt Lake City would say it has no surplus water for canyon

landowners, but has "surplus" enough for 4 ski resorts snowmaking guns.

Law enforcement in the canyons has also been corrupted with over \$150,000 in SLC "watershed protection" dollars going to Salt lake County Unified Police for extra ticketing of canyon landowners. One Cardiff Canyon landowner was ticketed 39 times with 38 tickets 7 layers of gov't bear down on small private canyon landowners taking their property rights for the leisure, pleasure, and recreation of backcountry free loaders who more often than not leave their digested Cliff Bar on the canyon floor. An estimated 2 million pounds of human feces contaminate the Tri-Canyon area with a appalling 5.3

**\$5,500,000 1/3 acre Alta house with Salt Lake City "surplus" water**



**Alta intentionally owns no water. Only has a SLC "surplus" water contract. SLC uses to control Alta.**

public toilet per canyon.

On top of this confiscatory regulatory scheme are various so-called canyon protection groups using canyon contention to fund raise for the personal enrichment of the paid vocal few.

Even the Governor's Office aided and abetted the canyon injustice by ordering department heads not to help private canyon landowners with their access, water, sewer and land use issues. At the Gov's special access monthly lunch with Salt Lake City mayor and Salt Lake County mayor, Gov Cox assures them the State won't help these under served private landowners. "The canyon belong to Salt Lake City to "protect the watershed. [for water no one really drinks]"

Land with water in the canyon is worth billions of dollars. Land development companies like Snowbird were gifted 2,500 SLC water connections if it would agree not to own water in the canyon. If one owns land with a county branded ski resort, one gets unlimited water for houses, business, and even snowmaking unlike a private canyon landowner who get none. Snowbird can build a \$4.5 million house on 0.01 acre, but a canyon landowner is required have 20 acres. How is that fair?

<https://www.utahrealtygroup.com/property/1813122/> \$4.5 million 1991 3,600 sq-ft house on 0.01 acre in Village at Sargarplum Snowbird with Salt Lake City "surplus" water connection. 1 of 2,500 "surplus" water granted to Snowbird, but denied private canyon landowners.

<https://images2.loopnet.com/d2/NrI79jLcsxJKUf9AH06WiYDZ808sWNVGjuUCPQ3Mzz8/document.pdf>

Alta Ski In Ski Out Patsey Marley Hill Subdivision lots 8610 S Hawk Hill Road, Alta, UT 1.42 acres to 5.18 Acres had offers up to \$3 million for a single lot.

<https://www.land.com/Alta-UT/all-land/> 2.98 Acres \$450,000 on steep hill side with Salt Lake City "surplus" water. 2.47 acre \$5,490,000.

<https://www.seeutahhomesforsale.com/homes/ut/alta/utwasatchresall18174811817481/8601-s-albion-basin-rd-e-alta-ut-84092> \$5,500,000 8601 S Albion Basin Road E, Alta, UT 84092 5,854 sq-ft 0.3 acres with Salt Lake City "surplus" water



One can easily see that Salt Lake City's canyon land grabbing scheme netting some 32,000 acres in 7 beautiful canyons together with Salt Lake City's water hoard is worth billions of dollars taken from hard working Utah families who were paid pennies on the dollar. .

Salt Lake City holsters it land use 600,000 acre-feet (195 billion gallon) water weapon in 7 canyons east of Salt Lake City for insiders and ski resorts.

Very conservative numbers of \$500k lots per on 500 lots each on 7 canyons would be \$1.75 Billion. While an MIA appraisal may reach over \$5 Billion in values taken from Utah families without the payment of just compensation.

When the jogging buddies of director of SLC Public Utilities Laura Briefer and the Forest Service Supervisor Dave Whittekiend trot along old dusty private lumber and mining road, surreal FS Cardiff Fork Road road closure edicts whisper through the pines slamming shut with gov't glee private roads once open continuously for over 172 years, but closed in a single day.

## Miners drove to work.



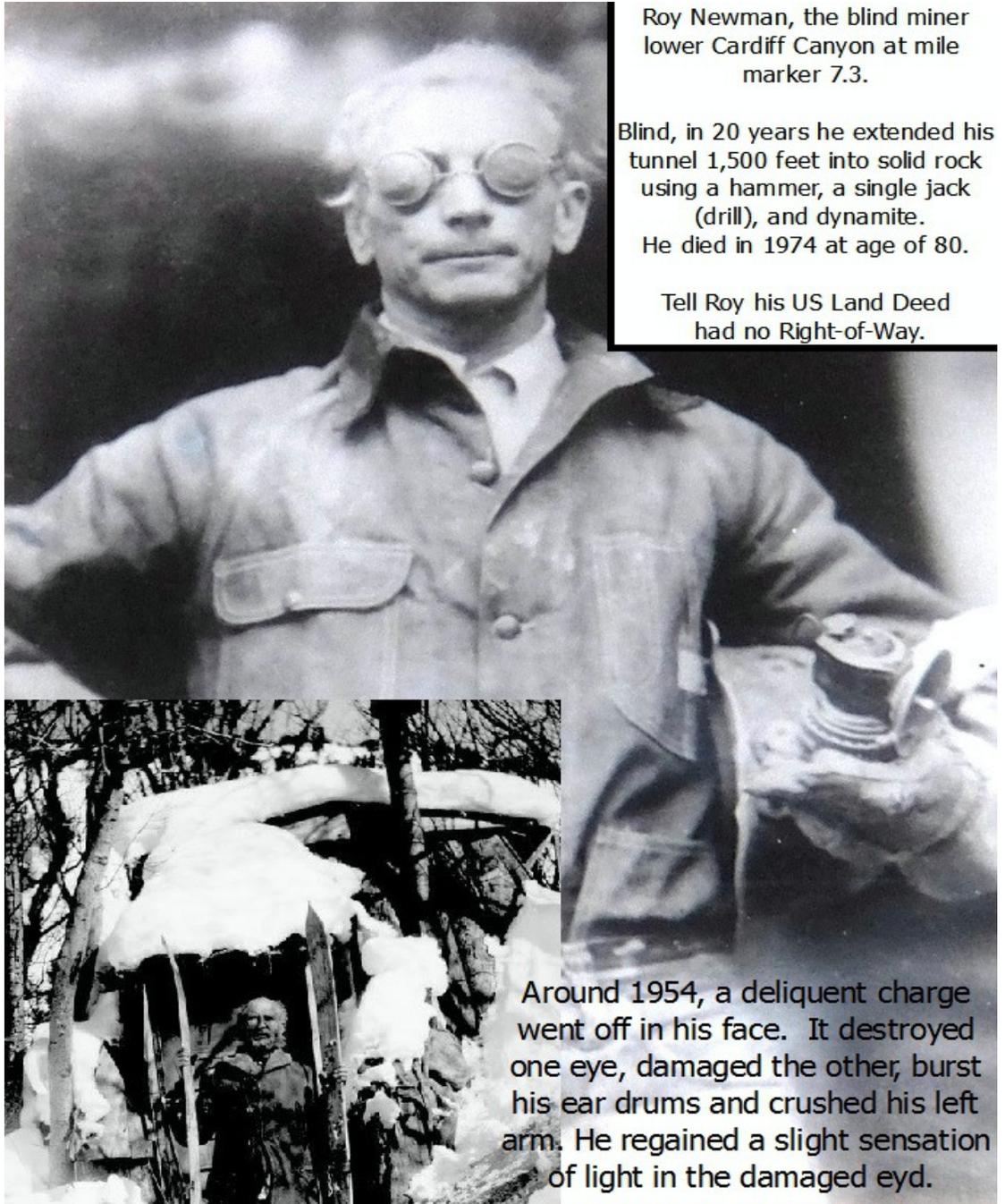
Figure 44. Cardiff Mine bunkhouse, located above the tunnel, as it appeared in 1916. The Beefsteak raise was later driven to connect the tunnel with the bunkhouse, allowing miners to go directly to and from their work in the wintertime. (SLMR, 15 April 1916)



Figure 45. Cardiff ore bins located in Big Cottonwood Canyon at the mouth of South Fork. The company built these bins in 1916 to be used for temporary storage when motor vehicles replaced teams to haul ore down the canyon to the smelters. Company teams, and later trucks, brought ore from the mine to these bins. (UHS)

## Cardiff Canyon

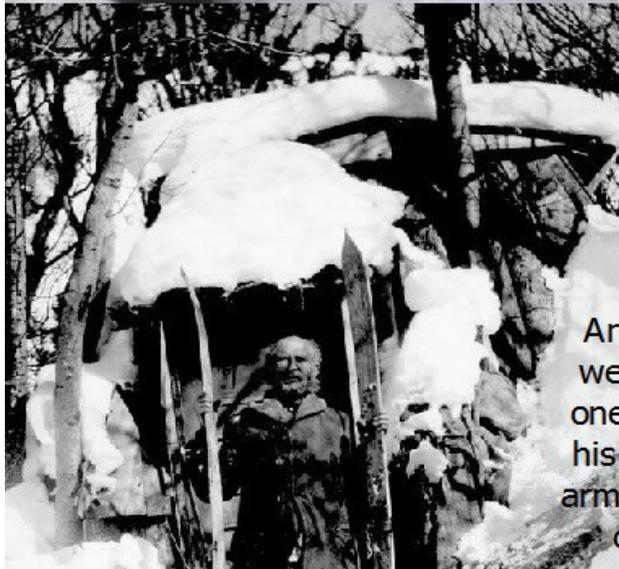
Landowners support responsible use of their Private Road for Forest Service customers, and their commercial Special Use Permit vendors. Private canyon landowners enjoy sharing their private road with the public despite the chronic abuse canyon landowners receive. The Forest Service lacks any legal authority to regulate Cardiff Fork Road, Days' Fork Road, Silver Fork Road, Mineral Fork Road, and others. The Forest Service did not build these roads. These are not Forest Service Roads. Instead of building its own roads on their own property, the Forest Service unlawfully bullies private canyon landowners by pitting the collective wallets of 330 million Americans against 1 family wallet.



Roy Newman, the blind miner lower Cardiff Canyon at mile marker 7.3.

Blind, in 20 years he extended his tunnel 1,500 feet into solid rock using a hammer, a single jack (drill), and dynamite. He died in 1974 at age of 80.

Tell Roy his US Land Deed had no Right-of-Way.



Around 1954, a delinquent charge went off in his face. It destroyed one eye, damaged the other, burst his ear drums and crushed his left arm. He regained a slight sensation of light in the damaged eye.

### 5 Cardiff Fork Road Access Rights:

- Settler's Rights-of-Way like the Blind Minder who lived in lower Cardiff granted by Congress by land deeds.
- Logging Road Rights-of-Way Granted by Congress to land deeds<sup>19</sup>
- Implied Mine haulage Road being non-exclusive Rights-of-Way Grant by Congress to patented land - a statutory right<sup>20</sup>

19 <https://www.justice.gov/file/22291/download> . “As a result, private landowners, including lumber corporations, were considered to have a statutory right to build logging roads. “

20 <https://www.justice.gov/file/22291/download> “Your department concludes that the Organic Act of June 4, 1897, grants a

- Abutting Owner Rights-of-way Common Law Grant<sup>21</sup>
- 172 year old Prescriptive Easement<sup>22</sup> (“open” and “notorious” continuous vehicle use for 150 years with landowner gate key access until Sept 5, 2022). Only 20 years of continuous use is required by law for a prescriptive easement. In this case, we have over 150 years of continuous use
- Landowner Easement of Necessity<sup>23</sup>

Lumber Mill D Road (South Fork Road) is a Private Road now called Cardiff Fork Road providing access to all abutting private and and the Forest Service's 53% stake in Cardiff Fork Canyon. **The FS needs a “Special Use Permit” from the 47% non-FS land owners.**

The FS is just another abutting landowner on the Lumber Mill D Road built on un-reserved land prior to 1904 FS Act by the Big Cottonwood Lumber Company in the 1850's.

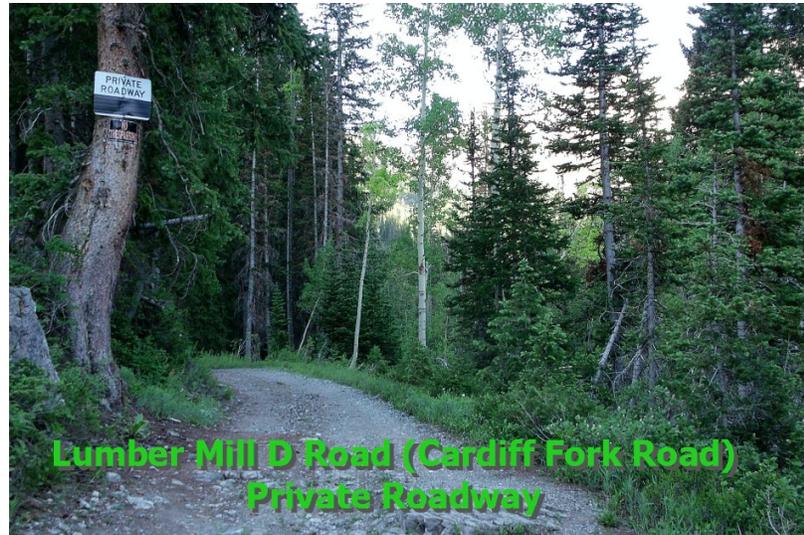


**The Sailor Jack Mine is private land created by a US Land Deed in 1866<sup>24</sup>.**

**This private land with Rights-of-Ways was created 38 years before the FS was created and covered by the 1869**

**John S. McAfee Law legalizing mining setting aside federal claims in favor of miners.**

**The Chieftain Mine is private land created by**



right of access, including a right to build roads, to all owners of land surrounded by national forest reserves. Section 478, the codification of 1 of the Act

21 <https://propertyrights.utah.gov/advisory-opinions/advisory-opinion-166/> vacated public road goes to abutting landowners

22 <https://www.snowjensen.com/blog/2016/08/prescriptive-rights-presumed-if-use-over-twenty-years/> A prescriptive easement is **created when a person uses another person's property (even though the use was not expressly agreed to) for a prolonged period**

23 “An **easement** that arises when a landowner **conveys** a **land locked** parcel of land to another. **Common law** presumes that the **grantee** has right to pass over the retained property if such passage is necessary to reach the granted landlocked property. An easement by necessity may lie dormant through several transfers of title and still pass with each transfer as **appurtenant** to the **dominant estate**. “

[https://www.law.cornell.edu/wex/IMPLIED\\_EASEMENT\\_BY\\_NECESSITY#:~:text=An%20easement%20that%20arises%20when,reach%20the%20granted%20landlocked%20property.](https://www.law.cornell.edu/wex/IMPLIED_EASEMENT_BY_NECESSITY#:~:text=An%20easement%20that%20arises%20when,reach%20the%20granted%20landlocked%20property.)

24 BLM records

**a US Land Deed in 1876.**

**The Clyde mine is a US Land Deed issued in 1881.**

In the early 1800's, the Lumber Mill D Road in Cardiff Fork Canyon, Utah was an Indian game trail.

Up to 1846, it was a Mexican game trail. As Settlers moved into the Salt Lake Valley Basin in the 1850's, it became a Big Cottonwood Lumber Company pack animal trail to pack in sawmill equipment before logging road construction began.

By the late 1850's it was a heavy haul big log road (some Wasatch logs were 6' in diameter with an 18.8' circumference<sup>25</sup>) to feed Lumber Mill D in Cardiff Fork Canyon. Then it added heavy ore hauling to the list of private road duties carrying thousands of tons of ore to the Murray smelter.

The Cardiff Fork Road predates the creation of the 1904 Forest Service as evidenced hundred of historical documents and by the following pre-1904 maps:

- September 7<sup>th</sup>1871 Jas E Freeman “South Fork Road”
- 1873 Froiseth's Map Salt Lake County by US Surveyor General for Utah South Fork road
- 1903, Sept 17, US Surveyor General Map (Survey 1877 to 1902)

Lumber in the Canyons was recorded as large as 18 feet in circumference (8 feet in diameter). Mill D was a serious heavy haul wagon road, then an ore heavy haul road for 10 wheel ore trucks.. For 172 years, from the late 1850's to 2022, vehicles have been on Lumber Mill D Road until closed by District Ranger Kragja in what appeared to an orchestrated FS set up Labor Day “standoff” to paint co-operative landowners as “an angry mob”





One so-called angry private land mobster routinely rescues stranded Cardiff backcountry users, aided a downed helicopter in Cardiff, maintains the road for fire and safety hazards, collects and hauls out mountains of FS customer trash, and provided bathroom services for trespassers until the county shut his trespassers' potty down. Again, forcing the trespassers poop on private Cardiff property. As a side note, there are just 16 public toilets for some 4 million canyon visitors in the 75 square mile tri-canyon area where an

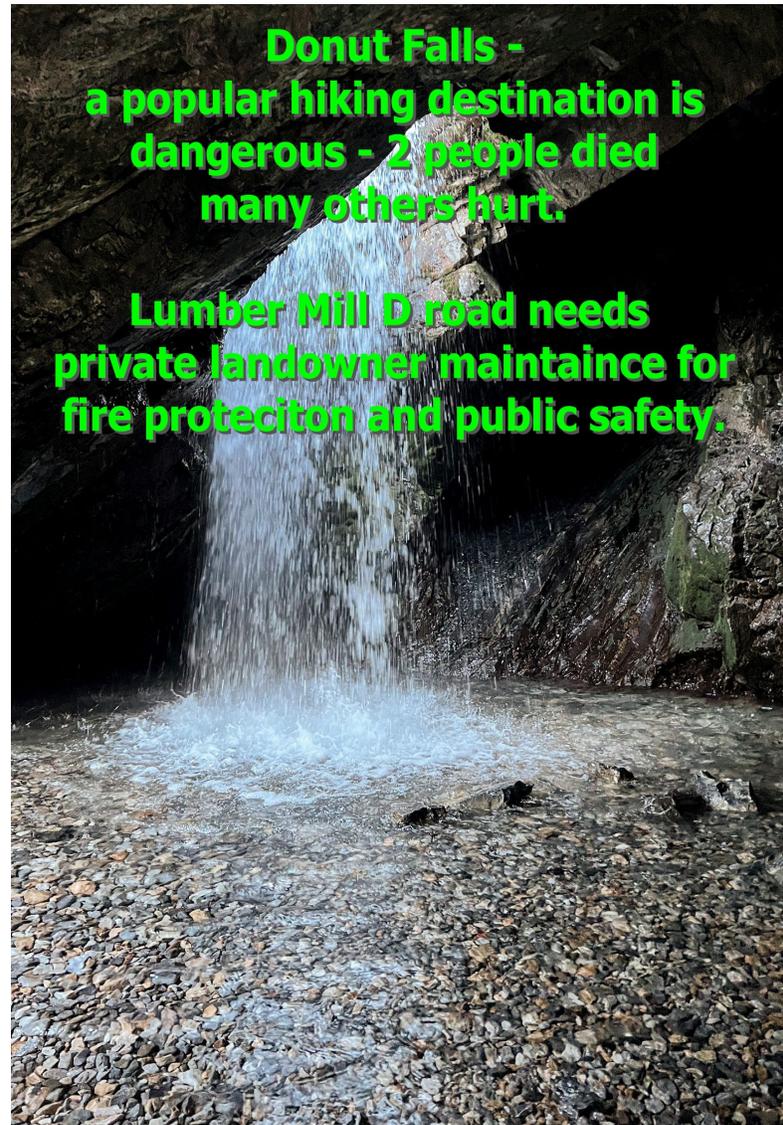
estimated 2 million pounds of human poop as been left on the canyon watershed while fake road disputes are fomented by the watershed protectors.

When the Settlers arrived in the Salt lake Valley, Big Cottonwood Canyon was considered “impregnable” and no human poop could be found on the forest floor. The Settlers needing lumber for houses and industry, quickly began taming the canyon with roads, roads, and road and wagon teamsters.

Pack animal trails were created to haul up sawmill equipment to lumber mill sites, then the roads were built to feed lumber to the saw mill and the cut lumber delivered to the Salt Lake Valley.<sup>26</sup>

Settler Joseph Young was considered the owner of Big Cottonwood Canyon. “Throughout the existence of the Big Cottonwood Lumber Company, the canyon belonged to Joseph Young, at least in the eyes of the county court, although it was totally controlled by the company.”<sup>27</sup>

Joseph Young operated a toll on his company's road



26 Page 50 The Lake in the Ore Bucket by Charles L. Keller

27 Page 45 The Lake in the Ore Bucket by Charles L. Keller

“The company's account books show an increase in road work during the month of June”<sup>28</sup> Lumber Mill D Road was built by the Settler's lumber company.

Road building money came from lumber sales. In 1856, 250,000 board feet were sold by The Big Cottonwood Lumber



Cardiff Mine ore bin  
1,000's of tons of ore taken by heavy wagons down Lumber Mill D Road

### People drove to the store on the road, not a FS trail.



Figure 86. The store at the Community Camp, where food was available “at Salt Lake prices.” (UHS)

Company. Longer, wider, and better roads meant more lumber for the Valley lumber market.

“For a few years, until the mining boom began, there was little activity other than the lumbering operations . . .”<sup>29</sup>

The US Mining Boom began in earnest after the Civil War ended in 1865. Big Cottonwood Mining District was created five years later on May 17, 1870 and still exists today. The Sailor Jack has a patent date of?

In 1871, at the Salt Lake County Recorder Office on page 174 Book B the “Wagon Road & Trail” Notice was duly recorded

“In September 1854, . . . Brigham Young gave his partners instructions to explore the unknown extent of Big Cottonwood Canyon to survey the timber resources and select locations for sawmills.”<sup>30</sup>

From 1850's to 1992, Cardiff Fork Road was never gated until the landowners gave permission to the Forest Service due to canyon beer bashes, and canyon trash festivals. From 1992 to 2022, private landowners had FS keys to the gate until September 5, 2022 labor day. 172 years of uninterrupted vehicle (wagon, car, truck) access until canceled by 1 of the FS's 600 District Rangers Kraja apparently at the behest of Salt Lake City Public Utilities.

“A federal court in Nevada in 1963, in a case in which the right of compensation and the amount thereof for the taking by eminent domain by the United States of an existing private mine access road across the public domain were in issue, held that the access road and rights-of-way to the mining claims (some patented and some unpatented) created in the owner by necessary implication from the mining

28 Page 58 The Lake in the Ore Bucket by Charles L. Keller  
29 Page 73 The Lake in the Ore Bucket by Charles L. Keller  
30 Page 49 The Lake in the Ore Bucket by Charles L. Keller

laws a non-exclusive rights-of-way (quite apart from the rights of the public) which was a property right for the taking of which he was entitled to just compensation under the Constitution. Substantial damages were later awarded.”<sup>31</sup> (Fibreboard Paper Products Corp v. United States, 355 F.2d, 755 (9<sup>th</sup> Cir. 1966)

“The Acting Solicitor's opinion(28) and the decision of the Nevada federal court(29) were foundations for a decision in late 1971 by the Interior Board of Land Appeals" to the effect that the Bureau of Land Management had no authority to accept an application for a special use permit to accommodate such an access rights-of-way, as the claimant already possessed the right, implied by the Congressional enactment of the general mining laws, for a non-exclusive road for such purpose. “<sup>32</sup>

“An implied grant of access was recognized by the Secretary of the Interior, whose patents grant land and its appurtenances, to the patentee, his heirs and assigns forever.” (Homestead patents)<sup>33</sup>

By law one has access rights in Wilderness Areas; therefore, it follows that one has equal or better rights of access in non-Wilderness Areas.

“Access to Other Lands, Mining Claims and Valid Occupancies The Wilderness Act states in Section 5 (a): “In any case where State-owned or privately owned land is completely surrounded by national forest lands within areas designated by this Act as wilderness, such State or private owner shall be given such rights as may be necessary to assure adequate access to such State-owned or privately owned land by such State or private owner and their successors in interest, or the State owned land or privately owned land shall be exchanged for federally owned land in the same State of approximately equal value under authorities available to the Secretary of Agriculture: Provided, however, that the United States shall not transfer to a State or private owner any mineral interests unless the State or private owner relinquishes or causes to be relinquished to the United States the mineral interest in the surrounded land.

(b) In any case where valid mining claims or other valid occupancies are wholly within a designated national forest wilderness area, the Secretary of Agriculture shall, by reasonable regulations consistent with the preservation of the area as wilderness, permit ingress and egress to such surrounded areas by means which have been or are being customarily enjoyed with respect to other such areas similarly situated. “<sup>34</sup>

In May 1887 William's oldest son, Robert A. Brighton, took advantage of the growing popularity of the area, applied for and was granted a [patent on 80 acres](#) adjacent to his father's. He soon subdivided a portion of this parcel, named it the "Silver Lake Summer Resort" and began selling lots. On July 26, 1897 lots 1, 2, 3, 46, 47 and 48 were sold to James H. and

31 [https://scholarship.law.uwyo.edu/cgi/viewcontent.cgi?article=1263&context=land\\_water](https://scholarship.law.uwyo.edu/cgi/viewcontent.cgi?article=1263&context=land_water) page 131

32 [https://scholarship.law.uwyo.edu/cgi/viewcontent.cgi?article=1263&context=land\\_water](https://scholarship.law.uwyo.edu/cgi/viewcontent.cgi?article=1263&context=land_water) page 132

33 [https://scholarship.law.uwyo.edu/cgi/viewcontent.cgi?article=1263&context=land\\_water](https://scholarship.law.uwyo.edu/cgi/viewcontent.cgi?article=1263&context=land_water) page 138

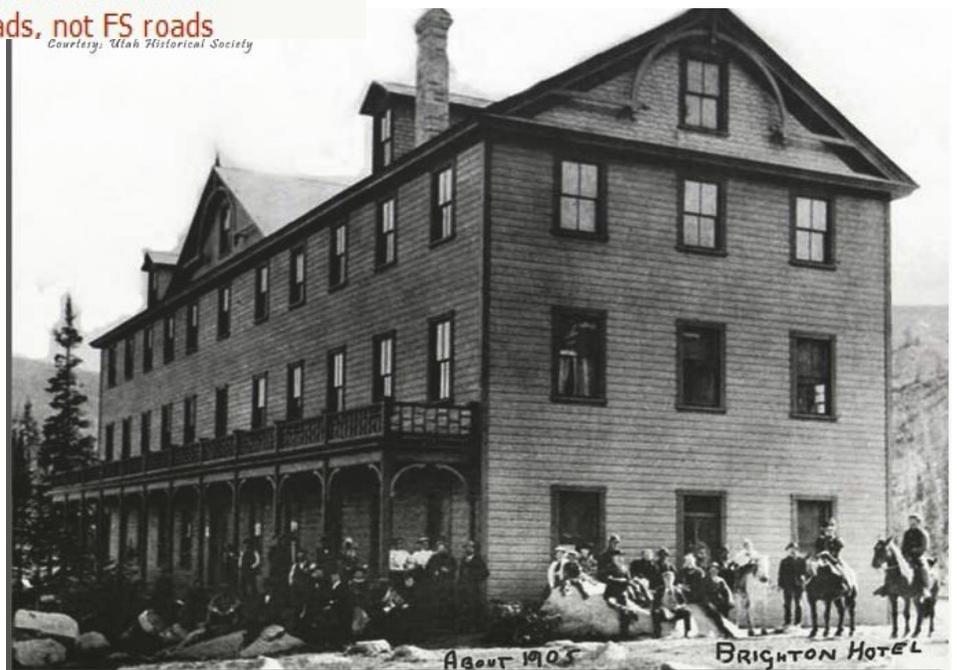
34 <https://winapps.umn.edu/winapps/media2/wilderness/toolboxes/documents/inholdings/FS%20Inholding%20Regulations.%20Policy.%20Management%20Practices.pdf> page 1

Leoline W. Brown. This was the eventual site of the Balsam Hill Cabin<sup>35</sup>. **His 80 acres came with Road Rights-of-Way that predated the Forest Service by 17 years.**

Cardiff Fork Landowners support public use of their private road and would appreciate the FS stop its recent dispute of their Private Settlers' Road. Moreover, the FS knows roads are needed for timber harvesting as the FS sell 3 billion board feet of lumber a year for \$200 million.



*First Brighton Hotel, built 1874*  
**Built 30 years before the creation of Forest Service  
using private lumber and mining roads, not FS roads**



*Second Brighton Hotel, built 1893*  
**Built 11 years before creation of 1904 Forest Service**

35 <http://balsam-hill-cabin.com/php/book/ch1.php>

<https://www.deseret.com/utah/2020/12/27/21551667/the-pitfalls-of-owning-old-mining-sites-in-salt-lakes-wasatch-canyons> Some residents say government puts them in a “nightmare” chokehold.



“While FLPMA's repeal of the Act foreclosed claims to new rights-of-way, it did not divest companies of the valid rights-of-way grants obtained through the 1875 Act.”<sup>36</sup>

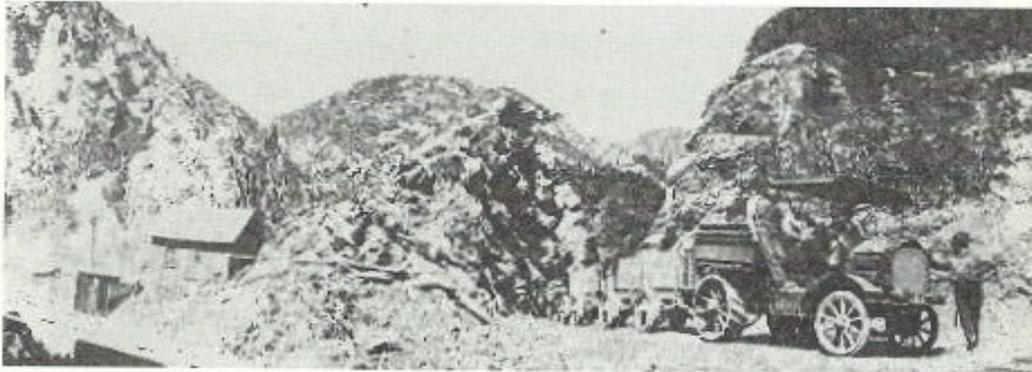


Figure 48. A Knox tractor with ore trailers on the new road through the cut at the Stairs power station reservoir. The tractors were introduced in 1916 to replace teams of horses in the canyon. The new road through the cut was built to remove steep grades over Jones' Hump at the same site. (SLMR, 15 October 1916)

## **Tractors on canyon roads not FS trails.**



Figure 49. The Maxfield Mine in Big Cottonwood Canyon, circa 1916. This view looking up canyon shows the road passing between the mine buildings and the dump. A covered trestle between the tunnel and dump crosses the road in the distance. (SLMR, 15 October 1916)

## **He drove to work on a road not a FS trail.**

**"the road above Silver Lake," not a FS trail.**



Figure 56. A familiar view of Brighton from the road above Silver Lake. The new hotel is seen above the center of the meadow. This C. R. Savage photo was probably taken shortly after the new hotel was completed; the old hotel is still standing to the left of the new one. (CHO)

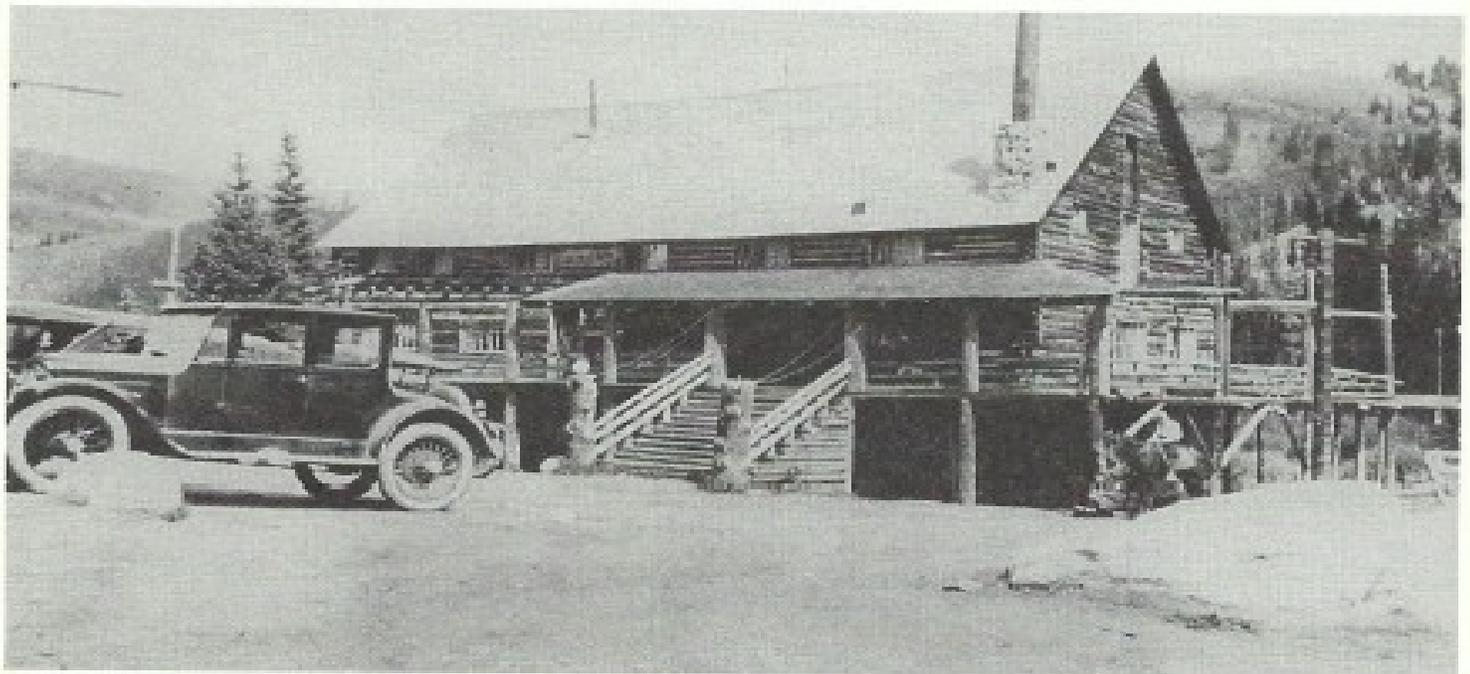
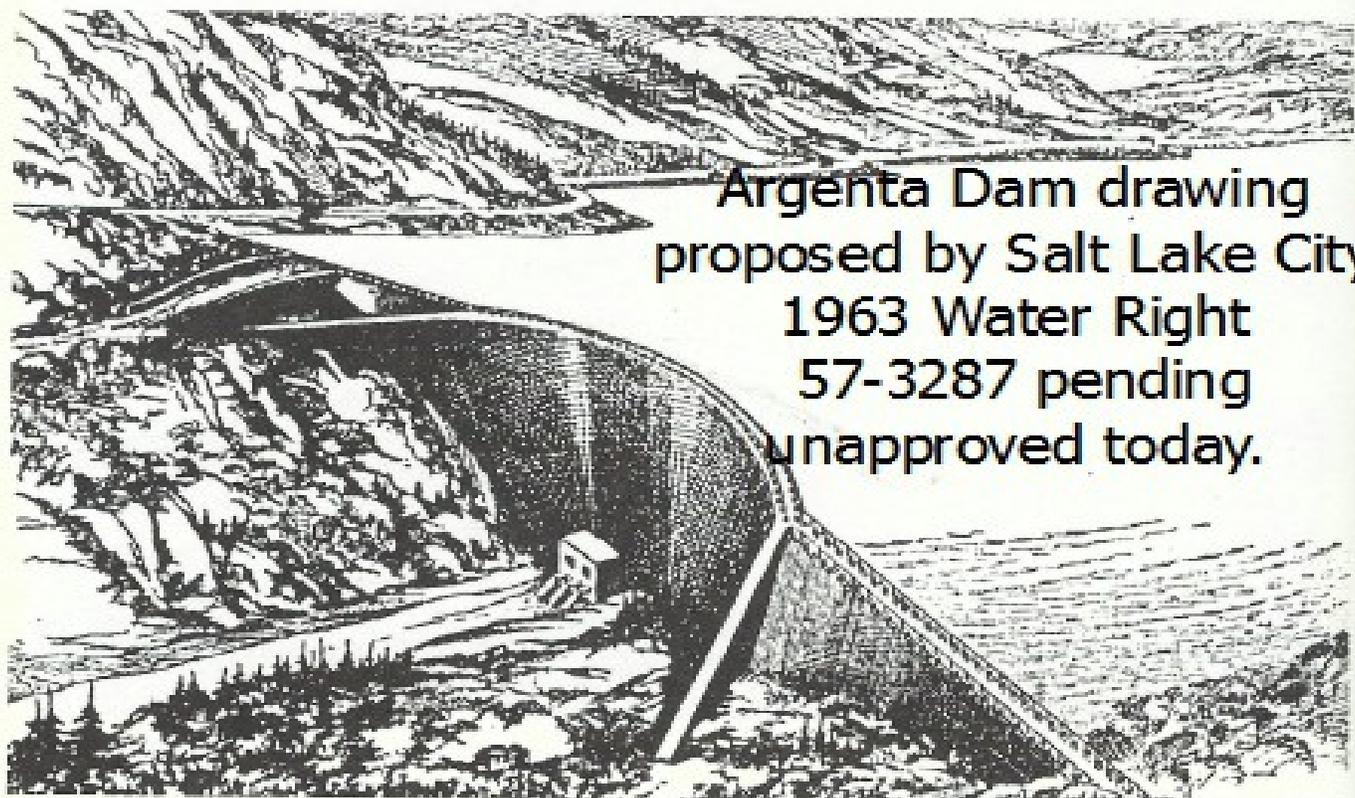


Figure 57. The Balsam Inn, built by T. C. Davis in Brighton about 1911, was popular with both hikers and skiers. It was destroyed by fire on 31 March 1937. (UHS)

**Customers drove on roads to  
the Balsam Inn, not on FS trails**



Argenta Dam drawing  
 proposed by Salt Lake City  
 1963 Water Right  
 57-3287 pending  
 unapproved today.

Figure 74. Artist's drawing of the proposed Argenta dam and reservoir in Big Cottonwood Canyon. (SLT, 23 March 1930)

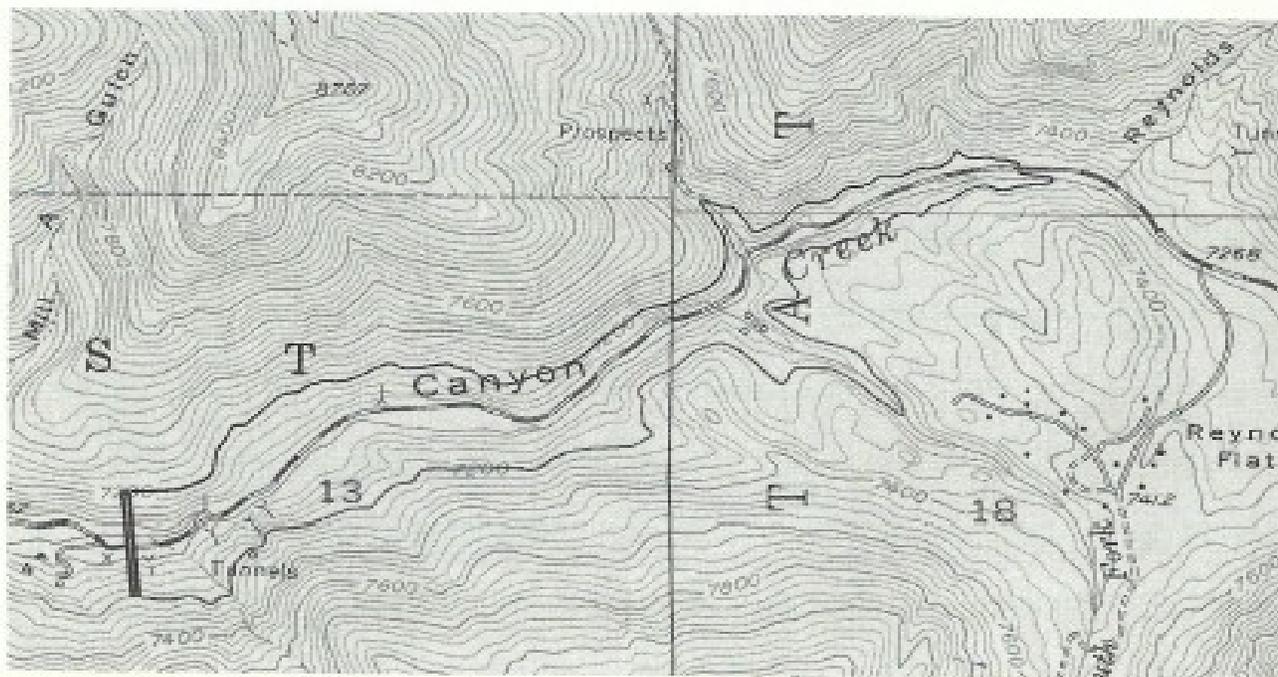


Figure 75. Map showing the extent of the proposed Argenta reservoir.

Area to be flooded - 60% the size of Deer Creek

<p>FS Ranger Doug Muir 01/12/2001 11:03 AF</p>	<p>“However, because a special use permit conveys no interest in an easement, and this has a consequent effect on value, if the private land owner wants a more permanent type of easement we must grant it.”</p>
<p>File Code: 2730 Jan 24, 2001 Dan Jiron District Ranger</p>	<p>“Landowner are allowed motorized access to private property on the existing Cardiff Fork road.”</p> <p>“Under the Common Law of Dominant Tenant, the United States must grant reasonable access to private parcels within the National Forest, hat are totally surrounded by National Forest System Lands. This means the Forest Service must allow private owners the right of access, using normal means of transportation including snowmobiles. Skiers in the area are on private property, much of the time, perhaps thinking they are on public lands. In actuality they may be trespassing on private land. Please see attached map.”</p>
<p>Forest Service File Code: 2710 June 24, 2005 Salt Lake Ranger District 6944 S 3000 E SLC, UT 84121</p>	<p>“I noted that “[a]n easement is an interest in real property, which the Forest Service typically issues to authorize access only when there is a proposal and need for substantial road or trail construction or maintenance that will be conducted by the landowner needing access.””</p>
<p>Forest Service District Ranger Loren M Kroenke March 26, 2007</p>	<p>“Under regulations for the Alaska National Interest Lands Conservation Act, the Forest Service is required to provide such access as the agency determines adequate for reasonable use and enjoyment of private land that is more or less surrounded by National Forest land (36 CFR 251.100(c)).”</p>
<p>Salt Lake Tribune December 24,</p>	<p>“It is our [SLC's] intent not to grant any easement across our</p>

2003 "SLC denies landowners motor access	property," said LeRoy Hooton Jr., director of the city's Public Utilities Department." If one abutting landowner has road control rights, then so do all.
Forest Supervisor Thomas L Tidwell File Code: 2710 October 2, 2003	"For instance, no Forest Service authorization would be required for mere use of the road, but would be required for any construction, reconstruction, or maintenance of the road. 36 CFR 261.10(a)."
Forest Supervisor Thomas L Tidwell File Code: 2710 October 2, 2003 08/13/2007 US Attny Office	"Please note that interference with a survey under instructions of the Bureau of Land Management is a felony. That could result in a fine or imprisonment up to three years, or both (18 U.S.c. 1859). We will not traverse your property without your permission."
Public Scoping Notice Salt Lake Ranger District Wasatch-Cache National Forest Cardiff Fork Access Proposals	"Of this, about 0.8 miles of the road is located on non-Federal land and is not subject to Forest Service Control."  "Until about the early 1900's, Cardiff Fork Road was open to public motorized use
04/28/2003 FS letter County Sheriff.	"Issue: Lane Laskin (Canyon Patrol Sheriff) hassled cyle's guests last week – call for details." "If guilty, complain of damages due to not allowing entry. If innocent,sheriff is no longer able to police the road."
Cardiff Landowners Association 4-1-2005 Wayne Crawford President	"This road reached what may be peak use in the 1950's. At that time the Cardiff mine had 10 wheel dump trucks hauling ore of the canyon "almost continually" according to personal accounts."

## 10 Wheel 1950's Dump Truck hauling Cardiff Mine ore down Cardiff Fork Road, not a FS trail.



Congress passed laws to trade US Land Deeds with Rights-of-Way for cash gold.

- Homestead Act of 1862
- Mining Act of 1866
- Mining Act of 1869
- Mining Act of 1871
- Mining Act of 1872
- Organic Act of June 4, 1897, 16 USC 478
- Wilderness Act 5(a), 16 USC 1134(a)
- Act of October 13, 1964, 16 USC 532-538
- Montana Wilderness Study Act of 1977, 3, 16 USC 1132
- 478 creates a right of access for 1) actual settlers; 2) construction of wagon roads and other improvements by actual settlers; and 3) entry upon the national forest for all proper and lawful purposes by any person.
- “This policy of unimpeded access was recognized by the Supreme Court in *Buford v Houtz*, 133 US 320 (1890)

“the term “actual settlers” included any person or corporation owning property within the boundaries of national forests.”<sup>37</sup>

Private land in Wilderness Areas have more access rights than private land in Cardiff Canyon, Utah.

- “Absent a prior existing access right, the Secretary of Agriculture may deny “adequate access” to land within a national forest wideness area, but must offer a land exchange as indemnity. (Does not apply to Cardiff Canyon, because it is not a Wilderness Area.)
- An implied easement defined by the actual intent of Congress must be distinguished from an easement of necessity, which relies on the presumed intent of the parties.” (Mining Claims have implied easement by legislative intent.
- 
- Elements of Easement of Necessity: 1( Unity-of-title) title held by one person at some time; 2) Unity-of-title must have been severed by a conveyance of one of the tracts; 3) the easement must be necessary in order for the owner of the dominant tenement to use his land.
- Under Wilderness Act, 16 USC 1134(a) “guarantees a private land owner “adequate access” to an in holding unless the landowner voluntarily chooses a land exchange.:<sup>38</sup>
- If access is denied, then land exchange as indemnity under Wilderness Act
- Under Wilderness Act “As a result of 5(a), therefore, a inholder actually may possess more access “rights” than were possessed prior to wilderness designation.”<sup>39</sup>
- 

#### **FSM 2734.2 - Reserved or Outstanding Rights-of-Way**

“The holder of outstanding rights perfected on acquired land prior to Forest Service acquisition [the Cardiff Fork Road], reservation in deeds, easements, or agreements made at the time of acquisition of the land or easement by the United States may exercise those rights without obtaining a special use authorization, unless the document creating the rights provides for an additional authorization. Such rights are limited to the rights existing at the time of acquisition, and the holder cannot enlarge them without a special use authorization. Carefully examine the basis or grounds for a claim of rights-of-way and secure a legal opinion if necessary in order to determine the extent of outstanding or reserved rights. Authorize any enlargement of the rights with an appropriate special use authorization.”

FS Road Easement Form<sup>40</sup>

Road Easements laws<sup>41</sup>

“It is estimated that 14,000 vehicles per day access forests for timber purposes compared to 137,000

37 Page 32, Paragraph 2 Rights-of-Way Across National Forests Benjamin R Civiletti 73<sup>rd</sup> US Attorney General

38 Page 47, Rights-of-Way Across National Forests Benjamin R Civiletti 73<sup>rd</sup> US Attorney General

39 Page 54, Rights-of-Way Across National Forests Benjamin R Civiletti 73<sup>rd</sup> US Attorney General

40 [https://www.google.com/search?](https://www.google.com/search?q=FS+Road+Easement+form&rlz=1C1GGRV_enUS914US914&oq=FS+Road+Easement+form&aqs=chrome..69i57j69i64.7120j1j4&sourceid=chrome&ie=UTF-8)

[q=FS+Road+Easement+form&rlz=1C1GGRV\\_enUS914US914&oq=FS+Road+Easement+form&aqs=chrome..69i57j69i64.7120j1j4&sourceid=chrome&ie=UTF-8](https://www.google.com/search?q=FS+Road+Easement+form&rlz=1C1GGRV_enUS914US914&oq=FS+Road+Easement+form&aqs=chrome..69i57j69i64.7120j1j4&sourceid=chrome&ie=UTF-8)

41 <https://www.gardenlawfirm.com/wp-content/uploads/2014/12/Pages-from-A-Compilation-of-US-Forest-Service-Manual-and-Handbook-Provisions-Relevant-to-Special-Use-Permits-excerpted-pages-1-107-protected.pdf>

per day for recreational use.” 1950<sup>42</sup>

“212.6 Ingress and egress. (a) Policy in acquiring and granting access. To assure effective protection, management, and utilization of lands administered by the Forest Service and intermingled and adjacent private and public lands, and for the use and development of the resources upon which communities within or adjacent to the National Forests are dependent, the Chief shall as promptly as is feasible obtain needed access thereto and shall grant appropriate access across National Forest and other lands and easements administered by the Forest Service to intermingled or adjacent landowners.” Note the word “promptly.”<sup>43</sup>

“(b) Holders of [unpatented mining claims](#) validly established on any National Forest [Wilderness](#) prior to inclusion of such unit in the National [Wilderness](#) Preservation System shall be accorded the rights provided by the United States mining laws as then applicable to the National [Forest land](#) involved”<sup>44</sup>

“*Hulse v. First Am. Title Co.*, 33 P.3d 122, 135 (WY Supreme. 2001), finding that Wyoming state law adhered to a well- recognized public policy against landlocking property”<sup>45</sup>

“*Idaho Rivers United v. Hudson*, 173 F. Supp.3d 1027, 1033 (D. Idaho. 2016). This view is consistent with the intent of ANILCA to require the federal government to allow access to in holdings, rather than burden the private property owner with the onerous task of proving her right to access her property.”<sup>46</sup>

“1. Right to exclusive possession and occupancy for mining purposes, including control of the surface. [FS] Permission must be obtained from the claimant to cross the claim with a road. The Forest Service must obtain a claimant's permission to harvest timber from the claim, except for removal of dead or diseased trees which constitute a menace to the Forest.”<sup>47</sup>

“The Chaffee Law of 1869 and the Placer Law of 1871 were combined into the General Mining Act of 1872. The Mining Maw of 1866 had given discoverers rights to stake mining claims to extract gold, silver, cinnabar and copper. When Congress passed the General Mining Act of 1872, the wording was changed to “or other valuable deposits,” giving greater scope to the law.

The 1872 Act also granted extralateral rights to lode claims and fixed the maximum size of lode claims as 1,500 feet (457m) long and 600 feet (183m) wide (approximately 20.6 acres/8.3 hectares). This gave

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42<https://leg.mt.gov/content/Committees/Interim/2015-2016/EQC/Meetings/Mar-2016/hj-13-road-history-revised.pdf>

43<https://www.govinfo.gov/content/pkg/CFR-2011-title36-vol2/pdf/CFR-2011-title36-vol2-sec212-6.pdf>

44<https://www.law.cornell.edu/cfr/text/36/228.15>

45<https://www.hctahoe.com/post/private-inholdings-federal-lands>

46<https://www.hctahoe.com/post/private-inholdings-federal-lands>

47[https://www.fs.usda.gov/Internet/FSE\\_DOCUMENTS/fseprd533980.pdf](https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/fseprd533980.pdf)

the owner of the surface outcrop of a vein the right to follow and mine the vein wherever it led, even if its subsurface extension continued beneath other mining claims. This provision is also known as the Law of the Apex.”<sup>48</sup>

In summary, the Cardiff Fork Road was built by families, lumber jacks and miners using their non-exclusive private Rights-of-Way. Later, Cardiff Fork Road became public road which did not cancel prior existing Rights-of-Way. Salt Lake County Mayor Nancy Workman claim Cardiff Fork Road as public RS 2477 road, but it was later abandoned by Salt Lake County Mayor Peter Corroon. Today, the Cardiff Fork Road is again a private road with all abutting landowners including the Forest Service all have non-exclusive Rights-of-Way.

The rich Forest Service should do the honorable thing, and build a real Forest Service Road on the half of the Cardiff Fork Canyon land it owns. Nothing prevents the Forest Service from making their own road to access their property.

The Forest Service only owns half of Cardiff Fork Canyon, and can not claim the whole road while banning the other half from the canyon to enrich the money making commercial FS Special Use Permits issued for helicopter skiing, and backcountry guide business in Cardiff Fork Canyon. FS customers trespass by foot and feces on the other non-FS half of canyon. Congress sold US Land Deeds land with Rights-of-Ways for and development to homesteaders for farms to produce surplus food to feed city people, to lumber jacks for surplus lumber to build houses for city people, and to backcountry miners for US Treasury GOLD to back printed paper money for politicians to spend for power in US and international cities around the world. There is no such thing as a US Land Deed with no Rights-of-Way.

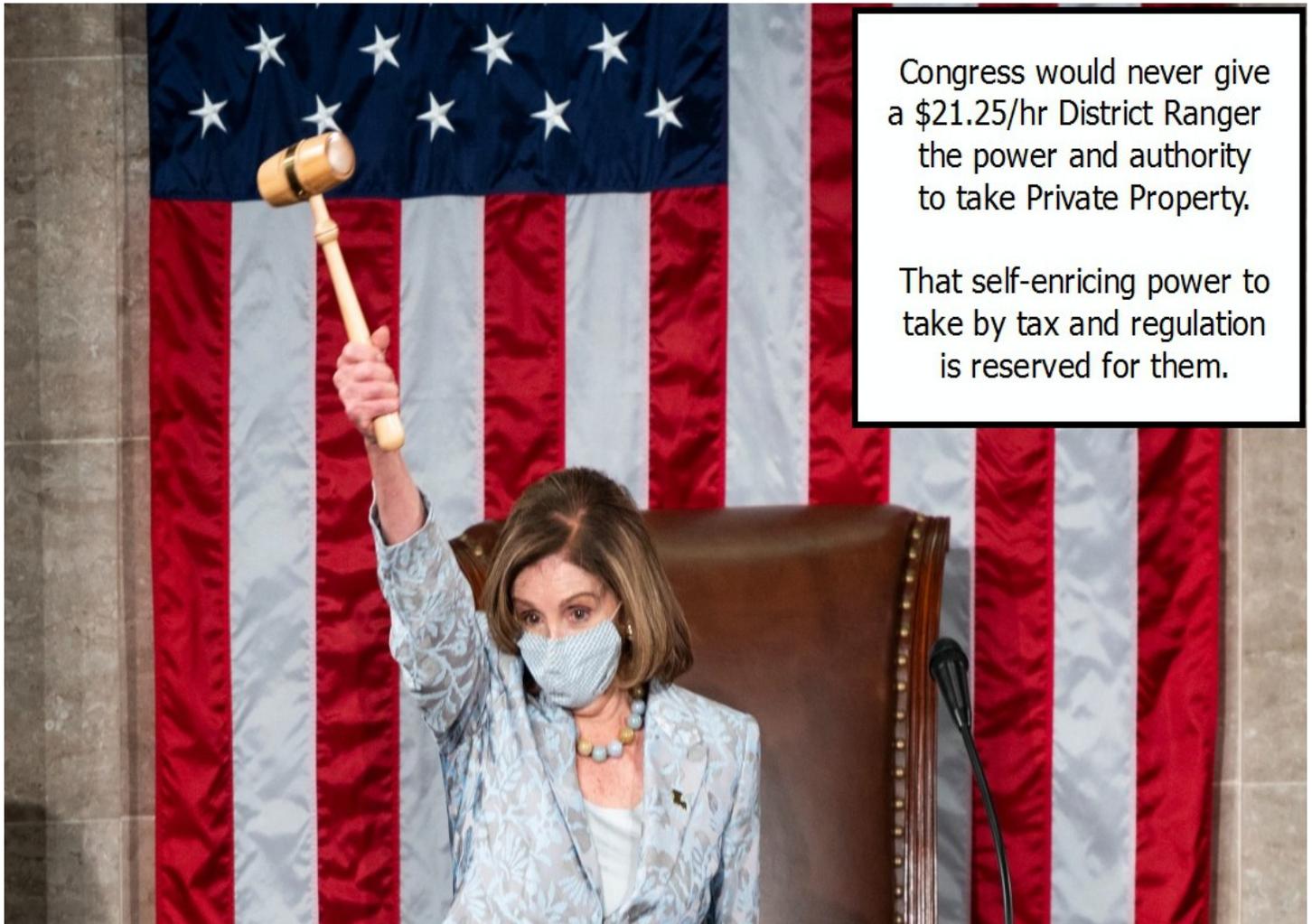
The political game is the same then as it is now. Politicians giving away stuff for power and gain. The stuff they give away today is money. The stuff they gave away in the 1860's was US Land Deeds with Rights-of-Way. The current Forest Service story on the Cardiff Fork Road is pure myth, puffery, and dishonest.

After closing a road open for over 172 years, the Forest Service now claims landowners must get permission from Salt Lake City to cross Salt Lake City's portion of the Cardiff Fork Road. The corollary is that the Forest Service and Salt Lake City must get permission from the Cardiff Fork Land Owners for them to cross private landowner land. The error is that the Forest Service did not get a copy of the Salt Lake City land deed showing only 90% ownership as a tenant in common from the Grantee who apparently retained 10% and granted the 90% land subject to the existing road Rights-of-Way.

Using FS legal statements and claims made by its authorized agents, the FS needs a permit or Rights-of-Way from the landowners for the FS customers to cross the private property portions of the Cardiff Fork Road

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48 <https://www.linkedin.com/pulse/governments-grab-gold-history-mining-claim-law-arthur-leger>



Congress would never give a \$21.25/hr District Ranger the power and authority to take Private Property.

That self-enriching power to take by tax and regulation is reserved for them.

Finally, a helicopter is motorized vehicle still permitted in Cardiff Fork Canyon for Wasatch Powderbirds, a FS Special Use Permit paying customer. The FS, SLC, SLCO, Wasatch Powderbirds, FS surveyors all have full motorized and commercial access to Cardiff Fork Canyon except the property tax paying Cardiff Fork Canyon landowners. There is no way the new 2022 Forest Service story is legal, moral, or honest in light of the Cardiff Fork history from 1860 to 2022 nor by the mere fact the FS only owns half of Cardiff Fork Canyon. Half Rights can't magically become whole rights by the say so of 1 of the 600 \$42,516<sup>49</sup> District Rangers in the US. Cardiff Fork Canyon is a better canyon, better protected from wildfire, and misuse because of private landowners who support public access and wise use of Forest Land.

<sup>49</sup> <https://www.salary.com/research/salary/employer/forest-service/district-ranger-salary>

– **Red Smith** 2 years ago

↩ In reply to C J

A million pounds of human waste has been left in Big Cottonwood Canyon over the past 20 years pushing ecoli levels in the water to known dangerous levels. What's done about this? Basically nothing.

A canyon landowner was tired of hundreds of trespassers defecating on his property so he put out a toilet bucket, bag, and lid. They'd haul the human waste out so it was not left on the watershed. They'd even offered land for a public toilet, but the county declined and told them to remove the trespassers' toilet.

So again trespassers are again defecating in the watershed. What's the canyon over regulation game really about? \$1 billion in canyon land grab for \$30 million using these abusive county tactics to push private land owners off their land.

The county charges \$750 for a tree improperly cut down. A canyon landowner was offered \$700 for an acre of trees like Yellowstone after being ticketed by police 39 times. 38 tickets were dismissed. The non-dismissed ticket was for destruction of federal property (avalanche debris removed from blocking the road).

Why? So 200 backcountry skiers can claim cardiff canyon as a free public ski resort instead of paying \$100 ski tickets and ski over private land for free.

Imagine the gov't cutting your road, sewer, water then buying you \$400,000 house for pennies That's what the canyon land owners deal with all the time while the Forest Service operates a luxury camp raking in \$500,000 a year in fees built with no permits.

The ski resorts can do whatever they want often with no permits. UDOT can poison the canyon with hundreds of tons of salt each year so folks can make canyon money, but a landowner securing a dangerous mine hole who makes no money is taken to task.

👍 RESPECTED 15 ↩ REPLY ↪ SHARE

🚩 REPORT

– **NoNamesAccepted** 2 years ago

↩ In reply to Red Smith

Well said Red.

If the county wants to convert private land to public use, there is a legal process for that. What it is doing makes a mockery of our rights.

👍 RESPECTED 10 ↩ REPLY ↪ SHARE

🚩 REPORT