



United States
Department of
Agriculture

Forest
Service

Clear Creek
Ranger District

P.O. Box 3307
Idaho Springs, CO
80452

File Code: 2730-2

Date: December 28, 1999

Larry Kramer
Gilpin-Clear Creek Land and Homeowners Assoc.
P.O. Box 237
Idaho Springs, CO 80452

Dear Mr. Kramer:

This is regarding the process for handling special use permit applications submitted to this office for amendment to the existing easement authorized to the Gilpin-Clear Creek Land and Homeowners Association. The purpose of this existing easement is to provide legal use of those roads/driveways crossing portions of National Forest System (NFS) land to access private property to members of the Association.

When an applicant calls Sue Greenley of my staff (currently handling the GCCLHOA easement) to discuss acquiring an easement in the York Gulch area, she will determine if the road/driveway is currently authorized under the existing easement. If the road is authorized under the easement, she will encourage the applicant to join the Association. If the road is not authorized in the easement Sue will inform them of our policy not to issue separate easements and urge them to join the Association. Prior to submitting an application, the applicant will be put in touch with you to discuss the details of joining the Association. They will then apply for the easement amendment with the Association's name listed on the face page of the application as the "authorized agent." Sue will then call you to confirm that they are in fact applying through the Association. This will be the process regardless of whether the road/driveway currently exists or requires new construction.

I want to stress the Forest Service is required to provide reasonable access when there is no access feasible on private land. All applicants must prove to us that they cannot obtain access on private land. I am requesting that you work with each applicant fairly so that all are able to join the Association to acquire needed access. Most everyone who owns property or lives in the area needs to cross the major roads (York Gulch, Red Tail Ridge, etc.) that are under easement with the Forest Service. The access granted to an eligible applicant is not only for the driveway to their private property but also includes these major roads.

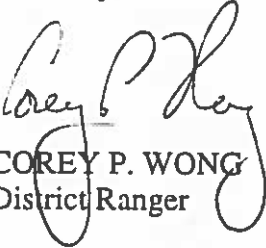
As you are aware, there are situations where some of the "spur" roads or driveways in the York Gulch area cross patented mining claims. Any disputes between landowners regarding the crossing of these roads on private lands must be settled between the parties and/or the County. The Forest Service can only authorize easements on portions of road crossing NFS land.



Once an application has been approved, Sue will inform you when it is being amended to the GC-CLHOA easement and send you the updated plat for your records.

Please call Sue at 567-3012 with any further questions or concerns.

Sincerely,



COREY P. WONG
District Ranger

cc: Sue Pacek, Clear Creek County Planning Dept., P.O Box 2000, ^{Georgetown, CO 80444}~~Idaho Springs, CO 80452~~
SO