

Lawsuit to Challenge New Forest Service Regulations

Adapted from the International California Mining Journal (ICMJ) Prospecting and Mining Journal Online http://www.icmj2.com/Comments/20040714Lawsuit.htm

The Forest Service has been busy lately, promulgating rules and regulations that will negatively impact small miners and prospectors. Public Lands for the People (PLP), a non-profit corporation http://www.plp2.org/ is taking action to put a stop to it.

In "Forest Occupancy Decision Stands-US Forest Service Withdraws Appeal" (January 2004), the PLP reported on the Lex-Waggener decision (US v. Ronald O. Lex and Ken Waggener; CR S-01-559 LKK; May 14, 2003). In this case, Judge Lawrence K. Karlton, US District Court in Sacramento, reversed a lower court decision which wrongfully concluded that the miners were required to file a Notice of Intent for occupying their mining claim for more than 14 days in California's Klamath National Forest. Judge Karlton said that section 36 of the Code of Federal Regulations (CFR), subsection 261, does not apply to miners who are camping on their claims while engaged in activities related to mining, rather it was meant to cover recreational activities. He stated, "As the regulations are currently structured, so long as no earth moving equipment or treecutting is involved, a miner can camp on his claim indefinitely...'

The Forest Service, fearing a loss of control that they never legally possessed, published an interim rule to address the above issue, under 36 CFR 228.4, in the Federal Register on July 9, 2004. The Federal Register Notice is entitled "Clarification as to When a Notice of Intent and/or Plan of Operation Is Needed for Locatable Mineral Operations on National Forest System Lands." According to the Federal Register notice, the (Continued on page 2)

The Prez Sez

By Gary Hawley, President

As the color of the leaves change to red, gold, and brown, it is evident that winter is not far away. You still have time to get more concentrates to hold you over till next spring but you will have to hurry!

Thanks to all of you who called or sent sympathy cards. The passing of



my mother had an impact on my family and your kindness is appreciated. It was nice to see LeRoy Lamgo back with us

at the October meeting. His plans to move to Arizona were changed and he plans to stay in Colorado for a while longer. He asked for his old job back (placing gold on the panning demo cards) and I was happy to return him to the position

Jim Jarnutowski has agreed to take over the

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VP's Corner

By Jeff Mosteller, Vice President

Greetings, everybody!

It looks like my article was inaccurate last month because, lo and behold, guess who was sitting in the second row at the October meeting? LeRoy Lamgo! He had a spell of bad luck



health-wise and had to put his plans to move on hold. You had your chance to escape and blew it, LeRoy! We're keeping you here for now. Welcome back, we hope you're feeling better.

November is upon us once again. It's a bittersweet time for most of us as it was last October 30th that Ken Barker passed away. I have had a lot of

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November 2004

Month	Date(s)	Time(s)	Activity	Information	Honcho
Nov	17	7:00p	Meeting	Presentation:	Allen Mershon
	19-21	9:00a- 6:00p	Panning Demo	Flatirons Mineral Show, Boulder Elks Club, 3975 28th St., Boulder Open Fri. 12-6. Panning Demos: Sat. 9-6, Sun. 9-4 only.	Jeff Mosteller
Dec	15	7:00p	Meeting	Christmas Potluck Dinner Meeting	Gary Hawley
Jan	19	7:00p	Meeting	Presentation:	
Feb	16	7:00p	Meeting	Presentation:	
Mar	16	7:00p	Meeting	Presentation:	

All GPR meeting presentations and trip activities are subject to change. Non-club prospecting-related events may be included for your information. Members attending any trip activities are asked to **be sure to sign up or contact the event coordinator prior to the activity to allow planning for an estimated number of people** and so attendees may be contacted in the event of any change, cancellation, or rescheduling. For events added after the meeting, check the GPR website.

PLEASE PLAN TO ARRIVE AT PANNING DEMOS ONE HOUR IN ADVANCE OF THE START TIME.

(Continued from Lawsuit, page 1)

emergency rule would be effective August 9, 2004, though comments would be accepted until September 7, 2004.

The Forest Service states they will soon require a Notice of Intent "in any situation in which a mining operation causes a surface disturbance, regardless of whether that disturbance is caused by mechanized earth moving equipment or the removal of timber. After a Notice of Intent is submitted, the District Ranger determines whether the proposed operations will likely cause a significant disturbance of surface resources. If the determination is that the proposal will likely cause a significant disturbance of surface resources, the operator is notified that a plan of operations is required."

It is the opinion of the PLP that the emergency rule would place severe restrictions on small operators if it were allowed to stand. Small miners, at the very least, would be subjected to the time and expense involved with the filing of a Notice of Intent for a minimal disturbance. The Forest Service cannot currently respond to applications in a timely manner, and delays would be inevitable, if they receive hundreds or even thousands of Notices. Worse yet, some miners could be subjected to the long delays and excessive costs involved with a Plan of Operation and financial guarantees (bonding) for minimal disturbances, all at the discretion of a District Ranger who may or may not be favorable to mining. Merely bringing camping equipment onto a mining claim could be considered a significant disturbance in the mind of a District Ranger.

Jerry Hobbs
jerhobbs@angelfire.com>, president of PLP, stated there are numerous avenues open to challenge the interim rule. After much discussion, it appears the best course of action is to file suit against the Forest Service to stop the interim rule, and the PLP has already retained a mining attorney. This should be a concerted effort on behalf of miners and prospectors, and several mining and prospecting companies have already started the fundraising effort, including ICMJ's Prospecting and Mining Journal. Keene Engineering has starting the ball rolling with a \$5,000 donation. Much more will be needed. Contributions may be sent to: Public Lands for the People, 3700 Santa Carlotta St., La Crescenta, CA 91214-1048.

A direct link to the Federal Register notice can be found on the ICMJ website http://www.icmj.com/ under the Pending Rules, Regulations, Projects section.

For further information, contact:

(Continued from Prez Sez, page 1)

Outings Committee that was vacated when **Pinie & Shawn Conell** moved to Alaska. Thanks for stepping up to help, Jim! There have been several changes in the Board and, what with club elections in November, names and positions will be revealed afterward.

Joe Shubert had nomination forms for Board positions at the October meeting and indicated to me that there were not many nominations made. I know that most Board Members have agreed to maintain their offices but it would be in the club's best interest to have a challenging election. Joe will have official ballots at the November meeting and the elections will take place at that time. Joe will also have ballots for the Ken Barker Award and someone will be chosen to receive this recognition.

While we are on the subject of the November meeting, elections, and awards, I must tell you that **Kathy Hawley** believes it is very important for the membership to participate in the elections. She has been telling you that the nugget drawings will be special. I have asked her for hints about the nuggets and she keeps telling me "You won't be disappointed if you win. But you sure will if you don't attend and then find out what size the nuggets were." I have seen a couple of the nuggets she has selected and they are beauties.

Until next time: May the gold in your pan be worth the effort you put into finding it.

Sam Hotchkiss, Minerals and Geology Management Staff, (703) 605-4852 Send written comments to: Forest Service, USDA Attn: Director, Minerals and Geology Management (MGM) Staff, (2810) Mail Stop 1126 Washington, DC 20250-1125 For a sample letter you can modify to send to the Forest Service, Chris Ralah's article on the Treasure Depot's Prospecting Forum

see Chris Ralph's article on the Treasure Depot's Prospecting Forum <http://www.thetreasuredepot.com/>. Click on the "Prospecting" forum, click "Search," change "Weeks" to "Years," enter "New Nat. Forest Service regs," click "Search Messages," and locate the original (Continued on page 8)

Notes from Last Month's GPR Meetings

Board Meeting

by Gary Hawley, President

Roll Call

In Attendance: Gary Hawley, Jeff Mosteller, Kathy Hawley, Joe Johnston, Joe Shubert, Cindy Douthard, Hank Innerfeld, Terry Weatherly. Unable to attend: Sue Clover, Ken Oyler, Allen Mershon.

Quorum Present?

Yes.

Call to Order

The meeting was called to order at 6:25 p.m. by Gary Hawley.

Reading and Approval of Minutes

Read by Gary Hawley and approved as read.

Treasurer's Report

Accepted as read and available at tonight's general meeting.

Correspondence

Newsletters from another clubs.

Committee Reports

Reports: Advertising, Bylaws, Club Store, Dowsing, Drawings, Ken Barker Award, Membership, Monthly Q&A, Newsletter, Nominating, Outings, Panning Demos, Prospecting, Publicity, Refreshments, Standard Operating Procedures, Website.

No Report: Find of the Month/Year, Library History & Video, Metal Detecting, Speakers, Vendors.

Unfinished Business

Club Trommel. Allen Mershon. Ongoing. *C.A.N.P.O.*. Hank Innerfeld. Ongoing.

New Business

Elections. **Joe Shubert**. Joe brought nomination forms for the general meeting.

Ken Barker Award. Joe Shubert. Joe had information to share at the general meeting.

Planned Outings

Outings. Check the GPR Events Calendar in the newsletter.

Announcements

Next Board Meetings: November 17, 2004, at 6:00 p.m. Next General Meeting: November 17, 2004, at 7:00 p.m. Tonight's general meeting program: **Dick Oakes** has sent a video for viewing: "The Little Kingdom of Gilpin."

Adjournment

Meeting stands adjourned at 6:55 p.m.



LeRoy Lamgo Decides to Stay

LeRoy "Gold Is My Middle Name" Lamgo has decided to remain in the Centennial State and continue to pursue his quest for gold nuggets at the monthly meetings of the GPR.

Beauty provoketh thieves sooner than gold. William Shakespeare (1564-1616) As You Like It. Act 1. Sc. 3.



General Meeting

By Paul Nagy, General Meeting Recorder

Meeting called to order by President **Gary Hawley**. Pledge of Allegiance. Hawley announced that longtime active member **LeRoy Lamgo**, previously announced to be moving to Arizona for health reasons, is remaining in Colorado. Lamgo, present at the meeting, was heartily applauded by the membership.

VP Jeff Mosteller reported that of thirteen scheduled panning demos, two remain, including a recent addition at the Denver University homecoming on Saturday at 5 to 7 pm. The demo at Rock Ledge Ranch was a success. Jeff reported good prospecting results at mile marker 3 on Route 119 in Clear Creek Canyon. A good time was had by those attending the period-costume affair at Central City. Also the Territorial Trader period-costume shop in Arvada has moved north to the Wadsworth Blvd. and Webster St. area.

Prez Hawley announced that committee leaders are needed for refreshments, membership, and perhaps others. Spots are open for directorship, too. Get involved, help the club, and sharpen your leadership and social skills!

The annual club outing and barbecue at Tymkovich Meats was a big success. Much credit to **Jeff & Donna Mosteller**. Please patronize the Tymkovich meat market and mention that you are a club member. They have high-quality products in any case.

Anyone with ideas for club activities such as mine visits, historical tours, or anything else, please come forward and let us know. Do the advance work to set up the activity and we will support you.

Hawley suggested that members try prospecting near the recent construction in Clear Creek Canyon. Three bridges have been refurbished and the resultant ground disturbance may have loosened good gold. One bridge is below tunnel #2. The other two are further up the canyon.

Hawley announced that he has volunteered to remain club president for another year. Likewise, **Kathy Hawley** will remain in her current position, if the club desires. However, nominations for other candidates will of course be honored, if anyone wishes to do so. The board of directors is investigating term limits for all officers. Finally, do not miss the November meeting. Kathy has surprise prizes!

Joe Shubert read the requirements for holding club office and requested nominations for the upcoming club elections. He also explained the requirements for the Ken Barker Award.

Prez Hawley explained that the reason why the club president and vice president are excluded from competition for the award is mainly to prevent the award from becoming politicized. There was a question from the floor as to whether a motion could be entertained to waive this requirement for this year's award. Hawley said he would discuss this with VP Mosteller. Later he announced that neither he nor Jeff would be eligible for this year's Ken Barker Award.

Rick Miska asked the question of the month and, later, gave the answer and awarded drawing tickets.

Joe Johnston gave the monthly clue for the hidden treasure.

Introduction of guests: John and Diane Reeves, Bob Holifield, Bob Brubaker, and Will Cox.

Joe Johnston described helping Shawn & Pinie Connel and their son D.J. to move to Alaska. He recommended the 6400-mile round trip drive for the beauty and adventure of the trip through British Columbia, the Yukon, and Alaska. Shawn and Pinie Conell send their regards and welcome club members to visit them in the "Last Frontier."

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Drawing Winners

By Kathy Hawley, Drawings Coordinator

Nugget Drawings

2.9 gram nugget	Wolf Stumpf
1.5 gram nugget	Peg Brozek
1.3 gram nugget	Teena Swisher
1.1 gram nugget	Dakota Keyser
1.0 gram nugget	Jeff Mosteller
0.9 gram nugget	Jay Nunn
0.8 gram nugget	Mary Kathrens
0.8 gram nugget	Wolf Stumpf
0.6 gram nugget	Mary Fortunato
0.5 gram nugget	LeRoy Lamgo
0.5 gram nugget	Don Tiglas
0.4 gram nugget	Gary Hawley

Membership Drawing

Silver Prospector Coin.....Jay Nunn

Door Prize Drawings

Knife Sharpener	
1	(Donated by Chuck Cown)
Pen	Joe Shubert
	(Donated by Hank Innerfeld)

Welcome New Members & Guests

by Dick Oakes, Membership Coordinator

Welcome to our October guests **Bob Brubaker**, **Will Cox**, **Bob Holifield**, and **John & Diane Reeves**.

From the Ledger

of Kathy Hawley, Treasurer

Thanks to **Hank Innerfeld** for the pen and **Chuck Cown** for the knife sharpener for door prizes.

Remember to wear your yellow plastic membership badge so you don't miss out on the "Members-Only Drawing."

November will be election month and I have been promising that the gold will be very special. I assure you that if you win a nugget you won't be disappointed. Please plan to attend the meeting and let your voice be heard and you may just go home with something special.

So like I always say, come prepared to buy some extra tickets and Good Luck!

There is more treasure in books than in all the pirate's loot on Treasure Island.

~Walt Disney

Elections & Ken Barker Award

by Joe Shubert, Nominations Coordinator

This is a reminder that elections for 2005 officers will take place at the November meeting. We have openings for Board Members: two 2-year terms and one 1-year term. Nominations are accepted from the floor for any office or Board positon (with their okay, of course). A club cannot keep functioning if members do not step forward and help run it.

The Ken Barker Award nomination slips will be at the Membership sign-in table. Please take one and nominate the person you think should receive the Award. There will be a container labeled Ken Barker Award on the tables at the front of the room for you to deposit the form.

The Q&A

By Rick Miska, Q&A Coordinator

The Question for last month was: Q: After years of limited prospecting success, what prospector made his fortune with the Camp Bird Mine? A: Thomas Walsh *Google Search:* "camp bird mine" Source: *Colorado Mining, A Photographic History,* Duane A. Smith, Page 74

The Question for next month is: Q: What is the name of the biggest and last operating bucket-line dredge in Colorado? Google Search: colorado "last operating" "bucket-line dredge"

November Birthdays

by Dick Oakes, Membership Coordinator

The following GPR members were born in this month. Be sure to wish them Happy Birthday!

Kim Beggs, Mike Bothwell, Steve Cychosz, Dale Herbertson, Gale Herbertson, Larry LaDuke, Cindy Hall, Carol Wolfe, Susan John, Kindra Solomon.

Food for Thought

by Donna Mosteller, Refreshments Coordinator

Thanks go to **Joe Johnston** for the cinnamon pecan swirl bread, **Hank Innerfeld** for the banana bread, and **LeRoy Lamgo** for the fig newtons. All very tasty.

Don't forget that I would like to step down as Refreshments Coordinator. The job isn't hard. Just pick up a snack once a month, set up the snack table, keep track of donations for the snack table, and write one article a month. Simple. Think about it and thanks to all who give either donations or snacks to munch on. See ya next time.

The Gold Nugget

This copyrighted newsletter is the official publication of the Gold Prospectors of the Rockies (GPR), PO Box 621988, Littleton, Colorado 80162-1988, a non-profit organization of families dedicated to gold prospecting. Membership in the GPR is \$40 the first year and \$30 each subsequent year for an individual or family and includes a one-year subscription to *The Gold Nugget*, one name tag, and membership cards for all family members. Additional badges may be purchased. We meet at the Lloyd G. Clements Community Center, 1580 Yarrow St., Lakewood, Colorado, on the third Wednesday at 7:00 p.m. sharp to educate members about gold prospecting and gold prospecting rules, review old and new products, coordinate outings, participate in drawings for door prizes and nuggets, socialize with like-minded friendly folks, and promote the pursuit of gold. Final deadline for all article submissions is five days before the month of publication. Single issues are \$3.00 per copy (postpaid).

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November 2004

GPR BBQ Panning Contest

October 3, 2004

TOP 5 TIMES

Name	1st Round	2nd Round
Gary Hawley	31.53	43.18
Jim Jarnutowski	41.02	-0.0-
Dan Lefor	40.23	67.48
Jeff Mosteller	47.12	46.12
Donna Mosteller	43.18	37.03

WINNERS

Place	Name	Prize
1st	Donna Mosteller	0.8 gram gold nugget
2nd	Jim Jarnutowski	"Prospector" silver round
3rd	Gary Hawley	"Colorado Centennial Round"
4th	Jeff Mosteller	Gold-wire bracelet
5th	Dan Lefor	Gold-wire bracelet

1st Ever Central City Visitors Center Costume Contest

October 3, 2004

Jeff & Donna Mosteller - Best Authentic Western couple Cindy Douthard - Best Cowgirl Sharon Cown - Best Authentic Victorian Chuck Cown - Best Cowboy/Minor

"I ransack public libraries, and find them full of sunk treasure." Virginia Woolf

Larry & Shirley Keep It In the Family

By Shirley Weilnau

Noon Saturday, May 1st, 2004, found Larry & Shirley Weilnau at the



Denver GPAA gold show in the Collesium complex waiting for their turns to compete in the day's panning competition. The field included 19 participants consisting of 16 men and 3 women. The competition was very good this year with the top three finishing within 8 seconds of each other and only 3 over one minute. Green pans were filled to the first riffle with damp sand and three small flat nuggets were salted by the judge into each contestant's pan. Contestants then panned the material off, picked up the nuggets, called time, and placed the nuggets into the judges hand. A 5 second penalty was given for each nugget dropped or lost after time was called.

Winning time was 12.34 seconds by Larry and second was 18.54 seconds by Shirley. Second place won a bronze pan and the entry fee of \$5.00, and the winner took home a copper pan plus everyone else's money. Tom Perry was gracious enough to sign both pans for the winners and a fantastic time was spent the rest of the day looking and buying and chatting and panning.

This article was intended for the June 2004 issue but got bumped and then languished in your editor's e-mail inbasket.

Having finally weeded through hundreds of e-mails, Shirley's original story was found, never having seen the light of print! Here it is, only six months late!

(Continued from VP's Corner, page 1)

fun serving you as your Vice President over the past year and, if I'm called to serve another year, I will accept the challenge once again. If it's acceptable to the President, who makes the committee appointment, I would like to continue to coordinate the panning demonstrations for another year.

Last year was very successful in the panning demonstrations department, as we gained attention from both the East Coast in a New York newspaper, as well as the West Coast in Hollywood. We have completed 14 events that have covered 19 days so far this year. We have one event remaining on the calendar this year, the Flatirons Gem and Mineral Show on November 20th and 21st. Without all the help that *you*, the club members that have been involved in the demos, provided this would not have been possible. Every year that we do these demos, word spreads to other venues and we seem to pick up a few more than the previous year.

We had a great time at the Rock Ledge Ranch in Colorado Springs and before we could get packed up to leave we were asked to join them next year. I have already started the calendar for next year's events and it looks like it will once again be a busy season.

We had a blast at the picnic and the speed panning contest was something else. I had a bucket of dirt that we had run through our spiral separator that we used in the contest. We learned very quickly that my spiral was out of adjustment as the dirt was full of gold from Hwy 119 at mile marker 3. So, while people were competing, someone had to be there with a sniffer bottle to pull the gold that wasn't part of the competition because it was a distraction. See the results of the competition. I think we'll do more of these as time goes on. Also, see the results of the very first costume contest in Central City.

Pictures have been added to our website, so be sure to look them up. We have well over 800 pictures online and I will add more as they come in, so check back often. Thanks to **Dick Oakes**, our Webmaster, the links can be found at the top of the Activities, Articles, Events Calendar, Club Store, Demo Schedule, Photo Gallery, and Selected Links pages, so you shouldn't have any problem finding the photos. I think Dick does a fabulous job on the website as well as the club newsletter.

That reminds me, Dick, is relinquishing duties for several committees for which he is Coordinator for 2005. Also, **Donna Mosteller** is stepping down as Refreshments Coordinator next year so she can devote her time to helping me with the demonstrations (I think I wore her out this year).

(Continued on page 8)

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November 2004

MEMBER CLASSIFIEDS

MINELAB DETECTOR FOR SALE

Minelab SD-2100 metal detector with 8", 11", and 15" coils. For all the details, contact Ken Oyler, (303) 696-7230, (303) 523-8046, or goldfinder2@comcast.net

SPEEDAIRE COMPRESSOR FOR SALE

New Speedaire Compressor, 3PH-5HP, 80-gal tank, upright. Current model price is \$1,788; will sell now for \$950. Contact Rose Ann or Jon Knight, (303) 450-0580 or (303) 252-1759

THREE-WHEEL SCOOTER FOR SALE

Shuttle Personal Transport System, 3-wheel mobility scooter, good condition, \$950. Contact Rose Ann or Jon Knight, (303) 450-0580 or (303) 252-1759

SCOTTS RIDING MOWER FOR SALE

Scotts Riding Mower, heavy duty, 48" deck, 20HP, \$750. Contact Rose Ann or Jon Knight, (303) 450-0580 or (303) 252-1759

SMALL HOUSE FOR SALE

This 2-bedroom house in Bonanza, Colorado, has a large kitchen, storage room, wood stove for cooking, and an electric heater. There is, however, no water available. Prospecting and hunting are allowed. \$18,000 (Negotiable/Trade). Contact Teena Swisher, (303) 428-5696, Ext. 237 (Monday through Thursday, 7:00 a.m. to 4:30 p.m.)

WANTED: INSULATED STOVE PIPE

Need and insulated stove pipe, either 7 or 8 inches in diameter, with ceiling brace and cap. Call Marten Swisher, (303) 450-6152

2 FAIRPLAY GOLD MINING CLAIMS FOR SALE

Each is 10 acres on Beaver Creek below Beaver Creek Park. Good access road, mineral rights only (on USFS land), "Golden Bridge" claim #251958. \$500 each or \$800 for both. Alan Hamaker, (303) 582-3144

2 CENTRAL CITY GOLD MINING PROPERTIES FOR SALE

"Two Sisters" - 1.57 acres and "Clara Maria" - 1.65 acres, Central City. Property owned, therefore all land, mineral, and water rights included. Power poles 10 ft. away. Alan Hamaker, (303) 582-3144

MAX II 6-WHEEL-DRIVE ATV FOR SALE

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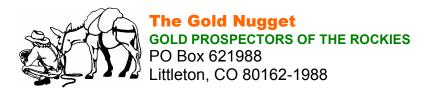


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The most productive coiner of Colorado gold was the firm of Clark, Gruber & Co. The company struck their first year's coins from unalloyed native gold, but soon found that they abraded too easily. For the second year's production in 1861, alloy was added to harden the coins for circulation, but in both years this remarkably scrupulous company made its coins 1% heavier than federal issues. Clark, Gruber & Co. struck two-and-one-half, five, ten, and twenty-dollar gold pieces in both 1860 and 1861. The coins were modeled after the U.S. gold coins of the period except for the ten and twenty-dollar issues of 1860, which featured a fictitious view of Pikes Peak on the obverse.





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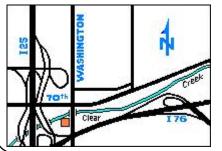
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The Newsletter Editor's 50-50-90 rule: Anytime you have a 50-50 chance of getting something right, there's a 90% probability you'll get it wrong.

(Continued from VP's Corner, page 5)

Please support your club and pick up these committees--new blood is always needed to refresh our activities and keep our club top notch.

I ask that everyone who has been involved in the panning demos this year attend the November meeting in costume, if you have one, or in street clothes if you don't, so we can get a group picture in honor of Ken Barker.

Thank you to everyone who helped at the last-minute demo at the CU homecoming. Parking could have been better but sometimes that's how it goes. They paid a very generous gratuity to the club and were very pleased with our demo. Our contact told me that everybody who visited our booth had a good time. Pictures will go into my galleries online soon.

Thanks, Jeff

(Continued from Lawsuit, page 2)

message.

Send e-mail to: 36cfr228a@fs.fed.us Send faxes to: (703) 605-1575

Send comments via the electronic process available at Federal eRulemaking portal at http://www.regulations.gov>.

If comments are sent by electronic mail or by fax, the public is requested not to send duplicate written comments via regular mail. Please confine written comments to issues pertinent to the interim rule, explain the reasons for any recommended changes, and, where possible, reference the specific wording being addressed. All comments, including names and addresses when provided, will be placed in the record and will be available for public inspection and copying.