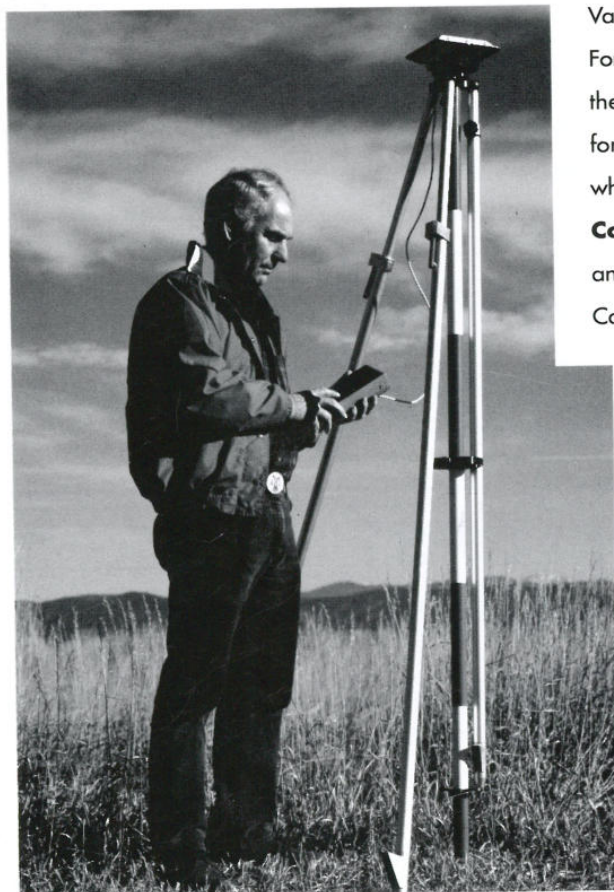


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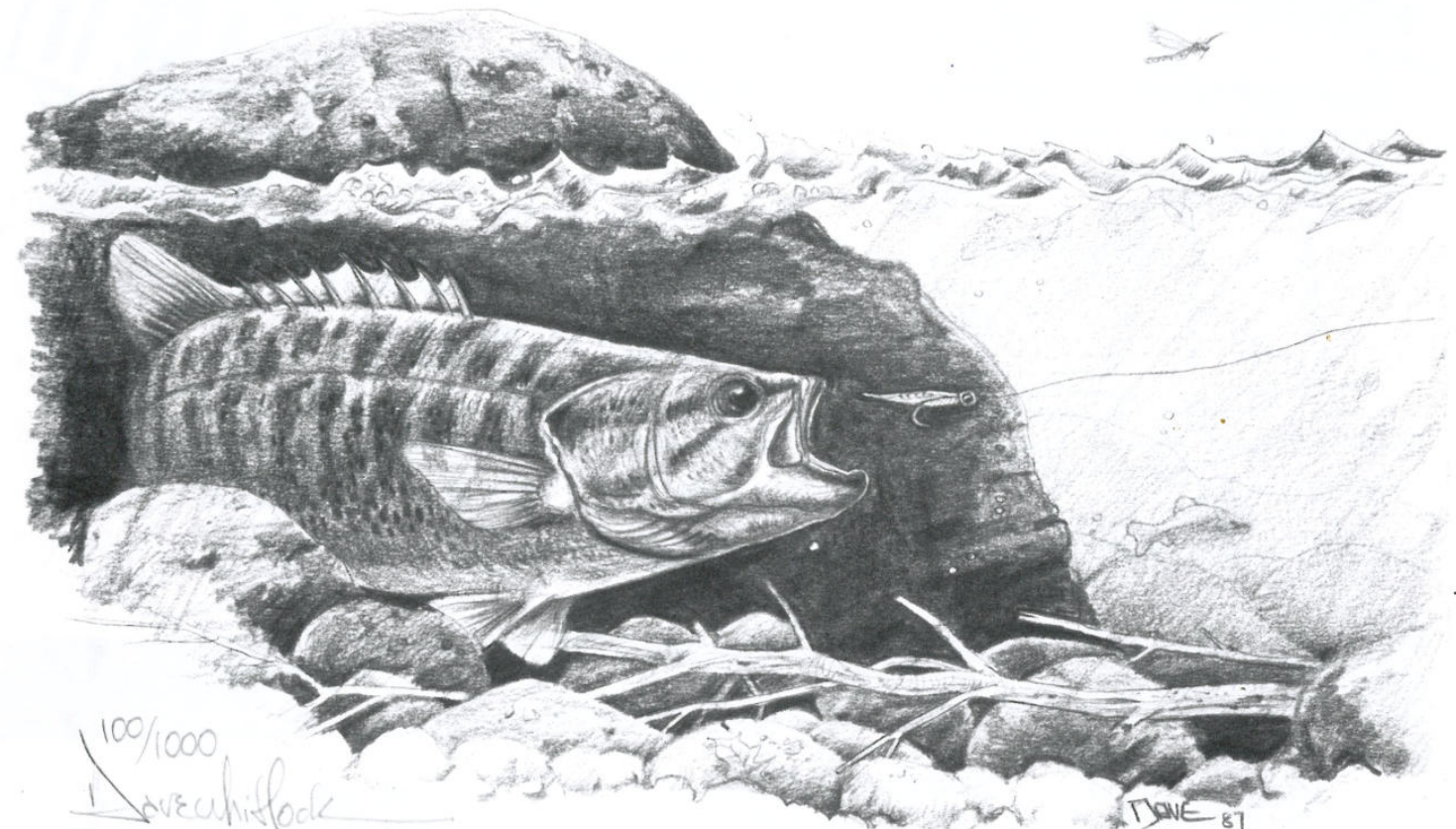
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VOLUME 9, NO. 4

APRIL 1998

VOLUME 10, No. 1



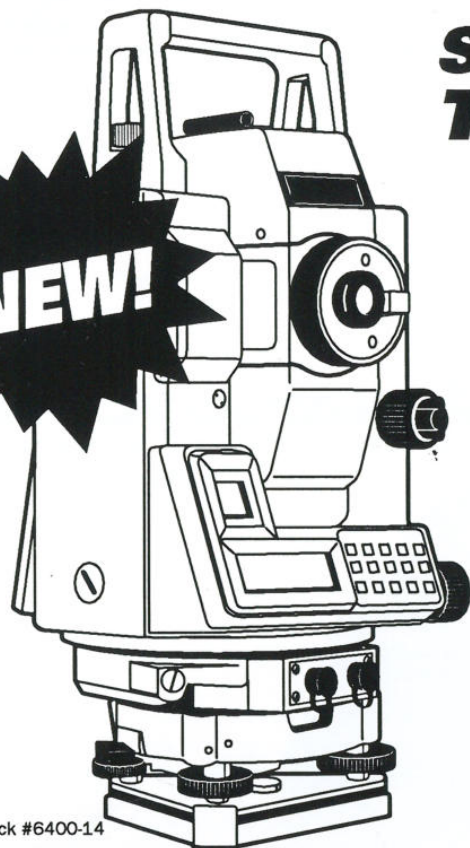
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1998 PLSW MEMBERSHIP APPLICATION PROFESSIONAL LAND SURVEYORS OF WYOMING

AFFILIATE — AMERICAN CONGRESS ON SURVEYING AND MAPPING
MEMBER — WESTERN FEDERATION OF PROFESSIONAL SURVEYORS



NAME _____ DATE _____

(Please indicate preferred mailing address)

WYOMING REG. NO. ☐ PLS _____

HOME ADDRESS: ☐ _____ ☐ PE/LS _____

STREET OR BOX: _____

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BUSINESS ADDRESS: ☐ _____

STREET OR BOX: _____

CITY/STATE/ZIP: _____

EMPLOYER: _____ YOUR TITLE: _____

States other than Wyoming in which you are registered: _____

Additional information or comments (optional): _____

CLASS OF MEMBERSHIP APPLIED FOR: (check one only and please submit dues with application, prorated for the remainder of the calendar year)

☐ MEMBER, ANNUAL DUES \$75 (Persons duly registered, PLS or PE&LS in Wyoming.)

AFFILIATE MEMBERSHIPS

☐ Associate Member, annual dues \$50. (Persons employed under the direction of a PLS and working toward PLS registration in Wyoming.)

☐ Special Member, annual dues \$50. (Not meeting above qualifications but with a particular interest in, or association with, the profession of land surveying.)

☐ Special Member, Student, annual dues \$15. (Pursuing a post secondary academic course of study, and currently enrolled.)

☐ Sustaining Member, annual dues \$100. (Persons, institutions or corporations desiring to assist PLSW financially.)

I AGREE TO OBSERVE THE CONSTITUTION AND BY-LAWS OF THE PROFESSIONAL LAND SURVEYORS OF WYOMING AND THE CHAPTER THEREOF TO WHICH I WILL BELONG AND TO SUPPORT SAID ORGANIZATIONS IN THEIR ENDEAVORS.

APPLICANT'S SIGNATURE _____

SPONSOR'S SIGNATURE
(For Affiliate Member applicants only.)

NOTE: All portions of the state have chapters. Chapter dues or assessments may vary in amount. Applications are considered by the board of Directors at quarterly meetings. Send completed application to PLSW, c/o Herbert W. Stoughton, Sec./Treas., 2821 Carey Ave., Cheyenne, Wyoming 82001.

19

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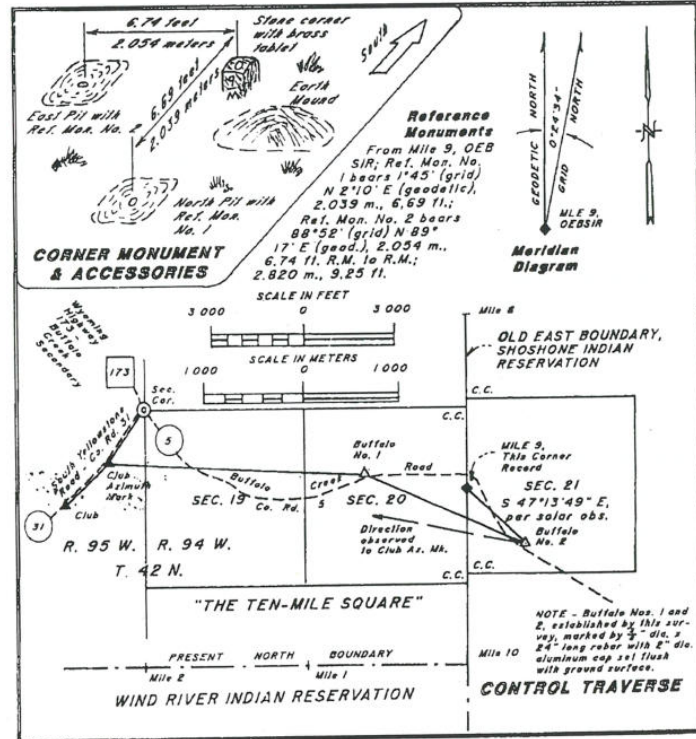
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CORNER RECORDATION CONTEST WINNER

STATE OF WYOMING CORNER RECORD - MILE 9, OEBISIR - OF 9/PQ-9, T.42N, R.94W

CONTROL TRAVERSE				
Station	Azimuth	Distance	Y / N Coord.	X / E Coord.
Club 1936		343,650.332	643,973.090	USC&GS station
Club Az. Mark	47°17'07"	580.946 m. grid - 581.091 surface	344,044.416	644,399.934
Buffalo No. 1	92°49'27"	2646.163 grid - 2646.789 surface	343,918.954	646,942.995
Buffalo No. 2	112°27'52"	1724.601 grid - 1725.032 surface	343,259.977	648,536.728
Mile 9, OEBISIR	312°21'42"	806.593 grid - 806.795 surface	343,803.466	647,940.731
Club Az. Mark		344,044.416	644,399.934	
S.C., Secs. 13, 18, 19 & 24	36°33'46"	592.403 grid - 592.651 surface	344,520.237	644,752.830

- Notes:
- Coordinates and distances in meters.
 - Coordinates of "Club" as published by National Geodetic Survey, August 1987; Wyoming West Central Zone (4903), North American Datum of 1983 (NAD 83).
 - Combined factor, surface to grid distance, 0.9997502, as computed at "Club".
 - Basis of Bearing - W/C grid azimuth from "Club" to "Club Azimuth Mark", taken from previously published data.
 - Traverse conforms to Second-order, Class II, FGCC requirements.
 - See front of this Corner Record for additional information.



State of Wyoming Corner Record
(In compliance with the CORNER PERPETUATION AND FILING ACT, Wyoming Statutes, 1977, Sections 13-29-140, et seq., and the Rules and Regulations of the Board of Registration for Professional Engineers and Professional Land Surveyors)
Reverse side of this form may be used if more space is needed.

Record of original survey and citation of source of historical information (if corner is lost or obliterated). Description of corner monumentation evidence found and/or monument and accessories established to perpetuate the location of this corner. Sketch of relative location of monument, accessories, and reference points with course and distance to adjacent corner(s) (if determined in this survey). Method and rationale for reestablishment of lost or obliterated corner.

LOCATION: Mile 9 on the Old East Boundary Shoshone Indian Reservation, situate in Township 42 North, Range 94 West of the Sixth Principal Meridian, Hot Springs County, Wyoming. This corner lies on what is now the line common to Sections 20 and 21 within said Twp. 42 North, Rge. 94 West.

G.L.O. RECORD: General Land Office original "Survey of the East, and a part of the South boundary of the Wind River or Shoshone Indian Reservation", by Frank S. Wood, Deputy Surveyor, Contract No. 230 dated December 15, 1886, surveyed April 3, 1887, approved by John Charles Thompson, Surveyor General, June 28, 1887; "South on 9th Mile - Va. 17°35' E. (at) 80.00 chs. Set sandstone 28 x 8 x 8 ins. 15 ins. in the ground, marked "9M" on N., "SIR" on W. and "PL" on E sides. dug pits 2 ft. square, 1 ft. deep, N. S. E. & W. of stone 6 ft. distant, and raised mound of earth 2 1/2 ft. high 5 ft. base on W. side. Land Mountainous, soil 3rd rate. Vegetation, Grass & sage, Timber, Scrub Cedar, 60 chs. April 3rd 1887".

PREVIOUS RECORDATIONS: A Certified Land Corner Recordation, bearing the certification of John W. Donnell, PE&LS 454, recorded on 16 September 1981, (misidentifying this corner as the W/C of Sec. 21) states "Found a 4" x 6" x 12" red sandstone set stone, set well in ground with no other stones nearby. Only visible markings are "9-M" on north side". A CLCR, bearing the certification of Ronald C. Dry, L.S. 3828, recorded 29 December 1983, states "Found: A set stone red sandstone 6" x 8" x 10" above ground straight and firm marked 9-M on north side. There are distinct pits to N.S. and E. 6' from the stone".

EVIDENCE FOUND: On the afternoon of 17 October 1997, I recover the above mentioned G.L.O. stone, a red sandstone, 8" x 9", top 8" exposed above the ground surface, with "9 - M" on north face and no other discernible identifying marks. Stone is firmly planted and in excellent condition. I also note the remains of all four pits, being depressions approximately 2 1/2 ft. square by 1/4 ft. deep at the center, approximately 6 ft. distant in the cardinal directions, as well as the remains of the earth mound to the WNW of the stone having a 4 ft. base and being 1/4 ft. high.

REHABILITATION: Because the record monumentation is so exceptionally well-preserved, I choose to reference rather than re-monument this corner. I backfill and compact earth around the base of the stone to fill a burrow created by rodents into a 1/4" dia. drill hole in the center of the top of the stone. I set a 2" dia. brass tablet stamped with the following identifying marks: MILE 9 OEBISIR FSW 1887 LS 519 1997. A punch mark, centered, denotes the measured point.

ACCESSORIES: As reference monuments, I set a 1/4" dia. by 24" long rebar with 2" dia. aluminum cap in the center of the north and east pits, flush with the depression, cap stamped "RM NO 1 (1 and 2, respectively) 1887 PIT LS 519 1997. I leave the south and west pits exactly as found. A small drill hole, centered, denotes the measured point.

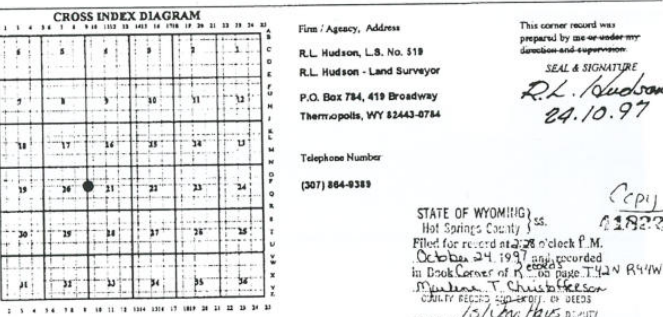
TIE TO NATIONAL NETWORK: I traverse from USC&GS station "Club 1936" to this corner, said traverse being performed to the requirements of FGCC Second-order, Class 2, standards; distances being measured electronically, in meters. This traverse is depicted by one of the sketches and accompanying numerical data appearing on the reverse side of this form.

AZIMUTH CHECK: A solar observation, using the hour-angle method, was performed at this corner to verify the local meridian and serve as a check of the angular measurements of said traverse. The mean value of said observation has a standard deviation, σ , of $\pm 03.2''$.

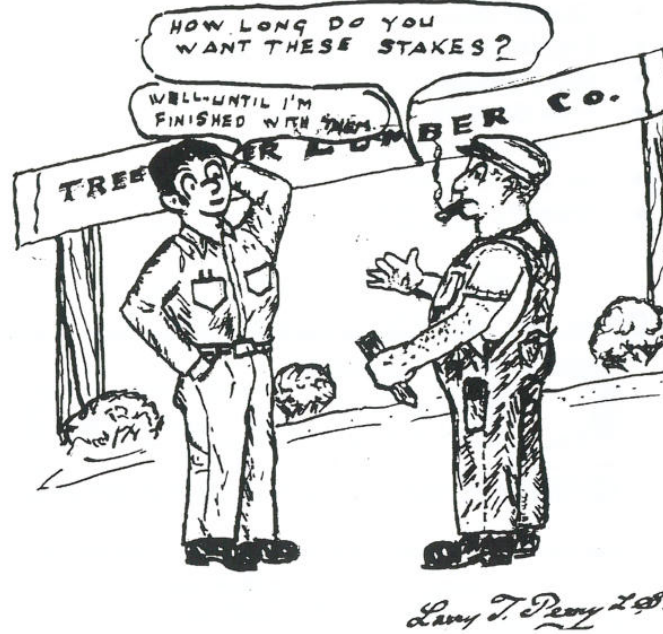
GEODETTIC POSITION: North American Datum of 1983 [NAD 83]; as determined by this survey using values appearing in "Coordinate Systems for Wyoming: Projection Tables for State Plane and UTM Systems" by Herbert W. Sloughton, Geodetic Engineer, © 1986, printed by the Professional Land Surveyors of Wyoming.

Latitude (ϕ): 43° 35' 38.07625" N. Longitude (λ): 108° 09' 22.80483" W.
STATE PLANE COORDINATES: Wyoming West Central Zone [Zone 4903], NAD 83, as determined by this survey.
Y or N (Northing): 343,803.466 meters X or E (Easting): 647,940.731 meters
Combined Factor, surface to grid distance, 0.9997502 (at "Club") Convergence, γ or α , $\pm 0'24'34''$ (at Mile 9)

ADDITIONAL INFORMATION: See sketches and tabulation on reverse side for site and control particulars.....
Date of Field Work: 17 October 1997 Office Reference: Job No. 97-2642; Field Book 61; corrx169



Corner Name: Mile 9, Old East Boundary Shoshone Indian Reservation, T.42N x 94 W, 6th P.M. Cross-index No.: OP - 9/PQ - 9
SURVEYOR'S NAME: March 1994



EDITORIAL POTPOURRI

O NEW PLSW MEMBERS - At the FEB 98 Board of Directors meeting, the following new members were approved:

Dan G. Rederth	Sheridan, WY	Member
Robert M. Stollard	Denver, CO	Member
Mark E. Urban	Torrington, WY	Associate
David A. Webb	Rapid City, SD	Special

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O PLSW MEMBERSHIP - Recruiting new members is every members responsibility. Recruit a new member today.

O SUPPORT OUR ADVERTISERS - Our advertisers support PLSW and *Lines & Points*. Please support them.

O PLSW CHAPTER NOTICE - We have not heard much from the Chapters. Please send us a summary of your activities. *Lines & Points* would like to devote space in each issue to chapter news. Chapter news need not be typed. The deadline for the next issue of *Lines and Points* is presented on this page.

O PLSW BOARD MEETINGS - The tentative schedule for the 1998 Board of Directors meetings is as follows:

16 MAY 98	Evanston, WY
12 SEP 98	Rawlins, WY
Mid NOV 98	Casper, WY

All members are welcome. Contact your Director for the time and place.

O LINES AND POINTS FAX - The *Lines and Points* fax number is 307-235-5604 or 307-235-8184.

O E-MAIL LINES & POINTS - *Lines & Points* is on the WEB. Contact donnd@trib.com.

Ultimate Title Search Went All The Way Back

There is the story of a legal transaction involving the title to a parcel of land in Louisiana, for which a New Orleans lawyer rendered an opinion, tracing the title back to 1803. The firm of New York attorneys handling the matter wrote to New Orleans saying, in effect, that the opinion rendered was all very well as far as it went, but that the title to the property prior to 1803 had not been satisfactorily covered. The New Orleans attorney is alleged to have replied as follows:

"I have received your letter inquiring as to the state of the title of this property prior to the year 1803.

"Please be advised that in the year 1803 the United States of America acquired the Territory of Louisiana from the Republic of France by purchase; the Republic of France had in turn acquired title from the Spanish Crown by conquest, the Spanish Crown having originally acquired title by virtue of the discoveries of one Christopher Columbus, a Genoese sailor, who had been duly authorized to embark upon his voyage of discovery by Isabella, queen of Spain; Isabella, before granting such authority, had obtained the sanction of His Holiness, the Pope; the Pope is the vicar on earth of Jesus Christ; Jesus Christ is the Son and heir-apparent of God; God made Louisiana."

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PLSW (Professional Land Surveyors of Wyoming) is a statewide organization of Registered Land Surveyors licensed to practice in the Equality State of Wyoming. PLSW is dedicated to improving the technical, legal, and business aspects of surveying in the State of Wyoming. PLSW is affiliated with the American Congress on Surveying and Mapping and the Western Federation of Professional Land Surveyors.

Editorial Staff: John Hibsman, Steve Strang, Don Davis.

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Deadline for next issue — 15 JUNE 1998

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NEW ADDRESS

The State Board of Registration for Professional Engineers and Professional Land Surveyors has a new address in Cheyenne:

2424 Pioneer Ave., Ste. 400
Cheyenne, WY 82002.

The phone and fax numbers remain the same.

PRESIDENT'S MESSAGE

INAUGURAL ADDRESS - Annual State Meeting, 5 February 1998

It is both an honor and a responsibility to begin service as your president. Thank you for your vote of confidence. I will endeavor to put forth my best effort to lead our organization throughout the coming year.

I recently took the opportunity to re-read our By-Laws with particular attention to Article 1, Section 2, the "Objectives of PLSW", and would like to discuss those objectives with you at this time: 1) Advancement of public welfare and safety, 2) Cooperation with others, 3) Maintenance of high ethical standards, 4) Promotion of the professional welfare of the members, 5) To act as a clearing house and information center, 6) Professional development through seminars and technical papers, 7) Taking an active role in legislative matters, either supportive or in opposition, 8) Improvement of public relations toward appreciation of our profession.

Those eight items can also be personal objectives; practiced by each of us as we go about our daily duties as Professional Land Surveyors.

I encourage each of you to continue or initiate an active role in chapter activities. Social and professional contact with your peers at the local level throughout the year benefits you, them and our profession. Most chapters meet once a month except during the summer months. Who knows, serving as a chapter officer or as chairman of a chapter committee may provide an outlet for latent leadership qualities in need of expression.

Beyond, or in addition to, participation at the chapter level lies an active role in PLSW at the state level. I hope all members give thought to the possibility of election to our Board of Directors, serving on one or more of our committees, or providing assistance with special projects.

In closing, I truly believe PLSW will achieve the maximum accomplishment of our objectives as a collective effort of all of us rather than an individual effort of a few members.

QUARTERLY UPDATE - As of 12 March 1998

The Board of Directors met immediately following the annual state meeting, as specified in our By-Laws. We approved the minutes of the December board meeting as well as the

David A. Webb
Regional Manager

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applications of four new members and affiliates. The next board meeting will be held on Saturday, the 16th of May, in Evanston and is to be hosted by our Southwest Chapter; all members and affiliates being hereby invited.

My primary concern since the annual state meeting has been committee selections. As stated at the annual state meeting, I believe PLSW will be *more* effective through the involvement of a greater number of members and affiliates. To effect that goal, I am asking all chapters to function as committees. At the present time, I am awaiting the reply from five of the seven chapters. If you missed the chapter meeting when this was discussed you should contact your Director for particulars.

I attended the State Board of Registration for Professional Engineers and Professional Land Surveyors meeting in Cheyenne on the 6th of March on behalf of PLSW. It is our "unwritten but nonetheless official" policy to make certain at least one member of the Board of Directors is present at every such meeting as the official representative of PLSW. While the meeting was informative I have nothing of an urgent nature to include within this report. The staff has completed the move into the new office at 2424 Pioneer Avenue; telephone and fax numbers are unchanged.

Endure the mud - winter will eventually give way to spring.
Rick Hudson, President

REPRINTED MAP SOURCES OF SNAKE RIVER

SNAKE RIVER EXPEDITION - JAMES STEVENSON, DIRECTOR

The Northwest Chapter has reprinted, from an old (perhaps first printing) lithograph found in a cabin west of Cody, the map of the Hayden - Stevenson expedition and survey of Jackson Hole, Yellowstone National Park and surrounding vicinity. The map shows the campsites of the expedition, from July 12th, 1872, at Fort Hall, Idaho Territory, up the Snake River, into Yellowstone, and returning to Fort Hall on October 11th.

The reprint measures approximately 28 inches by 29 inches overall, black printing on white background, and is printed on heavy photographic paper.

The map is representative of the cartographic style of the time and uses shading to depict mountain ranges, water lining on lakes and artistic profiles of various ranges including the Tetons.

A 39-page excerpt from "Great Surveys of the American West", by Richard A. Bartlett, published by University of Oklahoma Press, is to be included with the map (reprint permission pending) and details the progress of the expedition.

THE CHAPTER IS OFFERING PRINTS TO PLSW
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ORDER FROM:

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Thermopolis, Wyoming 82443

-SURVEY CERTIFICATIONS

(Continued from Page 16)

(4) "There are no cemeteries or family burial grounds located on the site." Prehistoric people were on this continent for over 10,000 years. In my state, Arizona, the Hohokam Mogollon, and Anasazi were literally everywhere. The early settlers reported the remains of pithouses as far as the eye could see in the Phoenix area. In addition, the early settlers were frequently buried and no records kept of the site; it is not unusual to recover their bodies during construction. All of these indicate intentional burial, and the funerary sites probably qualify as family burial grounds.

(5) "There are no violations of any applicable zoning or subdivision ordinances." How would we know? If the tenant in apartment 210 has four dogs, or is babysitting six children, or selling illegal drugs, those are probably violations. There is probably not much exposure with the examples given (but see the previous discussion on prostitution). Do you really want to be known as a surveyor who will sign just about anything?

Far more serious consequences can occur if there are indeed serious violations of the ordinances with respect to the construction of the site. You may understand the ordinances (and if you do, my congratulations), but not know about the hidden violations. You can bet if you certify there are none and some turn up, there will be a demand for compensation from the client who relied on your certification (even if he is the one who talked you into it).

(6) "All improvements on the site comply with any restrictive covenants." "All" and "any" are huge, all encompassing words. Do you really want to take (financial) responsibility for the construction of the site with respect to covenants that you may not even know about? Even the private ones never recorded?

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(7) "All buildings to be constructed on the site will comply with applicable building and zoning ordinances." I've been accused of making this one up, but I have it in writing from a very large bank. The loan officer was quite sincere in her insistence that I certify to future events over which I had absolutely no control or influence. She saw nothing wrong with this, again, because "other surveyors sign this all the time." Amazing, just amazing.

In addition to the items listed above, here are other forms of certification to beware:

"...correctly shows the location of all buildings, structures, and other improvements situated on the above premises..." All is a broad word, and would include the improvements constructed below the ground. We have no way of knowing with certainty what is under the ground.

Suggestion: Certify that you have shown "all observable, above-ground evidence of buildings, structures, and other improvements situated on the above premises."

"...the dimensions of all improvements on the said premises and the distance therefrom to the nearest facing exterior property line..." First, you should restrict the certification to above-ground improvements. Beyond that, if we did indeed dimension all above-ground improvements and show the distance to the nearest property line there would in most cases be an enormous jumble of dimensions that could not be deciphered.

Suggestion: Certify that you have shown "the dimensions of all buildings on the said premises and the distance therefrom to the nearest facing exterior property."

In persuasion, it is important to speak in terms of the other person's interest, so allow me to explain why it is to your advantage to take an active stance in educating the attorneys who present these certifications. In simple terms: so you will stand out from the crowd and be seen as a leader. I understand that some clients want the cheapest survey they can get, and any surveyor dumb enough to sign their certification will do. However, they (the clients) are in a minority. I have a thriving business, in part from referrals by attorneys who have been impressed that I took the time to explain the certification problems to them. Contact the attorneys and explain it to them! It is a great marketing device.

[Bruce F. Small is the senior land surveyor for Celia Barr Associates, 4911 East Broadway, Tucson, Arizona 857113649 Tele- 520-750-7474.]

(editor, as seen in NSPS reports, prepared by: Gerry Curtis, Private Practice Committee, Chairman, reprinted with author's permission, italics added.)

Reprinted from Gem State Surveyor, Spring 1998

Planning for 1998 Summer Seminar

On July 24 and 25, the Chadron "Area Land Surveyors" will host with PSAN, the Summer Seminar. An eight hour seminar will be held at Chadron State College on July 24. Four to six presenters will speak on different subjects relative to surveying. A ladies program will be included. On Saturday, July 25, we will hold an Exhibit and Auction of surveyor memorabilia, i.e. antique instruments, books, maps, photos, paintings, tapes, chains, etc.

Security guards will be present. Persons interested in bringing items for exhibit or auction should write to Rollin C. Curd, P.O. Box 860, Chadron, NE 69337 by July 1. Details will follow in the seminar brochure.

Survey Certifications

("YOU SWEAR YOU DON'T SIGN,
BUT SOMEBODY SURE DOES")

One of the things I do is perform ALTA surveys, which means I often take part in what I call "the certification ritual." It goes like this: I receive from the attorneys, usually at the last minute, their form of certification. I respond with a firm but pleasant letter explaining why no surveyor with any sense would sign the certification, and they tell me that I am the first surveyor to ever state an objection to the certification, I challenge them, and they send me copies of their Certifications signed by land surveyors. Let's take a look at a representative certification, all of it taken from certifications signed by a land surveyor and passed along to me by attorneys.

SURVEYOR'S CERTIFICATE

I hereby certify to the Bank and Trust Company: (1) this survey was made on the ground as per the field notes shown on this survey drawing; (2) there are no easements or rights-of-way affecting or benefitting the property other than as shown hereon. Whether or not of record; (3) all utility services required for the operation of the property either enter the property through the adjoining public streets or the survey shows the point of entry and location of any utilities which pass through or are located on adjoining private land; (4) there are no cemeteries or family burial grounds located on the site; (5) there are no violations of any applicable zoning or subdivision ordinances; (6) all improvements on the site comply with any restrictive covenants; (7) all buildings to be constructed on the site will comply with applicable building and zoning ordinances.

A few of you will recognize one or two land mines in this certification; not many surveyors, unfortunately, will have the sense to know the entire certification is a disaster. To see why, let's go through it line by line.

(1) 'This survey was made on the ground as per the field notes shown on this drawing.' This first came to me from Texas a decade ago and has since spread across the country. Aside from the grammatical error ("as per" is redundant), field notes are not shown on survey drawings. If we did show the field notes, they would not make sense to anyone but a land surveyor, especially with the electronic data collection we use today (0006 3523.12 5768.91 B FOC).

I recently asked a land surveyor why he had signed this certification when he obviously had not shown the field notes on the survey drawing. His reply was, "Because the attorneys insisted on it." (There is a name for this activity; it is called prostitution. If you doubt that is the correct appellation, look up the definition of prostitution in the dictionary. And if you think I'm being harsh think of what your state board will do to a surveyor who knowingly signs a false statement because an attorney insists he has to have it.)

Suggestion: Certify that "the map or plat is based upon the field notes of the survey." I have found that this compromise satisfies everyone.

(2) "There are no easements or rights-of-way affecting or benefitting the property other than as shown hereon, whether or not of record." Surveys are typically based upon the title report furnished by the client. We depend on that title report to provide the list of recorded easements affecting the property, and if the title company omits any recorded easements, we cannot be responsible for their omission. Certifying, in effect, that you have

shown all easements transfers a tremendous responsibility to the surveyor's shoulders (for which you will pay dearly if you are wrong). As to the unrecorded easements, how could anyone possibly know about all unrecorded easements?

Somewhat related is a certification that '...there are no visible easements...' This is from an otherwise excellent Fannie Mae document, now much copied by attorneys around the country. Easements, of course, are not visible; they are a right (or burden). Fannie Mae has admitted what they intended to say was "visible evidence of easements." This is in accordance with ALTA paragraph 5(ii), which requires surveyors to show "observable evidence of easements."

Suggestion: Certify that you have "shown or noted all recorded easements or rights-of-way listed in the title report, and shown all observable evidence of easements on the ground."

(3) "All utility services required for the operation of the property either enter the property through the adjoining public streets or the survey shows the point of entry and location of any utilities which pass through or are located on adjoining private land." The first problem is, what is required for the operation of the premises is an engineering, not a survey matter. If needed, it should be part of a separate engineering report.

If the client so requests, we are required to show all observable, above-ground evidence of utility lines on the property, and the function of all overhead lines. However, we have no means of knowing what is below the ground. Utility maps sometimes give an indication, but not always. There is no reasonable way to determine with any certainty that we have shown all utility lines.

I sometimes have clients who insist that I absolutely must sign title certification, and I always tell them I would be pleased to sign it once they have excavated the site down to 50 feet while I watch (they quickly lose interest in this provision once they understand I am serious.)

Some of you may wonder what the harm could be in certifying that you have shown all the utility lines, so let me explain with a real-world example. A surveyor was hired to perform a standard ALTA survey, and he did a commendable job. At the last hour, the tender refused to fund the multi-million dollar project until they had assurance that there were no utility lines to interfere with the new construction. The client pressured the surveyor, who rationalized that he had looked at the site, saw no evidence of underground utility lines, had checked with the utility companies, and therefore felt fairly safe. Not completely comfortable, but somewhat safe.

You can guess the rest. They started construction, and discovered the gas line right where the building was going to go. Can you guess who got blamed? Could you afford to pay for the relocation of a gas line, and heavy equipment sitting idle for a week?

(Continued on Page 17)



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Union Pacific Railroad Co. Law Department Letter

Mr. Martin A. Pederson, President
State Board of Registration for
Professional Engineers and Professional Land Surveyors
Dear Mr. Pederson:

Governor Geringer provided me with a copy of your December 10, 1997, letter regarding the legal descriptions and property boundaries on the eighteen miles of line Union Pacific will be abandoning. As you know and noted in your letter, the Union Pacific is not required to permanently monument the right of way after abandonment. I am enclosing several references regarding the jurisdiction of the U.S. Surface Transportation Board over surveying and monumentation of track locations in connection with railroad abandonments.

The Union Pacific and the City of Casper are discussing the possibilities of the City acquiring ownership of the portions of the line from MP 590 to MP 607.8, including portions of the Casper rail yard. A portion of this line between MP 600 and 607.8 would be considered for continued rail use, leaving the track and monumentation in place. You may want to discuss your request for permanent monumentation with the City or the State Department of Transportation.

In 1992, the American Congress on Surveying and Mapping (ACSM), recognizing that the states had no jurisdiction, requested that the Interstate Commerce Commission (ICC) institute a rulemaking that would require railroads to monument track locations of abandoned lines. The ICC found that the monumentation problem occurred because the surveying community and property owners chose to use railroad tracks as property boundaries. The fact that tracks were used as boundary does not obligate the railroads to fund a successor mechanism once they have departed. The ICC ruled that the interested parties; surveyors, mapping agencies, taxing and zoning authorities, property owners and others directly affected by the possible loss or compromise of these benchmarks, should be the ones to bear the cost of maintaining or replacing benchmarks, not the railroads.

If you have any questions regarding Union Pacific's position regarding your request to the Governor, please feel free to contact me.

Sincerely,
Richard M. Hartman



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Professional Land Surveyors of Wyoming 1998 Annual Meeting Minutes

1. The Annual Meeting of the Professional Land Surveyors of Wyoming was held at the Holiday Inn in Sheridan on 5 FEB 1998. The meeting began at 13:15 hours with John Lee presiding.
2. The proposed agenda was amended and accepted. President Lee introduced the 1997-1998 officers and Honorary Member Wesley W. Reed.

President Lee also acknowledged regional and national guests as follows:

- Curt Sumpter - ACSM/NSPS President
- Robert Stollard - Professional Land Surveyors of Colorado
- Becky Braman - ACSM/NSPS/PLSW Governor
- John Steil - ACSM/NSPS Area 7 Director
- Paul Reid - WESTFED/PLSW Director

3. President Lee asked for a moment of silence in memory of the deceased members of the PLSW, William Armstrong and George Christopoulos, former State Engineer.

4. The last call for ballots to be submitted to the nomination and elections committee.

5. Secretary/Treasurer Stoughton presented the minutes of the 1997 Annual Meeting for approval. Motion made by Jones/Steil. Motion carried. In addition, Stoughton noted that the Board minutes for January, May and September of 1997 and draft minutes of the December 1997 meeting were included in the Annual Meeting documents and, no action was necessary.

6. 1997 Secretary/Treasurer's Report:

a. Secretary Stoughton distributed the most recent directory of Chapter Officers.

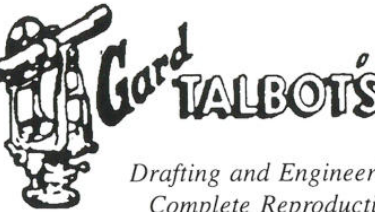
b. Treasurer Stoughton presented as summation of the financial statements for 1997 as follows:

1. MFS Intermediate Income Trust (S.O.S fund) ..\$	107.47
2. MFS Intermediate Income Trust	100.39
3. Hilltop Bank Savings	106.75
4. Hilltop Bank Checking Interest	241.80
5. Hilltop Bank Certificate of Deposit	448.97
6. Other Sources	18,938.39
TOTAL	\$18,938.77

A motion to accept was made by Steil/Jones and the motion carried.

c. Copies of the 1997 Winter Technical Session's financial statement were distributed. A motion to accept was made by Studley/Braman and the motion carried.

(Continued on Page 6)



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-ANNUAL MEETING MINUTES
(Continued from Page 5)

- d. A statement of checking account activities was distributed. A motion to accept was made by Hamilton/Studley and the motion carried.
- e. A statement of disbursements was distributed. No action was required.
- 7. Secretary/Treasurer Stoughton presented the proposed 1998 PLSW budget for approval. Motion was made by Steil/Studley and the motion carried.
- 8. Committee Reports:
 - a. Audit-Finance- Chairman Claflin - written report
 - b. Membership - Chairman Abell - written report
 - c. Nomination & Election - Chairman St. Claire written report
 - d. Standards/Ethics/Practice - Chairman Coffey - no activity
 - e. Education - Chairman Claflin - written report
 - f. Convention - Chairman Stoughton - oral report
 - g. Legislative - Chairman Steil - oral up-date
 - h. Bylaws - Chairman Dolinar - requested comments and suggestions from the membership.
 - i. Awards - Referred to Presidential Citation
 - j. Public Relations - Chairman Studley - written report
 - k. Scholarship - Chairman Pedersen - oral report
- scholarships were presented to Rusty Blough and Ed Reading.
- l. History - Chairman Stoughton - written report to be distributed with the 1998 directory.
- m. Manual of Practice - Chairman Oakley - no report
- n. Handbook - All copies have been distributed
- o. Tellers - See election results
- p. S.O.S. - Chairman Studley - written report
- q. Newsletter - Editors presented and oral report. A raffle fund raiser was conducted during the W.E.S. convention.
- r. Trig-Star - Chairman Ebner - oral report and suggested that packets be ordered from ACSM early.
- 9. Delegate Reports:
 - a. ACSM/NSPS - Governor Braman could not attend the fall meeting. She presented information learned from other attendees.
 - b. WESTFED - Delegate Reid presented a written report and provided an oral summation.
- 10. Old Business:
 - Retired and deceased surveyors list - M. Pedersen noted that a list is being sent to persons around the state for input.
- 11. Presidential Citations: President Lee presented the following:
 - a. Joel T. Ebner - Trig-Star
 - b. James D. Claflin - Winter Tech Session
 - c. Becky J. Braman - ACSM/NSPS Governor
 - d. Paul A. Reid - WESTFED Delegate
 - e. John A. Steil - Southeast Corner Rededication (AUG 1997)
- 12. Presidential Acknowledgement: Outgoing Vice-President Rick Hudson presented a plaque to President John Lee for his term as president.
- 13. Break
- 14. Election Results:
 - a. President - Rick L. Hudson

- b. Vice President - Jeffery B. Jones
- c. Secretary/Treasurer - Herbert W. Stoughton
- 15. Installation of Officers: ACSM/NSPS Director John Steil installed the officers.
- 16. New Business:
 - a. Registration Board President M. Pedersen announced that the board has moved to new offices and they revised the rules and regulations. The significant changes are an increase in fees from \$60 to \$85 and eliminating the use of plastic caps in favor of aluminum or brass caps.
 - b. Honorary Member P. Scherbel sent a letter with standards of practice published by the Nevada surveyors. President Hudson referred the matter to the Standards, Ethics and Professional Practice Committee.
 - c. The 1998 Board of Directors meeting will be as follows:
 - 1. MAY 16 - Evanston
 - 2. SEP - Rawlins
 - 3. NOV - Casper with Winter Tech Session
 - d. Member K. Jones discussed problems with radio interference with GPS RTK operation and requested that a list be compiled of users and frequencies in order to minimize disruptions. A questionnaire will be published in *Lines & Points*.
 - e. A general discussion ensued concerning a PLSW home page. No action was taken.
- 17. Announcements:
 - a. The winner of the SOS competition was Rick Hudson.
 - b. Donations are being accepted by B. Braman for the ACSM annual meeting auction in Baltimore.
 - c. PLSW membership applications are available.
 - d. Secretary/Treasurer Stoughton requested a list of officers from the Southwest Chapter.
- 18. Adjournment: Meeting was adjourned.
Respectively submitted,
Herbert W. Stoughton, S/T

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WESTERN FEDERATION OF PROFESSIONAL SURVEYORS
BOARD OF DIRECTORS MEETING REPORT
JANUARY 31, 1998

Meeting was called to order by Chairman Blair Meggitt @ 9:00 a.m. Roll call was made with the following members in attendance: Blair Meggitt, WFPS Chairman, Arizona Delegate; Jim Dorsey, WFPS Chair-Elect, Nevada Delegate; Dave DiFulvio, WFPS Secretary, Colorado Delegate; Ron Whitehead, WFPS Immediate Past Chairman, Utah Delegate; Jerry Tippin, WFPS Treasurer; Bud Campbell, Alaska Delegate; Chuck Paddock, Arizona Delegate; Arthur W. Hipp, Colorado Delegate; Charles Pearson and Brian Weigart, Oregon Delegates; John Abenroth, Washington Delegate.

Chairman Blair Meggitt gave a verbal report. Blair stated that upon written invitation to member state associations he would like to attend all the state meetings or conferences. If he is not able to attend he stated he will see that somebody from WFPS is there.

Secretary Dave DiFulvio gave a verbal report. He is presently working on streamlining the Action List, Meeting Minutes and RSVP for delegate attendance to meetings.

Treasurer Jerry Tippin prepared a written financial report as of January 31, 1998. Total assets are \$90,563.84, of which \$80,000 is in CD's with \$21,338.96 is earmarked for scholarship funds. All invoices have been paid current and the August 31, 1997 Federal Income Tax Return was filed on January 15, 1998.

A review and update of the action list was done with a note that Dave DiFulvio will be sending the updated one out in within 30 days after the meeting.

Conference 1999 committee chairman Chuck Pearson gave a update on the joint conference to be held March 15-18, 1999 in Portland, Oregon. The 2001 conference committee is now searching for a convention site. Any suggestions on concepts, sites and proposals are requested. Joint conferences with state societies has been very successful.

The Continuing Education committee was combined with the Education committee and Chuck Paddock was appointed Chairman of the realigned committees.

By-laws Committee was asked to review the Quorum and voting requirements and submit a by-laws amendment reflecting clarification on present delegate status of charter members and members and a majority clarification for transacting business.

Scholarship committee chairman George Strother was unable to attend and report on the scholarship committee due to a subpoena.

Blair Meggitt distributed a copy of the ACSM response to WFPS concerning the ACSM balloon payment on the headquarters building. It was a more or less mind your own business response.

John Abenroth gave a brief report on a NAFTA committee meeting with Canada, U.S. and Mexico societies. It was very interesting and progress is being made.

Chuck Pearson was appointed to make a update of the WFPS 1993 "Land Surveyors Licensure Requirements Handbook".

Written State Reports with verbal updates was done with the following highlights:

Alaska - Alaska trig star program noted over 170 participants from 10 schools. Colorado - Membership continues to grow and now stands at just under 600. In the legislative arena the hot item relates to the proper identification of abandoned Railway Rights-of-Way. Currently a survey is required by a licensed Surveyor prior to removal of rails after a right-of-way is abandoned. Of course the railroads opposed this requirement and wish to pass legislation that would remove it.

Nevada - Nevada Association of Land Surveyors and the California Land Surveyors Association are active planning a joint conference for March 22 - 26th, at Harrahs, Lake Tahoe, Nevada. Over \$20,000 in scholarships is to be awarded this year. The Southern Nevada Chapter has established a Survey Program through the Community College of Southern Nevada with a 1 year Technical Certificate and 2 Year Associate Degree. There are 9 units of boundary and property law.

Oregon - Professional Land Surveyors of Oregon held their annual meeting and convention at the Chinook Winds casino in Lincoln City on December 3-6, 1997. The meeting was very well attended with an excess of 334 attendees. Friday evening during the awards banquet, a silent auction was held and \$13,500 was raised for the PLSO scholarship. PLSO continues to grow with 624 paid members.

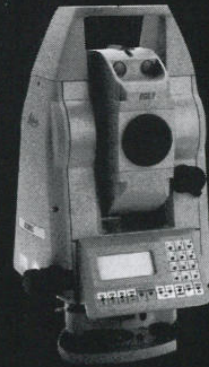
Utah - The Utah Council of Land Surveyors added two new chapters to the association. There were over 300 attendees at the annual conference held January 15 & 16 in St. George, Utah. The legislative committee has been given the charge to work on legislation on Mandatory Education, Rights of Entry and Quality based selection for state projects. The Standards of Practice committee just completed the standards portion on boundary surveys and continues to work on other parts of the manual. The Scholarship committee is new and is beginning to work to develop a scholarship program. The Ethics Committee has been very busy reviewing cases with the investigator from the Department of Licensing.

Washington - The Land Surveyors' Association of Washington has decided to work on getting legislation passed for mandatory continuing education. In a recent presentation from the Board of Registration, it was pointed out that applicants are continuing to do well on the Fundamentals portion of the exam. It was also pointed out that consistently weak area is the legal description preparation, particularly in metes and bounds descriptions. In response to that, LSAW is planning some seminars on the subject for their annual meetings and for the annual **free** seminar for members. New Editor, Dave Berg, is doing a great job and has won the NSPS/ACSM Excellence in Professional Journalism Award to be presented in Baltimore. Current membership is about 800. The theme for the 1998 Annual Meeting/Convention is "Navigate to '98" to be held in Everett on February 25-28.

The next WFPS Board of Directors meeting was tentatively scheduled for May 30 or June 6 in Reno, Nevada.

Meeting was adjourned @ 2:35 p.m.

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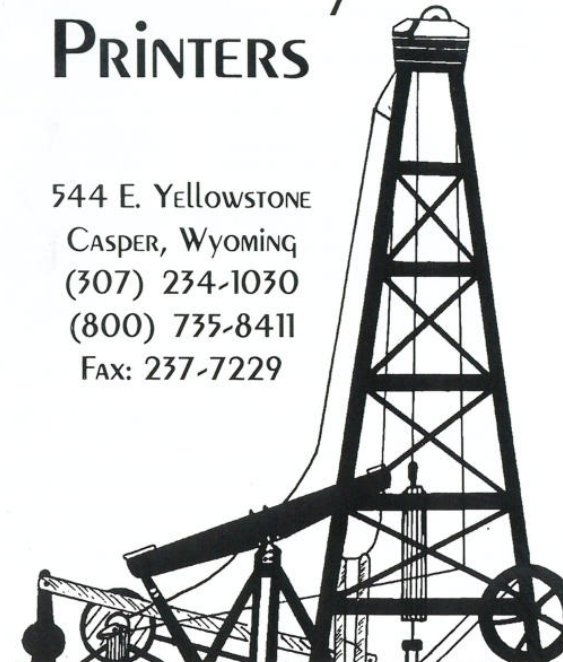
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Draft – Professional Land Surveyors of Wyoming Board of Directors Meeting Minutes

5 February 1998

1. The Board of Directors' Meeting of the Professional Land Surveyors of Wyoming.

a. Location: Sheridan, Wyoming, at the Holiday Inn.

b. Date & Time: Thursday, 5 February 1998 at 5: 00 p. m., M. S. T.

c. Presiding Officer: Mr. Rick L. Hudson, P.L.S., President.

2. Agenda: The final agenda is appended. [Appendix A].

3. B.O.D. Minutes: Motion was made by Cormier/ Lee, to approve the corrected minutes of the Board of Directors' meeting of 3-4 December 1997 at Casper. Approved.

4. Treasurer's Report: No financial report was submitted, since a detailed report had been presented at the Annual Meeting just hours earlier.

5. President's Report: No formal report.

6. Committee Reports: No report.

7. New Members: The following memberships were approved:

a. Daniel G. Rederth, member.

b. Robert M. Stollard, member.

c. Mark E. Urban, associate member.

d. David A. Webb, special member.

8. Delegate Reports: No report.

9. Old Business:

10. New Business:

a. Motion was made to reimburse the Southeast Chapter for twelve (12) lapel pins that were provided to Paul Reid for distribution at the WestFed meeting by Lee/ Vliem. Motion passed.

b. The Secretary/Treasurer was authorized to release \$625.00 to the South Central Chapter for Lines & Points.

c. 1998 schedule and location for the PLSW B. O. D. meetings - tentative schedule:

1. Evanston, 16 May 1998 (location to be determined).

2. Rawlins, 12 September 1998 (location to be determined).

3. Casper, mid November 1998, at the site of PLSW Winter Technical Session.

d. The Secretary/Treasurer will publish only the draft minutes of the B. O. D. and Annual meetings.

11. Next Board of Directors Meeting: The next meeting will be Saturday, 16 May 1998 at a location in Evanston at a place to be arranged.

12. Adjournment:

The meeting was adjourned at 5:22 p.m. M.S. T.

Herbert W. Stoughton
Secretary/Treasurer

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WYDOT MEMO-

(Continued from Page 12)

and Board Rules and Regulations, Chapter Five, Section 2(b)).

9. As Constructed Plans combining Land Surveying Activities shall incorporate the seal and signature of a Professional Land Surveyor.

Further understanding between the State board of Registration for Professional Engineers and Professional Land Surveyors and the Wyoming Department of Transportation:

1. These following activities may be done under the supervision of a Professional Engineer (P.E.) but if done under a P.E., this work cannot be counted toward land surveying experience. If done under a P.L.S. some work can be counted toward land surveying experience, such as: setting, resetting or replacing of points to guide construction for WYDOT construction projects, to include measurement by angles, distances and elevations of natural or manmade features in the air, on the surface and immediate subsurface of the earth, within underground workings and on the surface or within bodies of water.

2. Descriptions of land shall be related to the U. S. Public Land Survey System and may include where applicable basis of bearing reference to the Wyoming Coordinate System.

3. The Department will preserve or reset USC&GS (NGS), USGS, and other agency bench marks and triangulation stations, within construction corridors, reporting such preservation actions to the agency involved.

4. When requested and funded by the county the Department will oversee the monumentation of the right-of-way on roads constructed under the State County Program.

5. As the Department's budget and personnel permit, the Department will make an effort to monument existing right-of-way acquired prior to January 1, 1993.

6. The State Board will review the Department's Land Survey development program and issue confirmation on the basis of content pertinent to professional land surveying activities as outlined by this memorandum and under the supervision of a Professional Land Surveyor, will qualify toward meeting Land Survey registration requirements.

7. Historical data will be maintained on all land surveys and right-of-way plans made by and for the Department of Transportation.

Wyoming Department of Transportation
Gene Roccabruna, P.E. & P.L.S.
WYDOT Director 9/9/97
State Board of Registration
Martin Pedersen, P.L.S.
Board President 9/5/97

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OIT SURVEYING STUDENTS EARN SCHOLARSHIPS

KLAMATH FALLS, Ore. - Two Oregon Institute of Technology surveying students have been awarded national American Congress on Surveying and Mapping (ACSM) scholarships.

Russell B. "Rusty" Blough was awarded a \$1,500 Leica Surveying Scholarship in the national competition.

That award also carries a \$2,000 instrument and systems credit for OIT and a \$500 equipment credit for each OIT surveying student graduating in 1998.

Blough was also named winner of the ACSM's annual Allen Chelf Scholarship, which carries a \$250 award.

Blough, a junior, worked with a private company before deciding to pursue a bachelor's degree in surveying. He is from Cody, Wyoming.

"I really enjoyed the work and wanted to continue as a professional," he says. "Changes in the field, especially precision measurement using computers, requires that surveyors have more and more education."

Blough, who plans to seek professional licensure, is the son of Sheila and Paul Blough of Cody.

Christopher W. "Chris" Brown was awarded an \$ 1,000 ACSM Scholarship from a nationwide pool of applicants.

Prior to entering the OIT Surveying program, Brown was employed in the construction industry. He is from San Jose, California, and also plans to obtain professional licensure.

Brown says that he was attracted to the outdoor aspects of surveying, but also appreciates "how capabilities are being refined" by computers.

He is the son of Sheila and Wally Brown of San Jose.

ACSM Scholarships are awarded based on academic record, letters of recommendation, professional activities and a personal written

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MEMORANDUM OF UNDERSTANDING

BETWEEN THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS AND THE WYOMING DEPARTMENT OF TRANSPORTATION

Purpose: The purpose of this memorandum is to clarify the policy of professional land surveying within the Wyoming Department of Transportation (WYDOT), as it applies to: preliminary land surveys, rights-of-way plans, legal descriptions, construction surveying and placement of highway monuments along boundaries of WYDOT right-of-way.

Applicability: This memorandum will be in effect and apply to land surveys, right-of-way plans, construction surveys, and placement of highway monuments.

Definitions:

1. "Aliquot Corner" - Means any section corner or quarter section corner and any other corner in the U.S. Public Land Survey System created by subdividing land according to the rules of procedure set forth in: Federal Law, Wyoming State Statutes: State Board Rules and Regulation; and the appropriate Manual of Instruction for the Survey of Public Lands of the United States.
2. "Land Survey Control" - Survey control established by or for WYDOT for the purpose of Land Surveying.
3. "Right-of-Way Map" - A land survey map including As Constructed Plans showing the survey centerline and aliquot corner relationships, established right-of-way boundaries and property lines, and land survey control.
4. "Construction Survey" - Survey work within a project such as bridge layouts, hydraulic installation, roadway alignment and subsequent elevation determinations.
5. "Highway Monuments" - A monument set by WYDOT and used to define highway right-of-way boundaries in the field. These monument are not to be confused with aliquot corners or corners that define intersecting property lines with the highway boundary. Such monuments are prima facie evidence of the boundaries of the right-of-way.
6. "Monument Record" - Means a written and illustrated document describing the physical appearance of a survey monument and its accessories, or of a bench mark or triangulation station. A State of Wyoming Corner Record shall be filed on all aliquot corners found or reestablished. If a monument has been found in the same condition as shown on the last recorded filing, no record need be filed.
7. "Irregular Parcel" - A method of defining parcels used by WYDOT but which is not uniquely defined on a subdivision plat by which are described by any of the following methods:
 - a. an aliquot part of a section
 - b. a metes and bounds description
 - c. book and page or receipt number reference
 - d. "Assessor's Tracts"
 - e. a bounds description that calls only for owner's or adjoiner's line
 - f. strip descriptions
8. "Monumented Property Corner" - Any monument or reference point which marks a property line, corner or boundary.

Compliance with Wyoming Statutes:

It is the intent of this memorandum to have WYDOT in

compliance with Wyoming State Statutes and State Board of Registration for Professional Engineers and Professional Land Surveyors Rules and Regulations as it applies to professional land surveying. Beginning January 1, 1997 WYDOT will initiate procedures so the following duties are under the supervision of a registered professional land surveyor. WYDOT will ensure:

1. Compliance with the provisions and intent of the Memorandum of Understanding (MOU) by January 1, 1998. WYDOT further agrees that highway monuments established after January 1, 1993 will be in full compliance with this MOU by January 1, 1999.
2. Land survey Control from which land surveying activities will be confirmed or established.
3. Establishing of ties to aliquot corners, monumented property corners and existing right-of-way monuments. The location, relocation, establishment, reestablishment of aliquot corners or property corners which identify land boundaries, right-of-way or easements and which affect the size or position of irregular parcels defined by the Right-of-Way Program. (Ref. WYO.STAT. ss 33-29-114 and WYO.STAT. ss 33-29-135)
4. Highway monuments shall be set at all changes in direction in highway right-of-way boundary lines. Highway monuments will be stamped and sealed under the supervision of the professional land surveyor supervising the work.
5. Referencing and resetting of aliquot corners and monumented property corners disturbed by construction. If the corner falls within the traffic area of a highway, the corner position shall be substantially referenced with monumentation at locations assuring future perpetuation of the corner position. (Ref. WYO.STAT. ss 6-3-202 and WYO.STAT. ss 33-29-146)
6. Preparing and reviewing items pertaining to land surveying such as field notes, land survey control and land corner listings, right-of-way retracements, highway monument summaries, right-of-way applications, pit layout diagrams when tied to aliquot or property corners, right-of-way maps and legal descriptions. (Ref. WYO.STAT. ss 33-29-135)
7. Filing of monument records (State of Wyoming Corner Record) in the office of the appropriate County Clerk as require by Wyoming Statute. A Corner record must be sealed and signed by the professional land surveyor who recovered or reestablished, or supervised the recovery or reestablishment of, the monument. (Ref. WYO.STAT ss 33-29-140 through ss 33-29-149)
8. Public documents and records prepared by the Department relating to land surveying such as State of Wyoming Corner Records shall be signed and sealed by the professional land surveyor supervising the work (Ref. WYO.STAT. ss 33-29-139,

(Continued on Page 13)



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BLM NEWS

This letter is to inform you of official cadastral surveys in Wyoming that have been accepted on August 11, and September 29, 1997 were officially filed and are now available in the Survey Records Office, Wyoming State Office, Bureau of Land Management, P.O. Box 1848, 5353 Yellowstone Rd., Cheyenne, WY 82003.

The accepted surveys are listed below by township, range, type of survey, meridian, and acceptance date.

Sixth Principal Meridian, Wyoming

Township and Range	Type of Survey	Meridian	Accepted
T. 48 N., R. 64 W.	Dep Res.	6 P.M.	12/22/1997
T. 14 N., R. 78 W.	Dep. Res.	6 P.M.	12/22/1997
T. 42 N., R. 116 W.	Dep. Res.	6 P.M.	12/22/1997
T. 45 N., R. 61 W.	Dep. Res.	6 P.M.	1/21/1997
T. 46 N., R. 61 W.	Dep. Res.	6 P.M.	1/21/1997

Need a map? Check the Net

WASHINGTON – For the first time, 26 maps from the world's biggest collection went on the Internet on Monday from the Library of Congress, which has another 4.5 million to go.

More maps will be added every day, said Ralph E. Ehrenberg, chief of the library's geography and map section. By October, the number is due to rise to 1,200.

The web site is at <http://www.loc.gov/> – go the American Memory Collections.

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