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10/18/88

ARIZONA DEPARTMENT OF MINES AND MINERAL RESOURCES FILE DATA

PRIMARY NAME: POLECAT CANYON

ALTERNATE NAMES:

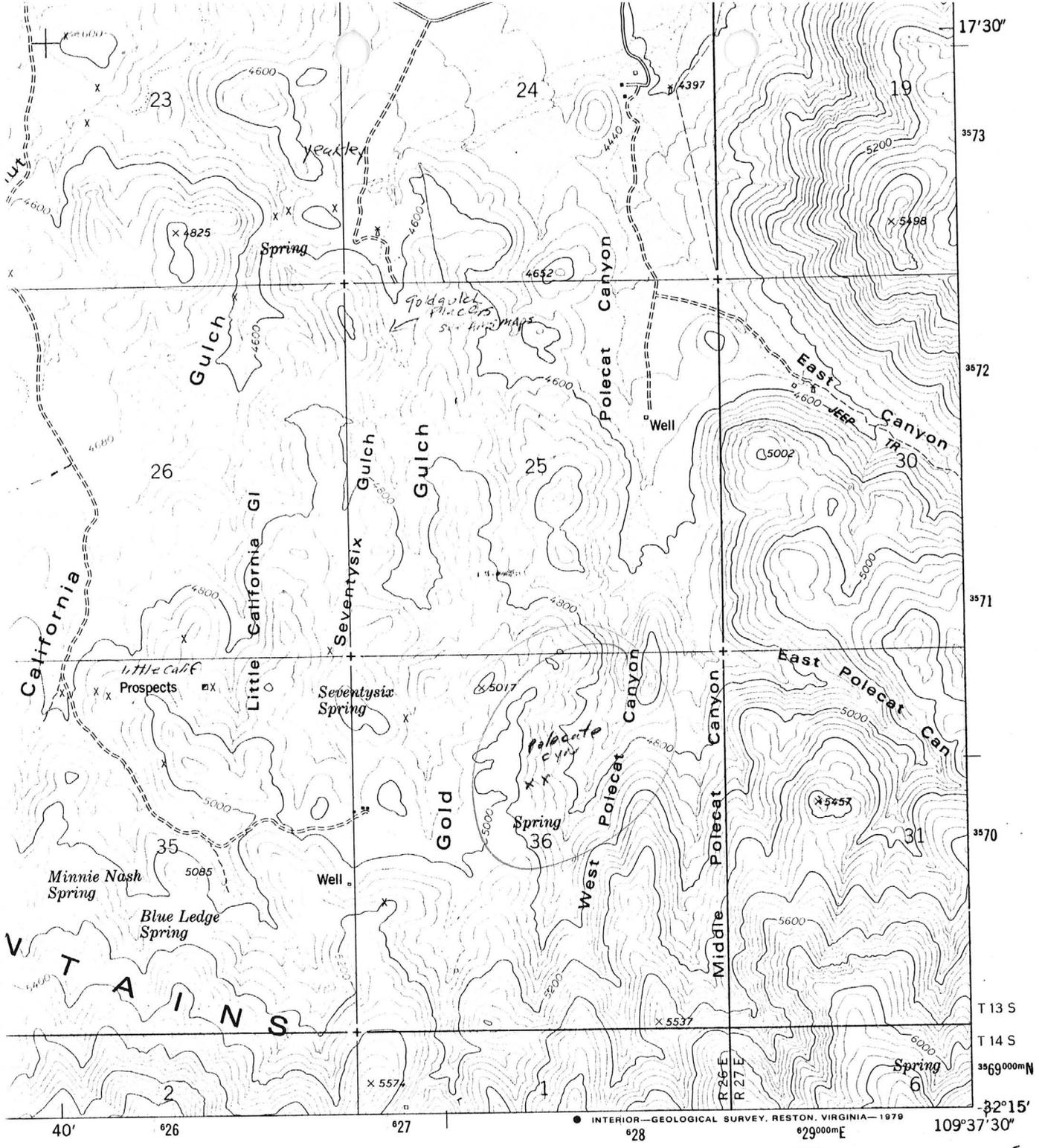
COCHISE COUNTY MILS NUMBER: 154

LOCATION: TOWNSHIP 13 S RANGE 26 E SECTION 36 QUARTER NW
LATITUDE: N 32DEG 15MIN 41SEC LONGITUDE: W 109DEG 38MIN 51SEC
TOPO MAP NAME: LUZENA - 15 MIN

CURRENT STATUS: UNKNOWN

COMMODITY:

BIBLIOGRAPHY: ADMMR POLECAT CANYON FILE



LE



ROAD CLASSIFICATION

- Primary highway, hard surface
- Light-duty road, hard or improved surface
- Secondary highway, hard surface
- Unimproved road
- Interstate Route
- U. S. Route
- State Route

RAILROAD PASS, ARIZ.

SW/4 LUZENA 15' QUADRANGLE
N3215—W10937.5/7.5

1979

DMA 4048 1 SW—SERIES V898

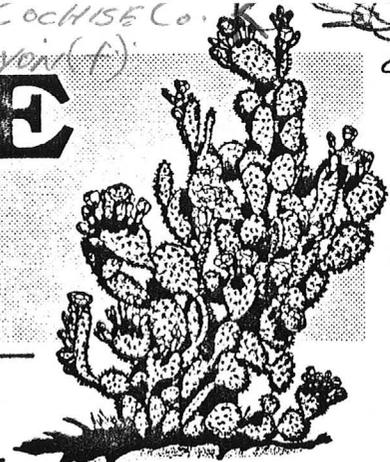
(DOS CABEZAS)
4048 11 NE

NEWS RELEASE

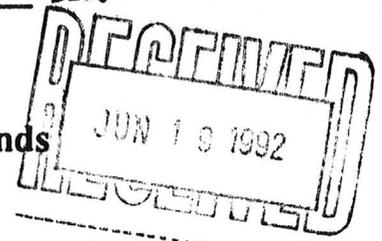
U.S. Department of the Interior
Bureau of Land Management
Arizona State Office
3707 North 7th Street, Phoenix, Arizona 85014



For Release: Immediately, June 17, 1992
Contact: Joanie Redfield, (602) 640-5504



U.S. Attorney Files Action To Reopen Public Lands



On June 12, 1992, United States Attorney Linda A. Akers filed an action against Wayne D. Klump and Luther Wallace Klump of Bowie, Ariz. in an effort to secure removal of certain private claims against federal lands. According to BLM Arizona State Director Lester K. Rosenkrance, the pending litigation stems from land claims filed in 1990 by Wayne and Luther Wallace Klump to over 180,000 acres of federal, state and private lands in Cochise and Graham counties.

“The public lands identified in the two Klump land claims include all of the public and state-leased lands in ten federal grazing allotments under permit by the Klump family,” Rosenkrance said. Both defendants refer to these claims as their authority to deny public and BLM access to these public lands. Rosenkrance added, “For more than two years, the Klump claims have hindered BLM efforts to enforce grazing laws and other public land regulations.” The state of Arizona has found the Klump land claims to be a burden on management of state trust lands as well. The state has also filed a quiet title action, Arizona ex rel. and M.J. Hassell vs. Klump Brothers et al., Civ. no. 91-03549 in Superior Court of the state of Arizona in and for the county of Maricopa.

Citing their claims, the Klumps informed BLM employees that they must have written permission before entering public lands and have denied access to BLM employees seeking to perform necessary management activities on the public lands. They also notified the BLM that it has 90 days to remove all federal improvements located on those lands.

The Klumps have closed certain public roads, resulting in increased public concern over use of the public lands in that area. “The closures have prevented public access to a variety of public land resources including designated wilderness areas, recreation sites, and active mining claims,” Rosenkrance said. “In addition, these public lands compose critical wildlife habitat for upland game and threatened and endangered species which need to be monitored by the BLM and the Arizona Game and Fish Department.”

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Rosenkrance said the Klumps have claimed that the public land identified by the BLM within the land claims is among other things:

“our private property. We claim all minerals, coal, oil, gas, water, geothermal, gravel, and all known and all unknown substances to the center of the earth. We claim the air, air space, water, gasses [sic], all living things, all dead things and all substances to the heavens and beyond. We claim the right to store and use any and all substances on, above, and under said lands.”

In addition, the Klump claims assert,

“We declare that this land is outside of any government or governmental agencies [sic] control or jurisdiction. The government, city, local, county, state or federal [sic] shall have no claim whatsoever to any of the above described property.”

Filing in the U.S. District Court of Tucson, the U.S. Attorney submitted affidavits from BLM officials affirming federal ownership status of public land within the Klump land claims. Additional evidence will be provided to demonstrate that these land claims are not valid and constitute a substantial hindrance on the ability of the BLM to manage and supervise certain public lands in Cochise and Graham counties.

The land claims and road closures are but two of the conflicts centering around the Klump allotments in southeastern Arizona. Other significant conflicts include reoccurring grazing trespass, failure to eartag livestock, unauthorized brands on livestock, failure to maintain range improvements, unauthorized modifications and removal of range improvements, and damage to riparian areas.

“Resolution of the land claims is of utmost importance. It is critical that the BLM be allowed to carry out its management objectives for those public lands involved in these claims. The conflicts surrounding the land claim and grazing trespass issues only serve to complicate BLM's management of and the public's right to use the valuable natural resources that belong to all American citizens,” Rosenkrance said.