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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION

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CARBON COUNTY (2), UTAH, a political  
subdivision, and STATE OF UTAH,

Plaintiffs,

vs.

UNITED STATES OF AMERICA, UNITED  
STATES DEPARTMENT OF THE  
INTERIOR, and BUREAU OF LAND  
MANAGEMENT,

Defendants.

**AMENDED COMPLAINT  
TO QUIET TITLE**

Case No. 2:12-cv-00427-DB

Judge: Honorable Dee Benson

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Carbon County, Utah (“Carbon County” or “County”), a Utah political subdivision, and the State of Utah (“State”) (collectively referred to as “Plaintiffs”) as their Amended Complaint against the United States of America (“United States”), the United States Department of the

Interior (“DOI”), and the Bureau of Land Management (“BLM”) (collectively referred to as “Defendants”) allege as follows:

### **INTRODUCTION**

This is an action to quiet title to certain described rights-of-way for highways, including the scope thereof, under the grant of Section 8 of the Mining Act of 1866, 14 Stat. 251, 253, later codified as Revised Statutes 2477 and as 43 U.S.C. § 932 (repealed October 21, 1976, with savings provisions recognizing validity of rights-of-way already established) (hereinafter “R.S. 2477”). For judicial convenience and ease of reference, the rights-of-way at issue herein have been divided into four geographic areas, each with approximately 7-33 roads. Each geographic area has been pleaded as a separate cause of action.

### **JURISDICTION AND VENUE**

1. The claims asserted herein arise under the Quiet Title Act (“QTA”). 28 U.S.C. § 2409a (2006).
2. This Court has subject matter jurisdiction under 28 U.S.C. § 2409a (quiet title) and 28 U.S.C. § 1346(f) (quiet title), as this case involves Plaintiffs’ claims to ownership of public highway rights-of-way crossing lands of the United States.
3. Plaintiffs claim title to the public highway rights-of-way crossing lands of the United States at issue in this case as joint undivided owners. *See* UTAH CODE ANN. §§ 72-5-302(2) (Supp. 2011) and -103(2)(b) (2004).
4. On or about November 10, 2011, the State filed a Notice of Intention to File Suit to Quiet Title to Certain Rights-of-Way in Carbon County, Utah, with the Secretary of Interior

over the R.S. 2477 rights-of-way that are the subject of this action. A copy of this letter is attached as Exhibit 1. Thus, the State has complied with the requirement to provide notice to the head of the federal agency with jurisdiction over the lands in question 180 days prior to filing this action. 28 U.S.C. § 2409a(m).

5. Thus, the State has complied with the requirement to provide notice to the head of the federal agency with jurisdiction over the lands in question 180 days prior to filing this action. 28 U.S.C. § 2409a(m).

6. Venue is proper under 28 U.S.C. § 1391(e) inasmuch as the lands at issue are located within the state of Utah.

### **PARTIES**

7. Utah is one of the fifty sovereign states forming the United States of America, having been admitted to the Union on January 4, 1896, on an equal footing with the original states. Executive power for the State is vested in the Governor, who is responsible for seeing that the laws of Utah are faithfully executed. UTAH CONST. art. VII, § 5; UTAH CODE ANN. § 67-1-1 (2008).

8. Carbon County is a political subdivision of the state of Utah, located in the east-central area of the state, and is authorized to maintain this action. UTAH CODE ANN. § 17-50-302(2) (2009).

9. Pursuant to the Utah Constitution, the State owns all property interests acquired from the United States at or after the time of statehood. UTAH CONST. art. XX. The State and the County are joint owners of R.S. 2477 rights-of-way within Carbon County, Utah. UTAH

CODE ANN. §§ 72-5-302(2) (Supp. 2011) and -103(2)(b) (2004); *id.* §§ 72-3-103(3) (2004) and -105(3). As an undivided joint owner of the public highway rights-of-way claimed herein, the State is duly authorized to maintain this action. *See* UTAH CONST. art. VII, § 1; *see also generally* UTAH CODE ANN. §§ 72-5-103 through -105, and 72-5-302 (Supp. 2011).

10. In this action, Plaintiffs seek to quiet title in those rights-of-way located within Carbon County, Utah.

11. Defendant United States is the owner of the lands traversed and bordered by the roads and rights-of-way claimed in this action.

12. Defendant DOI and Defendant BLM are tasked with managing and protecting federal interests in the lands traversed and bordered by the roads and rights-of-way claimed in this action.

**THE CONGRESSIONAL GRANT OF RIGHTS-OF-WAY FOR PUBLIC HIGHWAYS  
CROSSING PUBLIC LAND**

13. R.S. 2477 provides as follows: “*And be it further enacted*, That the right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted.” Act of July 26, 1866, ch. 262, § 8, 14 Stat. 251, 253, codified at 43 U.S.C. § 932, repealed by Federal Land Policy Management Act of 1976 (FLPMA), Pub.L. No. 94-579 § 706(a), 90 Stat. 2743.

14. R.S. 2477 was an open congressional grant *in praesenti* of public highway rights-of-way for the benefit of miners, ranchers, homesteaders, and all other members of the public who had need to travel across public lands.

15. Acceptance and vesting of R.S. 2477 rights-of-way required no administrative formalities: no entry, no application, no license, no patent, and no deed on the federal side; no formal act of public acceptance on the part of the states or localities in whom the right was vested. *See Southern Utah Wilderness Alliance v. Bureau of Land Mgmt.*, 425 F.3d 735, 741 (10th Cir. 2005) (hereinafter “*SUWA v. BLM*”). R.S. 2477 operated as a standing offer of a right-of-way over the public domain, and the grant may be accepted without formal action by public authorities. *Id.*

**LONG-STANDING DEPARTMENT OF INTERIOR INTERPRETATION OF R.S. 2477**

16. Prior to its recent adverse actions, the DOI historically recognized and agreed that state law is borrowed as to govern the acceptance, scope, and regulatory jurisdiction of R.S. 2477 public highways.

17. Over the years, the DOI adopted numerous regulations and policies interpreting the congressional grant of R.S. 2477 rights-of-way. These regulations and policies served to ensure the DOI’s compliance with its statutory duty to manage the public lands subject to valid existing rights.

18. As of and following 1939, R.S. 2477 interpretive regulations found at 43 C.F.R. § 244.55 (1939) stated:

[R.S. 2477] becomes effective upon the construction or establishing of highways, in accordance with the State laws, over public lands not reserved for public uses. No application should be filed under said R.S. 2477 as no action on the part of the Federal Government is necessary.

19. As of and following 1963, R.S. 2477 interpretive regulations found at 43 C.F.R. § 244.58 (1963) stated:

Grants of [R.S. 2477 rights-of-way] become effective upon the construction or establishment of highways, in accordance with the State laws, over public lands, not reserved for public uses. No application should be filed under R.S. 2477, as no action on the part of the Government is necessary.

20. As of and following 1974, R.S. 2477 interpretive regulations found at 43 C.F.R. §§ 2822.1-2 & 2822.2-1 (1974) stated:

No application should be filed under R.S. 2477, as no action on the part of the Government is necessary. ... Grants of [R.S. 2477 rights-of-way] become effective upon the construction or establishment of highways, in accordance with the State laws, over public lands, not reserved for public uses.

21. As of and following 1986, R.S. 2477 interpretive policies stated in the Bureau of Land Management Manual, R.2-229 stated:

When public funds have been spent on the road it shall be considered a public road. When the history of the road is unknown or questionable, its existence in a condition suitable for public use is evidence that construction sufficient to cause a grant under R.S. 2477 has taken place.

22. As a matter of federal law, R.S. 2477 borrows from state law relating to acceptance (validity) and scope of such rights-of-way. *See SUWA v. BLM*, 425 F.3d 735 (10th Cir. 2005).

23. R.S. 2477 rights-of-way vested by acts of governmental entities or the public evidencing the acceptance of the right-of-way during operation of the grant.

24. R.S. 2477 rights-of-way were accepted by various acts of the local government highway authority or the public, including, but not limited to, (1) designating the road as a general public highway; (2) expending State or County funds to construct or maintain the road for general highway purposes prior to October 21, 1976; and/or (3) continually using the road as a public thoroughfare, as often as the need arose, for a continuous period of 10 years prior to October 21, 1976. *See, e.g.*, UTAH CODE ANN. § 72-5-104 (Supp. 2011).

25. Congressionally granted R.S. 2477 public highway rights-of-way are property interests, sometimes considered a species of easement. As a congressional grant of property for public purposes, the grant includes the right of use and enjoyment, and the implied or actual right to cross public land to access and use the property interest granted.

26. The scope of an R.S. 2477 right-of-way is not restricted to the beaten path of the road, which DOI now characterizes as the “disturbed width.” The scope of an R.S. 2477 right-of-way includes the physical features of the right-of-way as accepted and used, and that which is reasonable and necessary to accommodate the exigencies of increasing travel. *See id.* § 72-5-104(3).

27. R.S. 2477 case law, long-standing DOI interpretation, and historical practice establish the scope of the rights-of-way claimed herein to include that which is reasonable and necessary to ensure safe travel and passage of vehicles on a two-lane road according to sound engineering practices that protect the safety of the traveling public, the features of the road, and improvements that prevent undue degradation or impairment of adjacent lands and resources.

28. Such areas along the roadway beyond the actual beaten path are reasonable and necessary to provide safe travel on the road, including lands on which attendant accoutrements such as drainage ditches and culverts existed as of the date of the reservation of the subject lands adjacent to the road, or are reasonably and necessarily added after that date to accommodate increased travel for pre-existing uses, are part of the reasonable and necessary use of the roadway, and are, therefore, within the scope of each highway right-of-way. *See Sierra Club v. Hodel*, 848 F.2d 1068, 1083-84 (10th Cir. 1988).

29. Applicable law, historical practice, and sound engineering confirm that an R.S. 2477 right-of-way, as distinguished from the disturbed width of the road, includes a minimum width of 66 feet and any features, facilities, cuts, slopes, water bars, drainage runouts, and fill areas necessary to ensure a safe travel surface as reasonable and necessary under the circumstances specific to each road.

30. The congressional grant of public highway rights-of-way embodied by R.S. 2477 operated on unreserved public lands for 110 years until it was repealed on October 21, 1976, by the Federal Land Policy and Management Act of 1976 (“FLPMA”), 43 U.S.C. § 1701 *et seq.*

31. In repealing R.S. 2477, Congress preserved vested R.S. 2477 rights-of-way as valid existing rights and expressly directed the United States and its subordinate agencies (including the DOI and the BLM) to manage federal lands subject to these valid existing rights.

32. Section 701(h) of FLPMA provides as follows: “All actions by the Secretary concerned under this Act shall be subject to valid existing rights.” *Id.* § 1701, note; *see also id.* §

1769(a) (“Nothing in this subchapter shall have the effect of terminating any right-of-way or right of use heretofore issued, granted or permitted.”).

**PLAINTIFFS’ R.S. 2477 AND PUBLIC HIGHWAY RIGHTS-OF-WAY**

33. Plaintiffs’ R.S. 2477 and public highway rights-of-way, easements, and rights-of-entry (collectively referred to as “rights-of-way”) serve the common good, benefit the public, and implement the congressional intent of facilitating safe and efficient travel across public lands. The R.S. 2477 rights-of-way granted by Congress necessarily include an implied right of access to the rights-of-way so that they may be used as public thoroughfares.

34. Carbon County classifies its public highways as Class B (maintained) and Class D (lightly maintained) county roads. This classification is a matter of Utah law and is, herein, generally relevant only to the manner of acceptance of the rights-of-way for the roads. *See UTAH CODE ANN. §§ 72-3-101 through -105 (2004)* (explaining Utah’s road classification system).

35. At all times relevant herein, Utah law provided that R.S. 2477 rights-of-way could be accepted by various acts of the local government highway authority or by acts of the public, including, but not limited to, (1) designating the road as a general public highway, also known as a Class B county road; *See id.* § 72-3-103 (prior law in accord); *see also id.* § 27-12-22 (1963); (2) expending State or County funds to construct or maintain a road for general highway purposes prior to October 21, 1976; and/or (3) continually using the road as a public thoroughfare, as often as the need arose, for a continuous period of 10 years prior to October 21, 1976, *see id.* § 72-5-104 (Supp. 2011) (stating that a public highway right-of way is “dedicated

and abandoned to the use of the public when it has been continuously used as a public thoroughfare for a period of 10 years”).

36. The R.S. 2477 rights-of-way for the Class B and D roads claimed herein were initially accepted as public highways by public use for a continuous period of at least 10 years prior to October 21, 1976, or such other date as requisite for the acceptance of a particular road and its right-of-way claimed herein.

37. The R.S. 2477 rights-of-way for the Class B and D roads may also have been accepted by Carbon County’s designation of these roads as county general highways and/or by Carbon County’s expenditure of State and County funds to construct and maintain these roads as public highways prior to October 21, 1976, or such other date as requisite for the acceptance of a particular road and its R.S. 2477 right-of-way claimed herein.

38. Plaintiffs, by and on behalf of the public, accepted and own the R.S. 2477 rights-of-way for the roads described herein.

39. However, Carbon County is the highway authority with sole jurisdiction and control of all Class B and Class D roads within its borders. UTAH CODE ANN. §§ 72-3-103(4) and -105(4) (2004). Carbon County has the sole obligation to manage, construct, and maintain its Class B roads to meet general travel standards established by State law. *See id.* §72-3-103(5).

40. Prior to October 21, 1976, or such other date as is requisite for the acceptance of a particular right-of-way, Plaintiffs accepted R.S. 2477 rights-of-way for the roads claimed herein on unreserved public lands.

41. In addition to the public lands of the United States, some of the roads claimed in this action have segments that access and cross land now or formerly owned by the State of Utah and the Utah School and Institutional Trust Land Administration (sometimes collectively referred to as “SITLA”).

42. In those instances where the roads and rights-of-way cross lands formerly in SITLA ownership, Plaintiffs’ rights-of-way claimed herein were accepted and perfected as valid existing rights-of-way through the facts set forth herein, prior to the United States’ ownership of the subject lands. Title of the United States is subject to these valid existing rights as a matter of law. 43 U.S.C. § 1701, note (2006); cf. UTAH CODE ANN. § 53C-4-203(2) (2009) (stating that patents for SITLA lands are subject to any valid existing easement or public right-of-way). In each cause of action set forth below, Plaintiffs’ claimed rights-of-way include those granted pursuant to R.S. 2477 and established under law as valid existing rights on the land at issue.

43. The course, existence, and location of the rights-of-way and roads that cross private and SITLA land have not been challenged and are not at issue in this action. This action seeks to quiet title to the rights-of-way crossing the lands of the United States.

44. Plaintiffs’ vested public highway rights-of-way for the roads claimed herein continue as valid existing rights until formally abandoned by Plaintiffs. *See* UTAH CODE ANN. §§ 72-5-105(1) and -305 (Supp. 2011).

45. Plaintiffs have not abandoned the rights-of-way for any of the roads claimed in this action.

**AREA DESCRIPTIONS**

46. In order to better organize the rights-of-way included in this complaint to fit within Utah's transportation system, the roads have been divided into Five Areas: (1) Airport Road Area, (2) Clarks Valley Road Area, (3) Consumers Road Area, (4) Nine Mile Canyon Road Area, and (5) South Farnham Road Area (collectively, the "Five Areas").

47. The roads within each of the Five Areas are important links in Plaintiffs' transportation system. These roads connect communities and provide access to natural resources, other roads, and areas of scenic, recreational, and historic value.

48. As important links in Plaintiffs' transportation systems, clear title to the rights-of-way that underlie these roads is of the utmost importance to Plaintiffs and the general public.

49. The Airport Road Area is located in west-central Carbon County and is shown on Exhibit 2, attached hereto and incorporated herein.

50. The Airport Road Area includes the following roads—listed by Common Road Name and County Unique Number: (1) Emma Park Road, 302; (2) Clay Banks Road, 438A; (3) Kenilworth-Airport Road, 438B; (4) Wood Hill Road, 441; (5) North Airport Flats Road, 443; (6) Airport Road, 445; (7) Compressor Road, 4480; (8) Price-Kenilworth Road, 453; (9) South Airport Flats Road, 455; (10) East Coal Creek Road, 472A; (11) North Coal Creek Road, 472B; (12) Coal Creek Road, 541; (13) Soldier Creek Road, 740B; (14) Kenilworth R.R. Grade Road, 434; (15) Old Kenilworth RR Road, 437; (16) Wood Hill Road, 535; (17) 548 Road, 548; (18) Gravel Pit Bench Road, 645; (19) 648 Road, 648; (20) 754 Road, 754; (21) 757 Road, 757; (22) 851 Road, 851; (23) Coal Creek, 445; and (24) Gas Field Road, 448.

51. The Clarks Valley Road Area is located in central Carbon County and is shown on Exhibit 3, attached hereto and incorporated herein.

52. The Clarks Valley Road Area includes the following roads—listed by Common Road Name and County Unique Number: (1) Pace Canyon Road, 644; (2) Rock Creek Road, 648; (3) Clarks Valley Road, 661; (4) Pace Canyon Road, 466; (5) Kiz Pace Road, 557; (6) Rock Creek Road, 562; (7) Left Fork Whitmore Canyon Road, 567; (8) Right Fork Whitmore Canyon Road, 569; (9) Nowhere Road, 659; (10) Saw Tooth Road, 663; (11) 765 Road, 765; (12) 766 Road, 766; (13) 856 Road, 856; (14) Mud Springs Road, 859; (15) Icelander Creek Road, 865; (16) 963 Road, 963; (17) 966 Road, 966; (18) Bear Canyon Road, 6597; and (19) Bear Creek Road, 565.

53. The Consumers Road Area is located in western Carbon County and is shown on Exhibit 4, attached hereto and incorporated herein.

54. The Consumers Road Area includes the following roads—listed by Common Road Name (if applicable) and County Unique Number: (1) Consumers Road, 240; (2) Ford Ridge Road, 209; (3) Gas Field Road, 2782; (4) Gordon Creek Road, 358; (5) Haley Bench Road, 2672; (6) Haley Bench Spur Road, 2706; (7) Haley Canyon Road, 362A; (8) Hardscrabble Creek Road, 330; (9) Lower Fish Creek Ridge Road, 207; (10) North Spring Canyon Road, 3707; (11) Porphyry Bench Road, 362B; (12) Spring Canyon Road, 332; (13) Trestle Road, 351; (14) Wattis Road, 288; (15) 427 Road, 427; (16) Crandall Canyon Road, 226; (17) Ford Creek Road, 123; (18) Mud Water Road, 715; (19) Price Canyon Rec Area Road, 225; (20) Royal Road, 320; and (21) Sowbelly Gulch Road, 325.

55. The Nine Mile Canyon Road Area is located in central Carbon County and is shown on Exhibit 5, attached hereto and incorporated herein.

56. The Nine Mile Canyon Road Area includes the following roads—listed by Common Road Name (if applicable) and County Unique Number: (1) Minnie Maud Road, 506; (2) Dry Canyon Road, 821; (3) Microwave Tower Road, 7461; (4) Nine Mile Canyon Road, 740A; (5) Harmon Canyon Road, 173; (6) Prickly Pear Canyon Road, 272; (7) Mount Bartles Road, 274; (8) Horse Bench Road, 292; (9) Cottonwood Canyon Road, 381; (10) Jack Creek Road, 390; (11) Jack Canyon Road, 394; (12) Jack Ridge Road, 396; (13) Cottonwood Ridge Road, 481; (14) Cedar Ridge Road, 487; (15) 496 Road, 496; (16) Range Valley Mountain Road, 873; (17) Stone Cabin Gas Field Road, 1731; (18) Stone Cabin Gas Field Road, 2722; (19) 2921 Road, 2921; (20) Horse Ridge Spur Road, 2924; (21) Rock House Cow Camp Road, 2925; (22) Horse Bench Spur Road, 2926; (23) Twin Hollow Road, 3811; (24) Flat Iron Mesa Road, 3812; (25) 3813 Road, 3813; (26) 3941 Road, 3941; (27) Pine Spring Road, 4871; (28) 4961 Road, 4961; (29) 17311 Road, 17311; (30) 17313 Road, 17313; (31) 17314 Road, 17314; (32) 17315 Road, 17315; and (33) 49611 Road, 49611.

57. The South Farnham Road Area is located in south-central Carbon County and is shown on Exhibit 6, attached hereto and incorporated herein.

58. The South Farnham Road Area consists of the following roads—listed by Common Road Name and County Unique Number: (1) Stake Farm Road, 486; (2) Hiawatha Cutoff Road, 492; (3) West Mounds Road, 577; (4) Mounds-Farnham Road, 583A; (5) South Farnham Road, 583B; (6) East Mounds Road, 691; and (7) Gas Road, 693.

59. The surveyed centerlines of the above-named roads in the Five Areas are displayed, respectively, as Exhibits 8-111, attached hereto and incorporated herein. Each centerline was plotted using NAD83 mapping grade Global Positioning Survey (“GPS”) data collected by Plaintiffs. This centerline data has been verified, confirmed by on the ground inspection, referenced to historic aerial photography, and overlaid upon United States Geological Survey (“USGS”) topographic maps.

60. The information and documentation relevant to the above Five Areas was collected by personnel of the State and the County and compiled pursuant to Utah law. *See* UTAH CODE ANN. §§ 72-5-309 and -310.

61. Within each cause of action set forth below, the right-of-way is shown by map, description, and by reference to verified GPS data plotted on maps showing the United States Public Land Survey System (“PLSS”) aliquot parts of each section, township, and range crossed by the right-of-way.

62. The USGS 7.5 and 15 minute quadrangle maps covering Carbon County evidence the existence, use, and acceptance of the rights-of-way in this action prior to 1976. *See* Exhibit 7 for detailed map information.

63. As a matter of historical practice within the agencies of the United States, rights-of-way crossing federal lands are granted, recognized, and acknowledged by reference to PLSS aliquot parts. That is, the United States and its agencies grant, recognize, and acknowledge rights-of-way on federal lands by reference to PLSS aliquot parts and not by metes and bounds.

64. With more precision than a PLSS aliquot part description, Plaintiffs have also provided maps and a GPS data description of the location and centerline course of the roads crossing the rights-of-way claimed herein. The precision in these descriptions exceeds that which has been historically recognized by the United States as sufficient to describe and confirm rights-of-way crossing its lands.

65. Notwithstanding the diligent precision and particularity pleaded herein, each and every right-of-way and road claimed herein exists, is to be decided, and is to be established by the course, location, and historical existence of the right-of-way on the ground as has been accepted, used, and enjoyed by, for, and on behalf of the public, including deviations in course recognized by law as being reasonable and necessary.

66. This action seeks to quiet title only to those portions of the rights-of-way and roads claimed herein and described in the GPS data, attached hereto as Exhibits 8-111, crossing public lands managed by the BLM. As stated earlier, the course, existence, and location of the segments of the rights-of-way and roads crossing private and SITLA lands are not at issue, are not contested, and are not claimed herein.

67. The segments of roads, if any, crossing United States land managed by federal agencies other than BLM and DOI are not at issue in this complaint. Plaintiffs, however, do not concede that the segments are not R.S. 2477 rights-of-way and reserve the right to bring a future quiet title action on these segments.

**THE CASE OR CONTROVERSY**

**A. The Case or Controversy over Disputed Title to Roads over R.S. 2477 Rights-of-Way**

68. Carbon County encompasses approximately 1,500 square miles of land.

Approximately 50% of the land within the County is federal land.

69. Due to the vast expanse of federal land in Carbon County, R.S. 2477 provides the sole legal basis for Carbon County to claim title to many of the rights-of-way that serve as roads and public highways in the county. All such roads that exist over R.S. 2477 rights-of-way and that are at issue in this suit were authorized, established, constructed, or accepted as R.S. 2477 rights-of-way on unreserved lands prior to October 21, 1976, or have vested as public highways, easements, and valid existing rights by law as set forth in the facts below.

70. The roads over R.S. 2477 rights-of-way have long served the common good by providing a safe and efficient transportation system within Carbon County. Some of the roads over R.S. 2477 rights-of-way in this action predate Utah's statehood in 1896.

71. The roads over R.S. 2477 rights-of-way described in this Complaint connect roads in the County and in adjacent counties and are integral components of the State of Utah and County's transportation systems.

72. The roads over R.S. 2477 rights-of-way have long served the vital function of linking communities, business operations, private land, and SITLA land and were historically established and constructed to facilitate settlement, commerce, and general public access to public lands and communities.

73. The roads over R.S. 2477 rights-of-way claimed herein are important because, in many instances, there are no alternative routes to serve the public's transportation needs.

74. For decades, and in some instances a century, Plaintiffs and the public have benefitted from the quiet and peaceful enjoyment of the roads over R.S. 2477 rights-of-way. In 1976, Congress enacted FLPMA, and R.S. 2477 ceased as a means whereby states and counties could acquire new rights-of-way over public lands. Any and all R.S. 2477 rights-of-way and easements then existing were grandfathered and preserved by Congress as valid and existing rights.

75. Accordingly, Congress directed the agencies of the United States to manage federal public lands subject to the valid existing rights of the State of Utah and its counties, including their R.S. 2477 rights-of-way.

76. Historically, the County, federal land managers, ranchers, mineral resource developers, and other members of the public generally cooperated in the construction, maintenance and use of the roads over R.S. 2477 rights-of-way in furtherance of the common good and without specific concern regarding legal ownership.

77. Without any change in FLPMA or other federal law, the DOI and its agencies recently have engaged in efforts to impair or entirely deprive the State of Utah, Carbon County, and the public of the use of their vested rights to roads over R.S. 2477 rights-of-way. In so doing, DOI has abrogated its duty to manage public lands subject to valid existing rights.

78. DOI's recent actions have sparked numerous lawsuits and conflicts across the West, including this lawsuit.

**B. The Quiet Title Act As the Proper Mechanism for Quieting Title to Plaintiffs' Claimed Rights-of Way in this Case**

79. Under the Quiet Title Act, 28 U.S.C. § 2409a, the only prerequisite for a party bringing suit against the United States to quiet title in and to land or property interests is that the aggrieved party have a “reasonable awareness” that the United States claims some interest adverse to the claims of that party.

80. Under Article III of the Constitution, an aggrieved party has standing to bring a Quiet Title Act claim if the party suffers adverse economic effects as a result of uncertainty regarding legal ownership of a right-of-way.

81. An adverse economic effect constitutes injury in fact and results from unresolved questions of land ownership.

82. The State of Utah and Carbon County have suffered and are continuing to suffer economic injury from uncertainty regarding legal ownership of the roads over R.S. 2477 rights-of-way at issue in this case.

83. The confusion regarding the existence, location, scope, and ownership of roads over R.S. 2477 rights-of-way at issue in this case has created dangerous lapses in road maintenance, uncertainty regarding future road funding, and economic injuries to the State of Utah and Carbon County which only resolution by the Court can redress.

84. The Quiet Title Act was enacted at the suggestion of then-United States Attorney General, who explained that such suits were necessary for

a plaintiff whose title to land was continually being subjected to litigation in the law courts. [Such a plaintiff] could bring a suit to quiet title in a court of equity in order to obtain an adjudication on

title and relief against further suits. Similarly, one who feared that an outstanding deed or other interest might cause a claim to be presented in the future could maintain a suit to remove a cloud on title.

H.R. REP. NO. 92-1559, at 4 (1972), *reprinted in* 1972 U.S.C.C.A.N. 4547, 4551, 1972 WL 12541, 4.

85. The Attorney General also specifically highlighted the cases in which the QTA is applicable, including “in boundary disputes between the United States and owners of adjacent property. The quieting of title where the plaintiff claims an estate less than a fee simple-- an easement or the title to minerals-- is likewise included in the terms of the proposed statute.” *Id.* at 5.

86. Once the federal government has formally asserted a claim to an interest in land in which a state government also claims an interest, a state government is entitled to treat the land as “real property in which the United States claims an interest.” Additionally, once the United States claims an interest in land, that claim is sufficient to cloud title and operates as a present cloud on title for as long as the United States retains authority to assert its claim.

87. The United States has taken several actions that constitute their “claim of interest” in the rights-of-way at issue, as explained in detail below. Therefore, a cloud on title exists with respect to each of the rights-of-way claimed herein and the Quiet Title Act is the proper mechanism for adjudicating and quieting title.

88. A court of equity has jurisdiction both to prevent the casting of a cloud on title to property and to remove an existing cloud.

89. To eliminate a cloud on title arising out of the United States' asserted claim, and to unilaterally destroy jurisdiction of any such a claim, the United States may file a disclaimer under section (e) of the QTA, which provides that

If the United States disclaims all interest in the real property or interest therein adverse to the plaintiff at any time prior to the actual commencement of the trial, which disclaimer is confirmed by order of the court, the jurisdiction of the district court shall cease unless it has jurisdiction of the civil action or suit on ground other than and independent of the authority conferred by section 1346(f) of this title.

90. On June 15, 2000, the State of Utah sent a Notice of Intent to Sue ("2000 NOI") to the Secretary of the Interior indicating its intent to file suit to quiet title to roads over R.S. 2477 rights-of-way throughout Utah. Along with the NOI, the State included maps depicting the claimed roads in each county.

91. After filing the 2000 NOI, and between 2006 and 2011, the State of Utah recorded all Class B roads in the State, including those in Carbon County. The recording documents included legal descriptions of the roads, maps, affidavits of historical use, and other identifying information regarding the claimed roads over the R.S. 2477 rights-of-way.

92. The State filed the recording documents with the BLM.

93. In response, the BLM failed and refused to recognize any of the R.S. 2477 rights-of-way in any administrative proceeding or to issue any non-binding determination with respect to any of the roads over R.S. 2477 rights-of-way.

94. In 2012, the State of Utah amended and sent to Secretary Salazar a second set of NOIs ("2012 NOIs")—one NOI for each County that claims roads over R.S. 2477 rights-of-way

in the State. The 2012 NOIs provided County-specific, detailed information regarding those roads.

95. The 2012 NOIs also included detailed county maps, legal descriptions of each road, and affidavits of witnesses attesting to the location and use of the R.S. 2477 rights-of-way at issue in Carbon County.

96. The DOI has failed to file a disclaimer of interest with respect to the 2000 NOI, 2012 NOIs, or the claims of the State of Utah and Carbon County with respect to the roads over R.S. 2477 rights-of-way at issue herein.

97. Because the DOI has failed to respond to the claims asserted by the State of Utah and Carbon County, the ownership, existence, scope, and location of the roads over the R.S. 2477 rights-of-way claimed by the State of Utah and Carbon County remain in dispute.

**C. The Specific Case or Controversy Caused by The Department of Interior's Actions Adverse to All of Plaintiffs' Claimed Rights-of-Way in this Case**

98. In 1996, Southern Utah Wilderness Alliance ("SUWA") commenced an action initially against BLM and San Juan County, a Utah county, to require BLM to take action against San Juan County to prevent certain grading activities by the County. *See generally SUWA v. BLM*, 425 F.3d 735 (10th Cir. 2005).

99. Kane and Garfield Counties, also counties in the State of Utah, were ultimately added as defendants for grading activities undertaken in those counties.

100. BLM cross-claimed against San Juan, Garfield, and Kane counties for trespass in grading some of the county roads crossing public lands.

101. In doing so, BLM claimed that regardless of any vested R.S. 2477 right-of-way, the counties could not regulate or maintain their roads without prior authorization from the BLM.

102. The district court rejected this argument and held that the existence of an R.S. 2477 right-of-way was key to resolution of the trespass claims. *See id.* at 743.

103. In response, BLM prevailed upon the district court to allow BLM to determine whether, in the first instance, the Counties owned an R.S. 2477 right-of-way for any of the roads graded. *See id.*

104. In 2005, after nine years of litigation, BLM's preemptive claim to the right to determine the existence of the Counties' R.S. 2477 rights-of-way was wholly rejected, as were the legal standards BLM asked the district court to adopt. *See id.* at 757.

105. The Tenth Circuit confirmed that the "holder" of an R.S. 2477 right-of-way may conduct routine road maintenance without prior approval of the BLM. *See id.* at 745.

106. In light of *SUWA v. BLM*, the DOI concluded that the "interim departmental policy on R.S. 2477, issued in 1997, must be revised." March 22, 2006 Memorandum from Secretary of Interior, Departmental Implementation of *Southern Utah Wilderness Alliance v. Bureau of Land Management*, 425 F.3d 735 (10th Cir. 2005); Revocation of January 22, 1997, Interim Policy; Revocation of December 7, 1988 Policy (2006 DOI Memo).

107. In the 2006 DOI Memo, the DOI acknowledged, that

Although R.S. 2477 was repealed nearly 30 years ago, controversies continue to arise about the existence and scope of the rights-of-way it granted. R.S. 2477 has been subject to inconsistent judicial and administrative interpretations through its history. Because R.S. 2477 did not require that the rights-of-way be recorded or otherwise documented, it is often difficult for

Federal land managers, State, local and tribal governments and public land users to know which right-of-way claims are valid, where they are located and how they may be used.

*Id.* at 2.

108. The 2006 DOI Memo included an “Attachment- Guidelines for Implementation of *SUWA v. BLM* Principles” (DOI Guidelines).

109. The DOI Guidelines, issued pursuant to the authority of the Secretary of the DOI, direct as follows:

As the *SUWA v. BLM* court noted, ultimately deciding who holds legal title to an interest in real property, including an R.S. 2477 right-of-way, 'is a judicial, not an executive function.' 425 F.3d at 753. Thus if a claimant seeks a definitive, binding determination of its R.S. 2477 rights, it must file a claim under the Quiet Title Act, 28 U.S.C. § 2409a.

*Id.* at 6.

110. The DOI Guidelines further direct that the BLM should gather information and “decide ‘on a preponderance of the evidence standard’ if it supports the existence of a right-of-way under State law in effect prior to the repeal of R.S. 2477.” *Id.*

111. The DOI Guidelines specify that

The inclusion of a highway in a State, county or other local road system is strong evidence of acceptance of the federal grant of a right-of-way, as is the expenditure of money for construction or maintenance. In some States, official action may even be determinative. These facts may also be helpful in determining whether the claimed right-of-way was public in nature.

*Id.* at 9.

112. On March 22, 2006, in connection with the issuance of the 2006 DOI Memo, the DOI drafted and issued its own press release entitled “Interior Department Announces Guidelines to Implement Court Decision on R.S. 2477.” (“DOI Press Release”).

113. The DOI Press Release stated the following:

R.S. 2477 granted rights-of-way for public use across federal land prior to 1976, when Congress repealed the law. Congress specified that any valid R.S. 2477 rights-of-way existing at the time of the repeal would continue in effect. **This has resulted in considerable doubt as to whether counties or the federal government own certain roads on federal lands.**

*Id.* (emphasis added).

114. The DOI Press Release further acknowledged and recognized that, “[i]n *SUWA v. BLM*, the 10th Circuit clarified that only courts could finally determine the ownership issue, but that federal agencies are permitted to develop a process to analyze claims for administrative purposes.” *Id.*

115. The DOI Press Release further acknowledged and stated that “where a claimant seeks a binding determination of a claimed right-of-way, the claimant may file a quiet title action. A court would then make a determination.” *Id.*

116. The 2006 DOI Memo also terminated a Memorandum of Understanding dated April 9, 2003 between the Department of Interior and the State of Utah regarding an acknowledgement process for R.S. 2477 rights-of-way (the “MOU”).

117. According to a DOI Press Release dated April 9, 2003 and prepared by a spokesperson for the DOI, the MOU recognized “the uncertainty about existing rights-of-way

claims on federal land ... and [was negotiated to establish] ... a process to resolve many of the long-standing disputes over Revised Statute 2477 (R.S. 2477) existing rights-of-way in Utah.”

118. The DOI April 9, 2003 Press Release quoted DOI Secretary, Gale Norton, who acknowledged that “[i]t's time to move forward and, by working collaboratively with the state of Utah, we are able to resolve a long-disputed issue that may otherwise have lead [sic] to costly and lengthy litigation.”

119. The MOU provided that DOI would implement a “State and County Road Acknowledgment Process” to “acknowledge the existence of certain R.S. 2477 rights-of-way on [BLM] land within the State of Utah,” and outlined the process DOI was to use to make such acknowledgments.

120. The MOU implicitly, and the DOI April 9, 2003 Press Release explicitly, recognized that there were continuing controversies regarding the ownership, existence, location, and scope of R.S. 2477 rights-of-way.

121. The MOU recitals included background of the R.S. 2477 disputes and highlighted—as the existence of the ongoing issues and disputes between the State of Utah and the federal government:

- a. In a Report to Congress prepared in June of 1993, the Department of the Interior explained that unresolved conflicts over the status of rights-of-way created pursuant to Revised Statute 2477 were creating a continuing cloud on Federal agencies' ability to manage federal lands.
- b. On August 7, 2002, a bipartisan group of eight western governors wrote urging the Department of the Interior to “bring finality to R.S. 2477 disputes in a cooperative manner.”

- c. On July 16, 2002, the National Association of Counties adopted a resolution urging the Department of the Interior to adopt a policy approach to R.S. 2477 rights-of-way that would allow counties to maintain historical rights-of-way across federally managed lands.
- d. Disputes involving R.S. 2477 rights-of-way have generated numerous expensive and inconclusive federal court lawsuits that have left numerous questions concerning the ownership status of R.S. 2477 rights-of-way unresolved; and the high cost of this litigation has made it difficult for states and counties to assert their rights and for conservation groups to assert their interests.
- e. The Department of the Interior has traditionally approached R.S. 2477 issues by trying to define the precise legal limits of the original statutory grant.
- f. Most of the asserted R.S. 2477 rights-of-way that actually have been part of western states inventoried and maintained transportation infrastructure since before the enactment of the Federal Land Policy and Management Act (FLPMA) in 1976 satisfy the statutory requirements of “construction” and “highway” under almost any interpretation of those statutory terms.
- g. The State of Utah has many R.S. 2477 claims, and on June 14, 2000, sent to the Secretary of the Interior a Notice of Intention to File Suit under 28 U.S.C. §2409a(m) to quiet the title to those claims.
- h. The roads in which the State of Utah and Utah counties assert claims include many roads of continuing importance to rural transportation.
- i. Rights-of-way granted under R.S. 2477 are vested property rights that cannot be eliminated or diminished without due process. However, the statutory grant of the rights-of-way did not require the issuance of an identifying record, such as a patent. The resulting uncertainty surrounding the identity and scope of R.S. 2477 rights-of-way has created unnecessary difficulties in federal, state and local transportation and land use planning decisions.
- j. The State of Utah and Utah counties have spent considerable time and substantial resources to gather information about road claims and are prepared, if necessary, to litigate those claims.
- k. Federal, state and local land managers and environmental advocacy organizations have all demonstrated a desire to put disputes surrounding R.S. 2477 to rest and move toward an approach to land management that emphasizes cooperation.

122. The termination of the MOU in 2003 once again made certain that R.S. 2477 rights-of-way in Utah would remain undetermined and in disputed status. That is, title would remain clouded.

123. With the termination of the MOU and in an attempt to resolve the ongoing dispute, beginning in 2006 and continuing through 2011, the State of Utah sent documentation of recordation to the BLM of each road that had been recorded in county recorder offices throughout Utah. These recorded roads were filed with the BLM on all Class B in Carbon County.

124. The BLM failed to evaluate the recordation documents and refused to recognize any road in Carbon County as a valid R.S. 2477 right-of-way. The BLM also failed to process any non-binding determinations.

125. On May 26, 2006, as directed by the 2006 DOI Memo, BLM issued IM No. 2006-161. *See Consultation on Proposed Improvements to R.S. 2477 Rights-of-way.*

126. IM No. 2006-161 described the process BLM was to follow when working on roads with “holders” of R.S. 2477 rights-of-way. BLM was to engage in

consultation with the holder of an R.S. 2477 right-of-way (ROW), when the holder proposes to undertake any construction or improvement (collectively improvement), beyond routine maintenance, on any portion of the ROW crossing lands administered by the BLM.

*Id.*

127. IM No. 2006-161 did not define a “holder” of an R.S. 2477 right-of-way.

128. IM No. 2006-161 “[e]xpire[d]: 09/30/2007.” *Id.*

129. On August 8, 2008, BLM issued IM No. 2008-175 which “clarifies and supplements the information set forth in IM No. 2006-161, and hereby replaces it.” *Id.*

130. IM No. 2008-175 defines “holder” as

(1) a state or political subdivision of a state that holds an R.S. 2477 ROW, as adjudicated by a Federal court, or (2) a state or political subdivision of a state claiming to have an R.S. 2477 ROW that has been recognized by the BLM in an administrative nonbinding determination (NBD).

*Id.*

131. IM No. 2008-175 states as follows:

**Policy/Action:** Before the consultation process described in this IM may occur, the validity of an asserted ROW established under R.S. 2477 must have been adjudicated by a Federal court or recognized by the BLM in an NBD. IM No. 2006-159 (dated May 26, 2006), describes the process for the BLM to follow if it chooses to process an NBD on an asserted R.S. 2477 ROW.

*Id.*

132. IM No. 2008-175 further states that

[i]f the validity of an asserted R.S. 2477 ROW has not been adjudicated as valid by a Federal court or recognized as valid by the BLM in an NBD, the entity asserting that it is the holder of the ROW may not undertake any improvement on the ROW. When an entity undertakes an improvement without such adjudication or NBD and, thus, has not been found to be a holder, the BLM may deem the action a trespass or take other appropriate action to protect the public lands and resources.

*Id.*

133. IM No. 2008-175 “[e]xpire[d]: 09/30/2009.” *Id.*

134. It is the custom and practice of BLM to continue to act in accordance with the directives of an IM, including IM No. 2008-175, after its stated expiration date until the issuance of a supplement or replacement IM.

135. The DOI continues to act in accordance with the directives states in IM No. 2008-175. On August 8, 2008, BLM also issued IM No. 2008-174 entitled “Road Maintenance Agreements,” which provides that

. . . under the principles set forth in *SUWA v. BLM*, the holder of an R.S. 2477 that has been adjudicated in Federal Court or recognized by the BLM in an administrative nonbinding determination may undertake routine maintenance on the ROW without first consulting with the BLM regarding such activities.

*Id.*

136. IM No. 2008-174 “[e]xpire[d]: 9/30/2009.” *Id.*

137. The DOI continues to act in accordance with the directives stated in IM No. 2008-174.

138. A Federal Court has not adjudicated either the State of Utah or Carbon County to be a “holder” of any of the R.S. 2477 rights-of-way claimed by the Plaintiffs herein.

139. The R.S. 2477 rights-of-way claimed by Plaintiffs herein have not been recognized by the BLM in an administrative non-binding determination.

140. IM Nos. 2008-175 and 174 are regulations issued by the BLM and the DOI that prohibit routine maintenance on R.S. 2477 rights-of-way that have not been adjudicated or recognized by the BLM in a nonbinding determination.

141. Because there has been no adjudication or recognition of the R.S. 2477 rights-of-way at issue in this case, neither the State of Utah nor Carbon County are “holders” as defined by the BLM and are, therefore, prohibited by the regulations of the BLM from performing routine maintenance on the R.S. 2477 rights-of-way at issue herein.

142. IM No. 2008-175 and 174 contradict the holding of *SUWA v. BLM* and violate the rights of the State of Utah and Carbon County specifically recognized therein.

143. IM No. 2008-175 also references the BLM “2800 series Manual/Handbook.” (The “BLM Manual”) which—in its glossary of terms—defines “holder” as “any entity to whom the BLM has issued a ROW grant.”

144. Because the State of Utah and Carbon County are not “holders” as defined by the BLM, they have only two options: (1) fail to maintain the roads over R.S. 2477 rights-of-way, thus creating dangerous driving conditions, or (2) perform routine maintenance at their own risk, subjecting themselves to possible trespass actions by BLM.

145. Additionally, without a determination of their ownership rights or status as “holders,” the State of Utah and Carbon County, are unable to make budgetary and economic determinations regarding those roads that can be routinely maintained.

146. Certain roads become impassable and dangerous without maintenance.

147. The BLM Manual also provides as follows:

As to grants issued on or before October 21, 1976, under then existing statutory authority, this manual/handbook/IM series applies to the extent that it does not diminish or reduce any rights conferred by the grant or the statute under which they were issued. Where there is a reduction, the grant or enabling statute will apply instead of the manual.

BLM Manual 2801.6.C.

148. The BLM Manual states the general policy of BLM:

G. Prior Authorizations/Existing Uses. Such uses should be serialized and noted to the public land records for informational purposes.

1. Pre-FLPMA. Recognize as an authorized use, any ROW facility constructed on public land on or before October 21, 1976, under the authority of any act repealed as to future authorization by FLPMA. No further authorization is required by the holder for the following:

a. \*\*\*

b. A ROW for a public highway constructed on public land under R.S. 2477 (43 U.S.C. 932, repealed 1976).

BLM Manual 2801.8.G.1.b.

149. The BLM Manual further states:

A. Types. The pre-FLPMA ROW laws consist of two types:

1. Discretionary. Those where the Secretary decided whether to issue a ROW, and

2. Ministerial. Those that were granted by the Congressional Act and the Secretary had no more than a ministerial duty. It is this type of pre-FLPMA ROW with which we are most concerned.

B. Regulations. Prior and current regulations shall be utilized to the extent they do not impair the rights of the holder. Regulations involving procedures such as abandonment and termination activities or methods of review of proposed major maintenance or reconstruction generally do not impair rights so long as the BLM acts promptly.

BLM Manual 2809.20, Special Considerations.

150. The BLM Manual further states:

.21 R.S. 2477, Highway ROW. This is an 1866 Act (14 Stat. 253) granting the ROW for the construction of highways over public land not reserved for a public use. No action by the Secretary was involved in the grant, although there have been occasions where the Secretary had opened otherwise unavailable land to the operation of R.S. 2477.

\*\*\*

6. Reasonable Regulations [governing ROWs] are those which do not:

- a. Impair rights the holder had under the pre-FLPMA law and regulations in effect at the time of the ROW grant, or
- b. Increase the holder's liability for past conduct, or
- c. Impose new duties to transactions already completed.

BLM Manual 2809.21.A.6, Special Considerations.

151. The BLM Manual further states:

1. FLPMA ROW. Because the legally binding determination of whether a R.S.2477 ROW exists is a judicial one, the BLM should encourage and assist claimants to obtain a ROW pursuant to FLPMA or similar authority

BLM Manual 2809.21.B.1, Special Considerations.

152. The actions of BLM and DOI as alleged herein violate the stated policy of the BLM as set forth in the BLM Manual.

153. On February 20, 2009, DOI Acting Director Ron Wenker issued a Memorandum (“Wenker Memo”) to all BLM State Directors stating that, “[p]ending further review and direction from the Secretary, the Bureau of Land Management has been directed not to process or review any claims under R.S. 2477, including the use of the disclaimer rule.”

154. No notice, explanation, publication, fact finding or opportunity for comment or hearing was given with regard to the policy announced by the Wenker Memo.

155. The Wenker Memo stated that the “interim step” outlined therein was “designed to preserve the status quo and is not a final policy decision on R.S. 2477 Claims.” However, since the issuance of the Wenker Memo in February of 2009, the policy stated therein has been followed by the BLM.

156. In accordance with the Wenker Memo, with the exception of a legal action being commenced by the State of Utah or a County of the State of Utah, the federal government has not reviewed or processed any claims under R.S. 2477 since February 2009.

157. DOI's actions also have recently sparked numerous public highway lawsuits across the western states. DOI solicitors and BLM managers have decided that Plaintiffs have no rights, title, or interest in these public highways crossing federal land unless and until Plaintiffs' rights-of-way are adjudicated in court.

158. Carbon County is the local highway regulatory authority and has the right to manage and regulate its roads, including the right to adopt ordinances regulating all forms of public motor vehicle travel on its roads. *See* UTAH CODE ANN. § 17-50-309 (2009).

159. Carbon County is the highway authority with jurisdiction of county roads and is statutorily authorized to place numbering signs, markers, and traffic control signs along its roads. *See* UTAH CODE ANN. §§ 41-6a-208(1) and -102(63) (2010). “[I]nstalling, maintaining, repairing and replacing road signs” is statutorily defined “maintenance” within the County’s lawful governmental authority. *See* UTAH CODE ANN. § 72-5-301(5)(p) & (s) (2004).

160. DOI officials have admitted that the DOI is regulating the roads at issue in this lawsuit as DOI roads, and that DOI is responsible for the roads until Plaintiffs' title is confirmed.

161. Despite the DOI's claims, it refuses to pay to maintain the roads or clear snow from them.

162. The BLM, in particular, has refused to use its own funds to repair and maintain the roads and has ignored the widespread public safety hazards directly caused by its recent claim to own the rights-of-way over the roads.

163. Plaintiffs are informed and believe that BLM has significantly reduced the number of instances it grades roads each year in the State of Utah and Carbon County.

164. Plaintiffs are further informed and believe that BLM has significantly reduced the number of road miles graded and maintained by the BLM in the State of Utah and every year since the passage of FLPMA.

165. Since 2005, the DOI has denied that Plaintiffs have any rights, title, or interest to any road crossing federal land unless and until Plaintiffs have first proven their ownership in court, including the roads in this case.

166. Plaintiffs must confirm their title to the roads in this case so that the County can safely maintain these roads as part of its public highway transportation system and regulate and maintain them as county roads.

167. Certain roads have fallen into disrepair without Carbon County's maintenance; and both the public and BLM employees have complained of safety hazards, precipitous headcutting, washboards, and entire washouts on many of the roads in this case.

168. Upon confirmation of Plaintiffs' title, the County will immediately resume routine maintenance, repair, and management of any relevant roads.

169. After taking the adverse actions complained of herein, the DOI has stated that the door is wide open for Plaintiffs to come to court to prove their claims and establish their rights.

170. In fact, the BLM's State Director recently testified that it is time to have Plaintiffs' rights-of-way decided.

171. In November of 2005, Kane County filed suit against the DOI (and BLM) under the Administrative Procedures Act, 5 U.S.C. § 551 et seq., and challenged the transportation provisions of the Monument Plan as being arbitrary and capricious. *See Kane County v. Kempthorne*, 495 F. Supp. 1143 (D. Utah 2007), *aff'd* 562 F.3d 1077 (10th Cir. 2009) ("Monument lawsuit").

172. Kane County claimed that the DOI could not restrict, manage, or close Kane County's public highways until after DOI first determined that its actions would not impair Kane County's valid existing rights in its R.S. 2477 public highway rights-of-way. *See Id.*

173. In response, the DOI argued that Kane County lacked standing and could not claim any injury in fact relating to any R.S. 2477 right-of-way until after it had first quieted title to each right-of-way.

174. As expressly stated by the DOI, Kane County had nothing more than "unproven" assertions, not vested R.S. 2477 rights-of-way within the Monument. *See id.*

175. The Court agreed and held that as a matter of sequence, Kane County must quiet title to its rights-of-way before it could challenge DOI's road management actions. *See id.*

176. Although the Tenth Circuit vacated the ruling on the ground that plaintiffs lacked standing, the underlying analysis went unaddressed.

177. The ongoing controversy caused by the DOI will be resolved by this Court's order quieting title to the rights-of-way for the roads claimed herein.

178. On or about February 17, 2012, as a result of the above concerns, the State of Utah, through the Public Lands Policy Coordinator, Kathleen Clarke, sent a letter to Juan Palma, the Utah State Director of the BLM.

179. This letter notified the BLM that the State and Counties would begin maintenance and repair on Class B and D roads statewide and that this maintenance would include, as needed, going outside the disturbed width of roads, but within the statutory right-of-way under Utah law of 66 feet for class D roads and 100 feet for class B roads.

180. On March 1, 2012, Larry Jensen, Department of Interior Regional Solicitor, wrote a letter seeking clarification of the State and Counties position on certain aspects of the letter and stating that

some activities described in the letter— i.e., “widening and straightening of various road segments” and the collection of fill material from outside the disturbed area **but within the right-of-way**—fall, in my opinion, squarely within the 10th Circuit's definition of “improvement” or “construction,” and are the types of activities on which consultation is required before the State and the Counties can proceed. (Emphasis added).

181. In April 2012, Utah State BLM Director Juan Palma delivered a draft of a letter to Utah Public Lands Policy Coordinator Kathleen Clarke in which he stated that the BLM did not

concede that Utah could undertake the actions detailed in its letter without prior consultation with the BLM.

182. The DOI's actions have clouded Plaintiffs' title to their R.S. 2477 rights-of-way for the roads claimed herein and constitute claims adverse to Plaintiffs' interests.

183. The DOI's deliberate actions have created legal liability for Carbon County, clouded Plaintiffs' title to these rights-of-way, impaired Carbon County's regulatory authority, and placed the traveling public at risk.

184. During the last twelve years, the actions of the United States and its agencies have clouded Plaintiffs' title and created a case or controversy regarding Plaintiffs' rights of ownership, maintenance, and regulation of the public highway rights-of-way claimed herein.

185. The BLM refused to acknowledge Plaintiffs' right, title, and interest in these R.S. 2477 rights-of-way in the Price RMP, and the BLM directed the State and County to first prove their title in Court before the BLM would reevaluate its travel plan.

186. In response to Carbon County's claims of ownership of these rights-of-way, the RMP finalized by the BLM covering Carbon County provides that the RMP does not alter or extinguish any valid R.S. 2477 rights that the County or individuals may have, or their right to assert and protect R.S. 2477 rights, and to challenge in Federal court or other appropriate venue any restrictions that they believe are inconsistent with their rights. *Id.*

187. The BLM has refused to acknowledge any right, title or interest of Carbon County in the rights-of-way for these roads until this Court quiets title to the rights-of-way.

188. The BLM's actions in implementing and enforcing the Price RMP's transportation decisions and the subsequent road closures have excluded Carbon County from the peaceful enjoyment and regulatory authority of each of the roads pleaded herein and clouded title to all roads in the area subject to the Travel Management Plan.

189. Despite the State of Utah and Carbon County's diligent efforts to work with the BLM to resolve numerous road management needs, the BLM wholly refuses to acknowledge the State and County's right, title, and interest in each of the roads until confirmed by this Court.

190. Furthermore the United States and its agencies' actions have impeded Carbon County's ability to undertake construction and maintenance on the roads that exist over the rights-of-way claimed herein.

191. Pursuant to the Quiet Title Act, Plaintiffs are entitled to confirm their ownership of the rights-of-way claimed herein to ensure that State and County funds are spent to regulate and maintain Plaintiffs' public highways and to define the relative parties' rights, title, and interest to avoid future trespass actions.

192. Plaintiffs are further entitled to confirm their ownership of the rights-of-way claimed herein to ensure that the United States and its agencies will change their current practices and comply with their statutory obligation to administer federal lands subject to Plaintiffs' valid existing rights.

**FIRST CAUSE OF ACTION – QUIET TITLE**  
**AIRPORT ROAD AREA**

193. Plaintiffs reallege and incorporate herein each of the foregoing paragraphs.

194. The Airport Road Area is located in west-central Carbon County. *See* Exhibit 2.

195. The Airport Road Area includes the following roads—listed by Common Road Name and County Unique Number: (1) Emma Park Road, 302; (2) Clay Banks Road, 438A; (3) Kenilworth-Airport Road, 438B; (4) Wood Hill Road, 441; (5) North Airport Flats Road, 443; (6) Airport Road, 445; (7) Compressor Road, 4480; (8) Price-Kenilworth Road, 453; (9) South Airport Flats Road, 455; (10) East Coal Creek Road, 472A; (11) North Coal Creek Road, 472B; (12) Coal Creek Road, 541; (13) Soldier Creek Road, 740B; (14) Kenilworth R.R. Grade Road, 434; (15) Old Kenilworth RR Road, 437; (16) Wood Hill Road, 535; (17) 548 Road, 548; (18) Gravel Pit Bench Road, 645; (19) 648 Road, 648; (20) 754 Road, 754; (21) 757 Road, 757; (22) 851 Road, 851; (23) Coal Creek, 445; and (24) Gas Field Road, 448.

196. Each right-of-way claimed in the Airport Road Area was used by the general public who engaged in one or more of the following activities: cattle ranching, sheep herding, prospecting for minerals, rock hounding, mining, oil and gas exploration, wood gathering, cutting wood, collecting pine nuts or berries, recreation, hunting, trapping, government access, traveling in and through the area, or any other legitimate purpose.

197. All rights-of-way claimed in the Airport Road Area are sufficient in scope for general motor vehicle travel and include that which is reasonable and necessary to meet the exigencies of motor vehicle travel according to safe engineering practices that protect the public and the road and also prevent undue degradation of the adjacent land.

198. All rights-of-way claimed in the Airport Road Area include a minimum right-of-way width of 66 feet or greater width as determined at trial, along with cuts, fills, slopes, water bars, and such features and facilities as have historically been acknowledged by the DOI and

under law as being reasonable and necessary for the use, benefit, and enjoyment of public highway rights-of-way. *See, e.g.*, UTAH CODE ANN. § 72-5-302(4)(b) (2003).

199. Prior to October 21, 1976, the State of Utah, Carbon County, and the public through continuous use accepted the congressional grant of an R.S. 2477 right-of-way for the entire length and course of all roads as described herein, on public lands owned by the United States.

**Emma Park Road, 302**

200. The Emma Park Road is designated as county road number 302 and SGID road identification number RD040008 and is more or less 5.96 miles long.

201. Exhibit 8 (attached hereto and incorporated herein) contains certain information pertaining to the Emma Park Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

202. In this action, the State and County seek to quiet title to the public highway right-of-way for the Emma Park Road solely as it crosses United States public land as included and specifically described in Exhibit 8. The Emma Park Road includes the segment of road specifically set forth in Exhibit 8 and as exists on the ground.

**Acceptance of the Emma Park Road R.S. 2477 Right-of-way Prior to October 21, 1976**

203. The Emma Park Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

204. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Emma Park Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

205. The appearance of the Emma Park Road on the Kyune (1969) and Matts Summit (1969) USGS 7.5 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

206. The County confirmed its acceptance of the Emma Park Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Emma Park Road using public funds pursuant to the County's governmental right and authority.

207. Witnesses with personal knowledge of the history of the Emma Park Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

208. Currently known reputation in the community is that the Emma Park Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

209. Public motor vehicle use of the Emma Park Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years

prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

210. The Emma Park Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

211. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Emma Park Road.

212. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Emma Park Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Clay Banks Road, 438A**

213. The Clay Banks Road is designated as county road number 438A and SGID road identification number RD040016 and is more or less 1.87 miles long.

214. Exhibit 9 (attached hereto and incorporated herein) contains certain information pertaining to the Clay Banks Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

215. In this action, the State and County seek to quiet title to the public highway right-of-way for the Clay Banks Road solely as it crosses United States public land as included and specifically described in Exhibit 9. The Clay Banks Road includes the segment of road

specifically set forth in Exhibit 9 and as exists on the ground.

**Acceptance of the Clay Banks Road R.S. 2477 Right-of-way Prior to October 21, 1976**

216. The Clay Banks Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

217. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Clay Banks Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

218. The appearance of the Clay Banks Road on the Helper (1972) USGS 7.5 minute quadrangle map and Castle Gate (1948) USGS 15 minute quadrangle map, which evidence the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

219. The County confirmed its acceptance of the Clay Banks Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Clay Banks Road using public funds pursuant to the County's governmental right and authority.

220. Witnesses with personal knowledge of the history of the Clay Banks Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

221. Currently known reputation in the community is that the Clay Banks Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

222. Public motor vehicle use of the Clay Banks Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

223. The Clay Banks Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

224. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Clay Banks Road.

225. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Clay Banks Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Kenilworth-Airport Road, 438B**

226. The Kenilworth-Airport Road is designated as county road number 438B and SGID road identification number RD040017 and is more or less 3.67 miles long.

227. Exhibit 10 (attached hereto and incorporated herein) contains certain information pertaining to the Kenilworth-Airport Road including, a map depicting the road; township, range,

and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

228. In this action, the State and County seek to quiet title to the public highway right-of-way for the Kenilworth-Airport Road solely as it crosses United States public land as included and specifically described in Exhibit 10. The Kenilworth-Airport Road includes the segment of road specifically set forth in Exhibit 10 and as exists on the ground.

**Acceptance of the Kenilworth-Airport Road R.S. 2477 Right-of-way Prior to October 21, 1976**

229. The Kenilworth-Airport Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

230. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Kenilworth-Airport Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

231. The appearance of the Kenilworth-Airport Road on the Helper (1972) and Deadman Canyon (1972) USGS 7.5 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

232. The Kenilworth-Airport Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Kenilworth-Airport Road using public funds pursuant to the County's governmental right and authority

233. Witnesses with personal knowledge of the history of the Kenilworth-Airport Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

234. Currently known reputation in the community is that the Kenilworth-Airport Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

235. Public motor vehicle use of the Kenilworth-Airport Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

236. The Kenilworth-Airport Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

237. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Kenilworth-Airport Road.

238. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Kenilworth-Airport Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Wood Hill Road, 441**

239. The Wood Hill Road is designated as county road number 441 and SGID road identification number RD040018 and is more or less 5.48 miles long.

240. Exhibit 11 (attached hereto and incorporated herein) contains certain information pertaining to the Wood Hill Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

241. In this action, the State and County seek to quiet title to the public highway right-of-way for the Wood Hill Road solely as it crosses United States public land as included and specifically described in Exhibit 11. The Wood Hill Road includes the segment of road specifically set forth in Exhibit 11 and as exists on the ground.

**Acceptance of the Wood Hill Road R.S. 2477 Right-of-way Prior to October 21, 1976**

242. The Wood Hill Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

243. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Wood Hill Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

244. The appearance of the Wood Hill Road on the Helper (1972) and Price (1972) USGS 7.5 minute quadrangle maps and Castle Gate (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See*

Exhibit 7 for more detailed map information.

245. The Wood Hill Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Wood Hill Road using public funds pursuant to the County's governmental right and authority.

246. Witnesses with personal knowledge of the history of the Wood Hill Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

247. Currently known reputation in the community is that the Wood Hill Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

248. Public motor vehicle use of the Wood Hill Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

249. The Wood Hill Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

250. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Wood Hill Road.

251. The State and County are entitled to an order quieting title to their R.S. 2477

right-of-way for the Wood Hill Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**North Airport Flats Road, 443**

252. The North Airport Flats Road is designated as county road number 443 and SGID road identification number RD040019 and is more or less 2.16 miles long.

253. Exhibit 12 (attached hereto and incorporated herein) contains certain information pertaining to the North Airport Flats Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

254. In this action, the State and County seek to quiet title to the public highway right-of-way for the North Airport Flats Road solely as it crosses United States public land as included and specifically described in Exhibit 12. The North Airport Flats Road includes the segment of road specifically set forth in Exhibit 12 and as exists on the ground.

**Acceptance of the North Airport Flats Road R.S. 2477 Right-of-way Prior to October 21, 1976**

255. The North Airport Flats Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

256. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the North Airport Flats Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

257. The appearance of the North Airport Flats Road on the Helper (1972) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

258. The North Airport Flats Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the North Airport Flats Road using public funds pursuant to the County's governmental right and authority.

259. Witnesses with personal knowledge of the history of the North Airport Flats Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

260. Currently known reputation in the community is that the North Airport Flats Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

261. Public motor vehicle use of the North Airport Flats Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

262. The North Airport Flats Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

263. Without confirmation from the United States, a cloud remains on the State and

County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the North Airport Flats Road.

264. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the North Airport Flats Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Airport Road, 445**

265. The Airport Road is designated as county road number 445 and SGID road identification number RD040020 and is more or less 10.47 miles long.

266. Exhibit 13 (attached hereto and incorporated herein) contains certain information pertaining to the Airport Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

267. In this action, the State and County seek to quiet title to the public highway right-of-way for the Airport Road solely as it crosses United States public land as included and specifically described in Exhibit 13. The Airport Road includes the segment of road specifically set forth in Exhibit 13 and as exists on the ground.

**Acceptance of the Airport Road R.S. 2477 Right-of-way Prior to October 21, 1976**

268. The Airport Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

269. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Airport Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

270. The appearance of the Airport Road on the Deadman Canyon (1972), Wellington (1972), and Price (1972) USGS 7.5 minute quadrangle maps and the Wellington (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

271. The County confirmed its acceptance of the Airport Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Airport Road using public funds pursuant to the County's governmental right and authority.

272. Witnesses with personal knowledge of the history of the Airport Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

273. Currently known reputation in the community is that the Airport Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

274. Public motor vehicle use of the Airport Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to

October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

275. The Airport Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

276. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Airport Road.

277. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Airport Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Compressor Road, 4480**

278. The Compressor Road is designated as county road number 4480 and SGID road identification number RD040021 and is more or less 3.66 miles long.

279. Exhibit 14 (attached hereto and incorporated herein) contains certain information pertaining to the Compressor Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

280. In this action, the State and County seek to quiet title to the public highway right-of-way for the Compressor Road solely as it crosses United States public land as included and specifically described in Exhibit 14. The Compressor Road includes the segment of road specifically set forth in Exhibit 14 and as exists on the ground.

**Acceptance of the Compressor Road R.S. 2477 Right-of-way Prior to October 21, 1976**

281. The Compressor Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

282. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Compressor Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

283. The appearance of the Compressor Road on the Helper (1972) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

284. The Compressor Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Compressor Road using public funds pursuant to the County's governmental right and authority.

285. Witnesses with personal knowledge of the history of the Compressor Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

286. Currently known reputation in the community is that the Compressor Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

287. Public motor vehicle use of the Compressor Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

288. The Compressor Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

289. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Compressor Road.

290. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Compressor Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Price-Kenilworth Road, 453**

291. The Price-Kenilworth Road is designated as county road number 453 and SGID road identification number RD040022 and is more or less 3.92 miles long.

292. Exhibit 15 (attached hereto and incorporated herein) contains certain information pertaining to the Price-Kenilworth Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

293. In this action, the State and County seek to quiet title to the public highway right-

of-way for the Price-Kenilworth Road solely as it crosses United States public land as included and specifically described in Exhibit 15. The Price-Kenilworth Road includes the segment of road specifically set forth in Exhibit 15 and as exists on the ground.

**Acceptance of the Price-Kenilworth Road R.S. 2477 Right-of-way Prior to October 21, 1976**

294. The Price-Kenilworth Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

295. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Price-Kenilworth Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

296. The appearance of the Price-Kenilworth Road on the Helper (1972) and Price (1972) USGS 7.5 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

297. The Price-Kenilworth Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Price Kenilworth Road using public funds pursuant to the County's governmental right and authority.

298. Witnesses with personal knowledge of the history of the Price-Kenilworth Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

299. Currently known reputation in the community is that the Price-Kenilworth Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

300. Public motor vehicle use of the Price-Kenilworth Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

301. The Price-Kenilworth Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

302. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Price-Kenilworth Road.

303. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Price-Kenilworth Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**South Airport Flats Road, 455**

304. The South Airport Flats Road is designated as county road number 455 and SGID road identification number RD040023 and is more or less 2.91 miles long.

305. Exhibit 16 (attached hereto and incorporated herein) contains certain information pertaining to the South Airport Flats Road including, a map depicting the road; township, range,

and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

306. In this action, the State and County seek to quiet title to the public highway right-of-way for the South Airport Flats Road solely as it crosses United States public land as included and specifically described in Exhibit 16. The South Airport Flats Road includes the segment of road specifically set forth in Exhibit 16 and as exists on the ground.

**Acceptance of the South Airport Flats Road R.S. 2477 Right-of-way Prior to October 21, 1976**

307. The South Airport Flats Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

308. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the South Airport Flats Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

309. The appearance of the South Airport Flats Road on the Helper (1972) and Price (1972) USGS 7.5 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

310. The South Airport Flats Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the South Airport Flats Road using public funds pursuant to the County's governmental right and authority.

311. Witnesses with personal knowledge of the history of the South Airport Flats Road

confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

312. Currently known reputation in the community is that the South Airport Flats Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

313. Public motor vehicle use of the South Airport Flats Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

314. The South Airport Flats Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

315. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the South Airport Flats Road.

316. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the South Airport Flats Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**East Coal Creek Road, 472A**

317. The East Coal Creek Road is designated as county road number 472A and SGID

road identification number RD040024 and is more or less 3.17 miles long.

318. Exhibit 17 (attached hereto and incorporated herein) contains certain information pertaining to the East Coal Creek Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

319. In this action, the State and County seek to quiet title to the public highway right-of-way for the East Coal Creek Road solely as it crosses United States public land as included and specifically described in Exhibit 17. The East Coal Creek Road includes the segment of road specifically set forth in Exhibit 17 and as exists on the ground.

**Acceptance of the East Coal Creek Road R.S. 2477 Right-of-way Prior to October 21, 1976**

320. The East Coal Creek Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

321. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the East Coal Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

322. The appearance of the East Coal Creek Road on the Wellington (1972) USGS 7.5 minute quadrangle map and Wellington (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

323. The County confirmed its acceptance of the East Coal Creek Road by 1975, when

it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the East Coal Creek Road using public funds pursuant to the County's governmental right and authority.

324. Witnesses with personal knowledge of the history of the East Coal Creek Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

325. Currently known reputation in the community is that the East Coal Creek Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

326. Public motor vehicle use of the East Coal Creek Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

327. The East Coal Creek Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

328. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the East Coal Creek Road.

329. The State and County are entitled to an order quieting title to their R.S. 2477

right-of-way for the East Coal Creek Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**North Coal Creek Road, 472B**

330. The North Coal Creek Road is designated as county road number 472B and SGID road identification number RD040025 and is more or less 3.92 miles long.

331. Exhibit 18 (attached hereto and incorporated herein) contains certain information pertaining to the North Coal Creek Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

332. In this action, the State and County seek to quiet title to the public highway right-of-way for the North Coal Creek Road solely as it crosses United States public land as included and specifically described in Exhibit 18. The North Coal Creek Road includes the segment of road specifically set forth in Exhibit 18 and as exists on the ground.

**Acceptance of the North Coal Creek Road R.S. 2477 Right-of-way Prior to October 21, 1976**

333. The North Coal Creek Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

334. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the North Coal Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

335. The appearance of the North Coal Creek Road on the Wellington (1972) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

336. The County confirmed its acceptance of the North Coal Creek Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See UTAH CODE ANN. § 72-3-103(4) (2009)*. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the North Coal Creek Road using public funds pursuant to the County's governmental right and authority.

337. Witnesses with personal knowledge of the history of the North Coal Creek Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

338. Currently known reputation in the community is that the North Coal Creek Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

339. Public motor vehicle use of the North Coal Creek Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

340. The North Coal Creek Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

341. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the North Coal Creek Road.

342. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the North Coal Creek Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Coal Creek Road, 541**

343. The Coal Creek Road is designated as county road number 541 and SGID road identification number RD040030 and is more or less 8.84 miles long.

344. Exhibit 19 (attached hereto and incorporated herein) contains certain information pertaining to the Coal Creek Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

345. In this action, the State and County seek to quiet title to the public highway right-of-way for the Coal Creek Road solely as it crosses United States public land as included and specifically described in Exhibit 19. The Coal Creek Road includes the segment of road specifically set forth in Exhibit 19 and as exists on the ground.

**Acceptance of the Coal Creek Road R.S. 2477 Right-of-way Prior to October 21, 1976**

346. The Coal Creek Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

347. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Coal Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

348. The appearance of the Coal Creek Road on the Deadman Canyon (1972) and Wellington (1972) USGS 7.5 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

349. The County confirmed its acceptance of the Coal Creek Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Coal Creek Road using public funds pursuant to the County's governmental right and authority.

350. Witnesses with personal knowledge of the history of the Coal Creek Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

351. Currently known reputation in the community is that the Coal Creek Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

352. Public motor vehicle use of the Coal Creek Road as a public thoroughfare

traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

353. The Coal Creek Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

354. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Coal Creek Road.

355. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Coal Creek Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Soldier Creek Road, 740B**

356. The Soldier Creek Road is designated as county road number 740B and SGID road identification number RD040042 and is more or less 12.8 miles long.

357. Exhibit 20 (attached hereto and incorporated herein) contains certain information pertaining to the Soldier Creek Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

358. In this action, the State and County seek to quiet title to the public highway right-of-way for the Soldier Creek Road solely as it crosses United States public land as included and

specifically described in Exhibit 20. The Soldier Creek Road includes the segment of road specifically set forth in Exhibit 20 and as exists on the ground.

**Acceptance of the Soldier Creek Road R.S. 2477 Right-of-way Prior to October 21, 1976**

359. The Soldier Creek Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

360. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Soldier Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

361. The appearance of the Soldier Creek Road on the Wellington (1972), Deadman Canyon (1972), and Pine Canyon (1972) USGS 7.5 minute quadrangle maps and the Wellington (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

362. The County confirmed its acceptance of the Soldier Creek Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Soldier Creek Road using public funds pursuant to the County's governmental right and authority.

363. Witnesses with personal knowledge of the history of the Soldier Creek Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21,

1976.

364. Currently known reputation in the community is that the Soldier Creek Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

365. Public motor vehicle use of the Soldier Creek Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

366. The Soldier Creek Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

367. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Soldier Creek Road.

368. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Soldier Creek Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Kenilworth R.R. Grade Road, 434**

369. The Kenilworth R.R. Grade Road is designated as county road number 434 and SGID road identification number RD040112 and is more or less 3.59 miles long.

370. Exhibit 21 (attached hereto and incorporated herein) contains certain information

pertaining to the Kenilworth R.R. Grade Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

371. In this action, the State and County seek to quiet title to the public highway right-of-way for the Kenilworth R.R. Grade Road solely as it crosses United States public land as included and specifically described in Exhibit 21. The Kenilworth R.R. Grade Road includes the segment of road specifically set forth in Exhibit 21 and as exists on the ground.

**Acceptance of the Kenilworth R.R. Grade Road R.S. 2477 Right-of-way Prior to October 21, 1976**

372. The Kenilworth R.R. Grade Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

373. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Kenilworth R.R. Grade Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

374. The appearance of the Kenilworth R.R. Grade Road on the Helper (1972) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

375. The Kenilworth R.R. Grade Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Kenilworth R.R. Grade Road pursuant to the County's governmental right and authority.

376. Witnesses with personal knowledge of the history of the Kenilworth R.R. Grade Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

377. Currently known reputation in the community is that the Kenilworth R.R. Grade Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

378. Public motor vehicle use of the Kenilworth R.R. Grade Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

379. The Kenilworth R.R. Grade Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

380. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Kenilworth R.R. Grade Road.

381. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Kenilworth R.R. Grade Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Old Kenilworth RR Road, 437**

382. The Old Kenilworth RR Road is designated as county road number 437 and SGID road identification number RD040113 and is more or less 1.77 miles long.

383. Exhibit 22 (attached hereto and incorporated herein) contains certain information pertaining to the Old Kenilworth RR Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

384. In this action, the State and County seek to quiet title to the public highway right-of-way for the Old Kenilworth RR Road solely as it crosses United States public land as included and specifically described in Exhibit 22. The Old Kenilworth RR Road includes the segment of road specifically set forth in Exhibit 22 and as exists on the ground.

**Acceptance of the Old Kenilworth RR Road R.S. 2477 Right-of-way Prior to October 21, 1976**

385. The Old Kenilworth RR Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

386. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Old Kenilworth RR Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

387. The Old Kenilworth RR Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Old Kenilworth RR Road pursuant to the

County's governmental right and authority.

388. Witnesses with personal knowledge of the history of the Old Kenilworth RR Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

389. Currently known reputation in the community is that the Old Kenilworth RR Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

390. Public motor vehicle use of the Old Kenilworth RR Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

391. The Old Kenilworth RR Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

392. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Old Kenilworth RR Road.

393. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Old Kenilworth RR Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Wood Hill Road, 535**

394. The Wood Hill Road is designated as county road number 535 and SGID road identification number RD040126 and is more or less 1.36 miles long.

395. Exhibit 23 (attached hereto and incorporated herein) contains certain information pertaining to the Wood Hill Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

396. In this action, the State and County seek to quiet title to the public highway right-of-way for the Wood Hill Road solely as it crosses United States public land as included and specifically described in Exhibit 23. The Wood Hill Road includes the segment of road specifically set forth in Exhibit 23 and as exists on the ground.

**Acceptance of the Wood Hill Road R.S. 2477 Right-of-way Prior to October 21, 1976**

397. The Wood Hill Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

398. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Wood Hill Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

399. The appearance of the Wood Hill Road on the Helper (1972) USGS 7.5 minute quadrangle map and Castle Gate (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more

detailed map information.

400. The Wood Hill Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Wood Hill Road pursuant to the County's governmental right and authority.

401. Witnesses with personal knowledge of the history of the Wood Hill Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

402. Currently known reputation in the community is that the Wood Hill Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

403. Public motor vehicle use of the Wood Hill Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

404. The Wood Hill Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

405. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Wood Hill Road.

406. The State and County are entitled to an order quieting title to their R.S. 2477

right-of-way for the Wood Hill Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**548 Road, 548**

407. The 548 Road is designated as county road number 548 and SGID road identification number RD040127 and is more or less 1.39 miles long.

408. Exhibit 24 (attached hereto and incorporated herein) contains certain information pertaining to the 548 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

409. In this action, the State and County seek to quiet title to the public highway right-of-way for the 548 Road solely as it crosses United States public land as included and specifically described in Exhibit 24. The 548 Road includes the segment of road specifically set forth in Exhibit 24 and as exists on the ground.

**Acceptance of the 548 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

410. The 548 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

411. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the 548 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

412. The appearance of the 548 Road on the Helper (1972) and Deadman Canyon (1972) USGS 7.5 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

413. The 548 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 548 Road pursuant to the County's governmental right and authority.

414. Witnesses with personal knowledge of the history of the 548 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

415. Currently known reputation in the community is that the 548 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

416. Public motor vehicle use of the 548 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

417. The 548 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

418. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title

action to establish clear title to the right-of-way underlying the 548 Road.

419. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 548 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Gravel Pit Bench Road, 645**

420. The Gravel Pit Bench Road is designated as county road number 645 and SGID road identification number RD040132 and is more or less 4.06 miles long.

421. Exhibit 25 (attached hereto and incorporated herein) contains certain information pertaining to the Gravel Pit Bench Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

422. In this action, the State and County seek to quiet title to the public highway right-of-way for the Gravel Pit Bench Road solely as it crosses United States public land as included and specifically described in Exhibit 25. The Gravel Pit Bench Road includes the segment of road specifically set forth in Exhibit 25 and as exists on the ground.

**Acceptance of the Gravel Pit Bench Road R.S. 2477 Right-of-way Prior to October 21, 1976**

423. The Gravel Pit Bench Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

424. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Gravel Pit Bench Road as a public highway located on

the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

425. The appearance of the Gravel Pit Bench Road on the Wellington (1972) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

426. The Gravel Pit Bench Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Gravel Pit Bench Road pursuant to the County's governmental right and authority.

427. Witnesses with personal knowledge of the history of the Gravel Pit Bench Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

428. Currently known reputation in the community is that the Gravel Pit Bench Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

429. Public motor vehicle use of the Gravel Pit Bench Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

430. The Gravel Pit Bench Road traverses a valid and perfected R.S. 2477 public

highway right-of-way as described herein.

431. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Gravel Pit Bench Road.

432. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Gravel Pit Bench Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**648 Road, 648**

433. The 648 Road is designated as county road number 648 and SGID road identification number RD040133 and is more or less 1.51 miles long.

434. Exhibit 26 (attached hereto and incorporated herein) contains certain information pertaining to the 648 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

435. In this action, the State and County seek to quiet title to the public highway right-of-way for the 648 Road solely as it crosses United States public land as included and specifically described in Exhibit 26. The 648 Road includes the segment of road specifically set forth in Exhibit 26 and as exists on the ground.

**Acceptance of the 648 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

436. The 648 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

437. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the 648 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

438. The 648 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 648 Road pursuant to the County's governmental right and authority.

439. Witnesses with personal knowledge of the history of the 648 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

440. Currently known reputation in the community is that the 648 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

441. Public motor vehicle use of the 648 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

442. The 648 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

443. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 648 Road.

444. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 648 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**754 Road, 754**

445. The 754 Road is designated as county road number 754 and SGID road identification number RD040139 and is more or less 2.51 miles long.

446. Exhibit 27 (attached hereto and incorporated herein) contains certain information pertaining to the 754 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

447. In this action, the State and County seek to quiet title to the public highway right-of-way for the 754 Road solely as it crosses United States public land as included and specifically described in Exhibit 27. The 754 Road includes the segment of road specifically set forth in Exhibit 27 and as exists on the ground.

**Acceptance of the 754 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

448. The 754 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

449. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the 754 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

450. The 754 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 754 Road pursuant to the County's governmental right and authority.

451. Witnesses with personal knowledge of the history of the 754 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

452. Currently known reputation in the community is that the 754 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

453. Public motor vehicle use of the 754 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

454. The 754 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

455. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 754 Road.

456. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 754 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**757 Road, 757**

457. The 757 Road is designated as county road number 757 and SGID road identification number RD040140 and is more or less 0.75 miles long.

458. Exhibit 28 (attached hereto and incorporated herein) contains certain information pertaining to the 757 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

459. In this action, the State and County seek to quiet title to the public highway right-of-way for the 757 Road solely as it crosses United States public land as included and specifically described in Exhibit 28. The 757 Road includes the segment of road specifically set forth in Exhibit 28 and as exists on the ground.

**Acceptance of the 757 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

460. The 757 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

461. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the 757 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

462. The 757 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 757 Road pursuant to the County's governmental right and authority.

463. Witnesses with personal knowledge of the history of the 757 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

464. Currently known reputation in the community is that the 757 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

465. Public motor vehicle use of the 757 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

466. The 757 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

467. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 757 Road.

468. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 757 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**851 Road, 851**

469. The 851 Road is designated as county road number 851 and SGID road identification number RD040146 and is more or less 5.41 miles long.

470. Exhibit 29 (attached hereto and incorporated herein) contains certain information pertaining to the 851 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

471. In this action, the State and County seek to quiet title to the public highway right-of-way for the 851 Road solely as it crosses United States public land as included and specifically described in Exhibit 29. The 851 Road includes the segment of road specifically set forth in Exhibit 29 and as exists on the ground.

**Acceptance of the 851 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

472. The 851 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

473. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the 851 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

474. The appearance of the 851 Road on the Wellington (1972) and Sunnyside Junction (1972) USGS 7.5 minute quadrangle maps and the Wellington (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

475. The 851 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 851 Road pursuant to the County's governmental right and authority.

476. Witnesses with personal knowledge of the history of the 851 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

477. Currently known reputation in the community is that the 851 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

478. Public motor vehicle use of the 851 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

479. The 851 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

480. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 851 Road.

481. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 851 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Coal Creek Road, 445**

482. The Coal Creek road is designated as county road number 445 and SGID road identification number RD040114 and is more or less 4.09 miles long.

483. Exhibit 30 (attached hereto and incorporated herein) contains certain information pertaining to the Coal Creek road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

484. In this action, the State and County seek to quiet title to the public highway right-of-way for the Coal Creek road solely as it crosses United States public land as included and

specifically described in Exhibit 30. The Coal Creek road includes the segment of road specifically set forth in Exhibit 30 and as exists on the ground.

**Acceptance of the Coal Creek Road R.S. 2477 Right-of-way Prior to October 21, 1976**

485. The Coal Creek road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

486. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Coal Creek road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

487. The appearance of the Coal Creek road on the Deadman Canyon (1972) USGS 7.5 minute quadrangle map and the Wellington (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

488. The Coal Creek road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Coal Creek road pursuant to the County's governmental right and authority.

489. Witnesses with personal knowledge of the history of the Coal Creek road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

490. Currently known reputation in the community is that the Coal Creek road has

been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

491. Public motor vehicle use of the Coal Creek road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

492. The Coal Creek road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

493. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Coal Creek road.

494. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Coal Creek road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Gas Field Road, 448**

495. The Gas Field Road is designated as county road number 448 and SGID road identification number RD040115 and is more or less 4.8 miles long.

496. Exhibit 31 (attached hereto and incorporated herein) contains certain information pertaining to the Gas Field Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a

complete centerline description of the road.

497. In this action, the State and County seek to quiet title to the public highway right-of-way for the Gas Field Road solely as it crosses United States public land as included and specifically described in Exhibit 31. The Gas Field Road includes the segment of road specifically set forth in Exhibit 31 and as exists on the ground.

**Acceptance of the Gas Field Road R.S. 2477 Right-of-way Prior to October 21, 1976**

498. The Gas Field Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

499. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Gas Field Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

500. The appearance of the Gas Field Road on the Deadman Canyon (1972) USGS 7.5 minute quadrangle map and the Wellington (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

501. The Gas Field Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Gas Field Road pursuant to the County's governmental right and authority.

502. Witnesses with personal knowledge of the history of the Gas Field Road confirm

public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

503. Currently known reputation in the community is that the Gas Field Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

504. Public motor vehicle use of the Gas Field Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

505. The Gas Field Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

506. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Gas Field Road.

507. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Gas Field Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**SECOND CAUSE OF ACTION – QUIET TITLE**  
**CLARKS VALLEY ROAD AREA**

508. Plaintiffs reallege and incorporate herein each of the foregoing paragraphs.

509. The Clarks Valley Road Area is located in central Carbon County. *See* Exhibit 3.

510. The Clarks Valley Road Area includes the following roads—listed by Common Road Name and County Unique Number: (1) Pace Canyon Road, 644; (2) Rock Creek Road, 648; (3) Clarks Valley Road, 661; (4) Pace Canyon Road, 466; (5) Kiz Pace Road, 557; (6) Rock Creek Road, 562; (7) Left Fork Whitmore Canyon Road, 567; (8) Right Fork Whitmore Canyon Road, 569; (9) Nowhere Road, 659; (10) Saw Tooth Road, 663; (11) 765 Road, 765; (12) 766 Road, 766; (13) 856 Road, 856; (14) Mud Springs Road, 859; (15) Icelfander Creek Road, 865; (16) 963 Road, 963; (17) 966 Road, 966; (18) Bear Canyon Road, 6597; and (19) Bear Creek Road, 565.

511. Each right-of-way claimed in the Clarks Valley Road Area was used by the general public who engaged in one or more of the following activities: cattle ranching, sheep herding, prospecting for minerals, rock hounding, mining, oil and gas exploration, wood gathering, cutting wood, collecting pine nuts or berries, recreation, hunting, trapping, government access, traveling in and through the area, or any other legitimate purpose.

512. All rights-of-way claimed in the Clarks Valley Road Area are sufficient in scope for general motor vehicle travel and include that which is reasonable and necessary to meet the exigencies of motor vehicle travel according to safe engineering practices that protect the public and the road and also prevent undue degradation of the adjacent land.

513. All rights-of-way claimed in the Clarks Valley Road Area include a minimum right-of-way width of 66 feet or greater width as determined at trial, along with cuts, fills, slopes, water bars, and such features and facilities as have historically been acknowledged by the DOI and under law as being reasonable and necessary for the use, benefit, and enjoyment of public

highway rights-of-way. *See, e.g.*, UTAH CODE ANN. § 72-5-302(4)(b) (2003).

514. Prior to October 21, 1976, the State of Utah, Carbon County, and the public through continuous use accepted the congressional grant of an R.S. 2477 right-of-way for the entire length and course of all roads as described herein, on public lands owned by the United States.

**Pace Canyon Road, 644**

515. The Pace Canyon Road is designated as county road number 644 and SGID road identification number RD040034 and is more or less 1.64 miles long.

516. Exhibit 32 (attached hereto and incorporated herein) contains certain information pertaining to the Pace Canyon Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

517. In this action, the State and County seek to quiet title to the public highway right-of-way for the Pace Canyon Road solely as it crosses United States public land as included and specifically described in Exhibit 32. The Pace Canyon Road includes the segment of road specifically set forth in Exhibit 32 and as exists on the ground.

**Acceptance of the Pace Canyon Road R.S. 2477 Right-of-way Prior to October 21, 1976**

518. The Pace Canyon Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

519. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Pace Canyon Road as a public highway located on the

land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

520. The appearance of the Pace Canyon Road on the Pine Canyon (1972) USGS 7.5 minute quadrangle map and Wellington (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

521. The County confirmed its acceptance of the Pace Canyon Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Pace Canyon Road using public funds pursuant to the County's governmental right and authority.

522. Witnesses with personal knowledge of the history of the Pace Canyon Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

523. Currently known reputation in the community is that the Pace Canyon Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

524. Public motor vehicle use of the Pace Canyon Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway

right-of-way underlying this road.

525. The Pace Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

526. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Pace Canyon Road.

527. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Pace Canyon Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Rock Creek Road, 648**

528. The Rock Creek Road is designated as county road number 648 and SGID road identification number RD040035 and is more or less 1.45 miles long.

529. Exhibit 33 (attached hereto and incorporated herein) contains certain information pertaining to the Rock Creek Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

530. In this action, the State and County seek to quiet title to the public highway right-of-way for the Rock Creek Road solely as it crosses United States public land as included and specifically described in Exhibit 33. The Rock Creek Road includes the segment of road specifically set forth in Exhibit 33 and as exists on the ground.

**Acceptance of the Rock Creek Road R.S. 2477 Right-of-way Prior to October 21, 1976**

531. The Rock Creek Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

532. Aerial photography from 1976 and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Rock Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

533. The appearance of the Rock Creek Road on the Pine Canyon (1972) and Mount Bartles (1972) USGS 7.5 minute quadrangle maps and the Wellington (1948) and Sunnyside (1915) USGS 15 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

534. The County confirmed its acceptance of the Rock Creek Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Rock Creek Road using public funds pursuant to the County's governmental right and authority.

535. Witnesses with personal knowledge of the history of the Rock Creek Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

536. Currently known reputation in the community is that the Rock Creek Road has

been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

537. Public motor vehicle use of the Rock Creek Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

538. The Rock Creek Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

539. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Rock Creek Road.

540. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Rock Creek Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Clarks Valley Road, 661**

541. The Clarks Valley Road is designated as county road number 661 and SGID road identification number RD040037 and is more or less 8.43 miles long.

542. Exhibit 34 (attached hereto and incorporated herein) contains certain information pertaining to the Clarks Valley Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a

complete centerline description of the road.

543. In this action, the State and County seek to quiet title to the public highway right-of-way for the Clarks Valley Road solely as it crosses United States public land as included and specifically described in Exhibit 34. The Clarks Valley Road includes the segment of road specifically set forth in Exhibit 34 and as exists on the ground.

**Acceptance of the Clarks Valley Road R.S. 2477 Right-of-way Prior to October 21, 1976**

544. The Clarks Valley Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

545. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Clarks Valley Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

546. The appearance of the Clarks Valley Road on the Pine Canyon (1972) and Sunnyside Junction (1972) USGS 7.5 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

547. The County confirmed its acceptance of the Clarks Valley Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Clarks Valley Road using public funds pursuant to the County's governmental right and authority.

548. Witnesses with personal knowledge of the history of the Clarks Valley Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

549. Currently known reputation in the community is that the Clarks Valley Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

550. Public motor vehicle use of the Clarks Valley Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

551. The Clarks Valley Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

552. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Clarks Valley Road.

553. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Clarks Valley Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Pace Canyon Road, 466**

554. The Pace Canyon Road is designated as county road number 466 and SGID road identification number RD040116 and is more or less 6.08 miles long.

555. Exhibit 35 (attached hereto and incorporated herein) contains certain information pertaining to the Pace Canyon 466 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

556. In this action, the State and County seek to quiet title to the public highway right-of-way for the Pace Canyon 466 Road solely as it crosses United States public land as included and specifically described in Exhibit 35. The Pace Canyon 466 Road includes the segment of road specifically set forth in Exhibit 35 and as exists on the ground.

**Acceptance of the Pace Canyon 466 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

557. The Pace Canyon 466 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

558. Aerial photography from 1976 and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Pace Canyon 466 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

559. The appearance of the Pace Canyon 466 Road on the Pine Canyon (1972) and Mount Bartles (1972) USGS 7.5 minute quadrangle maps and the Wellington (1948) and Sunnyside (1915) USGS 15 minute quadrangle maps evidences the existence, use, and

acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

560. The Pace Canyon 466 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Pace Canyon 466 Road pursuant to the County's governmental right and authority.

561. Witnesses with personal knowledge of the history of the Pace Canyon 466 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

562. Currently known reputation in the community is that the Pace Canyon 466 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

563. Public motor vehicle use of the Pace Canyon 466 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

564. The Pace Canyon 466 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

565. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title

action to establish clear title to the right-of-way underlying the Pace Canyon 466 Road.

566. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Pace Canyon 466 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Kiz Pace Road, 557**

567. The Kiz Pace Road is designated as county road number 557 and SGID road identification number RD040128 and is more or less 2.84 miles long.

568. Exhibit 36 (attached hereto and incorporated herein) contains certain information pertaining to the Kiz Pace Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

569. In this action, the State and County seek to quiet title to the public highway right-of-way for the Kiz Pace Road solely as it crosses United States public land as included and specifically described in Exhibit 36. The Kiz Pace Road includes the segment of road specifically set forth in Exhibit 36 and as exists on the ground.

**Acceptance of the Kiz Pace Road R.S. 2477 Right-of-way Prior to October 21, 1976**

570. The Kiz Pace Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

571. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Kiz Pace Road as a public highway located on the

land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

572. The appearance of the Kiz Pace Road on the Pine Canyon (1972) and Sunnyside Junction (1972) USGS 7.5 minute quadrangle maps and the Wellington (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

573. The Kiz Pace Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Kiz Pace Road pursuant to the County's governmental right and authority.

574. Witnesses with personal knowledge of the history of the Kiz Pace Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

575. Currently known reputation in the community is that the Kiz Pace Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

576. Public motor vehicle use of the Kiz Pace Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

577. The Kiz Pace Road traverses a valid and perfected R.S. 2477 public highway

right-of-way as described herein.

578. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Kiz Pace Road.

579. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Kiz Pace Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Rock Creek Road, 562**

580. The Rock Creek Road is designated as county road number 562 and SGID road identification number RD040129 and is more or less 2.16 miles long.

581. Exhibit 37 (attached hereto and incorporated herein) contains certain information pertaining to the Rock Creek Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

582. In this action, the State and County seek to quiet title to the public highway right-of-way for the Rock Creek Road solely as it crosses United States public land as included and specifically described in Exhibit 37. The Rock Creek Road includes the segment of road specifically set forth in Exhibit 37 and as exists on the ground.

**Acceptance of the Rock Creek Road R.S. 2477 Right-of-way Prior to October 21, 1976**

583. The Rock Creek Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

584. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Rock Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

585. The appearance of the Rock Creek Road on the Mount Bartles (1972) USGS 7.5 minute quadrangle map and Sunnyside (1915) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

586. The Rock Creek Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Rock Creek Road pursuant to the County's governmental right and authority.

587. Witnesses with personal knowledge of the history of the Rock Creek Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

588. Currently known reputation in the community is that the Rock Creek Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

589. Public motor vehicle use of the Rock Creek Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years

prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

590. The Rock Creek Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

591. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Rock Creek Road.

592. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Rock Creek Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Left Fork Whitmore Canyon Road, 567**

593. The Left Fork Whitmore Canyon Road is designated as county road number 567 and SGID road identification number RD040130 and is more or less 6.25 miles long.

594. Exhibit 38 (attached hereto and incorporated herein) contains certain information pertaining to the Left Fork Whitmore Canyon Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

595. In this action, the State and County seek to quiet title to the public highway right-of-way for the Left Fork Whitmore Canyon Road solely as it crosses United States public land as included and specifically described in Exhibit 38. The Left Fork Whitmore Canyon Road

includes the segment of road specifically set forth in Exhibit 38 and as exists on the ground.

**Acceptance of the Left Fork Whitmore Canyon Road R.S. 2477 Right-of-way Prior to October 21, 1976**

596. The Left Fork Whitmore Canyon Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

597. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Left Fork Whitmore Canyon Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

598. The appearance of the Left Fork Whitmore Canyon Road on the Mount Bartles (1972) and Sunnyside (1972) USGS 7.5 minute quadrangle maps and Sunnyside (1915) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

599. The County confirmed its acceptance of the Left Fork Whitmore Canyon Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Left Fork Whitmore Canyon Road pursuant to the County's governmental right and authority.

600. Witnesses with personal knowledge of the history of the Left Fork Whitmore Canyon Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

601. Currently known reputation in the community is that the Left Fork Whitmore Canyon Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

602. Public motor vehicle use of the Left Fork Whitmore Canyon Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

603. The Left Fork Whitmore Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

604. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Left Fork Whitmore Canyon Road.

605. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Left Fork Whitmore Canyon Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Right Fork Whitmore Canyon Road, 569**

606. The Right Fork Whitmore Canyon Road is designated as county road number 569 and SGID road identification number RD040131 and is more or less 2.82 miles long.

607. Exhibit 39 (attached hereto and incorporated herein) contains certain information

pertaining to the Right Fork Whitmore Canyon Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

608. In this action, the State and County seek to quiet title to the public highway right-of-way for the Right Fork Whitmore Canyon Road solely as it crosses United States public land as included and specifically described in Exhibit 39. The Right Fork Whitmore Canyon Road includes the segment of road specifically set forth in Exhibit 39 and as exists on the ground.

**Acceptance of the Right Fork Whitmore Canyon Road R.S. 2477 Right-of-way Prior to October 21, 1976**

609. The Right Fork Whitmore Canyon Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

610. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Right Fork Whitmore Canyon Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

611. The appearance of the Right Fork Whitmore Canyon Road on the Mount Bartles (1972) USGS 7.5 minute quadrangle map and Sunnyside (1915) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

612. The Right Fork Whitmore Canyon Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Right Fork Whitmore Canyon

Road pursuant to the County's governmental right and authority.

613. Witnesses with personal knowledge of the history of the Right Fork Whitmore Canyon Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

614. Currently known reputation in the community is that the Right Fork Whitmore Canyon Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

615. Public motor vehicle use of the Right Fork Whitmore Canyon Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

616. The Right Fork Whitmore Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

617. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Right Fork Whitmore Canyon Road.

618. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Right Fork Whitmore Canyon Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and

enjoyment of this road.

**Nowhere Road, 659**

619. The Nowhere Road is designated as county road number 659 and SGID road identification number RD040134 and is more or less 5.58 miles long.

620. Exhibit 40 (attached hereto and incorporated herein) contains certain information pertaining to the Nowhere Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

621. In this action, the State and County seek to quiet title to the public highway right-of-way for the Nowhere Road solely as it crosses United States public land as included and specifically described in Exhibit 40. The Nowhere Road includes the segment of road specifically set forth in Exhibit 40 and as exists on the ground.

**Acceptance of the Nowhere Road R.S. 2477 Right-of-way Prior to October 21, 1976**

622. The Nowhere Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

623. Aerial photography from 1976 and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Nowhere Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

624. The appearance of the Nowhere Road on the Sunnyside Junction (1972) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way

underlying this road. *See* Exhibit 7 for more detailed map information.

625. The Nowhere Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Nowhere Road pursuant to the County's governmental right and authority.

626. Witnesses with personal knowledge of the history of the Nowhere Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

627. Currently known reputation in the community is that the Nowhere Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

628. Public motor vehicle use of the Nowhere Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

629. The Nowhere Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

630. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Nowhere Road.

631. The State and County are entitled to an order quieting title to their R.S. 2477

right-of-way for the Nowhere Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Saw Tooth Road, 663**

632. The Saw Tooth Road is designated as county road number 663 and SGID road identification number RD040135 and is more or less 10.86 miles long.

633. Exhibit 41 (attached hereto and incorporated herein) contains certain information pertaining to the Saw Tooth Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

634. In this action, the State and County seek to quiet title to the public highway right-of-way for the Saw Tooth Road solely as it crosses United States public land as included and specifically described in Exhibit 41. The Saw Tooth Road includes the segment of road specifically set forth in Exhibit 41 and as exists on the ground.

**Acceptance of the Saw Tooth Road R.S. 2477 Right-of-way Prior to October 21, 1976**

635. The Saw Tooth Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

636. Aerial photography from 1976 and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Saw Tooth Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

637. The appearance of the Saw Tooth Road on the Sunnyside Junction (1972) and

Sunnyside (1972) USGS 7.5 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

638. The Saw Tooth Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Saw Tooth Road pursuant to the County's governmental right and authority.

639. Witnesses with personal knowledge of the history of the Saw Tooth Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

640. Currently known reputation in the community is that the Saw Tooth Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

641. Public motor vehicle use of the Saw Tooth Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

642. The Saw Tooth Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

643. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title

action to establish clear title to the right-of-way underlying the Saw Tooth Road.

644. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Saw Tooth Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**765 Road, 765**

645. The 765 Road is designated as county road number 765 and SGID road identification number RD040142 and is more or less 3.75 miles long.

646. Exhibit 42 (attached hereto and incorporated herein) contains certain information pertaining to the 765 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

647. In this action, the State and County seek to quiet title to the public highway right-of-way for the 765 Road solely as it crosses United States public land as included and specifically described in Exhibit 42. The 765 Road includes the segment of road specifically set forth in Exhibit 42 and as exists on the ground.

**Acceptance of the 765 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

648. The 765 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

649. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 765 Road as a public highway located on the land at issue

in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

650. The 765 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 765 Road pursuant to the County's governmental right and authority.

651. Witnesses with personal knowledge of the history of the 765 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

652. Currently known reputation in the community is that the 765 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

653. Public motor vehicle use of the 765 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

654. The 765 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

655. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 765 Road.

656. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 765 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**766 Road, 766**

657. The 766 Road is designated as county road number 766 and SGID road identification number RD040143 and is more or less 1.8 miles long.

658. Exhibit 43 (attached hereto and incorporated herein) contains certain information pertaining to the 766 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

659. In this action, the State and County seek to quiet title to the public highway right-of-way for the 766 Road solely as it crosses United States public land as included and specifically described in Exhibit 43. The 766 Road includes the segment of road specifically set forth in Exhibit 43 and as exists on the ground.

**Acceptance of the 766 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

660. The 766 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

661. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 766 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

662. The appearance of the 766 Road on the Sunnyside (1972) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

663. The 766 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 766 Road pursuant to the County's governmental right and authority.

664. Witnesses with personal knowledge of the history of the 766 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

665. Currently known reputation in the community is that the 766 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

666. Public motor vehicle use of the 766 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

667. The 766 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

668. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title

action to establish clear title to the right-of-way underlying the 766 Road.

669. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 766 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**856 Road, 856**

670. The 856 Road is designated as county road number 856 and SGID road identification number RD040148 and is more or less 4.59 miles long.

671. Exhibit 44 (attached hereto and incorporated herein) contains certain information pertaining to the 856 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

672. In this action, the State and County seek to quiet title to the public highway right-of-way for the 856 Road solely as it crosses United States public land as included and specifically described in Exhibit 44. The 856 Road includes the segment of road specifically set forth in Exhibit 44 and as exists on the ground.

**Acceptance of the 856 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

673. The 856 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

674. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the 856 Road as a public highway located on the land at

issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

675. The appearance of the 856 Road on the Sunnyside Junction (1972) USGS 7.5 minute quadrangle map and Wellington (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

676. The 856 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 856 Road pursuant to the County's governmental right and authority.

677. Witnesses with personal knowledge of the history of the 856 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

678. Currently known reputation in the community is that the 856 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

679. Public motor vehicle use of the 856 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

680. The 856 Road traverses a valid and perfected R.S. 2477 public highway right-of-

way as described herein.

681. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 856 Road.

682. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 856 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Mud Springs Road, 859**

683. The Mud Springs Road is designated as county road number 859 and SGID road identification number RD040149 and is more or less 1.3 miles long.

684. Exhibit 45 (attached hereto and incorporated herein) contains certain information pertaining to the Mud Springs Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

685. In this action, the State and County seek to quiet title to the public highway right-of-way for the Mud Springs Road solely as it crosses United States public land as included and specifically described in Exhibit 45. The Mud Springs Road includes the segment of road specifically set forth in Exhibit 45 and as exists on the ground.

**Acceptance of the Mud Springs Road R.S. 2477 Right-of-way Prior to October 21, 1976**

686. The Mud Springs Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

687. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Mud Springs Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

688. The appearance of the Mud Springs Road on the Sunnyside Junction (1972) USGS 7.5 minute quadrangle map and Wellington (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

689. The Mud Springs Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Mud Springs Road pursuant to the County's governmental right and authority.

690. Witnesses with personal knowledge of the history of the Mud Springs Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

691. Currently known reputation in the community is that the Mud Springs Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

692. Public motor vehicle use of the Mud Springs Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years

prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

693. The Mud Springs Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

694. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Mud Springs Road.

695. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Mud Springs Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

#### **Icelander Creek Road, 865**

696. The Icelander Creek Road is designated as county road number 865 and SGID road identification number RD040150 and is more or less 5.13 miles long.

697. Exhibit 46 (attached hereto and incorporated herein) contains certain information pertaining to the Icelander Creek Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

698. In this action, the State and County seek to quiet title to the public highway right-of-way for the Icelander Creek Road solely as it crosses United States public land as included and specifically described in Exhibit 46. The Icelander Creek Road includes the segment of road

specifically set forth in Exhibit 46 and as exists on the ground.

**Acceptance of the Icelander Creek Road R.S. 2477 Right-of-way Prior to October 21, 1976**

699. The Icelander Creek Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

700. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Icelander Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

701. The appearance of the Icelander Creek Road on the Sunnyside (1972) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

702. The County confirmed its acceptance of the Icelander Creek Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Icelander Creek Road pursuant to the County's governmental right and authority.

703. Witnesses with personal knowledge of the history of the Icelander Creek Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

704. Currently known reputation in the community is that the Icelander Creek Road

has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

705. Public motor vehicle use of the Iceland Creek Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

706. The Iceland Creek Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

707. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Iceland Creek Road.

708. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Iceland Creek Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**963 Road, 963**

709. The 963 Road is designated as county road number 963 and SGID road identification number RD040154 and is more or less 4.48 miles long.

710. Exhibit 47 (attached hereto and incorporated herein) contains certain information pertaining to the 963 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a

complete centerline description of the road.

711. In this action, the State and County seek to quiet title to the public highway right-of-way for the 963 Road solely as it crosses United States public land as included and specifically described in Exhibit 47. The 963 Road includes the segment of road specifically set forth in Exhibit 47 and as exists on the ground.

**Acceptance of the 963 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

712. The 963 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

713. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 963 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

714. The appearance of the 963 Road on the Woodside (1949) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

715. The 963 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 963 Road pursuant to the County's governmental right and authority.

716. Witnesses with personal knowledge of the history of the 963 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis,

whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

717. Currently known reputation in the community is that the 963 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

718. Public motor vehicle use of the 963 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

719. The 963 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

720. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 963 Road.

721. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 963 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**966 Road, 966**

722. The 966 Road is designated as county road number 966 and SGID road identification number RD040155 and is more or less 3.32 miles long.

723. Exhibit 48 (attached hereto and incorporated herein) contains certain information pertaining to the 966 Road including, a map depicting the road; township, range, and section

references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

724. In this action, the State and County seek to quiet title to the public highway right-of-way for the 966 Road solely as it crosses United States public land as included and specifically described in Exhibit 48. The 966 Road includes the segment of road specifically set forth in Exhibit 48 and as exists on the ground.

**Acceptance of the 966 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

725. The 966 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

726. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 966 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

727. The appearance of the 966 Road on the Woodside (1949) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

728. The 966 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 966 Road pursuant to the County's governmental right and authority.

729. Witnesses with personal knowledge of the history of the 966 Road confirm public

use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

730. Currently known reputation in the community is that the 966 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

731. Public motor vehicle use of the 966 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

732. The 966 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

733. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 966 Road.

734. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 966 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Bear Canyon Road, 6597**

735. The Bear Canyon Road is designated as county road number 6597 and SGID road identification number RD040158 and is more or less 2.93 miles long.

736. Exhibit 49 (attached hereto and incorporated herein) contains certain information

pertaining to the Bear Canyon Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

737. In this action, the State and County seek to quiet title to the public highway right-of-way for the Bear Canyon Road solely as it crosses United States public land as included and specifically described in Exhibit 49. The Bear Canyon Road includes the segment of road specifically set forth in Exhibit 49 and as exists on the ground.

**Acceptance of the Bear Canyon Road R.S. 2477 Right-of-way Prior to October 21, 1976**

738. The Bear Canyon Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

739. Aerial photography from 1976 and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Bear Canyon Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

740. The appearance of the Bear Canyon Road on the Sunnyside (1972) and Sunnyside Junction (1972) USGS 7.5 minute quadrangle maps and the Sunnyside (1915) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

741. The Bear Canyon Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Bear Canyon Road pursuant to the County's

governmental right and authority.

742. Witnesses with personal knowledge of the history of the Bear Canyon Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

743. Currently known reputation in the community is that the Bear Canyon Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

744. Public motor vehicle use of the Bear Canyon Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

745. The Bear Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

746. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Bear Canyon Road.

747. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Bear Canyon Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Bear Creek Road, 565**

748. The Bear Creek Road is designated as county road number 565 and SGID road identification number RD040159 and is more or less 2.4 miles long.

749. Exhibit 50 (attached hereto and incorporated herein) contains certain information pertaining to the Bear Creek Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

750. In this action, the State and County seek to quiet title to the public highway right-of-way for the Bear Creek Road solely as it crosses United States public land as included and specifically described in Exhibit 50. The Bear Creek Road includes the segment of road specifically set forth in Exhibit 50 and as exists on the ground.

**Acceptance of the Bear Creek Road R.S. 2477 Right-of-way Prior to October 21, 1976**

751. The Bear Creek Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

752. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Bear Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

753. The appearance of the Bear Creek Road on the Sunnyside (1972) USGS 7.5 minute quadrangle maps and the Sunnyside (1915) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7 for*

more detailed map information.

754. The Bear Creek Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Bear Creek Road pursuant to the County's governmental right and authority.

755. Witnesses with personal knowledge of the history of the Bear Creek Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

756. Currently known reputation in the community is that the Bear Creek Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

757. Public motor vehicle use of the Bear Creek Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

758. The Bear Creek Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

759. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Bear Creek Road.

760. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Bear Creek Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**THIRD CAUSE OF ACTION – QUIET TITLE**  
**CONSUMERS ROAD AREA**

761. Plaintiffs reallege and incorporate herein each of the foregoing paragraphs.

762. The Consumers Road Area is located in western Carbon County. *See* Exhibit 4.

763. The Consumers Road Area includes the following roads—listed by Common Road Name (if applicable) and County Unique Number: (1) Consumers Road, 240; (2) Ford Ridge Road, 209; (3) Gas Field Road, 2782; (4) Gordon Creek Road, 358; (5) Haley Bench Road, 2672; (6) Haley Bench Spur Road, 2706; (7) Haley Canyon Road, 362A; (8) Hardscrabble Creek Road, 330; (9) Lower Fish Creek Ridge Road, 207; (10) North Spring Canyon Road, 3707; (11) Porphyry Bench Road, 362B; (12) Spring Canyon Road, 332; (13) Trestle Road, 351; (14) Wattis Road, 288; (15) 427 Road, 427; (16) Crandall Canyon Road, 226; (17) Ford Creek Road, 123; (18) Mud Water Road, 715; (19) Price Canyon Rec Area Road, 225; (20) Royal Road, 320; and (21) Sowbelly Gulch Road, 325.

764. Each right-of-way claimed in the Consumers Road Area was used by the general public who engaged in one or more of the following activities: cattle ranching, sheep herding, prospecting for minerals, rock hounding, mining, oil and gas exploration, wood gathering, cutting wood, collecting pine nuts or berries, recreation, hunting, trapping, government access, traveling in and through the area, or any other legitimate purpose.

765. All rights-of-way claimed in the Consumers Road Area are sufficient in scope for general motor vehicle travel and include that which is reasonable and necessary to meet the exigencies of motor vehicle travel according to safe engineering practices that protect the public and the road and also prevent undue degradation of the adjacent land.

766. All rights-of-way claimed in the Consumers Road Area include a minimum right-of-way width of 66 feet or greater width as determined at trial, along with cuts, fills, slopes, water bars, and such features and facilities as have historically been acknowledged by the DOI and under law as being reasonable and necessary for the use, benefit, and enjoyment of public highway rights-of-way. *See, e.g.*, UTAH CODE ANN. § 72-5-302(4)(b) (2003).

767. Prior to October 21, 1976, the State of Utah, Carbon County, and the public through continuous use, accepted the congressional grant of an R.S. 2477 right-of-way for the entire length and course of all roads as described herein, on public lands owned by the United States.

#### **Consumers Road, 240**

768. The Consumers Road is designated as county road number 240 and SGID road identification number RD040003 and is more or less 12.16 miles long.

769. Exhibit 51 (attached hereto and incorporated herein) contains certain information pertaining to the Consumers Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

770. In this action, the State and County seek to quiet title to the public highway right-

of-way for the Consumers Road solely as it crosses United States public land as included and specifically described in Exhibit 51. The Consumers Road includes the segment of road specifically set forth in Exhibit 51 and as exists on the ground.

**Acceptance of the Consumers Road R.S. 2477 Right-of-way Prior to October 21, 1976**

771. The Consumers Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

772. Aerial photography from 1975, 1976, and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Consumers Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

773. The appearance of the Consumers Road on the Standardville (1972) and Helper (1972) USGS 7.5 minute quadrangle maps and Scofield (1923) and Castle Gate (1948) USGS 15 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

774. The County confirmed its acceptance of the Consumers Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See UTAH CODE ANN. § 72-3-103(4) (2009)*. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Consumers Road using public funds pursuant to the County's governmental right and authority.

775. Witnesses with personal knowledge of the history of the Consumers Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a

continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

776. Currently known reputation in the community is that the Consumers Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

777. Public motor vehicle use of the Consumers Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

778. The Consumers Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

779. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Consumers Road.

780. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Consumers Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Ford Ridge Road, 209**

781. The Ford Ridge Road is designated as county road number 209 and SGID road identification number RD040002 and is more or less 4.58 miles long.

782. Exhibit 52 (attached hereto and incorporated herein) contains certain information pertaining to the Ford Ridge Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

783. In this action, the State and County seek to quiet title to the public highway right-of-way for the Ford Ridge Road solely as it crosses United States public land as included and specifically described in Exhibit 52. The Ford Ridge Road includes the segment of road specifically set forth in Exhibit 52 and as exists on the ground.

**Acceptance of the Ford Ridge Road R.S. 2477 Right-of-way Prior to October 21, 1976**

784. The Ford Ridge Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

785. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Ford Ridge Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

786. The appearance of the Ford Ridge Road on the Kyune (1969) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

787. The County confirmed its acceptance of the Ford Ridge Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its

R.S. 2477 right-of-way by managing, maintaining, and improving the Ford Ridge Road using public funds pursuant to the County's governmental right and authority.

788. Witnesses with personal knowledge of the history of the Ford Ridge Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

789. Currently known reputation in the community is that the Ford Ridge Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

790. Public motor vehicle use of the Ford Ridge Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

791. The Ford Ridge Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

792. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Ford Ridge Road.

793. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Ford Ridge Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this

road.

**Gas Field Road, 2782**

794. The Gas Field Road is designated as county road number 2782 and SGID road identification number RD040006 and is more or less 0.92 miles long.

795. Exhibit 53 (attached hereto and incorporated herein) contains certain information pertaining to the Gas Field Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

796. In this action, the State and County seek to quiet title to the public highway right-of-way for the Gas Field Road solely as it crosses United States public land as included and specifically described in Exhibit 53. The Gas Field Road includes the segment of road specifically set forth in Exhibit 53 and as exists on the ground.

**Acceptance of the Gas Field Road R.S. 2477 Right-of-way Prior to October 21, 1976**

797. The Gas Field Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

798. Aerial photography from 1975 confirms the historical use, existence, and acceptance of the right-of-way for the Gas Field Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

799. The appearance of the Gas Field Road on the Pinnacle Peak (1972) USGS 7.5 minute quadrangle map and Castle Gate (1948) USGS 15 minute quadrangle map evidences the

existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

800. The Gas Field Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Gas Field Road using public funds pursuant to the County's governmental right and authority.

801. Witnesses with personal knowledge of the history of the Gas Field Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

802. Currently known reputation in the community is that the Gas Field Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

803. Public motor vehicle use of the Gas Field Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

804. The Gas Field Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

805. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Gas Field Road.

806. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Gas Field Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Gordon Creek Road, 358**

807. The Gordon Creek Road is designated as county road number 358 and SGID road identification number RD040012 and is more or less 4.05 miles long.

808. Exhibit 54 (attached hereto and incorporated herein) contains certain information pertaining to the Gordon Creek Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

809. In this action, the State and County seek to quiet title to the public highway right-of-way for the Gordon Creek Road solely as it crosses United States public land as included and specifically described in Exhibit 54. The Gordon Creek Road includes the segment of road specifically set forth in Exhibit 54 and as exists on the ground.

**Acceptance of the Gordon Creek Road R.S. 2477 Right-of-way Prior to October 21, 1976**

810. The Gordon Creek Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

811. Aerial photography from 1975 and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Gordon Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

812. The appearance of the Gordon Creek Road on the Pinnacle Peak (1972) and Price (1972) USGS 7.5 minute quadrangle maps and Castle Gate (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

813. The Gordon Creek Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Gordon Creek Road using public funds pursuant to the County's governmental right and authority.

814. Witnesses with personal knowledge of the history of the Gordon Creek Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

815. Currently known reputation in the community is that the Gordon Creek Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

816. Public motor vehicle use of the Gordon Creek Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

817. The Gordon Creek Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

818. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Gordon Creek Road.

819. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Gordon Creek Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Haley Bench Road, 2672**

820. The Haley Bench Road is designated as county road number 2672 and SGID road identification number RD040004 and is more or less 3.03 miles long.

821. Exhibit 55 (attached hereto and incorporated herein) contains certain information pertaining to the Haley Bench Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

822. In this action, the State and County seek to quiet title to the public highway right-of-way for the Haley Bench Road solely as it crosses United States public land as included and specifically described in Exhibit 55. The Haley Bench Road includes the segment of road specifically set forth in Exhibit 55 and as exists on the ground.

**Acceptance of the Haley Bench Road R.S. 2477 Right-of-way Prior to October 21, 1976**

823. The Haley Bench Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

824. Aerial photography from 1975 confirms the historical use, existence, and acceptance of the right-of-way for the Haley Bench Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

825. The appearance of the Haley Bench Road on the Pinnacle Peak (1972) and Wattis (1979) USGS 7.5 minute quadrangle maps and Castle Gate (1948) and Scofield (1923) USGS 15 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

826. The County confirmed its acceptance of the Haley Bench Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Haley Bench Road using public funds pursuant to the County's governmental right and authority.

827. Witnesses with personal knowledge of the history of the Haley Bench Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

828. Currently known reputation in the community is that the Haley Bench Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

829. Public motor vehicle use of the Haley Bench Road as a public thoroughfare

traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

830. The Haley Bench Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

831. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Haley Bench Road.

832. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Haley Bench Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Haley Bench Spur Road, 2706**

833. The Haley Bench Spur Road is designated as county road number 2706 and SGID road identification number RD040005 and is more or less 1.67 miles long.

834. Exhibit 56 (attached hereto and incorporated herein) contains certain information pertaining to the Haley Bench Spur Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

835. In this action, the State and County seek to quiet title to the public highway right-of-way for the Haley Bench Spur Road solely as it crosses United States public land as included

and specifically described in Exhibit 56. The Haley Bench Spur Road includes the segment of road specifically set forth in Exhibit 56 and as exists on the ground.

**Acceptance of the Haley Bench Spur Road R.S. 2477 Right-of-way Prior to October 21, 1976**

836. The Haley Bench Spur Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

837. Aerial photography from 1975 confirms the historical use, existence, and acceptance of the right-of-way for the Haley Bench Spur Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

838. The appearance of the Haley Bench Spur Road on the Pinnacle Peak (1972) USGS 7.5 minute quadrangle map and Castle Gate (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

839. The County confirmed its acceptance of the Haley Bench Spur Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Haley Bench Spur Road using public funds pursuant to the County's governmental right and authority.

840. Witnesses with personal knowledge of the history of the Haley Bench Spur Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21,

1976.

841. Currently known reputation in the community is that the Haley Bench Spur Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

842. Public motor vehicle use of the Haley Bench Spur Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

843. The Haley Bench Spur Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

844. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Haley Bench Spur Road.

845. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Haley Bench Spur Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Haley Canyon Road, 362A**

846. The Haley Canyon Road is designated as county road number 362A and SGID road identification number RD040013 and is more or less 9.96 miles long.

847. Exhibit 57 (attached hereto and incorporated herein) contains certain information

pertaining to the Haley Canyon Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

848. In this action, the State and County seek to quiet title to the public highway right-of-way for the Haley Canyon Road solely as it crosses United States public land as included and specifically described in Exhibit 57. The Haley Canyon Road includes the segment of road specifically set forth in Exhibit 57 and as exists on the ground.

**Acceptance of the Haley Canyon Road R.S. 2477 Right-of-way Prior to October 21, 1976**

849. The Haley Canyon Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

850. Aerial photography from 1975 confirms the historical use, existence, and acceptance of the right-of-way for the Haley Canyon Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

851. The appearance of the Haley Canyon Road on the Pinnacle Peak (1972) and Wattis (1979) USGS 7.5 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

852. The Haley Canyon Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Haley Canyon Road using public funds pursuant to the County's governmental right and authority.

853. Witnesses with personal knowledge of the history of the Haley Canyon Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

854. Currently known reputation in the community is that the Haley Canyon Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

855. Public motor vehicle use of the Haley Canyon Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

856. The Haley Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

857. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Haley Canyon Road.

858. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Haley Canyon Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Hardscrabble Creek Road, 330**

859. The Hardscrabble Creek Road is designated as county road number 330 and SGID road identification number RD040009 and is more or less 2.22 miles long.

860. Exhibit 58 (attached hereto and incorporated herein) contains certain information pertaining to the Hardscrabble Creek Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

861. In this action, the State and County seek to quiet title to the public highway right-of-way for the Hardscrabble Creek Road solely as it crosses United States public land as included and specifically described in Exhibit 58. The Hardscrabble Creek Road includes the segment of road specifically set forth in Exhibit 58 and as exists on the ground.

**Acceptance of the Hardscrabble Creek Road R.S. 2477 Right-of-way Prior to October 21, 1976**

862. The Hardscrabble Creek Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

863. Aerial photography from 1976 and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Hardscrabble Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

864. The appearance of the Hardscrabble Creek Road on the Standardville (1972) and Helper (1972) USGS 7.5 minute quadrangle maps and Castle Gate (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this

road. *See* Exhibit 7 for more detailed map information.

865. The County confirmed its acceptance of the Hardscrabble Creek Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Hardscrabble Creek Road using public funds pursuant to the County's governmental right and authority.

866. Witnesses with personal knowledge of the history of the Hardscrabble Creek Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

867. Currently known reputation in the community is that the Hardscrabble Creek Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

868. Public motor vehicle use of the Hardscrabble Creek Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

869. The Hardscrabble Creek Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

870. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title

action to establish clear title to the right-of-way underlying the Hardscrabble Creek Road.

871. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Hardscrabble Creek Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Lower Fish Creek Ridge Road, 207**

872. The Lower Fish Creek Ridge Road is designated as county road number 207 and SGID road identification number RD040001 and is more or less 5.7 miles long.

873. Exhibit 59 (attached hereto and incorporated herein) contains certain information pertaining to the Lower Fish Creek Ridge Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

874. In this action, the State and County seek to quiet title to the public highway right-of-way for the Lower Fish Creek Ridge Road solely as it crosses United States public land as included and specifically described in Exhibit 59. The Lower Fish Creek Ridge Road includes the segment of road specifically set forth in Exhibit 59 and as exists on the ground.

**Acceptance of the Lower Fish Creek Ridge Road R.S. 2477 Right-of-way Prior to October 21, 1976**

875. The Lower Fish Creek Ridge Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

876. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Lower Fish Creek Ridge Road as a public highway located

on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

877. The appearance of the Lower Fish Creek Ridge Road on the Kyune (1969) and Colton (1979) USGS 7.5 minute quadrangle maps and Soldier Summit (1942) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

878. The County confirmed its acceptance of the Lower Fish Creek Ridge Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Lower Fish Creek Ridge Road using public funds pursuant to the County's governmental right and authority.

879. Witnesses with personal knowledge of the history of the Lower Fish Creek Ridge Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

880. Currently known reputation in the community is that the Lower Fish Creek Ridge Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

881. Public motor vehicle use of the Lower Fish Creek Ridge Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period

of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

882. The Lower Fish Creek Ridge Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

883. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Lower Fish Creek Ridge Road.

884. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Lower Fish Creek Ridge Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**North Spring Canyon Road, 3707**

885. The North Spring Canyon Road is designated as county road number 3707 and SGID road identification number RD040015 and is more or less 3.33 miles long.

886. Exhibit 60 (attached hereto and incorporated herein) contains certain information pertaining to the North Spring Canyon Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

887. In this action, the State and County seek to quiet title to the public highway right-of-way for the North Spring Canyon Road solely as it crosses United States public land as included and specifically described in Exhibit 60. The North Spring Canyon Road includes the

segment of road specifically set forth in Exhibit 60 and as exists on the ground.

**Acceptance of the North Spring Canyon Road R.S. 2477 Right-of-way Prior to October 21, 1976**

888. The North Spring Canyon Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

889. Aerial photography from 1975 confirms the historical use, existence, and acceptance of the right-of-way for the North Spring Canyon Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

890. The appearance of the North Spring Canyon Road on the Pinnacle Peak (1972) USGS 7.5 minute quadrangle map and Castle Gate (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

891. The North Spring Canyon Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the North Spring Canyon Road using public funds pursuant to the County's governmental right and authority.

892. Witnesses with personal knowledge of the history of the North Spring Canyon Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

893. Currently known reputation in the community is that the North Spring Canyon

Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

894. Public motor vehicle use of the North Spring Canyon Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

895. The North Spring Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

896. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the North Spring Canyon Road.

897. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the North Spring Canyon Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Porphry Bench Road, 362B**

898. The Porphry Bench Road is designated as county road number 362B and SGID road identification number RD040014 and is more or less 6.27 miles long.

899. Exhibit 61 (attached hereto and incorporated herein) contains certain information pertaining to the Porphry Bench Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a

complete centerline description of the road.

900. In this action, the State and County seek to quiet title to the public highway right-of-way for the Porphyry Bench Road solely as it crosses United States public land as included and specifically described in Exhibit 61. The Porphyry Bench Road includes the segment of road specifically set forth in Exhibit 61 and as exists on the ground.

**Acceptance of the Porphyry Bench Road R.S. 2477 Right-of-way Prior to October 21, 1976**

901. The Porphyry Bench Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

902. Aerial photography from 1975 and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Porphyry Bench Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

903. The appearance of the Porphyry Bench Road on the Pinnacle Peak (1972) and Price (1972) USGS 7.5 minute quadrangle maps and Castle Gate (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

904. The County confirmed its acceptance of the Porphyry Bench Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Porphyry Bench Road using public funds pursuant to the County's governmental right and authority.

905. Witnesses with personal knowledge of the history of the Porphyry Bench Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

906. Currently known reputation in the community is that the Porphyry Bench Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

907. Public motor vehicle use of the Porphyry Bench Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

908. The Porphyry Bench Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

909. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Porphyry Bench Road.

910. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Porphyry Bench Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Spring Canyon Road, 332**

911. The Spring Canyon Road is designated as county road number 332 and SGID road identification number RD040010 and is more or less 7.14 miles long.

912. Exhibit 62 (attached hereto and incorporated herein) contains certain information pertaining to the Spring Canyon Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

913. In this action, the State and County seek to quiet title to the public highway right-of-way for the Spring Canyon Road solely as it crosses United States public land as included and specifically described in Exhibit 62. The Spring Canyon Road includes the segment of road specifically set forth in Exhibit 62 and as exists on the ground.

**Acceptance of the Spring Canyon Road R.S. 2477 Right-of-way Prior to October 21, 1976**

914. The Spring Canyon Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

915. Aerial photography from 1976 and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Spring Canyon Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

916. The appearance of the Spring Canyon Road appears on the Standardville (1972) and Helper (1972) USGS 7.5 minute quadrangle maps and Castle Gate (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this

road. *See* Exhibit 7 for more detailed map information.

917. The County confirmed its acceptance of the Spring Canyon Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Spring Canyon Road using public funds pursuant to the County's governmental right and authority.

918. Witnesses with personal knowledge of the history of the Spring Canyon Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

919. Currently known reputation in the community is that the Spring Canyon Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

920. Public motor vehicle use of the Spring Canyon Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

921. The Spring Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

922. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title

action to establish clear title to the right-of-way underlying the Spring Canyon Road.

923. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Spring Canyon Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Trestle Road, 351**

924. The Trestle Road is designated as county road number 351 and SGID road identification number RD040011 and is more or less 6.13 miles long.

925. Exhibit 63 (attached hereto and incorporated herein) contains certain information pertaining to the Trestle Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

926. In this action, the State and County seek to quiet title to the public highway right-of-way for the Trestle Road solely as it crosses United States public land as included and specifically described in Exhibit 63. The Trestle Road includes the segment of road specifically set forth in Exhibit 63 and as exists on the ground.

**Acceptance of the Trestle Road R.S. 2477 Right-of-way Prior to October 21, 1976**

927. The Trestle Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

928. Aerial photography from 1975 and 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Trestle Road as a public highway located on the land

at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

929. The appearance of the Trestle Road on the Standardville (1972) and Pinnacle Peak (1972) USGS 7.5 minute quadrangle maps and Castle Gate (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

930. The Trestle Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Trestle Road using public funds pursuant to the County's governmental right and authority.

931. Witnesses with personal knowledge of the history of the Trestle Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

932. Currently known reputation in the community is that the Trestle Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

933. Public motor vehicle use of the Trestle Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

934. The Trestle Road traverses a valid and perfected R.S. 2477 public highway right-

of-way as described herein.

935. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Trestle Road.

936. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Trestle Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Wattis Road, 288**

937. The Wattis Road is designated as county road number 288 and SGID road identification number RD040007 and is more or less 10.93 miles long.

938. Exhibit 64 (attached hereto and incorporated herein) contains certain information pertaining to the Wattis Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

939. In this action, the State and County seek to quiet title to the public highway right-of-way for the Wattis Road solely as it crosses United States public land as included and specifically described in Exhibit 64. The Wattis Road includes the segment of road specifically set forth in Exhibit 64 and as exists on the ground.

**Acceptance of the Wattis Road R.S. 2477 Right-of-way Prior to October 21, 1976**

940. The Wattis Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

941. Aerial photography from 1975 confirms the historical use, existence, and acceptance of the right-of-way for the Wattis Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

942. The appearance of the Wattis Road on the Wattis (1979), Pinnacle Peak (1972), and Poison Spring Bench (1969) USGS 7.5 minute quadrangle maps and Castle Gate (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

943. The County confirmed its acceptance of the Wattis Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See UTAH CODE ANN. § 72-3-103(4)* (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Wattis Road using public funds pursuant to the County's governmental right and authority.

944. Witnesses with personal knowledge of the history of the Wattis Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

945. Currently known reputation in the community is that the Wattis Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

946. Public motor vehicle use of the Wattis Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to

October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

947. The Wattis Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

948. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Wattis Road.

949. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Wattis Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**427 Road, 427**

950. The 427 Road is designated as county road number 427 and SGID road identification number RD040111 and is more or less 3.21 miles long.

951. Exhibit 65 (attached hereto and incorporated herein) contains certain information pertaining to the 427 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

952. In this action, the State and County seek to quiet title to the public highway right-of-way for the 427 Road solely as it crosses United States public land as included and specifically described in Exhibit 65. The 427 Road includes the segment of road specifically set forth in Exhibit 65 and as exists on the ground.

**Acceptance of the 427 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

953. The 427 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

954. Aerial photography from 1975 confirms the historical use, existence, and acceptance of the right-of-way for the 427 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

955. The appearance of the 427 Road on the Standardville (1972) USGS 7.5 minute quadrangle map and Castle Gate (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

956. The 427 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 427 Road pursuant to the County's governmental right and authority.

957. Witnesses with personal knowledge of the history of the 427 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

958. Currently known reputation in the community is that the 427 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

959. Public motor vehicle use of the 427 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

960. The 427 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

961. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 427 Road.

962. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 427 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Crandall Canyon Road, 226**

963. The Crandall Canyon Road is designated as county road number 226 and SGID road identification number RD040067 and is more or less 1.67 miles long.

964. Exhibit 66 (attached hereto and incorporated herein) contains certain information pertaining to the Crandall Canyon Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

965. In this action, the State and County seek to quiet title to the public highway right-of-way for the Crandall Canyon Road solely as it crosses United States public land as included

and specifically described in Exhibit 66. The Crandall Canyon Road includes the segment of road specifically set forth in Exhibit 66 and as exists on the ground.

**Acceptance of the Crandall Canyon Road R.S. 2477 Right-of-way Prior to October 21, 1976**

966. The Crandall Canyon Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

967. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Crandall Canyon Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

968. The appearance of the Crandall Canyon Road on the Kyune (1969) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

969. The Crandall Canyon Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Crandall Canyon Road pursuant to the County's governmental right and authority.

970. Witnesses with personal knowledge of the history of the Crandall Canyon Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

971. Currently known reputation in the community is that the Crandall Canyon Road

has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

972. Public motor vehicle use of the Crandall Canyon Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

973. The Crandall Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

974. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Crandall Canyon Road.

975. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Crandall Canyon Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

### **Ford Creek Road, 123**

976. The Ford Creek Road is designated as county road number 123 and SGID road identification number RD040057 and is more or less 5.3 miles long.

977. Exhibit 67 (attached hereto and incorporated herein) contains certain information pertaining to the Ford Creek Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a

complete centerline description of the road.

978. In this action, the State and County seek to quiet title to the public highway right-of-way for the Ford Creek Road solely as it crosses United States public land as included and specifically described in Exhibit 67. The Ford Creek Road includes the segment of road specifically set forth in Exhibit 67 and as exists on the ground.

**Acceptance of the Ford Creek Road R.S. 2477 Right-of-way Prior to October 21, 1976**

979. The Ford Creek Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

980. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Ford Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

981. The Ford Creek Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Ford Creek Road pursuant to the County's governmental right and authority.

982. Witnesses with personal knowledge of the history of the Ford Creek Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

983. Currently known reputation in the community is that the Ford Creek Road has

been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

984. Public motor vehicle use of the Ford Creek Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

985. The Ford Creek Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

986. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Ford Creek Road.

987. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Ford Creek Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Mud Water Road, 715**

988. The Mud Water Road is designated as county road number 715 and SGID road identification number RD040138 and is more or less 3.33 miles long.

989. Exhibit 68 (attached hereto and incorporated herein) contains certain information pertaining to the Mud Water Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a

complete centerline description of the road.

990. In this action, the State and County seek to quiet title to the public highway right-of-way for the Mud Water Road solely as it crosses United States public land as included and specifically described in Exhibit 68. The Mud Water Road includes the segment of road specifically set forth in Exhibit 68 and as exists on the ground.

**Acceptance of the Mud Water Road R.S. 2477 Right-of-way Prior to October 21, 1976**

991. The Mud Water Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

992. Aerial photography from 1975 confirms the historical use, existence, and acceptance of the right-of-way for the Mud Water Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

993. The appearance of the Mud Water Road on the Wattis (1979) USGS 7.5 minute quadrangle maps and Scofield (1923) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

994. The Mud Water Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Mud Water Road pursuant to the County's governmental right and authority.

995. Witnesses with personal knowledge of the history of the Mud Water Road

confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

996. Currently known reputation in the community is that the Mud Water Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

997. Public motor vehicle use of the Mud Water Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

998. The Mud Water Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

999. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Mud Water Road.

1000. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Mud Water Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Price Canyon Rec Area Road, 225**

1001. The Price Canyon Rec Area Road is designated as county road number 225 and

SGID road identification number RD040066 and is more or less 3.11 miles long.

1002. Exhibit 69 (attached hereto and incorporated herein) contains certain information pertaining to the Price Canyon Rec Area Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1003. In this action, the State and County seek to quiet title to the public highway right-of-way for the Price Canyon Rec Area Road solely as it crosses United States public land as included and specifically described in Exhibit 69. The Price Canyon Rec Area Road includes the segment of road specifically set forth in Exhibit 69 and as exists on the ground.

**Acceptance of the Price Canyon Rec Area Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1004. The Price Canyon Rec Area Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1005. Aerial photography from 1975 confirms the historical use, existence, and acceptance of the right-of-way for the Price Canyon Rec Area Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1006. The appearance of the Price Canyon Rec Area Road on the Kyune (1969) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

1007. The County confirmed its acceptance of the Price Canyon Rec Area Road by 1975, when it designated and accepted the road as a County highway on the County's general

highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Price Canyon Rec Area Road pursuant to the County's governmental right and authority.

1008. Witnesses with personal knowledge of the history of the Price Canyon Rec Area Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1009. Currently known reputation in the community is that the Price Canyon Rec Area Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1010. Public motor vehicle use of the Price Canyon Rec Area Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1011. The Price Canyon Rec Area Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1012. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Price Canyon Rec Area Road.

1013. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Price Canyon Rec Area Road on lands owned by the United States as

described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Royal Road, 320**

1014. The Royal Road is designated as county road number 320 and SGID road identification number RD040090 and is more or less 1.99 miles long.

1015. Exhibit 70 (attached hereto and incorporated herein) contains certain information pertaining to the Royal Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1016. In this action, the State and County seek to quiet title to the public highway right-of-way for the Royal Road solely as it crosses United States public land as included and specifically described in Exhibit 70. The Royal Road includes the segment of road specifically set forth in Exhibit 70 and as exists on the ground.

**Acceptance of the Royal Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1017. The Royal Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1018. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Royal Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1019. The appearance of the Royal Road on the Standardville (1972) USGS 7.5 minute

quadrangle map and the Castle Gate (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1020. The Royal Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Royal Road pursuant to the County's governmental right and authority.

1021. Witnesses with personal knowledge of the history of the Royal Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1022. Currently known reputation in the community is that the Royal Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1023. Public motor vehicle use of the Royal Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1024. The Royal Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1025. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title

action to establish clear title to the right-of-way underlying the Royal Road.

1026. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Royal Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Sowbelly Gulch Road, 325**

1027. The Sowbelly Gulch Road is designated as county road number 325 and SGID road identification number RD040091 and is more or less 3.07 miles long.

1028. Exhibit 71 (attached hereto and incorporated herein) contains certain information pertaining to the Sowbelly Gulch Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1029. In this action, the State and County seek to quiet title to the public highway right-of-way for the Sowbelly Gulch Road solely as it crosses United States public land as included and specifically described in Exhibit 71. The Sowbelly Gulch Road includes the segment of road specifically set forth in Exhibit 71 and as exists on the ground.

**Acceptance of the Sowbelly Gulch Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1030. The Sowbelly Gulch Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1031. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Sowbelly Gulch Road as a public highway located on the

land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1032. The appearance of the Sowbelly Gulch Road on the Standardville (1972) USGS 7.5 minute quadrangle map and Castle Gate (1948) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1033. The Sowbelly Gulch Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Sowbelly Gulch Road pursuant to the County's governmental right and authority.

1034. Witnesses with personal knowledge of the history of the Sowbelly Gulch Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1035. Currently known reputation in the community is that the Sowbelly Gulch Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1036. Public motor vehicle use of the Sowbelly Gulch Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1037. The Sowbelly Gulch Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1038. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Sowbelly Gulch Road.

1039. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Sowbelly Gulch Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**FOURTH CAUSE OF ACTION – QUIET TITLE**  
**NINE MILE CANYON ROAD AREA**

1040. Plaintiffs reallege and incorporate herein each of the foregoing paragraphs.

1041. The Nine Mile Canyon Road Area is located in eastern Carbon County. *See* Exhibit 5.

1042. The Nine Mile Canyon Road Area includes the following roads—listed by Common Road Name (if applicable) and County Unique Number: (1) Minnie Maud Road, 506; (2) Dry Canyon Road, 821; (3) Microwave Tower Road, 7461; (4) Nine Mile Canyon Road, 740A; (5) Harmon Canyon Road, 173; (6) Prickly Pear Canyon Road, 272; (7) Mount Bartles Road, 274; (8) Horse Bench Road, 292; (9) Cottonwood Canyon Road, 381; (10) Jack Creek Road, 390; (11) Jack Canyon Road, 394; (12) Jack Ridge Road, 396; (13) Cottonwood Ridge Road, 481; (14) Cedar Ridge Road, 487; (15) 496 Road, 496; (16) Range Valley Mountain Road, 873; (17) Stone Cabin Gas Field Road, 1731; (18) Stone Cabin Gas Field Road, 2722; (19) 2921

Road, 2921; (20) Horse Ridge Spur Road, 2924; (21) Rock House Cow Camp Road, 2925; (22) Horse Bench Spur Road, 2926; (23) Twin Hollow Road, 3811; (24) Flat Iron Mesa Road, 3812; (25) 3813 Road, 3813; (26) 3941 Road, 3941; (27) Pine Spring Road, 4871; (28) 4961 Road, 4961; (29) 17311 Road, 17311; (30) 17313 Road, 17313; (31) 17314 Road, 17314; (32) 17315 Road, 17315; and (33) 49611 Road, 49611.

1043. Each right-of-way claimed in the Nine Mile Canyon Road Area was used by the general public who engaged in one or more of the following activities: cattle ranching, sheep herding, prospecting for minerals, rock hounding, mining, oil and gas exploration, wood gathering, cutting wood, collecting pine nuts or berries, recreation, hunting, trapping, government access, traveling in and through the area, or any other legitimate purpose.

1044. All rights-of-way claimed in the Nine Mile Canyon Road Area are sufficient in scope for general motor vehicle travel and include that which is reasonable and necessary to meet the exigencies of motor vehicle travel according to safe engineering practices that protect the public and the road and also prevent undue degradation of the adjacent land.

1045. All rights-of-way claimed in the Nine Mile Canyon Road Area include a minimum right-of-way width of 66 feet or greater width as determined at trial, along with cuts, fills, slopes, water bars, and such features and facilities as have historically been acknowledged by the DOI and under law as being reasonable and necessary for the use, benefit, and enjoyment of public highway rights-of-way. *See, e.g.*, UTAH CODE ANN. § 72-5-302(4)(b) (2003).

1046. Prior to October 21, 1976, the State of Utah, Carbon County, and the public through continuous use accepted the congressional grant of an R.S. 2477 right-of-way for the

entire length and course of all roads as described herein, on public lands owned by the United States.

**Minnie Maud Road, 506**

1047. The Minnie Maud Road is designated as county road number 506 and SGID road identification number RD040029 and is more or less 6.58 miles long.

1048. Exhibit 72 (attached hereto and incorporated herein) contains certain information pertaining to the Minnie Maud Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1049. In this action, the State and County seek to quiet title to the public highway right-of-way for the Minnie Maud Road solely as it crosses United States public land as included and specifically described in Exhibit 72. The Minnie Maud Road includes the segment of road specifically set forth in Exhibit 72 and as exists on the ground.

**Acceptance of the Minnie Maud Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1050. The Minnie Maud Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1051. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Minnie Maud Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1052. The appearance of the Minnie Maud Road on the Minnie Maud Creek East (1969)

USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1053. The County confirmed its acceptance of the Minnie Maud Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Minnie Maud Road using public funds pursuant to the County's governmental right and authority.

1054. Witnesses with personal knowledge of the history of the Minnie Maud Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1055. Currently known reputation in the community is that the Minnie Maud Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1056. Public motor vehicle use of the Minnie Maud Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1057. The Minnie Maud Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1058. Without confirmation from the United States, a cloud remains on the State and

County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Minnie Maud Road.

1059. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Minnie Maud Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Dry Canyon Road, 821**

1060. The Dry Canyon Road is designated as county road number 821 and SGID road identification number RD040045 and is more or less 20.36 miles long.

1061. Exhibit 73 (attached hereto and incorporated herein) contains certain information pertaining to the Dry Canyon Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1062. In this action, the State and County seek to quiet title to the public highway right-of-way for the Dry Canyon Road solely as it crosses United States public land as included and specifically described in Exhibit 73. The Dry Canyon Road includes the segment of road specifically set forth in Exhibit 73 and as exists on the ground.

**Acceptance of the Dry Canyon Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1063. The Dry Canyon Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1064. Aerial photography from 1977 and 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Dry Canyon Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1065. The appearance of the Dry Canyon Road on the Cowboy Bench (1968) and Bruin Point (1972) USGS 7.5 minute quadrangle maps and the Flat Canyon (1954) and Sunny Side (1915) USGS 15 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

1066. The Dry Canyon Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Dry Canyon Road using public funds pursuant to the County's governmental right and authority.

1067. Witnesses with personal knowledge of the history of the Dry Canyon Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1068. Currently known reputation in the community is that the Dry Canyon Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1069. Public motor vehicle use of the Dry Canyon Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years

prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1070. The Dry Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1071. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Dry Canyon Road.

1072. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Dry Canyon Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Microwave Tower Road, 7461**

1073. The Microwave Tower Road is designated as county road number 7461 and SGID road identification number RD040043 and is more or less 0.42 miles long.

1074. Exhibit 74 (attached hereto and incorporated herein) contains certain information pertaining to the Microwave Tower Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1075. In this action, the State and County seek to quiet title to the public highway right-of-way for the Microwave Tower Road solely as it crosses United States public land as included and specifically described in Exhibit 74. The Microwave Tower Road includes the segment of

road specifically set forth in Exhibit 74 and as exists on the ground.

**Acceptance of the Microwave Tower Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1076. The Microwave Tower Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1077. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Microwave Tower Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1078. The appearance of the Microwave Tower Road on the Bruin Point (1972) and Patmos Head (1972) USGS 7.5 minute quadrangle map and the Sunny Side (1915) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1079. The Microwave Tower Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Microwave Tower Road using public funds pursuant to the County's governmental right and authority.

1080. Witnesses with personal knowledge of the history of the Microwave Tower Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1081. Currently known reputation in the community is that the Microwave Tower Road

has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1082. Public motor vehicle use of the Microwave Tower Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1083. The Microwave Tower Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1084. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Microwave Tower Road.

1085. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Microwave Tower Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Nine Mile Canyon Road, 740A**

1086. The Nine Mile Canyon Road is designated as county road number 740A and SGID road identification number RD040041 and is more or less 30.24 miles long.

1087. Exhibit 75 (attached hereto and incorporated herein) contains certain information pertaining to the Nine Mile Canyon Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list;

and a complete centerline description of the road.

1088. In this action, the State and County seek to quiet title to the public highway right-of-way for the Nine Mile Canyon Road solely as it crosses United States public land as included and specifically described in Exhibit 75. The Nine Mile Canyon Road includes the segment of road specifically set forth in Exhibit 75 and as exists on the ground.

**Acceptance of the Nine Mile Canyon Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1089. The Nine Mile Canyon Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1090. Aerial photography from 1976 and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Nine Mile Canyon Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1091. The appearance of the Nine Mile Canyon Road on the Cowboy Bench (1968) and Pinnacle Canyon (1968) USGS 7.5 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1092. The County confirmed its acceptance of the Nine Mile Canyon Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Nine Mile Canyon Road using public funds pursuant to the County's governmental right and authority.

1093. Witnesses with personal knowledge of the history of the Nine Mile Canyon Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1094. Currently known reputation in the community is that the Nine Mile Canyon Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1095. Public motor vehicle use of the Nine Mile Canyon Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1096. The Nine Mile Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1097. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Nine Mile Canyon Road.

1098. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Nine Mile Canyon Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Harmon Canyon Road, 173**

1099. The Harmon Canyon Road is designated as county road number 173 and SGID road identification number RD040059 and is more or less 5.20 miles long.

1100. Exhibit 76 (attached hereto and incorporated herein) contains certain information pertaining to the Harmon Canyon Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1101. In this action, the State and County seek to quiet title to the public highway right-of-way for the Harmon Canyon Road solely as it crosses United States public land as included and specifically described in Exhibit 76. The Harmon Canyon Road includes the segment of road specifically set forth in Exhibit 76 and as exists on the ground.

**Acceptance of the Harmon Canyon Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1102. The Harmon Canyon Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1103. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Harmon Canyon Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1104. The appearance of the Harmon Canyon Road on the Currant Canyon (1968) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

1105. The Harmon Canyon Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Harmon Canyon Road pursuant to the County's governmental right and authority.

1106. Witnesses with personal knowledge of the history of the Harmon Canyon Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1107. Currently known reputation in the community is that the Harmon Canyon Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1108. Public motor vehicle use of the Harmon Canyon Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1109. The Harmon Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1110. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Harmon Canyon Road.

1111. The State and County are entitled to an order quieting title to their R.S. 2477

right-of-way for the Harmon Canyon Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Prickly Pear Canyon Road, 272**

1112. The Prickly Pear Canyon Road is designated as county road number 272 and SGID road identification number RD040069 and is more or less 8.89 miles long.

1113. Exhibit 77 (attached hereto and incorporated herein) contains certain information pertaining to the Prickly Pear Canyon Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1114. In this action, the State and County seek to quiet title to the public highway right-of-way for the Prickly Pear Canyon Road solely as it crosses United States public land as included and specifically described in Exhibit 77. The Prickly Pear Canyon Road includes the segment of road specifically set forth in Exhibit 77 and as exists on the ground.

**Acceptance of the Prickly Pear Canyon Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1115. The Prickly Pear Canyon Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1116. Aerial photography from 1976 and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Prickly Pear Canyon Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1117. The appearance of the Prickly Pear Canyon Road on the Currant Canyon (1968) and Cowboy Bench (1968) USGS 7.5 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1118. The Prickly Pear Canyon Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Prickly Pear Canyon Road pursuant to the County's governmental right and authority.

1119. Witnesses with personal knowledge of the history of the Prickly Pear Canyon Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1120. Currently known reputation in the community is that the Prickly Pear Canyon Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1121. Public motor vehicle use of the Prickly Pear Canyon Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1122. The Prickly Pear Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1123. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Prickly Pear Canyon Road.

1124. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Prickly Pear Canyon Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Mount Bartles Road, 274**

1125. The Mount Bartles Road is designated as county road number 274 and SGID road identification number RD040080 and is more or less 3.24 miles long.

1126. Exhibit 78 (attached hereto and incorporated herein) contains certain information pertaining to the Mount Bartles Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1127. In this action, the State and County seek to quiet title to the public highway right-of-way for the Mount Bartles Road solely as it crosses United States public land as included and specifically described in Exhibit 78. The Mount Bartles Road includes the segment of road specifically set forth in Exhibit 78 and as exists on the ground.

**Acceptance of the Mount Bartles Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1128. The Mount Bartles Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1129. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Mount Bartles Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1130. The appearance of the Mount Bartles Road on the Currant Canyon (1968) and Bruin Point (1972) USGS 7.5 minute quadrangle maps and the Sunnyside (1915) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

1131. The Mount Bartles Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Mount Bartles Road pursuant to the County's governmental right and authority.

1132. Witnesses with personal knowledge of the history of the Mount Bartles Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1133. Currently known reputation in the community is that the Mount Bartles Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1134. Public motor vehicle use of the Mount Bartles Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years

prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1135. The Mount Bartles Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1136. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Mount Bartles Road.

1137. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Mount Bartles Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Horse Bench Road, 292**

1138. The Horse Bench Road is designated as county road number 292 and SGID road identification number RD040056 and is more or less 19.29 miles long.

1139. Exhibit 79 (attached hereto and incorporated herein) contains certain information pertaining to the Horse Bench Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1140. In this action, the State and County seek to quiet title to the public highway right-of-way for the Horse Bench Road solely as it crosses United States public land as included and specifically described in Exhibit 79. The Horse Bench Road includes the segment of road

specifically set forth in Exhibit 79 and as exists on the ground.

**Acceptance of the Horse Bench Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1141. The Horse Bench Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1142. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Horse Bench Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1143. The appearance of the Horse Bench Road on the Pinnacle Canyon (1968) USGS 7.5 minute quadrangle map and the Flat Canyon (1954) and Nutters Hole (1953) USGS 15 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1144. The Horse Bench Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Horse Bench Road pursuant to the County's governmental right and authority.

1145. Witnesses with personal knowledge of the history of the Horse Bench Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1146. Currently known reputation in the community is that the Horse Bench Road has

been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1147. Public motor vehicle use of the Horse Bench Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1148. The Horse Bench Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1149. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Horse Bench Road.

1150. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Horse Bench Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Cottonwood Canyon Road, 381**

1151. The Cottonwood Canyon Road is designated as county road number 381 and SGID road identification number RD040093 and is more or less 19.63 miles long.

1152. Exhibit 80 (attached hereto and incorporated herein) contains certain information pertaining to the Cottonwood Canyon Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership

list; and a complete centerline description of the road.

1153. In this action, the State and County seek to quiet title to the public highway right-of-way for the Cottonwood Canyon Road solely as it crosses United States public land as included and specifically described in Exhibit 80. The Cottonwood Canyon Road includes the segment of road specifically set forth in Exhibit 80 and as exists on the ground.

**Acceptance of the Cottonwood Canyon Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1154. The Cottonwood Canyon Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1155. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Cottonwood Canyon Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1156. The Cottonwood Canyon Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Cottonwood Canyon Road pursuant to the County's governmental right and authority.

1157. Witnesses with personal knowledge of the history of the Cottonwood Canyon Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1158. Currently known reputation in the community is that the Cottonwood Canyon

Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1159. Public motor vehicle use of the Cottonwood Canyon Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1160. The Cottonwood Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1161. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Cottonwood Canyon Road.

1162. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Cottonwood Canyon Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Jack Creek Road, 390**

1163. The Jack Creek Road is designated as county road number 390 and SGID road identification number RD040102 and is more or less 3.89 miles long.

1164. Exhibit 81 (attached hereto and incorporated herein) contains certain information pertaining to the Jack Creek Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a

complete centerline description of the road.

1165. In this action, the State and County seek to quiet title to the public highway right-of-way for the Jack Creek Road solely as it crosses United States public land as included and specifically described in Exhibit 81. The Jack Creek Road includes the segment of road specifically set forth in Exhibit 81 and as exists on the ground.

**Acceptance of the Jack Creek Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1166. The Jack Creek Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1167. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Jack Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1168. The Jack Creek Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Jack Creek Road pursuant to the County's governmental right and authority.

1169. Witnesses with personal knowledge of the history of the Jack Creek Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1170. Currently known reputation in the community is that the Jack Creek Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior

to October 21, 1976, and continuing to the present.

1171. Public motor vehicle use of the Jack Creek Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1172. The Jack Creek Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1173. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Jack Creek Road.

1174. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Jack Creek Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Jack Canyon Road, 394**

1175. The Jack Canyon Road is designated as county road number 394 and SGID road identification number RD040103 and is more or less 7.42 miles long.

1176. Exhibit 82 (attached hereto and incorporated herein) contains certain information pertaining to the Jack Canyon Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1177. In this action, the State and County seek to quiet title to the public highway right-of-way for the Jack Canyon Road solely as it crosses United States public land as included and specifically described in Exhibit 82. The Jack Canyon Road includes the segment of road specifically set forth in Exhibit 82 and as exists on the ground.

**Acceptance of the Jack Canyon Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1178. The Jack Canyon Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1179. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Jack Canyon Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1180. The Jack Canyon Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Jack Canyon Road pursuant to the County's governmental right and authority.

1181. Witnesses with personal knowledge of the history of the Jack Canyon Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1182. Currently known reputation in the community is that the Jack Canyon Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior

to October 21, 1976, and continuing to the present.

1183. Public motor vehicle use of the Jack Canyon Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1184. The Jack Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1185. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Jack Canyon Road.

1186. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Jack Canyon Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Jack Ridge Road, 396**

1187. The Jack Ridge Road is designated as county road number 396 and SGID road identification number RD040107 and is more or less 4.08 miles long.

1188. Exhibit 83 (attached hereto and incorporated herein) contains certain information pertaining to the Jack Ridge Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1189. In this action, the State and County seek to quiet title to the public highway right-of-way for the Jack Ridge Road solely as it crosses United States public land as included and specifically described in Exhibit 83. The Jack Ridge Road includes the segment of road specifically set forth in Exhibit 83 and as exists on the ground.

**Acceptance of the Jack Ridge Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1190. The Jack Ridge Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1191. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Jack Ridge Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1192. The Jack Ridge Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Jack Ridge Road pursuant to the County's governmental right and authority.

1193. Witnesses with personal knowledge of the history of the Jack Ridge Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1194. Currently known reputation in the community is that the Jack Ridge Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1195. Public motor vehicle use of the Jack Ridge Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1196. The Jack Ridge Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1197. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Jack Ridge Road.

1198. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Jack Ridge Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Cottonwood Ridge Road, 481**

1199. The Cottonwood Ridge Road is designated as county road number 481 and SGID road identification number RD040117 and is more or less 11.02 miles long.

1200. Exhibit 84 (attached hereto and incorporated herein) contains certain information pertaining to the Cottonwood Ridge Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1201. In this action, the State and County seek to quiet title to the public highway right-

of-way for the Cottonwood Ridge Road solely as it crosses United States public land as included and specifically described in Exhibit 84. The Cottonwood Ridge Road includes the segment of road specifically set forth in Exhibit 84 and as exists on the ground.

**Acceptance of the Cottonwood Ridge Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1202. The Cottonwood Ridge Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1203. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Cottonwood Ridge Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1204. The Cottonwood Ridge Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Cottonwood Ridge Road pursuant to the County's governmental right and authority.

1205. Witnesses with personal knowledge of the history of the Cottonwood Ridge Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1206. Currently known reputation in the community is that the Cottonwood Ridge Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1207. Public motor vehicle use of the Cottonwood Ridge Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1208. The Cottonwood Ridge Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1209. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Cottonwood Ridge Road.

1210. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Cottonwood Ridge Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Cedar Ridge Road, 487**

1211. The Cedar Ridge Road is designated as county road number 487 and SGID road identification number RD040118 and is more or less 7.49 miles long.

1212. Exhibit 85 (attached hereto and incorporated herein) contains certain information pertaining to the Cedar Ridge Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1213. In this action, the State and County seek to quiet title to the public highway right-

of-way for the Cedar Ridge Road solely as it crosses United States public land as included and specifically described in Exhibit 85. The Cedar Ridge Road includes the segment of road specifically set forth in Exhibit 85 and as exists on the ground.

**Acceptance of the Cedar Ridge Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1214. The Cedar Ridge Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1215. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Cedar Ridge Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1216. The Cedar Ridge Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Cedar Ridge Road pursuant to the County's governmental right and authority.

1217. Witnesses with personal knowledge of the history of the Cedar Ridge Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1218. Currently known reputation in the community is that the Cedar Ridge Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1219. Public motor vehicle use of the Cedar Ridge Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1220. The Cedar Ridge Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1221. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Cedar Ridge Road.

1222. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Cedar Ridge Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**496 Road, 496**

1223. The 496 Road is designated as county road number 496 and SGID road identification number RD040120 and is more or less 9.13 miles long.

1224. Exhibit 86 (attached hereto and incorporated herein) contains certain information pertaining to the 496 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1225. In this action, the State and County seek to quiet title to the public highway right-

of-way for the 496 Road solely as it crosses United States public land as included and specifically described in Exhibit 86. The 496 Road includes the segment of road specifically set forth in Exhibit 86 and as exists on the ground.

**Acceptance of the 496 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1226. The 496 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1227. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 496 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1228. The appearance of the 496 Road on the Flat Canyon (1954) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1229. The 496 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 496 Road pursuant to the County's governmental right and authority.

1230. Witnesses with personal knowledge of the history of the 496 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1231. Currently known reputation in the community is that the 496 Road has been open

for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1232. Public motor vehicle use of the 496 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1233. The 496 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1234. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 496 Road.

1235. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 496 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Range Valley Mountain Road, 873**

1236. The Range Valley Mountain Road is designated as county road number 873 and SGID road identification number RD040151 and is more or less 17.06 miles long.

1237. Exhibit 87 (attached hereto and incorporated herein) contains certain information pertaining to the Range Valley Mountain Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1238. In this action, the State and County seek to quiet title to the public highway right-of-way for the Range Valley Mountain Road solely as it crosses United States public land as included and specifically described in Exhibit 87. The Range Valley Mountain Road includes the segment of road specifically set forth in Exhibit 87 and as exists on the ground.

**Acceptance of the Range Valley Mountain Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1239. The Range Valley Mountain Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1240. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Range Valley Mountain Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1241. The appearance of the Range Valley Mountain Road on the Sunny Side (1915), Flat Canyon (1954), and the Range Creek (1954) USGS 15 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1242. The Range Valley Mountain Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Range Valley Mountain Road pursuant to the County's governmental right and authority.

1243. Witnesses with personal knowledge of the history of the Range Valley Mountain Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a

continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1244. Currently known reputation in the community is that the Range Valley Mountain Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1245. Public motor vehicle use of the Range Valley Mountain Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1246. The Range Valley Mountain Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1247. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Range Valley Mountain Road.

1248. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Range Valley Mountain Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Stone Cabin Gas Field Road, 1731**

1249. The Stone Cabin Gas Field Road is designated as county road number 1731 and SGID road identification number RD040060 and is more or less 3.90 miles long.

1250. Exhibit 88 (attached hereto and incorporated herein) contains certain information pertaining to the Stone Cabin Gas Field Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1251. In this action, the State and County seek to quiet title to the public highway right-of-way for the Stone Cabin Gas Field Road solely as it crosses United States public land as included and specifically described in Exhibit 88. The Stone Cabin Gas Field Road includes the segment of road specifically set forth in Exhibit 88 and as exists on the ground.

**Acceptance of the Stone Cabin Gas Field Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1252. The Stone Cabin Gas Field Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1253. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Stone Cabin Gas Field Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1254. The appearance of the Stone Cabin Gas Field Road on the Currant Canyon (1968) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

1255. The Stone Cabin Gas Field Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Stone Cabin Gas Field Road pursuant

to the County's governmental right and authority.

1256. Witnesses with personal knowledge of the history of the Stone Cabin Gas Field Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1257. Currently known reputation in the community is that the Stone Cabin Gas Field Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1258. Public motor vehicle use of the Stone Cabin Gas Field Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1259. The Stone Cabin Gas Field Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1260. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Stone Cabin Gas Field Road.

1261. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Stone Cabin Gas Field Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Stone Cabin Gas Field Road, 2722**

1262. The Stone Cabin Gas Field Road is designated as county road number 2722 and SGID road identification number RD040072 and is more or less 2.15 miles long.

1263. Exhibit 89 (attached hereto and incorporated herein) contains certain information pertaining to the Stone Cabin Gas Field Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1264. In this action, the State and County seek to quiet title to the public highway right-of-way for the Stone Cabin Gas Field Road solely as it crosses United States public land as included and specifically described in Exhibit 89. The Stone Cabin Gas Field Road includes the segment of road specifically set forth in Exhibit 89 and as exists on the ground.

**Acceptance of the Stone Cabin Gas Field Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1265. The Stone Cabin Gas Field Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1266. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Stone Cabin Gas Field Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1267. The appearance of the Stone Cabin Gas Field Road on the Currant Canyon (1968) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1268. The Stone Cabin Gas Field Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Stone Cabin Gas Field Road pursuant to the County's governmental right and authority.

1269. Witnesses with personal knowledge of the history of the Stone Cabin Gas Field Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1270. Currently known reputation in the community is that the Stone Cabin Gas Field Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1271. Public motor vehicle use of the Stone Cabin Gas Field Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1272. The Stone Cabin Gas Field Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1273. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Stone Cabin Gas Field Road.

1274. The State and County are entitled to an order quieting title to their R.S. 2477

right-of-way for the Stone Cabin Gas Field Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**2921 Road, 2921**

1275. The 2921 Road is designated as county road number 2921 and SGID road identification number RD040083 and is more or less 2.94 miles long.

1276. Exhibit 90 (attached hereto and incorporated herein) contains certain information pertaining to the 2921 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1277. In this action, the State and County seek to quiet title to the public highway right-of-way for the 2921 Road solely as it crosses United States public land as included and specifically described in Exhibit 90. The 2921 Road includes the segment of road specifically set forth in Exhibit 90 and as exists on the ground.

**Acceptance of the 2921 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1278. The 2921 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1279. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 2921 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1280. The appearance of the 2921 Road on the Flat Canyon (1954) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

1281. The 2921 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 2921 Road pursuant to the County's governmental right and authority.

1282. Witnesses with personal knowledge of the history of the 2921 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1283. Currently known reputation in the community is that the 2921 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1284. Public motor vehicle use of the 2921 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1285. The 2921 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1286. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title

action to establish clear title to the right-of-way underlying the 2921 Road.

1287. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 2921 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Horse Ridge Spur Road, 2924**

1288. The Horse Ridge Spur Road is designated as county road number 2924 and SGID road identification number RD040084 and is more or less 1.38 miles long.

1289. Exhibit 91 (attached hereto and incorporated herein) contains certain information pertaining to the Horse Ridge Spur Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1290. In this action, the State and County seek to quiet title to the public highway right-of-way for the Horse Ridge Spur Road solely as it crosses United States public land as included and specifically described in Exhibit 91. The Horse Ridge Spur Road includes the segment of road specifically set forth in Exhibit 91 and as exists on the ground.

**Acceptance of the Horse Ridge Spur Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1291. The Horse Ridge Spur Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1292. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Horse Ridge Spur Road as a public highway located on the

land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1293. The appearance of the Horse Ridge Spur Road on the Pinnacle Canyon (1968) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1294. The Horse Ridge Spur Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Horse Ridge Spur Road pursuant to the County's governmental right and authority.

1295. Witnesses with personal knowledge of the history of the Horse Ridge Spur Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1296. Currently known reputation in the community is that the Horse Ridge Spur Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1297. Public motor vehicle use of the Horse Ridge Spur Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1298. The Horse Ridge Spur Road traverses a valid and perfected R.S. 2477 public

highway right-of-way as described herein.

1299. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Horse Ridge Spur Road.

1300. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Horse Ridge Spur Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Rock House Cow Camp Road, 2925**

1301. The Rock House Cow Camp Road is designated as county road number 2925 and SGID road identification number RD040085 and is more or less 0.82 miles long.

1302. Exhibit 92 (attached hereto and incorporated herein) contains certain information pertaining to the Rock House Cow Camp Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1303. In this action, the State and County seek to quiet title to the public highway right-of-way for the Rock House Cow Camp Road solely as it crosses United States public land as included and specifically described in Exhibit 92. The Rock House Cow Camp Road includes the segment of road specifically set forth in Exhibit 92 and as exists on the ground.

**Acceptance of the Rock House Cow Camp Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1304. The Rock House Cow Camp Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1305. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Rock House Cow Camp Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1306. The appearance of the Rock House Cow Camp Road on the Pinnacle Canyon (1968) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1307. The Rock House Cow Camp Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Rock House Cow Camp Road pursuant to the County's governmental right and authority.

1308. Witnesses with personal knowledge of the history of the Rock House Cow Camp Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1309. Currently known reputation in the community is that the Rock House Cow Camp Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1310. Public motor vehicle use of the Rock House Cow Camp Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1311. The Rock House Cow Camp Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1312. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Rock House Cow Camp Road.

1313. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Rock House Cow Camp Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Horse Bench Spur Road, 2926**

1314. The Horse Bench Spur Road is designated as county road number 2926 and SGID road identification number RD040086 and is more or less 0.90 miles long.

1315. Exhibit 93 (attached hereto and incorporated herein) contains certain information pertaining to the Horse Bench Spur Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1316. In this action, the State and County seek to quiet title to the public highway right-

of-way for the Horse Bench Spur Road solely as it crosses United States public land as included and specifically described in Exhibit 93. The Horse Bench Spur Road includes the segment of road specifically set forth in Exhibit 93 and as exists on the ground.

**Acceptance of the Horse Bench Spur Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1317. The Horse Bench Spur Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1318. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Horse Bench Spur Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1319. The Horse Bench Spur Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Horse Bench Spur Road pursuant to the County's governmental right and authority.

1320. Witnesses with personal knowledge of the history of the Horse Bench Spur Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1321. Currently known reputation in the community is that the Horse Bench Spur Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1322. Public motor vehicle use of the Horse Bench Spur Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1323. The Horse Bench Spur Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1324. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Horse Bench Spur Road.

1325. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Horse Bench Spur Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Twin Hollow Road, 3811**

1326. The Twin Hollow Road is designated as county road number 3811 and SGID road identification number RD040095 and is more or less 2.58 miles long.

1327. Exhibit 94 (attached hereto and incorporated herein) contains certain information pertaining to the Twin Hollow Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1328. In this action, the State and County seek to quiet title to the public highway right-

of-way for the Twin Hollow Road solely as it crosses United States public land as included and specifically described in Exhibit 94. The Twin Hollow Road includes the segment of road specifically set forth in Exhibit 94 and as exists on the ground.

**Acceptance of the Twin Hollow Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1329. The Twin Hollow Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1330. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Twin Hollow Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1331. The Twin Hollow Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Twin Hollow Road pursuant to the County's governmental right and authority.

1332. Witnesses with personal knowledge of the history of the Twin Hollow Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1333. Currently known reputation in the community is that the Twin Hollow Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1334. Public motor vehicle use of the Twin Hollow Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1335. The Twin Hollow Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1336. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Twin Hollow Road.

1337. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Twin Hollow Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Flat Iron Mesa Road, 3812**

1338. The Flat Iron Mesa Road is designated as county road number 3812 and SGID road identification number RD040096 and is more or less 5.64 miles long.

1339. Exhibit 95 (attached hereto and incorporated herein) contains certain information pertaining to the Flat Iron Mesa Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1340. In this action, the State and County seek to quiet title to the public highway right-

of-way for the Flat Iron Mesa Road solely as it crosses United States public land as included and specifically described in Exhibit 95. The Flat Iron Mesa Road includes the segment of road specifically set forth in Exhibit 95 and as exists on the ground.

**Acceptance of the Flat Iron Mesa Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1341. The Flat Iron Mesa Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1342. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Flat Iron Mesa Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1343. The Flat Iron Mesa Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Flat Iron Mesa Road pursuant to the County's governmental right and authority.

1344. Witnesses with personal knowledge of the history of the Flat Iron Mesa Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1345. Currently known reputation in the community is that the Flat Iron Mesa Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1346. Public motor vehicle use of the Flat Iron Mesa Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1347. The Flat Iron Mesa Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1348. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Flat Iron Mesa Road.

1349. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Flat Iron Mesa Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**3813 Road, 3813**

1350. The 3813 Road is designated as county road number 3813 and SGID road identification number RD040101 and is more or less 1.07 miles long.

1351. Exhibit 96 (attached hereto and incorporated herein) contains certain information pertaining to the 3813 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1352. In this action, the State and County seek to quiet title to the public highway right-

of-way for the 3813 Road solely as it crosses United States public land as included and specifically described in Exhibit 96. The 3813 Road includes the segment of road specifically set forth in Exhibit 96 and as exists on the ground.

**Acceptance of the 3813 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1353. The 3813 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1354. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 3813 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1355. The 3813 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 3813 Road pursuant to the County's governmental right and authority.

1356. Witnesses with personal knowledge of the history of the 3813 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1357. Currently known reputation in the community is that the 3813 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1358. Public motor vehicle use of the 3813 Road as a public thoroughfare traversing

unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1359. The 3813 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1360. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 3813 Road.

1361. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 3813 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**3941 Road, 3941**

1362. The 3941 Road is designated as county road number 3941 and SGID road identification number RD040104 and is more or less 0.59 miles long.

1363. Exhibit 97 (attached hereto and incorporated herein) contains certain information pertaining to the 3941 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1364. In this action, the State and County seek to quiet title to the public highway right-of-way for the 3941 Road solely as it crosses United States public land as included and specifically described in Exhibit 97. The 3941 Road includes the segment of road specifically

set forth in Exhibit 97 and as exists on the ground.

**Acceptance of the 3941 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1365. The 3941 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1366. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 3941 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1367. The 3941 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 3941 Road pursuant to the County's governmental right and authority.

1368. Witnesses with personal knowledge of the history of the 3941 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1369. Currently known reputation in the community is that the 3941 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1370. Public motor vehicle use of the 3941 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way

underlying this road.

1371. The 3941 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1372. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 3941 Road.

1373. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 3941 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Pine Spring Road, 4871**

1374. The Pine Spring Road is designated as county road number 4871 and SGID road identification number RD040119 and is more or less 1.09 miles long.

1375. Exhibit 98 (attached hereto and incorporated herein) contains certain information pertaining to the Pine Spring Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1376. In this action, the State and County seek to quiet title to the public highway right-of-way for the Pine Spring Road solely as it crosses United States public land as included and specifically described in Exhibit 98. The Pine Spring Road includes the segment of road specifically set forth in Exhibit 98 and as exists on the ground.

**Acceptance of the Pine Spring Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1377. The Pine Spring Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1378. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Pine Spring Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1379. The appearance of the Pine Spring Road on the Flat Canyon (1954) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

1380. The Pine Spring Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Pine Spring Road pursuant to the County's governmental right and authority.

1381. Witnesses with personal knowledge of the history of the Pine Spring Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1382. Currently known reputation in the community is that the Pine Spring Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1383. Public motor vehicle use of the Pine Spring Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1384. The Pine Spring Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1385. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Pine Spring Road.

1386. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Pine Spring Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**4961 Road, 4961**

1387. The 4961 Road is designated as county road number 4961 and SGID road identification number RD040121 and is more or less 3.90 miles long.

1388. Exhibit 99 (attached hereto and incorporated herein) contains certain information pertaining to the 4961 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1389. In this action, the State and County seek to quiet title to the public highway right-

of-way for the 4961 Road solely as it crosses United States public land as included and specifically described in Exhibit 99. The 4961 Road includes the segment of road specifically set forth in Exhibit 99 and as exists on the ground.

**Acceptance of the 4961 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1390. The 4961 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1391. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 4961 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1392. The appearance of the 4961 Road on the Flat Canyon (1954) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1393. The 4961 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 4961 Road pursuant to the County's governmental right and authority.

1394. Witnesses with personal knowledge of the history of the 4961 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1395. Currently known reputation in the community is that the 4961 Road has been

open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1396. Public motor vehicle use of the 4961 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1397. The 4961 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1398. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 4961 Road.

1399. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 4961 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**17311 Road, 17311**

1400. The 17311 Road is designated as county road number 17311 and SGID road identification number RD040061 and is more or less 0.12 miles long.

1401. Exhibit 100 (attached hereto and incorporated herein) contains certain information pertaining to the 17311 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1402. In this action, the State and County seek to quiet title to the public highway right-of-way for the 17311 Road solely as it crosses United States public land as included and specifically described in Exhibit 100. The 17311 Road includes the segment of road specifically set forth in Exhibit 100 and as exists on the ground.

**Acceptance of the 17311 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1403. The 17311 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1404. The 17311 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 17311 Road pursuant to the County's governmental right and authority.

1405. Witnesses with personal knowledge of the history of the 17311 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1406. Currently known reputation in the community is that the 17311 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1407. Public motor vehicle use of the 17311 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1408. The 17311 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1409. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 17311 Road.

1410. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 17311 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**17313 Road, 17313**

1411. The 17313 Road is designated as county road number 17313 and SGID road identification number RD040063 and is more or less 1.10 miles long.

1412. Exhibit 101 (attached hereto and incorporated herein) contains certain information pertaining to the 17313 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1413. In this action, the State and County seek to quiet title to the public highway right-of-way for the 17313 Road solely as it crosses United States public land as included and specifically described in Exhibit 101. The 17313 Road includes the segment of road specifically set forth in Exhibit 101 and as exists on the ground.

**Acceptance of the 17313 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1414. The 17313 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1415. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 17313 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1416. The appearance of the 17313 Road on the Currant Canyon (1968) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

1417. The 17313 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 17313 Road pursuant to the County's governmental right and authority.

1418. Witnesses with personal knowledge of the history of the 17313 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1419. Currently known reputation in the community is that the 17313 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1420. Public motor vehicle use of the 17313 Road as a public thoroughfare traversing

unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1421. The 17313 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1422. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 17313 Road.

1423. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 17313 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**17314 Road, 17314**

1424. The 17314 Road is designated as county road number 17314 and SGID road identification number RD040064 and is more or less 0.17 miles long.

1425. Exhibit 102 (attached hereto and incorporated herein) contains certain information pertaining to the 17314 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1426. In this action, the State and County seek to quiet title to the public highway right-of-way for the 17314 Road solely as it crosses United States public land as included and specifically described in Exhibit 102. The 17314 Road includes the segment of road specifically

set forth in Exhibit 102 and as exists on the ground.

**Acceptance of the 17314 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1427. The 17314 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1428. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 17314 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1429. The appearance of the 17314 Road on the Currant Canyon (1968) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1430. The 17314 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 17314 Road pursuant to the County's governmental right and authority.

1431. Witnesses with personal knowledge of the history of the 17314 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1432. Currently known reputation in the community is that the 17314 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1433. Public motor vehicle use of the 17314 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1434. The 17314 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1435. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 17314 Road.

1436. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 17314 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**17315 Road, 17315**

1437. The 17315 Road is designated as county road number 17315 and SGID road identification number RD040065 and is more or less 0.69 miles long.

1438. Exhibit 103 (attached hereto and incorporated herein) contains certain information pertaining to the 17315 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1439. In this action, the State and County seek to quiet title to the public highway right-of-way for the 17315 Road solely as it crosses United States public land as included and

specifically described in Exhibit 103. The 17315 Road includes the segment of road specifically set forth in Exhibit 103 and as exists on the ground.

**Acceptance of the 17315 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1440. The 17315 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1441. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 17315 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1442. The appearance of the 17315 Road on the Currant Canyon (1968) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1443. The 17315 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 17315 Road pursuant to the County's governmental right and authority.

1444. Witnesses with personal knowledge of the history of the 17315 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1445. Currently known reputation in the community is that the 17315 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to

October 21, 1976, and continuing to the present.

1446. Public motor vehicle use of the 17315 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1447. The 17315 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1448. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 17315 Road.

1449. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 17315 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**49611 Road, 49611**

1450. The 49611 Road is designated as county road number 49611 and SGID road identification number RD040122 and is more or less 0.10 miles long.

1451. Exhibit 104 (attached hereto and incorporated herein) contains certain information pertaining to the 49611 Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1452. In this action, the State and County seek to quiet title to the public highway right-

of-way for the 49611 Road solely as it crosses United States public land as included and specifically described in Exhibit 104. The 49611 Road includes the segment of road specifically set forth in Exhibit 104 and as exists on the ground.

**Acceptance of the 49611 Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1453. The 49611 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1454. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 49611 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1455. The appearance of the 49611 Road on the Flat Canyon (1954) USGS 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1456. The 49611 Road was accepted as a County highway at least 10 years prior to October 21, 1976. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the 49611 Road pursuant to the County's governmental right and authority.

1457. Witnesses with personal knowledge of the history of the 49611 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1458. Currently known reputation in the community is that the 49611 Road has been

open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1459. Public motor vehicle use of the 49611 Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1460. The 49611 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1461. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the 49611 Road.

1462. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 49611 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**FIFTH CAUSE OF ACTION – QUIET TITLE**  
**SOUTH FARNHAM ROAD AREA**

1463. Plaintiffs reallege and incorporate herein each of the foregoing paragraphs.

1464. The South Farnham Road Area is located in south-central Carbon County. *See* Exhibit 7.

1465. The South Farnham Road Area includes the following roads—listed by Common Road Name (if applicable) and County Unique Number: (1) Stake Farm Road, 486; (2) Hiawatha

Cutoff Road, 492; (3) West Mounds Road, 577; (4) Mounds-Farnham Road, 583A; (5) South Farnham Road, 583B; (6) East Mounds Road, 691; and (7) Gas Road, 693.

1466. Each right-of-way claimed in the South Farnham Road Area was used by the general public who engaged in one or more of the following activities: cattle ranching, sheep herding, prospecting for minerals, rock hounding, mining, oil and gas exploration, wood gathering, cutting wood, collecting pine nuts or berries, recreation, hunting, trapping, government access, traveling in and through the area, or any other legitimate purpose.

1467. All rights-of-way claimed in the South Farnham Road Area are sufficient in scope for general motor vehicle travel and include that which is reasonable and necessary to meet the exigencies of motor vehicle travel according to safe engineering practices that protect the public and the road and also prevent undue degradation of the adjacent land.

1468. All rights-of-way claimed in the South Farnham Road Area include a minimum right-of-way width of 66 feet or greater width as determined at trial, along with cuts, fills, slopes, water bars, and such features and facilities as have historically been acknowledged by the DOI and under law as being reasonable and necessary for the use, benefit, and enjoyment of public highway rights-of-way. *See, e.g.*, UTAH CODE ANN. § 72-5-302(4)(b) (2003).

1469. Prior to October 21, 1976, the State of Utah, Carbon County, and the public through continuous use accepted the congressional grant of an R.S. 2477 right-of-way for the entire length and course of all roads as described herein, on public lands owned by the United States.

**Stake Farm Road, 486**

1470. The Stake Farm Road is designated as county road number 486 and SGID road identification number RD040027 and is more or less 2.23 miles long.

1471. Exhibit 105 (attached hereto and incorporated herein) contains certain information pertaining to the Stake Farm Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1472. In this action, the State and County seek to quiet title to the public highway right-of-way for the Stake Farm Road solely as it crosses United States public land as included and specifically described in Exhibit 105. The Stake Farm Road includes the segment of road specifically set forth in Exhibit 105 and as exists on the ground.

**Acceptance of the Stake Farm Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1473. The Stake Farm Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1474. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Stake Farm Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1475. The appearance of the Stake Farm Road on the Price (1972) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See Exhibit 7* for more detailed map information.

1476. The County confirmed its acceptance of the Stake Farm Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Stake Farm Road using public funds pursuant to the County's governmental right and authority.

1477. Witnesses with personal knowledge of the history of the Stake Farm Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1478. Currently known reputation in the community is that the Stake Farm Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1479. Public motor vehicle use of the Stake Farm Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1480. The Stake Farm Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1481. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Stake Farm Road.

1482. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Stake Farm Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Hiawatha Cutoff Road, 492**

1483. The Hiawatha Cutoff Road is designated as county road number 492 and SGID road identification number RD040028 and is more or less 3.16 miles long.

1484. Exhibit 106 (attached hereto and incorporated herein) contains certain information pertaining to the Hiawatha Cutoff Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1485. In this action, the State and County seek to quiet title to the public highway right-of-way for the Hiawatha Cutoff Road solely as it crosses United States public land as included and specifically described in Exhibit 106. The Hiawatha Cutoff Road includes the segment of road specifically set forth in Exhibit 106 and as exists on the ground.

**Acceptance of the Hiawatha Cutoff Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1486. The Hiawatha Cutoff Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1487. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Hiawatha Cutoff Road as a public highway located on

the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1488. The appearance of the Hiawatha Cutoff Road on the Price (1972) USGS 7.5 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1489. The County confirmed its acceptance of the Hiawatha Cutoff Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Hiawatha Cutoff Road using public funds pursuant to the County's governmental right and authority.

1490. Witnesses with personal knowledge of the history of the Hiawatha Cutoff Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1491. Currently known reputation in the community is that the Hiawatha Cutoff Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1492. Public motor vehicle use of the Hiawatha Cutoff Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1493. The Hiawatha Cutoff Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1494. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Hiawatha Cutoff Road.

1495. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Hiawatha Cutoff Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**West Mounds Road, 577**

1496. The West Mounds Road is designated as county road number 577 and SGID road identification number RD040031 and is more or less 6.18 miles long.

1497. Exhibit 107 (attached hereto and incorporated herein) contains certain information pertaining to the West Mounds Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1498. In this action, the State and County seek to quiet title to the public highway right-of-way for the West Mounds Road solely as it crosses United States public land as included and specifically described in Exhibit 107. The West Mounds Road includes the segment of road specifically set forth in Exhibit 107 and as exists on the ground.

**Acceptance of the West Mounds Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1499. The West Mounds Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1500. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the West Mounds Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1501. The appearance of the West Mounds Road on the Sunnyside Junction (1972) and Mounds (1969) USGS 7.5 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1502. The County confirmed its acceptance of the West Mounds Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the West Mounds Road using public funds pursuant to the County's governmental right and authority.

1503. Witnesses with personal knowledge of the history of the West Mounds Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1504. Currently known reputation in the community is that the West Mounds Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior

to October 21, 1976, and continuing to the present.

1505. Public motor vehicle use of the West Mounds Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1506. The West Mounds Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1507. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the West Mounds Road.

1508. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the West Mounds Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Mounds-Farnham Road, 583A**

1509. The Mounds-Farnham Road is designated as county road number 583A and SGID road identification number RD040032 and is more or less 1.81 miles long.

1510. Exhibit 108 (attached hereto and incorporated herein) contains certain information pertaining to the Mounds-Farnham Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1511. In this action, the State and County seek to quiet title to the public highway right-of-way for the Mounds-Farnham Road solely as it crosses United States public land as included and specifically described in Exhibit 108. The Mounds-Farnham Road includes the segment of road specifically set forth in Exhibit 108 and as exists on the ground.

**Acceptance of the Mounds-Farnham Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1512. The Mounds-Farnham Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1513. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Mounds-Farnham Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1514. The appearance of the Mounds-Farnham Road on the Olsen Reservoir (1969) and Mounds (1969) USGS 7.5 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1515. The County confirmed its acceptance of the Mounds-Farnham Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Mounds-Farnham Road using public funds pursuant to the County's governmental right and authority.

1516. Witnesses with personal knowledge of the history of the Mounds-Farnham Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a

continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1517. Currently known reputation in the community is that the Mounds-Farnham Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1518. Public motor vehicle use of the Mounds-Farnham Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1519. The Mounds-Farnham Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1520. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Mounds-Farnham Road.

1521. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Mounds-Farnham Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**South Farnham Road, 583B**

1522. The South Farnham Road is designated as county road number 583B and SGID road identification number RD040033 and is more or less 5.19 miles long.

1523. Exhibit 109 (attached hereto and incorporated herein) contains certain information pertaining to the South Farnham Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1524. In this action, the State and County seek to quiet title to the public highway right-of-way for the South Farnham Road solely as it crosses United States public land as included and specifically described in Exhibit 109. The South Farnham Road includes the segment of road specifically set forth in Exhibit 109 and as exists on the ground.

**Acceptance of the South Farnham Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1525. The South Farnham Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1526. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the South Farnham Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1527. The appearance of the South Farnham Road on the Wellington (1972) and Olsen Reservoir (1969) USGS 7.5 minute quadrangle maps and Wellington (1948) 15 minute quadrangle map evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1528. The County confirmed its acceptance of the South Farnham Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map.

*See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the South Farnham Road using public funds pursuant to the County's governmental right and authority.

1529. Witnesses with personal knowledge of the history of the South Farnham Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1530. Currently known reputation in the community is that the South Farnham Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1531. Public motor vehicle use of the South Farnham Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1532. The South Farnham Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1533. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the South Farnham Road.

1534. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the South Farnham Road on lands owned by the United States as described

herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**East Mounds Road, 691**

1535. The East Mounds Road is designated as county road number 691 and SGID road identification number RD040038 and is more or less 3.66 miles long.

1536. Exhibit 110 (attached hereto and incorporated herein) contains certain information pertaining to the East Mounds Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1537. In this action, the State and County seek to quiet title to the public highway right-of-way for the East Mounds Road solely as it crosses United States public land as included and specifically described in Exhibit 110. The East Mounds Road includes the segment of road specifically set forth in Exhibit 110 and as exists on the ground.

**Acceptance of the East Mounds Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1538. The East Mounds Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1539. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the East Mounds Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1540. The appearance of the East Mounds Road on the Sunnyside Junction (1972) and

Mounds (1969) USGS 7.5 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1541. The County confirmed its acceptance of the East Mounds Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the East Mounds Road using public funds pursuant to the County's governmental right and authority.

1542. Witnesses with personal knowledge of the history of the East Mounds Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1543. Currently known reputation in the community is that the East Mounds Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1544. Public motor vehicle use of the East Mounds Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way underlying this road.

1545. The East Mounds Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1546. Without confirmation from the United States, a cloud remains on the State and

County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the East Mounds Road.

1547. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the East Mounds Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**Gas Road, 693**

1548. The Gas Road is designated as county road number 693 and SGID road identification number RD040040 and is more or less 2.84 miles long.

1549. Exhibit 111 (attached hereto and incorporated herein) contains certain information pertaining to the Gas Road including, a map depicting the road; township, range, and section references describing the road's physical location; a servient estate ownership list; and a complete centerline description of the road.

1550. In this action, the State and County seek to quiet title to the public highway right-of-way for the Gas Road solely as it crosses United States public land as included and specifically described in Exhibit 111. The Gas Road includes the segment of road specifically set forth in Exhibit 111 and as exists on the ground.

**Acceptance of the Gas Road R.S. 2477 Right-of-way Prior to October 21, 1976**

1551. The Gas Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1552. Aerial photography from 1977 or earlier confirms the historical use, existence, and acceptance of the right-of-way for the Gas Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1553. The appearance of the Gas Road on the Mounds (1969) and Sunnyside Junction (1972) USGS 7.5 minute quadrangle maps evidences the existence, use, and acceptance of the right-of-way underlying this road. *See* Exhibit 7 for more detailed map information.

1554. The County confirmed its acceptance of the Gas Road by 1975, when it designated and accepted the road as a County highway on the County's general highway map. *See* UTAH CODE ANN. § 72-3-103(4) (2009). The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, and improving the Gas Road using public funds pursuant to the County's governmental right and authority.

1555. Witnesses with personal knowledge of the history of the Gas Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1556. Currently known reputation in the community is that the Gas Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1557. Public motor vehicle use of the Gas Road as a public thoroughfare traversing unreserved public lands, whenever convenient or necessary, for a period of 10 years prior to October 21, 1976, confirms acceptance of the grant of an R.S. 2477 public highway right-of-way

underlying this road.

1558. The Gas Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1559. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Gas Road.

1560. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Gas Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiffs request relief against Defendants as follows:

1. On its First Cause of Action – Airport Road Area, an order quieting title in and to the R.S. 2477 public highway rights-of-way for the following roads: (1) Emma Park Road, 302; (2) Clay Banks Road, 438A; (3) Kenilworth-Airport Road, 438B; (4) Wood Hill Road, 441; (5) North Airport Flats Road, 443; (6) Airport Road, 445; (7) Compressor Road, 4480; (8) Price-Kenilworth Road, 453; (9) South Airport Flats Road, 455; (10) East Coal Creek Road, 472A; (11) North Coal Creek Road, 472B; (12) Coal Creek Road, 541; (13) Soldier Creek Road, 740B; (14) Kenilworth R.R. Grade Road, 434; (15) Old Kenilworth RR Road, 437; (16) Wood Hill Road, 535; (17) 548 Road, 548; (18) Gravel Pit Bench Road, 645; (19) 648 Road, 648; (20) 754 Road, 754; (21) 757 Road, 757; (22) 851 Road, 851; (23) Coal Creek, 445; and (24) Gas Field Road, 448;

2. On its Second Cause of Action – Clarks Valley Road Area, an order quieting title in and to the R.S. 2477 public highway rights-of-way for the following roads: (1) Pace Canyon Road, 644; (2) Rock Creek Road, 648; (3) Clarks Valley Road, 661; (4) Pace Canyon Road, 466; (5) Kiz Pace Road, 557; (6) Rock Creek Road, 562; (7) Left Fork Whitmore Canyon Road, 567; (8) Right Fork Whitmore Canyon Road, 569; (9) Nowhere Road, 659; (10) Saw Tooth Road, 663; (11) 765 Road, 765; (12) 766 Road, 766; (13) 856 Road, 856; (14) Mud Springs Road, 859; (15) Icelander Creek Road, 865; (16) 963 Road, 963; (17) 966 Road, 966; (18) Bear Canyon Road, 6597; and (19) Bear Creek Road, 565;

3. On its Third Cause of Action— Consumers Road Area, an order quieting title in and to the R.S. 2477 public highway rights-of-way for the following roads: (1) Consumers Road, 240; (2) Ford Ridge Road, 209; (3) Gas Field Road, 2782; (4) Gordon Creek Road, 358; (5) Haley Bench Road, 2672; (6) Haley Bench Spur Road, 2706; (7) Haley Canyon Road, 362A; (8) Hardscrabble Creek Road, 330; (9) Lower Fish Creek Ridge Road, 207; (10) North Spring Canyon Road, 3707; (11) Porphyry Bench Road, 362B; (12) Spring Canyon Road, 332; (13) Trestle Road, 351; (14) Wattis Road, 288; (15) 427 Road, 427; (16) Crandall Canyon Road, 226; (17) Ford Creek Road, 123; (18) Mud Water Road, 715; (19) Price Canyon Rec Area Road, 225; (20) Royal Road, 320; and (21) Sowbelly Gulch Road, 325;

4. On its Fourth Cause of Action—Nine Mile Canyon Road Area, an order quieting title in and to the R.S. 2477 public highway rights-of-way for the following roads: (1) Minnie Maud Road, 506; (2) Dry Canyon Road, 821; (3) Microwave Tower Road, 7461; (4) Nine Mile Canyon Road, 740A; (5) Harmon Canyon Road, 173; (6) Prickly Pear Canyon Road, 272; (7)

Mount Bartles Road, 274; (8) Horse Bench Road, 292; (9) Cottonwood Canyon Road, 381; (10) Jack Creek Road, 390; (11) Jack Canyon Road, 394; (12) Jack Ridge Road, 396; (13) Cottonwood Ridge Road, 481; (14) Cedar Ridge Road, 487; (15) 496 Road, 496; (16) Range Valley Mountain Road, 873; (17) Stone Cabin Gas Field Road, 1731; (18) Stone Cabin Gas Field Road, 2722; (19) 2921 Road, 2921; (20) Horse Ridge Spur Road, 2924; (21) Rock House Cow Camp Road, 2925; (22) Horse Bench Spur Road, 2926; (23) Twin Hollow Road, 3811; (24) Flat Iron Mesa Road, 3812; (25) 3813 Road, 3813; (26) 3941 Road, 3941; (27) Pine Spring Road, 4871; (28) 4961 Road, 4961; (29) 17311 Road, 17311; (30) 17313 Road, 17313; (31) 17314 Road, 17314; (32) 17315 Road, 17315; and (33) 49611 Road, 49611;

5. On its Fifth Cause of Action – South Farnham Road Area, an order quieting title in and to the R.S. 2477 public highway rights-of-way for the following roads: (1) Stake Farm Road, 486; (2) Hiawatha Cutoff Road, 492; (3) West Mounds Road, 577; (4) Mounds-Farnham Road, 583A; (5) South Farnham Road, 583B; (6) East Mounds Road, 691; and (7) Gas Road, 693;

6. An order awarding costs and fees, specifically including, but not limited to, reasonable attorney fees to the extent permitted by law; and

7. An order granting such further and other relief as may be appropriate.

Respectfully submitted this 14<sup>th</sup> day of May 2012.

/s/ Harry Souvall  
Assistant Attorney General