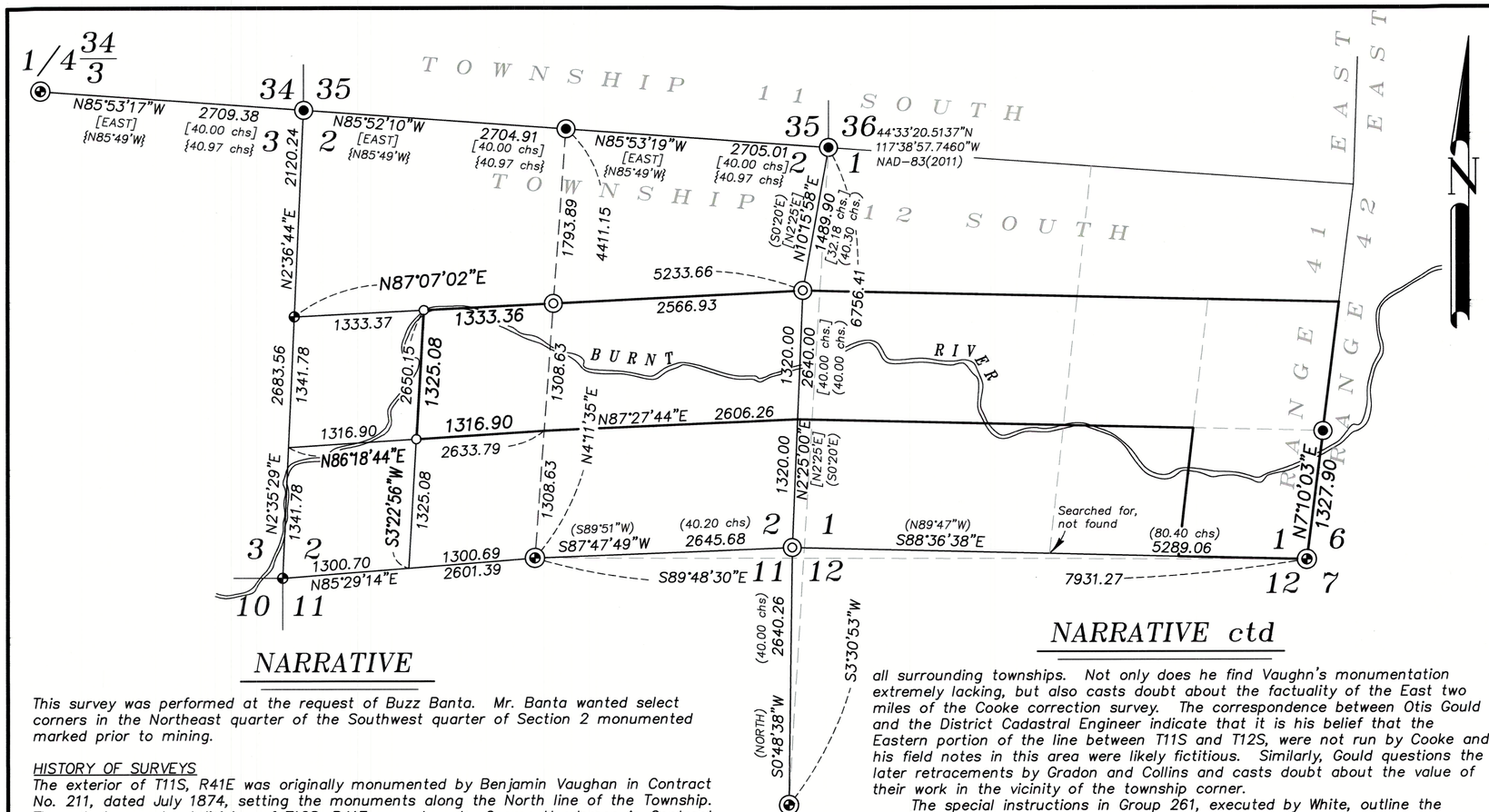

NARRATIVE

This survey was performed at the request of Buzz Banta. Mr. Banta wanted select corners in the Northeast quarter of the Southwest quarter of Section 2 monumented marked prior to mining.

HISTORY OF SURVEYS

The exterior of T11S, R41E was originally monumented by Benjamin Vaughan in Contract No. 211, dated July 1874, setting the monuments along the North line of the Township. The exteriors and subdivision of T12S, R41E, was done by George Henderson in Contract No. 409, dated August 22, 1881. In this survey, Mr. Henderson does not find Vaughan's corners on the North line of the Township and resets them all. The GLO finding this in error, sends GLO surveyor Henry W. Cooke, to perform a correction resurvey of the North line and North tier of sections in T12S, R41E, recovering Vaughan's corners and reestablishing the quarter corners on the East and West sides of Sections 1–6. This was done in April of 1883. In this survey, finding no corner at Vaughan's township corner position, he reestablished it by independent resurvey. His retracement of Vaughan reveals many lost corners, but in the resurvey, he does find the remaining evidence to be harmonious with record bearing and distance. He destroys corners set by Henderson, which he finds North approx. 8–10 chains.

After Henderson's survey, but before Cooke's correction survey, the exteriors of Township 12 South, Range 42 East was perfomed by William Gradon. Finding the monuments around the exteriors out of position, he sets a closing corner at the intersection of the East line of T12S R41E. He sets this corner 19.76 chains South of the erroneous Township corner that was set by Henderson.

In 1921, GLO surveyor John Collins executes a resurvey of Section 6, T12S, R42E. He finds original evidence at the Southeast corner of Section 1 T12S, R41E, the quarter corner between Section 1 and 6, and the Township corner established by Cooke. He does not find the corner set by William Gradon, pertaining to the township he is working in, and resets it at a point 13.08 chains South of the Cooke corner along the retraced line.

In 1939, Otis Gould conduts an investigative study within T11S and T12S, Ranges 41 and 42 East. He remonuments select Henderson corners in T12S, R41E.

In 1960, C Albert White, finding no evidence at the Township corner, reestablished it by three point control using the Southeast corner of Section 13, T11S, R41E, the 1/4 corner between 3 and 34, T11S/R12S, R41E and the SE corner of Section 33, T12S, R42E. He calls the corner common to all surrounding townships with no offset between the Ranges. This survey monuments the North line of T12S, R41E. The corners on the North line of Section 1 and 2 are set by single proportion.

In 1979, Glenn Goodson and John Lee monument the exteriors of Section 3. Based on the work of Gould and White, they set the corners along the West line of Section 2 by proportion.

FIELD SURVEY

I recover the monuments as shown. I make a diligent search at the East quarter corner of Section 2, the Southeast corner of Section 2, and the South quarter corner of Section 1, but can find no remaining original GLO evidence.

The idea of using a standard proportion to replace lost corners is complicated by the extensive surveys and resurveys that have been conducted within this tier of sections. When analyzing the viability of replacing lost corners by the standard methods of double proportion for section corners and single proportion for quarter corners, the differences between measured distances and record measurements were far too significant to disregard. The distance between White's monument at the Northeast corner of Section 2, and the East quarter corner of Section 11, when combining the record measurements of Cooke and Henderson is deficient by 647 feet.

I contact the BLM who graciously procured the Group File for the Special Instructions given to White. The curious decision by White to make the township corner of T11S–T12S, R41E–R42E common, despite numerous surveys calling this an offset corner stems from the investigative survey done by Otis Gould in the 1930–40's. He conducts a rather extensive study in all surrounding townships. Not only does he find Vaughn's monumentation extremely lacking, but also casts doubt about the factuality of the East two miles of the Cooke correction survey. The correspondence between Otis Gould and the District Cadastral Engineer indicate that it is his belief that the Eastern portion of the line between T11S and T12S, were not run by Cooke and his field notes in this area were likely fictitious. Similarly, Gould questions the later retracements by Gradon and Collins and casts doubt about the value of their work in the vicinity of the township corner.

NARRATIVE ctd

The special instructions in Group 261, executed by White, outline the method of replacing the township corner and the justification for this placement, whereby he makes the township corner common to all surrounding townships. As this decision proceeded with the presumption that the Eastern portion of the Cooke survey was imaginary, it does stand to reason that use of a proportion to replace a potentially fictitious corner would be patently incorrect. The special instructions, seemingly aware of the potential deleterious effect this would have on the replacement of lost corners in the Henderson subdivision of T12S, R41E, as well as the patented holdings within the North tier of sections prescribes a method of three point control for replacing the Southeast corner of Section 2, from the Henderson corners within this Township (1/4 between Sec 2 and 11, 1/4 cor. between Sec. 11 and 12 and the SE corner of Sec. 1). It also prescribes that the quarter corner between Sections 1 and 2 should be established at record distance North from this corner, with the lines terminating at the section corners on the Township line.

Given the long history of possible fraudulent GLO surveys in this area, I find the method prescribed by the BLM Special Instructions of reestablishing the SE corner of Section 2 by three point control to be the best method as it utilizes confirmed perpetuations of the Henderson survey with no reliance on any questionable later resurveys. However, the instruction of utilizing the record to reestablish the quarter corner brings up the question of whether Henderson's record should be used or Cooke's. Would it be proper utilize Cooke's measurements despite the fact that an investigation by Gould indicates likely evidence of fraud and a subsequent BLM survey was completed, at the partially so, on the basis that this work was not factual? How much reliance can be put on the Cooke field notes with respect to his destruction of Henderson's monuments? Secondly, would it be proper to utilize Henderson's measurements despite the conclusion by the GLO that this was done improperly and superceded by Cooke's later correction survey? Which corner, if any, was most likely there in 1891, at the time of first settlement? Unfortunately, this is a question that can only be answered with speculation.

The determination that Cooke's survey was likely fictitious is not necessarily evident by looking at the notes and plat of the White survey, and the extent to which these surveys have been deemed fraudulent is vague in the special instructions. Despite sharing many characteristics of an independent resurvey, which would have been conducted if there were conclusive proof of an imaginary survey, the White survey was explicitly conducted as a dependent resurvey. Cooke's survey was an accepted survey of the GLO, superceding Henderson's, and despite the potential that it may never have been done in this area, I have no way of independently confirming this assertion. I therefore use Cooke's record bearing and distance for one point control to reestablish the quarter corner position. Subdivision of the section is as per BLM Manual of Instructions 2009.

My many thanks for the assistance and advice given to me by the BLM throughout the course of this survey. I find no other unusual conditions with this survey.

BASIS OF BEARING

True Geodetic North at the Northeast corner of Section 2, Township 12 South, Range 41 East of the Willamette Meridian, as established by GPS observation

SCALE: 1"=1000'

LEGEND

- ⊕ *Found 1" iron pipe with 2 1/2" brass cap, set from original corner evidence by Otis Gould under special instructions dated February 23, 1934 and included under Group No. 163*
- ◉ *Found 2 1/2" iron pipe with 3" brass cap by C. Albert White under BLM Special Instructions dated Sept. 3, 1940 and included under Group No. 261*
- ◕ *Found 2 1/2" iron pipe with 3" brass cap, set at proportionate position by Glenn Goodson under BLM special instructions dated May 21, 1979 and included in Group No. 984*
- ◎ *Set 2 1/2" x 30" aluminum pipe with 2 1/2" aluminum cap, marked as per Baker County monumentation records, filed separately*
- ○ *Set 5/8" x 30" iron pin with 2 1/2" aluminum cap, marked as per Baker County monumentation records, filed separately*
- ( ) *Record measurement as per field notes of GLO Contract No. 409, executed by George Henderson, dated August 22, 1881*
- [ ] *Record measurement as per field notes of GLO Contract executed by Henry W. Cooke, 1883*
- { } *Record measurement as per filed notes of survey by C. Albert White, under BLM Special Instructions dated September 3, 1940*

REFERENCE MATERIAL

Field notes of GLO Contract No. 211, executed by Benjamin Vaughn, dated July 14, 1874

Field notes of GLO Contract No. 409, executed by George Henderson, dated August 22, 1881

Field Notes of Resurvey of Exterior and Subdivisional lines of T12S, R41E in GLO Contract executed by Henry W. Cooke, 1883

Field Notes of GLO Contract No. 445, executed by William R. Gradon, dated June 1, 1882

Field notes of GLO retracement and dependent resurvey, executed by John G. Collins under special instructions dated June 22, 1921 and included in Group No. 76.

Field notes of GLO remonumentation survey executed by Otis O. Gould under special isntructions dated February 23, 1934 and included under Group No. 163

Field notes of BLM dependent resurvey, executed by C. Albert White, under special instructions dated September 3, 1940, included under Group No. 261

Field notes of BLM dependent resurvey, executed by Glenn Goodson and John Lee, under special instructions dated May 21, 1979 and included in Group No. 984

Special Instructions and associated Group File for Group No. 261

DEED REFERENCES
66 22 057
B04 08 0190

FILED May 12, 2021
BAKER COUNTY SURVEYOR
SURVEY NO. 12-41-38

REGISTERED
PROFESSIONAL
LAND SURVEYOR
OREGON
JUNE 2, 2010
JEFFREY S. HSU
83571
Renewal Date: June 30, 2021

BAGETT, GRIFFITH & BLACKMAN
2006 Adams Avenue, LaGrande, Oregon
Map of Survey

Situated in Section 1 and 2, Township 12 South, Range 41 East of the Willamette Meridian

BAKER COUNTY, OREGON

SURVEYED FOR	Buzz Banta	
SURVEYED BY	J. S. H.	
Scale: 1" = 1000'	Drawn by: J. S. H.	Mar–May 2021