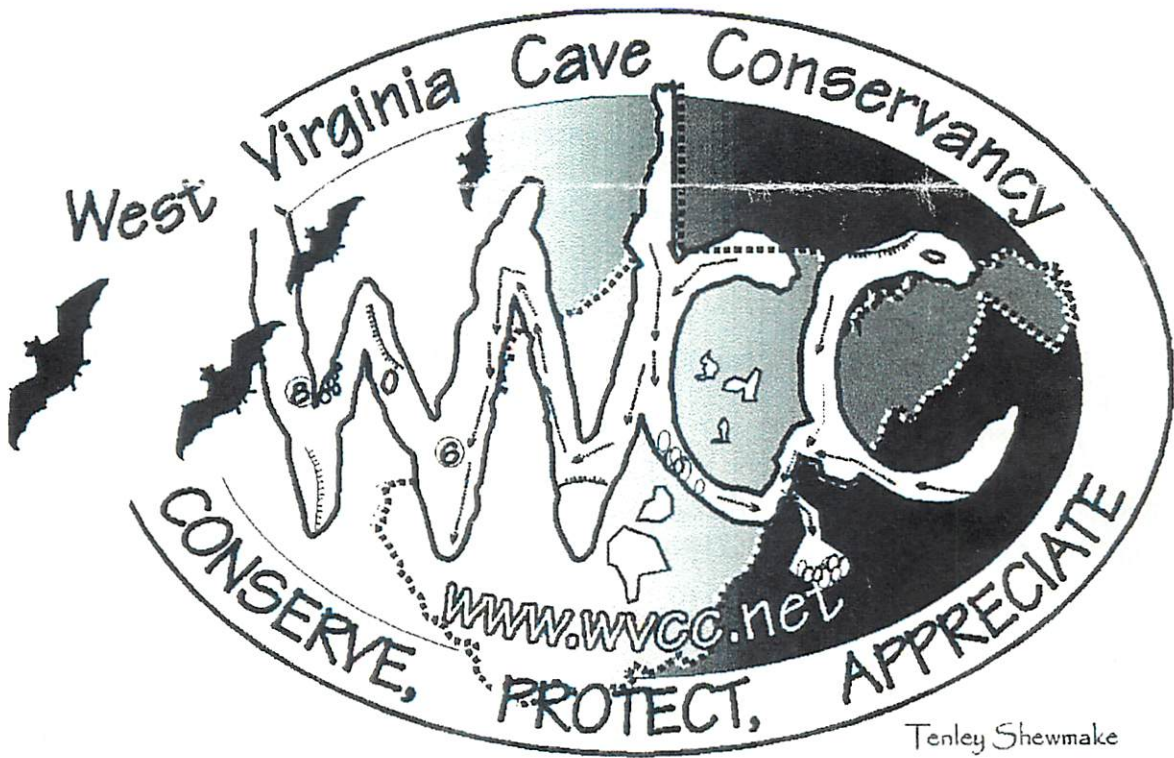


THE WEST VIRGINIA CAVE CONSERVANCY

WINTER, 1998

NUMBER 1



Tenley Shewmake



THE WEST VIRGINIA CAVE CONSERVANCY

"Preserving the cave and karst resources of West Virginia for future generations"

Number 1

Winter, 1999

The West Virginia Cave Conservancy is a non-profit, 501(c)3 organization. All contributions to the Conservancy are tax-deductible. Please send all contributions and dues to:

West Virginia Cave Conservancy, Inc., P.O. Box 243, Frankford, WV, 24928: 24938

For more information on membership, visit our website at: <http://www.wvcc.net>.

Please send all contributions to the newsletter to the newsletter editor.

Any internal organization of the N.S.S. has permission to reprint materials in this newsletter with proper recognition given to the author and *The West Virginia Cave Conservancy Newsletter*.

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Thanks To All Who Have Supported Us!!!

As you know, The West Virginia Cave Conservancy is a very young organization. We would like to send out a special thank you to all who have supported us so far. The following is a list of all the people and organizations that have shown their support. This list is current up to November 13, 1998. Thank you all!!!

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The Virginia Region of the N.S.S.
(Lifetime Member)
West Virginia University Student Grotto

Help Name the Newsletter!

We need help naming the newsletter!
There have been a couple suggestions, but we would
like to hear from the members! If you have any

suggestions, just send a note to the editor (via mail or
internet). Be sure to include your name so we can
give you credit if you come up with the winning title.

WVCC and Greenville Saltpeter Cave
(A Week in the Lives of WVCC Land Brokers)
Cliff Lindsay

The Friday, November 6, 1998 edition of The West Virginia Daily News, the local paper in Greenbrier County, contained an auction announcement that once again necessitated an almost panic level of activity for WVCC. Well, OK- maybe that's a slight exaggeration - but several of us were running around in circles for a week. The auction of the Millpond Entrance of Greenville Saltpeter Cave in Monroe County would take place Saturday, November 14 - only a week away! Why people think it's a great idea to hold snap auctions with almost no notice, I can't figure. This was the third auction in this area involving a cave this year that has been done with minimal notice (there hasn't been one that was done with what I would consider to be adequate notice). They can't possibly assure anyone that sale prices are maximized. It sure puts a strain on us when we have to drop everything else, and try to figure out on very short notice how to swing a land deal.

Anyway, there it was. Dave Cowan immediately checked with the auctioneer and found out that the Millpond Entrance would be offered separately with an access through a 28 acre parcel, and would also be offered together with the full 28 acre parcel that contained the entrance. There were several other parcels that would also be offered individually, and then in total. Whichever combination got the highest total bid would prevail. It looked like we had to develop a plan quickly, be prepared to acquire the full 28 acres, and hope nobody would bid more on all the parcels put together. The one thing about the timing of this auction that was in our favor was that, coincidentally, the WVCC Board was already scheduled to meet near Lewisburg, WV on Sunday, November 8. The entire Board strongly supported efforts to do whatever could be done, including purchase if possible, to protect the cave. A committee of Tina Hall, Dave Cowan, Jeff Bray, and Cliff Lindsay was authorized to pursue the matter.

On Wednesday, November 11, the committee met with Steve Van Matre, the head of The Institute for Earth Education, at his headquarters in Greenville (see article in this issue). The IEE already owns the Water Entrance and the Hilltop

Entrance. Steve immediately had more confusing news for us. The Saltpeter Entrance was also on the large (142 Acre) parcel that was part of this auction. The auctioneer hadn't mentioned two entrances. Steve said that he wasn't prepared to buy a lot of land, and neither were we. Since the Saltpeter Entrance is very close to one of Steve's fence lines, some additional parceling for the auction might be possible, but the tight time schedule would make dealing difficult. We all agreed that we would work together to try to assure that between our groups, we would acquire the entrances that were for sale, and that whichever group might eventually own the entrances, both groups would cooperate in managing and protecting the cave.

We spent that afternoon hiking across fields in the warm sunshine trying to figure out how everything fit together. Unlike other auctions we had been to this year, there was no sign that the property had been surveyed. In fact, the only survey we found was flagging apparently marking the access to the Millpond Entrance. We could not figure out where the boundaries were of the 28 acre parcel that included Millpond Entrance. Fortunately, Tina had a transparency of the tax plat at topo map scale for that area back at her vehicle. Looking at the overlay, it was suddenly obvious that the Millpond Entrance was not on the 28 acres that it was advertised with! We're talking not even close! As darkness fell, Dave and I headed back to Lewisburg, trying to figure out if there was any reason this auction was so screwed up - we were still trying to give people the benefit of the doubt.

Dave gave the auctioneer a call. Indeed, the auctioneer confirmed that the Millpond Entrance was not on the 28 acre parcel, and would be sold entirely separately (never mind all the advertisement). The auctioneer also confirmed that the Saltpeter Entrance was part of the auction, and would be sold with the other entrance. He stated that no land would be sold with the Saltpeter Entrance, because if he sold any land with the entrance, he would have to grant an easement through the 142 acres to not have the piece landlocked. The auctioneer had apparently
(Continued on next page)

developed a new legal theory - cave entrances are dimensionless. My mind reeled (thanks WKJ). Fortunately for the future of pure mathematics, Dave introduced him to the concept of underground easements by suggesting that the two entrances could and should be joined by such. This boggled the auctioneer's mind for a while, but he eventually bought into it.

Dave also argued for a small amount of land to be included around each entrance for fencing, etc.,. That suggestion meant Dave and I were headed back to Greenville on Friday to survey these small parcels so that Dave could work up a proposed deed for the auctioneer. Friday afternoon, Dave and I surveyed a small perimeter around each entrance. As part of this process, we realized that the surveyed easement from Route 122 to the Millpond Entrance had been surveyed straight through the upper end of the millpond - to stay on the easement while traveling to the cave, you would have to wade water! Dave then called his house and gave Sandy the raw data, which she entered into their survey program to generate calls that Dave then wrote into a deed he had already prepared. We then hurried to give it to the auctioneer, who was just up the street finishing the auction of some of the contents of the house. He said he would look it over, but with the land auction the next day, I wondered just what would come of it. We then had another strategy session with Steve Van Matre, mainly dealing with how we would coordinate our efforts during the auction. We agreed that Steve would handle the bidding as long as a third party did not run the bid up beyond his limit. We would jump in if and when the bidding exceeded his limit.

Saturday morning we drove back to Greenville for the 12 noon auction of the land. We were especially interested in the official announcements that would immediately precede the auction, since the pre-auction advertising had been so screwed up. The auctioneer did not officially announce Dave's proposed details, but he did indicate to Dave beforehand that if we acquired the

cave, the details would be acceptable. The auctioneer did announce the underground easement as the link between the two entrances. The auctioneer asked if there were any questions, and Dave expressed concern about the surface easement to the Millpond Entrance being routed through the pond, and asked if it couldn't be relocated. The auctioneer clearly didn't want this kind of question, and fumbled around with the thought that nobody was going to care if you walked around the pond on someone else's land! So - like- why bother to have a surveyed easement! Then, with the help of some knowledgeable local from the audience, he pointed out the obvious, which was that: you were going to have to put on rubber boots to go in a cave anyway, so what was the big problem! The mind was almost beyond reeling.

Finally, it was auction time. All the other parcels were sold first, and were sold for what seemed to be reasonable prices. The cave rights came up last. The auctioneer tried to get things going for \$25,000. He worked his way on down to \$5,000 - at which point Steve couldn't stand it any more, and jumped in. We held our breaths. Nobody else was bidding! Try as he could, the auctioneer got no other participation, so he hammered it down for \$5,000. Then came the final trying moment - the combination of all the parcels. The auctioneer set a really low hurdle of only \$400 additional over the sum of the individual bids to reopen the bidding. We really held our breaths, but amazingly, nobody reopened the bidding, and Steve had prevailed. We went over and congratulated Steve, and of course we razzed him about paying too much by not waiting to start the bidding at an even lower amount.

Thanks in large part to our efforts, all four entrances of Greenville Saltpeter Cave are now in responsible hands. The cave rights that Steve acquired are much more meaningful rights due to our efforts. The hibernating bats will be better protected than in the past. Access to the cave for cavers will be maintained. A nice success!

The Institute for Earth Education—A Letter of Introduction
Steve Van Matre

We thought we should introduce ourselves. The Institute for Earth Education was founded in 1974 to offer a different educational response to our environmental problems than the one that's been adopted by the educational establishment. Today we have educators involved with us around the world, and formal branches underway in Australia, Canada, Finland, France, Germany, Italy, Japan, the United Kingdom, and the United States. The Institute for Earth Education is a non-profit, volunteer organization that is made up of an individuals and member organizations.

Since 1974, we have been helping people of all ages view the earth as a wondrous oasis of life—an oasis that we must learn to understand and appreciate if we are to assure its continued lushness and diversity. Essentially, we are the world's alternative to the pervasive agency- and industry-sponsored supplemental environmental education.

We maintain that instructional programs aimed at helping people live more lightly on the earth are just as important as programs in math and science, or history and language. As we like to put it, we represent the fourth "r"—readin', ritin', 'rithmetic, and relationship—for it's our relationship with the earth and its natural systems and communities that must change if we are to enjoy a biotically rich and healthy planet in the future.

For more information on The Institute for Earth Education, please write or call:
The Institute for Earth Education
Cedar Grove, Greenville, WV 24945
(304) 832-6404
Or visit our website at: <http://sln.slnet.com/cip/iee/>

Maxwelton Sink Update
Jeff Bray

Here is the latest on the purchase of the Maxwelton Sink Cave Preserve. All the work is finished and the paperwork is with the lawyers. We were waiting because the seller's lawyer originally had a problem with the underground easement and how it was worded. This has been reworded without changing our goals.

Now we are waiting for another deal to go through that the sellers are trying to close. They have a deal in the works with another party involving

another section of the land that they own, and they are making more profit on this deal (especially since we are buying the cave preserve's property at their cost). Their lawyer has perceived our deal to be a hindrance to their other deal (due to the easement and other circumstances involved with making a deal with a conservation group), and has asked them to hold on closing our deal until the other is either closed or lost. Other than that, we are ready to close the deal and start our work on the Preserve.

West Virginia Cave Conservancy
Financial Statement—October 31, 1998
Lois Lindsay

Income:		
Membership dues	\$6,600.00	
Maxwelton	8,298.00	
Contributions	3,254.00	
Cave Bucks	215.03	
Interest	37.26	
Fund-raising ("Dig The Max" Buttons)	1,010.00	
Miscellaneous (Subscription to <i>West Virginia Caver</i>)	8.00	
Total Income		\$19,422.29
Expenses:		
Operating		
Land Trust Alliance (Dues)	150.00	
IRS (501C Application)	150.00	
Taxes		
West Virginia Corporate License Tax	10.00	
Supplies		
Greenbrier Printing ("For Deposit Only" stamp)	15.39	
Maxwelton		
Sandy Cowan (Survey)	565.00	
Fund-raising		
The Art Medium (T-Shirts/Banner)	217.10	
Gaylord Taylor (Buttons)	280.00	
Miscellaneous		
Cash to <i>West Virginia Caver</i>	8.00	
Total Expenses		\$1,395.49
BALANCE ON BANK STATEMENT (Oct. 23, 1998)		\$18,026.80
<hr/>		
Deposit Nov. 6, 1998		2,225.00
Balance as of Nov. 7, 1998 (Adjusted totals below)		20,251.80
Maxwelton Donations	\$8,298.00	
Maxwelton Expenses	565.00	
Balance	\$7,733.00	
Fund-raising Income	\$1,010.00	
Fund-raising Expenses	497.10	
Balance	\$ 512.90	
Total Income 1998 YTD		
Income as of Oct. 31, 1998	\$19,422.29	
Deposit Nov. 6, 1998	2,225.00	
Check received for Credit Card Charges	328.00	
Total Income as of Nov. 7, 1998	\$21,975.29	