

Ravalli County Commissioners:

In regards to the Hughes Creek Gate, there is one serious issue that has not been discussed: The land parcels at and behind the gate are Patented Mining Claims granted with Allodial under the power of the United States Congress pursuant to Article IV, Section 3, Clause 2 of the U.S. Constitution. Patent Land is transferred to the patentee, his heirs and assigns forever when the contract between the U.S. government and the patentee is fulfilled.

Any and all claims or interest the State may have on Patented Land should have been identified and described during the Patent Process (SUMMA CORP. V. STATE OF CALIFORNIA COASTAL COMMISSION, FLETCHER V. PECK). If the State had identified this road easement during the Patent Process, the easement would have been included on the Patent Title. Since there is no record of such easement on any of the Patent Lands above the gate, the easement you are claiming is legally barred.

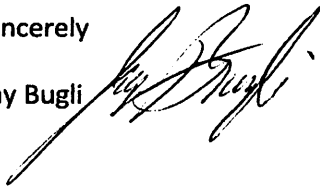
Article I, Section 10, Clause 1 of the U.S. Constitution bars the states from passing any laws impairing the Obligation of Contracts. For the State to now claim an easement on these Patent Lands more than 100 years after the obligations of the Patent Contracts have been fulfilled is changing or impairing the obligation of the Land Patent Contract, and is therefore in direct violation of the Constitution of the United States.

Neither the State nor any Court has the jurisdiction to change the original Patent Contract without the patent owners' agreement (CORPUS JURIS SECONDUM 73 (b)). A Land Patent is the highest Title at Law and is superior to any other type of deed. Article VI, Clause 2, of the U.S. Constitution states: "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding." (Patent Land is an Allodial Title protected by Treaty Law of The US Constitution)

I would advise you and your legal counsel to carefully consider your options when it comes to Federally Patented Land. And let's not forget, you have all sworn an oath to uphold The Constitution of the UNITED STATES.

Sincerely

Jay Bugli



August 16, 2019

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