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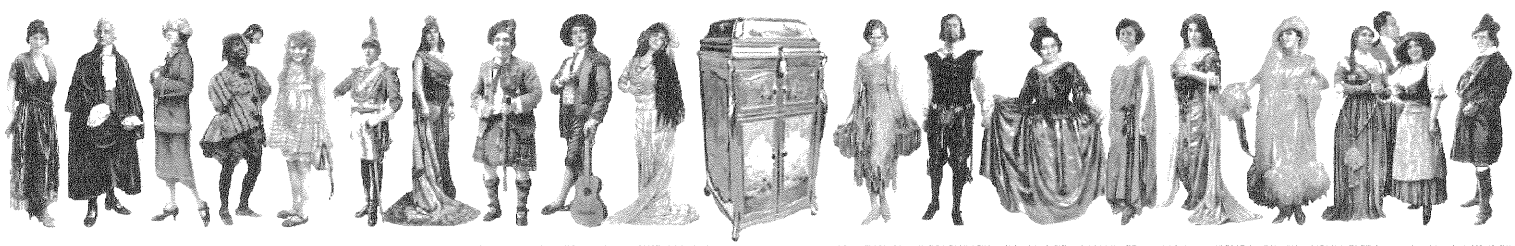
IF YOU WANT TO KNOW HOW THE PROPOSED BLM TIMBER MOUNTAIN / JOHN'S PEAK OHV EMPHASIS AREA WILL AFFECT THOUSANDS OF PRIVATE PROPERTY OWNERS, LOOK NO FURTHER THAN MY STORY.

Today is October 14, 2007. I drove down my driveway from my home on John's Peak this morning to observe a load of tree cuttings dumped in the middle of my driveway. On the return trip up my road, I was nearly run off the road by a quad motorcycle. I spent much of the afternoon listening to the constant sounds of motorcycles, quads, etc. driving over the trails that surround my home. Most of these riders are on private property but probably don't know it. This is one day out of 8,395 days that I have lived on John's Peak. This is a typical day, and one which is a constant nightmare, mostly caused by the United States Bureau of Land Management.

John's Peak, located north of Jacksonville, as well as surrounding areas have been in private ownership since at least the 1950's. I acquired ownership of John's Peak in the mid 1980's and built our home near the peak itself at that time. Prior to the mid 1980's my company owned the John's Peak land. I spent a great many years traveling up to my company's property on John's Peak to observe dozens and dozens of motorcycle riders trespassing on my private property every week. I warned them that they were trespassing, but to little or no avail. I was spat upon, cursed at and even had a few motorcycle riders pull a handgun on me because I told them they were on my private property. "No Trespassing Signs" were posted, only to be torn down, private locked gates were erected, only to be ripped down, etc. An intense effort was made since the early 1980's to educate the general public that John's Peak and its surrounding areas are private and not for public use. John's Peak Road is approximately 3 miles in length. The first 1.3 miles are in County ownership and the last 1.7 are in private ownership. NOT ONE PARCEL OF PUBLIC PROPERTY IS ACCESSED BY USE OF JOHN'S PEAK ROAD, without passing over private property first to access public property.



After building our home, I traveled up and down John's Peak Road at least twice a day and was able to curtail the motorcycle trespass problem over time. In 1995 the United States Bureau of Land Management designated the Timber Mountain / John's Peak Area as a proposed Off Highway Vehicle (OHV) use area. The word passed quickly among the motorcycle community that the BLM's "John's Peak Area" was soon going to be a designated "motorcycle haven". Since that time, motorcycle trespass onto my property and my neighbor's property has increased one-hundred fold. Most of these motorcycle users have the opinion that since the BLM has designated this "John's Peak" area as a motorcycle area, then it must be "OK" for motorcycles to use the John's Peak area and surrounding areas for motorcycle use.

Since 1995, almost every week I have observed illegal motorcycle trespass on my property or my neighbor's property. Further, this private land has been used for target practice, illegal dumping of garbage, dumping of abandoned automobiles, teen-age beer parties, illegal campfires, etc. Since the announcement in 1995 of the John's Peak OHV area, the general public thinks that John's Peak and surrounding area is public land, and thus, usable to all.

I wrote a letter to Richard Drehobl, Field Manager of the Medford BLM on February 16, 2003, asking that the proposed OHV area name of "John's Peak" be dropped so the general public would not think that John's Peak is public property. I did get a response from a Kristi Mastrofini of the BLM office saying that I can attend a meeting to discuss my problem. The BLM did not address my issues, but rather ignored them.

I brought my problem to the attention of the office of United States Senator Gordon Smith and his office sent a letter to the BLM regarding my situation in early 2007. The BLM's response was from Timothy Reuwsatt, District Manager of the Medford BLM to Senator Smith's office dated March 9, 2007. As you would suspect, the letter contained no specific remedy, but offered me a forum at two public meetings into the future. The letter further stated that "Mr Johnson should expect to hear from the BLM within the next 90 days." It is now 270+ days since that letter was sent to Senator Smith's office and I have yet to hear from anyone at the BLM.

The simple facts on this BLM OHV matter are that since 1995 the general public has come to know John's Peak as a "public motorcycle riding area." John's Peak is, in fact, private property and the BLM refuses to make that public acknowledgement. If I have had to endure all of these weekly problems over all of these past years, how can the BLM expect to avoid illegal trespassing on the thousands of "intermingled" private property that lie within the boundaries of the proposed OHV area? The answer to that is "they can't."

Most of these OHV vehicles do not carry license plates so you cannot identify the trespassing riders. So, in effect, your private property will someday become "Public" through a legal loophole called prescriptive easement. If I had not been diligent in

informing illegal trespassers on my property since the early 1980's that it was private land, my land might be a "public riding area" through this legal loophole today.

The BLM and the Motorcycle Riders Association speak to the "enforcement issue" that (they claim) will prevail in the future affecting private property owner's rights, but believe me, this is empty talk. They have not the time, money or desire to stop motorcyclists from entering private property. My general observation over the past several years is that the MRA means well and tries to enforce non-trespass on private lands. But my observation also sees that the MRA cannot control "Joe Six-Pack", the weekend motorcycle warrior that is not a part of the MRA. If "Joe Six-Pack" buys a motorcycle or quad from a local dealer and asks "where is a good place to ride", the dealer will always say "John's Peak". My further observation is that if the BLM's proposed Timber Mountain / John's Peak OHV area is written into law, it will become Jackson County's worst nightmare. I know from first-hand experience over the past 25 years that illegal motorcycle riding, dumping of garbage, etc. has been my own personal nightmare.

Robert Johnson
Owner of John's Peak and surrounding property

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