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

DUCHESNE COUNTY, UTAH, a political
subdivision, and STATE OF UTAH,

Plaintiffs,

vs.

UNITED STATES OF AMERICA,

Defendant.

**AMENDED COMPLAINT
TO QUIET TITLE**

Case No. 2:12-cv-00425-CW

Judge: Honorable Clark Waddoups

Duchesne County, Utah (“Duchesne County” or “County”), a Utah political subdivision, and the State of Utah (the “State”) (collectively referred to as “Plaintiffs”) as their Amended Complaint against the Defendant, United States of America (“United States”), 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Section 8 of the Mining Act of 1866, 14 Stat. 251, 253, later codified as Revised Statutes 2477 and as 43 U.S.C. § 932 (repealed October 21, 1976 with savings provisions recognizing validity of rights-of-way already established) (hereinafter “R.S. 2477”).

JURISDICTION AND VENUE

1. The claims asserted herein arise under the Quiet Title Act (“QTA”). 28 U.S.C. § 2409a.

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) and 72-5-103(2)(b).

4. On or about September 29, 2011, the State of Utah filed a Notice of Intent to File Suit 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. This 2011 Notice of Intent supplemented the State’s prior Notice of Intent regarding R.S. 2477 sent in June 2000. A copy of this letter is attached as Exhibit 2. 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. Venue is proper under 28 U.S.C. § 1391(e) inasmuch as the lands at issue are located within the state of Utah.

PARTIES

6. 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.

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

8. The State also owns all property interests acquired from the United States at or after the time of statehood pursuant to Article XX of the Utah Constitution. The State of Utah is duly authorized to maintain this action as an undivided joint owner of the public highway rights-of-way claimed herein. *See generally* UTAH CODE ANN. §§ 72-3-103(3), 72-3-105(3), 72-5-103-105, and 72-5-302.

9. The State of Utah and the County are joint owners of R.S. 2477 rights-of-way within Duchesne County, Utah. UTAH CODE ANN. §§ 72-5-302(2) and 72-5-103(2)(b).

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

11. Defendant United States of America is the owner of the lands traversed and bordered by the roads and rights-of-way claimed in this action. The United States Department of the Interior ("DOI") and Bureau of Land Management ("BLM") are tasked with managing and

protecting the Defendant's 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**

12. R.S. 2477 provides: “*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.”

13. 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.

14. 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 Management*, 425 F.3d 735, 741 (10th Cir. 2005) (“*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**

15. Prior to its recent adverse actions, the United States Department of Interior (“DOI”) historically recognized and agreed that State law is borrowed to govern the acceptance, scope, and regulatory jurisdiction of R.S. 2477 public highways.

16. 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 DOI's compliance with its statutory duty to manage the public lands subject to valid existing rights.

17. 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.

18. 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.

19. 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.

20. As of and following 1986, R.S. 2477 interpretive policies stated in Bureau of Land Management ("BLM") 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.

21. 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).

22. 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.

23. 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; 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.

24. 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, enjoyment, and the implied or actual right to cross public land to access and use the property interest granted.

25. 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.

26. 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.

27. Such areas along the roadway beyond the actual beaten path as 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. *Sierra Club v. Hodel*, 848 F.2d 1068, 1083–84 (10th Cir. 1988).

28. 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.

29. 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 (“FLPMA”), 43 U.S.C. § 1701 et seq.

30. 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 to manage federal lands subject to these valid existing rights.

31. FLPMA Section 701(h) provides: “All actions by the Secretary concerned under this Act shall be subject to valid existing rights.” 43 U.S.C. § 1701, note. *See also* 43 U.S.C. §

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

32. 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.

33. Duchesne County classifies its public highways as Class B (maintained) and Class D (unmaintained) county roads. This classification is a matter of State law and is generally only relevant herein to the manner of acceptance of the rights-of-way for the roads.

34. At all times relevant herein, State 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* UTAH CODE ANN. § 72-3-103 (prior law in accord); *see also* UTAH CODE ANN. § 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; 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 (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.” UTAH CODE ANN. § 72-5-104 (prior law in accord)).

35. The R.S. 2477 rights-of-way for the Class B roads claimed herein were initially accepted as public highways by public use for a continuous period of at least 10 years.

36. The R.S. 2477 rights-of-way for the Class B roads were later accepted by Duchesne County's official designation of these roads as county general highways or by Duchesne 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.

37. The R.S. 2477 rights-of-way for Plaintiffs' Class D roads claimed herein were accepted by the public's continuous use of the roads as public thoroughfares for a period in excess of 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.

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. The United States has never specifically confirmed the existence of the State of Utah and County's R.S. 2477 rights of way.

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

41. 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.

42. In addition to the public lands of the United States, some of the roads claimed in this action have segments that access and cross private land, and 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").

43. In those instances where the roads and rights-of-way cross lands formerly in private or 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. *See* UTAH CODE ANN. §§ 53C-4-203(2) and 72-5-203; 43 U.S.C. § 1701, note. 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.

44. 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.

45. 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 72-5-305.

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

AREA DESCRIPTIONS

47. The B and D roads within Duchesne County are important links in the State of Utah and the County's 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 system, clear title to the rights-of-way which underlie these roads is of the utmost importance to State of Utah and the County.

49. Duchesne County is located in northeast part of the State and is shown on Exhibit 3, attached hereto and incorporated herein.

50. Duchesne County includes the following B roads—listed by Common Road Name and County Unique Number: (1) Sheep Reservoir Road, 186; (2) Argyle Canyon Road, 23; (3) BLM Fence Road, 31; (4) Horner Knoll Road, 34; (5) Nine Mile Canyon Road, 240; (6) North Wells Draw Cutoff Road, 34a; (7) Pariette Road, 33; (8) Pipeline Road, 238; (9) Sandwash Road, 35; (10) Shearing Corral Cutoff Road, 30; (11) South Wells Draw Cutoff Road, 34b; (12) Wells Draw Road, 32; (13) Wrinkles Road, 239; (14) 13500 South Road, 36; and (15) 3000 West Road, 37.

51. Duchesne County includes the following D roads—listed by Common Road Name and County Unique Number: (1) Franks Canyon Road, 501; (2) Cowboy Bench Road, 502; (3) 503 Road, 503; (4) Five Mile Draw Road, 504; (5) 505 Road, 505; (6) Sheep Wash Road, 506; (7) Wilkin Ridge Road, 507; (8) White Mule Spring Road, 508; (9) Pariette Bench Road, 509; (10) Gilsonite Draw Road, 510; (11) Castle Peak Road, 511; (12) Nelson Farm Road, 512; (13) Big Wash Road, 513; (14) Pronghorn Road, 514; (15) North Pronghorn Road, 515; (16) North Monument Butte Road, 516; (17) South Monument Butte Road, 517; (18) Castle

Peak Cutoff Road, 518; (19) Raptor Road, 519; (20) Overlook Road, 520; (21) Transport Road, 521; (22) Two Track Road, 522; (23) Wood Canyon Road, 523; (24) Bench Mark Loop Road, 525; (25) Sandstone Road, 526; (26) Buried Line Road, 527; (27) Broken Bench Road, 528; (28) Boundary Fence Road, 529; (29) Wells Overlook Road, 530; (30) Split Road, 531; (31) Deep Well Road, 532; (32) 534 Road, 534; (33) Drumstick Road, 535; (34) Snake Tongue Road, 536; (35) Branding Iron Road, 537; (36) Snyder Reservoir Road, 538; (37) Snyder Spring Road, 539; (38) Snake Flats Road, 540; (39) Jeep Road, 541; (40) Cross Bench Road, 542; (41) Sandy Road, 543; (42) Eagle Perch Road, 545; (43) Eagle Road, 546; (44) Crow Knoll Road, 547; (45) Sheep Wash Road, 548; (46) Petes Wash B Road, 701; (47) Corner Road, 702; (48) Angle Road, 703; (49) Antelope Road, 704; (50) Fork Road, 706; (51) Jackrabbit Canyon Road, 708; (52) Cactus Road, 709; (53) Cedar Road, 710; (54) Canyon Fork Road, 711; and (55) Rye Patch Road, 713.

52. The surveyed centerline of each of the above named roads are displayed, respectively, as Exhibits 4–73, attached hereto and incorporated herein. Each centerline was plotted using NAD83 mapping grade Global Positioning Survey (“GPS”) data collected by the State of Utah and personnel from the County. This centerline data has been verified, confirmed by on the ground inspection, referenced to historic aerial photography where available, and overlaid upon United States Geological Survey topographic maps.

53. The information and documentation relevant to the above roads was collected by State of Utah and County personnel and compiled pursuant to UTAH CODE ANN. §§ 72-5-309 and 310.

54. 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 aliquot parts of each section, township, and range crossed by the right-of-way.

55. The maps referenced for each of the roads include the following United States Geological Survey (“USGS”) maps, which evidence the acceptance, use, and existence of the right-of-way for the road: Cowboy Bench 1968, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey, topography by photogrammetric methods from aerial photographs taken 1965, field checked 1968.); Pinnacle Canyon 1968, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey, topography by photogrammetric methods from aerial photographs taken 1965, field checked 1968.); Wood Canyon 1968, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey, topography by photogrammetric methods from aerial photographs taken 1965, field checked 1968.); Currant Canyon 1968, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey, topography by photogrammetric methods from aerial photographs taken 1965, field checked 1968.); Lance Canyon 1968, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey, topography by photogrammetric methods from aerial photographs taken 1965, field checked 1968.); Gilsonite Draw 1968, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey, topography by photogrammetric methods from aerial photographs taken 1965, field checked 1968.); Wilkin Ridge 1965, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey, topography by photogrammetric methods from aerial photographs taken 1959, field checked 1965.); Crow Knoll 1953, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1979. Topography by multiplex methods from aerial photographs taken 1980.); Nutters Hole 1953, USGS 15-minute quadrangle

map (Mapped by the Geological Survey 1951. Topography by multiplex methods from aerial photographs taken 1951. Advance field check 1953.); Pariette Draw SW 1964, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey, topography by photogrammetric methods from aerial photographs taken 1963, field checked 1964.); Myton SE 1964, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey, topography by photogrammetric methods from aerial photographs taken 1962, field checked 1964.); Myton SW 1964, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey, topography by photogrammetric methods from aerial photographs taken 1962, field checked 1964.); Bridgeland 1964, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey, topography by photogrammetric methods from aerial photographs taken 1962, field checked 1964.); Anthro Mountain NE 1968, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey, topography by photogrammetric methods from aerial photographs taken 1965, field checked 1968.); Minnie Maud Creek East 1969, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1965. Topography from photogrammetric methods from aerial photographs taken 1965. Field checked 1969).

56. 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 a United States Public Land Survey System (“PLSS”) aliquot part. 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.

57. With more precision than a PLSS aliquot part description, Plaintiffs have additionally 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.

58. 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.

59. The rights-of-way claimed herein and described in the GPS data, attached hereto as Exhibits 4–73, include only those portions of the roads crossing public lands under the jurisdiction of the DOI.

60. The segments of roads crossing private and SITLA lands are not at issue, are not contested, and are not claimed herein.

THE CASE OR CONTROVERSY

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

61. Duchesne County encompasses approximately 3,245 square miles of land. Approximately 44.77% of the land within the County is federal land.

62. Due to the vast expanse of federal land in Duchesne County, R.S. 2477 provides the sole legal basis for Duchesne 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.

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

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

65. 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.

66. 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.

67. For decades, and in some instances a century, Plaintiffs and the public have benefited 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.

68. 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.

69. 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.

70. 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, Duchesne 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.

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

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

72. 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.

73. 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.

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

75. The State of Utah and Duchesne 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.

76. 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 Duchesne County which only resolution by the Court can redress.

77. 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.

78. 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.

79. 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.

80. 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.

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

82. 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.

83. 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.

84. 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 Duchesne 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.

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

86. 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.

87. In 2011, the State of Utah amended and sent to Secretary Salazar a second set of NOIs (“2011NOIs”)—one NOI for each County that claims roads over R.S. 2477 rights-of-way in the State. The 2011NOIs provided County-specific, detailed information regarding those roads.

88. The 2011NOIs 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 Duchesne County.

89. The DOI has failed to file a disclaimer of interest with respect to the 2000 NOI, 2011NOIs, or the claims of the State of Utah and Duchesne County with respect to the roads over R.S. 2477 rights-of-way at issue herein.

90. Because the DOI has failed to respond to the claims asserted by the State of Utah and Duchesne 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 Duchesne 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**

91. 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).

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

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

94. 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.

95. 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.

96. 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.*

97. 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.

98. 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.

99. 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).

100. 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.

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

102. 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.

103. 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.*

104. 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.

105. 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”).

106. 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).

107. 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.*

108. 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.*

109. 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”).

110. 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.”

111. 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.”

112. 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.

113. 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.

114. 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.

115. 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.

116. 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 and D roads in Duchesne County.

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

118. 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.*

119. 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.

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

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

122. 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.*

123. 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.

124. 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.

125. 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.

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

127. 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.

128. 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.

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

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

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

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

133. 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.

134. 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 Duchesne 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.

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

136. 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.”

137. Because the State of Utah and Duchesne 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.

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

139. Certain roads become impassable and dangerous without maintenance.

140. 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.

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

142. 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.

143. 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.

144. 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.

145. 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.

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

147. 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.”

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

149. 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.

150. 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.

151. 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.

152. Duchesne 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).*

153. Duchesne 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]ninstalling, 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).*

154. 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.

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

156. 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.

157. 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 Duchesne County.

158. 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.

159. 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.

160. 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.

161. Certain roads have fallen into disrepair without Duchesne 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.

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

163. 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.

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

165. 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").

166. 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.*

167. 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.

168. 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.*

169. 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.*

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

171. 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.

172. 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.

173. 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.

174. 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).

175. 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.

176. 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.

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

178. 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.

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

180. In response to Duchesne County's claims of ownership of these rights-of-way, the RMP finalized by the BLM covering Duchesne 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.*

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

182. The BLM's actions in implementing and enforcing the Vernal RMP's transportation decisions and the subsequent road closures have excluded Duchesne 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.

183. Despite the State of Utah and Duchesne 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.

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

185. 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.

186. 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 TO B ROADS IN
DUCESNE COUNTY, UTAH**

187. The State of Utah and Duchesne County incorporate herein and reallege each of the foregoing paragraphs.

188. Duchesne County includes the following B roads—listed by Common Road Name and County Unique Number: (1) Sheep Reservoir Road, 186; (2) Argyle Canyon Road, 23; (3) BLM Fence Road, 31; (4) Horner Knoll Road, 34; (5) Nine Mile Canyon Road, 240; (6) North Wells Draw Cutoff Road, 34a; (7) Pariette Road, 33; (8) Pipeline Road, 238; (9) Sandwash Road, 35; (10) Shearing Corral Cutoff Road, 30; (11) South Wells Draw Cutoff Road, 34b; (12)

Wells Draw Road, 32; (13) Wrinkles Road, 239; (14) 13500 South Road, 36; and (15) 3000 West Road, 37.

189. Each right-of-way claimed with respect to the aforementioned roads 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.

190. All rights-of-way claimed with respect to the aforementioned roads 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.

191. All rights-of-way claimed with respect to the aforementioned roads 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).

192. Prior to October 21, 1976, the State of Utah, Duchesne 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.

Sheep Reservoir Road, 186

193. The Sheep Reservoir Road is designated as county road number 186 and State Geographic Information Database (“SGID”) road identification number RD070001 and is more or less 0.88 miles long.

194. The centerline course of the Sheep Reservoir Road is depicted on the map included in Exhibit 4, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

195. The west end of the Sheep Reservoir Road commences in the southeast quarter of section 3, Township 10 South, Range 17 East, S.L.B.M. and proceeds generally southeast to the northwest quarter of section 11, Township 10 South, Range 17 East, S.L.B.M.

196. The specific right-of-way for the Sheep Reservoir Road claimed herein crosses 0.88 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 4.

197. In this action, the State and County seek to quiet title to the public highway right-of-way for the Sheep Reservoir Road solely as it crosses United States public land as included and specifically described in Exhibit 4. The Sheep Reservoir Road includes the segment of road specifically set forth in Exhibit 4 and as it exists on the ground.

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

198. The Sheep Reservoir Road has long served as a public highway providing access to and across public land. This road serves the public’s transportation needs.

199. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Sheep Reservoir 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.

200. The Sheep Reservoir Road appears on the Nutters Hole (1953) USGS 15-minute topographic map (*see* USGS map information, *supra* ¶ 55) which evidences the acceptance, use, and existence of the right-of-way for this road.

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

202. Witnesses with personal knowledge of the history of the Sheep Reservoir 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.

203. Currently known reputation in the community is that the Sheep Reservoir 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.

204. Public motor vehicle use of the Sheep Reservoir Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

206. 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 Sheep Reservoir Road.

207. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Sheep Reservoir 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.

Argyle Canyon Road, 23

208. The Argyle Canyon Road is designated as county road number 23 and SGID road identification number RD070002 and is more or less 24.09 miles long.

209. The centerline course of the Argyle Canyon Road is depicted on the map included in Exhibit 5, which is attached hereto and incorporated herein. This map further reflects that this road crosses private land, state land, and public land administered by the BLM.

210. The west end of the Argyle Canyon Road commences in the northeast quarter of section 12, Township 11 South, Range 10 East, S.L.B.M. and proceeds generally east to the southern border of section 33, Township 11 South, Range 14 East, S.L.B.M.

211. The specific right-of-way for the Argyle Canyon Road claimed herein crosses 5.17 miles of BLM land 15 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 5.

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

specifically described in Exhibit 5. The Argyle Canyon Road includes the segment of road specifically set forth in Exhibit 5 and as it exists on the ground.

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

213. The Argyle Canyon Road has long served as a public highway providing access to and across private land, state land, public lands, and other roads, such as Highway 191 and Nine Mile Canyon Road. It also provides access to Carbon County. This road serves the public's transportation needs.

214. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Argyle 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.

215. The Argyle Canyon Road appears on the Jones Hollow (1968), Lance Canyon (1968), Minnie Maud Creek East (1969), Wood Canyon (1968), and Currant Canyon (1968) USGS 7.5-minute topographic maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

216. The County confirmed its acceptance of the Argyle Canyon Road by 1954, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Argyle Canyon Road using public funds pursuant to the County's governmental right and authority. Members of the county road crew verify they maintained the Argyle Canyon Road beginning in 1962.

217. Witnesses with personal knowledge of the history of the Argyle 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.

218. Currently known reputation in the community is that the Argyle 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.

219. Public motor vehicle use of the Argyle Canyon Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

221. 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 Argyle Canyon Road.

222. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Argyle 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.

BLM Fence Road, 31

223. The BLM Fence Road is designated as Duchesne County road number 31 and SGID road identification number RD070008 and is more or less 2.74 miles long.

224. The centerline course of the BLM Fence Road is depicted on the map included in Exhibit 6, which is attached hereto and incorporated herein. This map further reflects that this road crosses private and public land administered by the BLM.

225. The west end of the BLM Fence Road commences in the northwest quarter of section 25, Township 8 South, Range 15 East, S.L.B.M. and proceeds generally east to the northeast quarter of section 20, Township 8 South, Range 16 East, S.L.B.M.

226. The specific right-of-way for the BLM Fence Road claimed herein crosses 2.04 miles of BLM land in 2 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 6.

227. In this action, the State and County seek to quiet title to the public highway right-of-way for the BLM Fence Road solely as it crosses United States public land as included and specifically described in Exhibit 6. The BLM Fence Road includes the segment of road specifically set forth in Exhibit 6 and as it exists on the ground.

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

228. The BLM Fence Road has long served as a public highway providing access to and private land and public land. This road serves the public's transportation needs.

229. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the BLM Fence 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.

230. The BLM Fence Road appears on the Myton SW (1964) USGS 7.5-minute topographic map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

231. The county confirmed its acceptance of the BLM Fence Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the BLM Fence Road using public funds pursuant to the County's governmental right and authority. Members of the county road crew verify they maintained the BLM Fence Road beginning in 1962.

232. Witnesses with personal knowledge of the history of the BLM Fence 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.

233. Currently known reputation in the community is that the BLM Fence 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.

234. Public motor vehicle use of the BLM Fence Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

236. 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 BLM Fence Road.

237. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the BLM Fence 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.

Horner Knoll Road, 34

238. The Horner Knoll Road is designated as Duchesne County road number 34 and State Geographic Information Database ("SGID") road identification number RD070011 and is more or less 25.0 miles long.

239. The centerline course of the Horner Knoll Road is depicted on the map included in Exhibit 7, which is attached hereto and incorporated herein. This map further reflects that this road crosses private land, state land, and public land administered by the BLM.

240. The north end of the Horner Knoll Road commences at the southeast quarter of section 13, Township 8 South, Range 16 East, S.L.B.M. and proceeds generally south to the northwest quarter of section 32, Township 10 South, Range 17 East, S.L.B.M.

241. The specific right-of-way for the Horner Knoll Road claimed herein crosses 23.1 miles of BLM land in 3 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 7.

242. In this action, the State and County seek to quiet title to the public highway right-of-way for the Horner Knoll Road solely as it crosses United States public land as included and specifically described in Exhibit 7. The Horner Knoll Road includes the segment of road specifically set forth in Exhibit 7 and as it exists on the ground.

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

243. The Horner Knoll Road has long served as a public highway providing access to and across private, state, and public land. It connects with Pariette Road on the north end and Pipeline Road on the south end.

244. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Horner Knoll 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.

245. The Horner Knoll Road appears on the Myton SE (1964), Myton SW (1964), Gilsonite Draw (1968) and Wilkin Ridge (1965) USGS 7.5-minute topographic maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

246. The County confirmed its acceptance of the Horner Knoll Road by 1972, when it designated and accepted the road as a County highway on the County's general highway map. For 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, or improving the Horner Knoll Road using public funds pursuant to the County's governmental right and authority. Members of the county road crew verify they maintained the Horner Knoll Road beginning in 1962.

247. Witnesses with personal knowledge of the history of the Horner Knoll 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.

248. Currently known reputation in the community is that the Horner Knoll 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.

249. Public motor vehicle use of the Horner Knoll Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

251. 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 Horner Knoll Road.

252. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Horner Knoll 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, 240

253. The Nine Mile Canyon Road is designated as county road number 240 and SGID road identification number RD070006 and is more or less 7.09 miles long.

254. The centerline course of the Nine Mile Road is depicted on the map included in Exhibit 8, which is attached hereto and incorporated herein. This map further reflects that this road crosses private land, state land, and public land administered by the BLM.

255. The west end of the Nine Mile Canyon Road commences in the southwest quarter of section 34, Township 11 South, Range 14 East, S.L.B.M. and proceeds generally east where it ends in the southeast quarter of section 33, Township 11 South, Range 15 East, S.L.B.M.

256. The specific right-of-way for the Nine Mile Canyon Road claimed herein crosses .43 miles of BLM land in 2 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 8.

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

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

258. The Nine Mile Canyon Road has long served as a public highway providing access to and across private, state, and public land. This road serves the public's transportation needs.

259. 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.

260. The Nine Mile Canyon Road appears on the Cowboy Bench (1968) and Currant Canyon (1968) USGS 7.5-minute topographic maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

261. The County confirmed its acceptance of the Nine Mile Canyon Road by 1972, when it designated and accepted the road as a County highway on the County's general highway map. For 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, or improving the Nine Mile Canyon Road using public funds pursuant to the County's governmental right and authority.

262. 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.

263. 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.

264. Public motor vehicle use of the Nine Mile Canyon Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

266. 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.

267. 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.

North Wells Draw Cutoff Road, 34a

268. The North Wells Draw Cutoff Road is designated as county road number 34a and SGID road identification number RD070012 and is more or less 0.42 miles long.

269. The centerline course of the Silver Falls Road is depicted on the map included in Exhibit 9, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

270. The north end of the North Wells Draw Cutoff Road commences in the northeast quarter of section 18, Township 9 South, Range 16 East, S.L.B.M. and proceeds generally southeast where it meets the Homer Knoll Road in the northeast quarter of section 18, Township 9 South, Range 16 East, S.L.B.M.

271. The specific right-of-way for the North Wells Draw Cutoff Road claimed herein crosses .42 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 9.

272. In this action, the State and County seek to quiet title to the public highway right-of-way for the North Wells Draw Cutoff Road solely as it crosses United States public land as included and specifically described in Exhibit 9. The North Wells Draw Cutoff Road includes the segment of road specifically set forth in Exhibit 9 and as it exists on the ground.

Acceptance of the North Wells Draw Cutoff Road R.S. 2477 Right-of-way Prior to October 21, 1976.

273. The North Wells Draw Cutoff Road has long served as a public highway providing access to and across public land and other roads such as the Shearing Corral Cutoff Road and the Horner Knoll Road. This road serves the public's transportation needs.

274. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the North Wells Draw 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.

275. The North Wells Draw Cutoff Road appears on the Myton SW (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

276. The County confirmed its acceptance of the North Wells Draw Cutoff Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the North Wells Draw Cutoff Road using public funds pursuant to the County's governmental right and authority. Members of the county road crew verify they maintained the North Wells Draw Cutoff Road beginning in 1962.

277. Witnesses with personal knowledge of the history of the North Wells Draw 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.

278. Currently known reputation in the community is that the North Wells Draw 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.

279. Public motor vehicle use of the North Wells Draw Cutoff Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

280. The North Wells Draw Cutoff Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

281. 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 Wells Draw Cutoff Road.

282. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the North Wells Draw 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.

Pariette Road, 33

283. The Pariette Road is designated as county road number 33 and SGID road identification number RD070010 and is more or less 13.38 miles long.

284. The centerline course of the Pariette Road is depicted on the map included in Exhibit 10, which is attached hereto and incorporated herein. This map further reflects that this road crosses private land, state land, tribal land and public land administered by the BLM.

285. The north end of the Pariette Road commences in the northeast quarter of section 34, Township 3 South, Range 2 West, U.B.B.M. and proceeds generally southeast and ends in the northwest quarter of section 11, Township 9 South, Range 17 East, S.L.B.M.

286. The specific right-of-way for the Pariette Road claimed herein crosses 4.89 miles of BLM land in 6 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 10.

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

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

288. The Pariette Road has long served as a public highway providing access to and across private, state, tribal, and public land. This road serves the public's transportation needs.

289. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Pariette 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.

290. The Pariette Road appears on the Myton (1964), Myton SE (1964), and Pariette Draw SW (1964) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

291. The County confirmed its acceptance of the Pariette Road by 1954, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Pariette Road using public funds pursuant to the County's governmental right and authority. Members of the county road crew verify they maintained the Pariette Road beginning in 1962.

292. Witnesses with personal knowledge of the history of the Pariette 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.

293. Currently known reputation in the community is that the Pariette 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.

294. Public motor vehicle use of the Pariette Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

296. 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 Pariette Road.

297. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Pariette 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.

Pipeline Road, 238

298. The Pipeline Road is designated as county road number 238 and SGID road identification number RD070004 and is more or less 10.84 miles long.

299. The centerline course of the Pipeline Road is depicted on the map included in Exhibit 11, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

300. The west end of the Pipeline Road commences in the southeast quarter of section 4, Township 11 South, Range 15 East, S.L.B.M. and proceeds generally east to the northwest quarter of section 31, Township 10 South, Range 17 East, S.L.B.M.

301. The specific right-of-way for the Pipeline Road claimed herein crosses 9.8 miles of BLM land in 2 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 11.

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

specifically described in Exhibit 11. The Pipeline Road includes the segment of road specifically set forth in Exhibit 11 and as it exists on the ground.

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

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

304. Aerial photography from 1976 and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Pipeline 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.

305. The Pipeline Road appears on the Gilsonite Draw (1968), Cowboy Bench (1968), and Wilkin Ridge (1965) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

306. The County confirmed its acceptance of the Pipeline Road by 1954, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Pipeline Road using public funds pursuant to the County's governmental right and authority.

307. Witnesses with personal knowledge of the history of the Pipeline 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.

308. Currently known reputation in the community is that the Pipeline 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.

309. Public motor vehicle use of the Pipeline Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

311. 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 Pipeline Road.

312. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Pipeline 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.

Sandwash Road, 35

313. The Sandwash Road is designated as county road number 35 and SGID road identification number RD070014 and is more or less 19.74 miles long.

314. The centerline course of the Sandwash Road is depicted on the map included in Exhibit 12, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

315. The north end of the Sandwash Road commences in the southwest quarter of section 4, Township 9 South, Range 17 East, S.L.B.M. and proceeds generally southeast where it end in the southeast quarter of section 14, Township 11 South, Range 17 East, S.L.B.M.

316. The specific right-of-way for the Sandwash Road claimed herein crosses 17.29 miles of BLM land in 7 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 12.

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

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

318. The Sandwash Road has long served as a public highway providing access to and across state and public land. The Sandwash Road connects, on the north, to Pariette Road, which intersects with U.S. 40, and also with Sheep Reservoir Road, which accesses Uintah County. This road serves the public's transportation needs.

319. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Sandwash 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.

320. The Sandwash Road appears on the Myton SE (1964), Wilkin Ridge (1965), and Pinnacle Canyon (1968) USGS 7.5-minute topographical maps and the Nutters Hole (1953)

USGS 15-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

321. The County confirmed its acceptance of the Sandwash Road by 1954, when it designated and accepted the road as a County highway on the County's general highway map. For 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, or improving the Sandwash Road using public funds pursuant to the County's governmental right and authority. County road personnel verify that the Sandwash Road has been maintained since 1947, and by the County since at least 1964.

322. Witnesses with personal knowledge of the history of the Sandwash 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.

323. Currently known reputation in the community is that the Sandwash 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.

324. Public motor vehicle use of the Sandwash Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

326. 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 Sandwash Road.

327. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Sandwash 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.

Shearing Corral Cutoff Road, 30

328. The Shearing Corral Cutoff Road is designated as county road number 30 and SGID road identification number RD070007 and is more or less 8.33 miles long.

329. The centerline course of the Shearing Corral Cutoff Road is depicted on the map included in Exhibit 13, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land, private land, and public land administered by the BLM.

330. The north end of the Shearing Corral Cutoff Road commences in the northeast quarter of section 29, Township 4 South, Range 3 West, S.L.B.M. and proceeds generally southeast where it meets the Wells Draw Road in the southeast quarter of section 7, Township 9 South, Range 16 East, S.L.B.M.

331. The specific right-of-way for the Shearing Corral Cutoff Road claimed herein crosses 3.83 miles of BLM land in 2 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 13.

332. In this action, the State and County seek to quiet title to the public highway right-of-way for the Shearing Corral Cutoff Road solely as it crosses United States public land as

included and specifically described in Exhibit 13. The Shearing Corral Cutoff Road includes the segments of road specifically set forth in Exhibit 13 and as they exist on the ground.

Acceptance of the Shearing Corral Cutoff Road R.S. 2477 Right-of-way Prior to October 21, 1976.

333. The Shearing Corral Cutoff Road has long served as a public highway providing access to and across state, private, and public land. This road serves the public's transportation needs.

334. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Shearing Corral 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.

335. The Shearing Corral Cutoff Road appears on the Myton SW (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

336. The County confirmed its acceptance of the Shearing Corral Cutoff Road by 1954, when it designated and accepted the road as a County highway on the County's general highway map. For 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, or improving the Shearing Corral Cutoff Road using public funds pursuant to the County's governmental right and authority. Members of the county road crew verify they maintained the Shearing Corral Cutoff Road beginning in 1962.

337. Witnesses with personal knowledge of the history of the Shearing Corral 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.

338. Currently known reputation in the community is that the Shearing Corral 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.

339. Public motor vehicle use of the Shearing Corral Cutoff Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

340. The Shearing Corral Cutoff 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 Shearing Corral Cutoff Road.

342. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Shearing Corral 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.

South Wells Draw Cutoff Road, 34b

343. The South Wells Draw Cutoff Road is designated as county road number 34b and SGID road identification number RD0700013 and is more or less 0.83 miles long.

344. The centerline course of the South Wells Draw Cutoff Road is depicted on the map included in Exhibit 14, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

345. The north end of the South Wells Draw Cutoff Road commences in the northeast quarter of section 31, Township 9 South, Range 16 East, S.L.B.M. and proceeds generally southward where it meets the Horner Knoll Road in the southeast quarter of section 31, Township 9 South, Range 16 East, S.L.B.M.

346. The specific right-of-way for the South Wells Draw Cutoff Road claimed herein crosses .83 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 14.

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

Acceptance of the South Wells Draw Cutoff Road R.S. 2477 Right-of-way Prior to October 21, 1976.

348. The South Wells Draw Cutoff Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

349. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the South Wells Draw 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.

350. The South Wells Draw Cutoff Road appears on the Gilsonite Draw (1968) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

351. The County confirmed its acceptance of the South Wells Draw Cutoff Road by 1972, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the South Wells Draw Cutoff Road using public funds pursuant to the County's governmental right and authority. Members of the county road crew verify that they maintained the South Wells Cutoff Road beginning in 1962 and 1964.

352. Witnesses with personal knowledge of the history of the South Wells Draw 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.

353. Currently known reputation in the community is that the South Wells Draw 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.

354. Public motor vehicle use of the South Wells Draw Cutoff Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

355. The South Wells Draw Cutoff Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

356. 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 Wells Draw Cutoff Road.

357. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the South Wells Draw 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.

Wells Draw Road, 32

358. The Wells Draw Road is designated as county road number 32 and SGID road identification number RD070009 and is more or less 29.48 miles long.

359. The centerline course of the Wells Draw Road is depicted on the map included in Exhibit 15, which is attached hereto and incorporated herein. This map further reflects that this road crosses private land, state land, and public land administered by the BLM.

360. The north end of the Wells Draw Road commences in the northwest quarter of section 3, Township 4 South, Range 2 West, S.L.B.M. and proceeds generally southward where it meets the Nine Mile Canyon Road in the southeast quarter of section 32, Township 11 South, Range 15 East, S.L.B.M.

361. The specific right-of-way for the Wells Draw Road claimed herein crosses 19.66 miles of BLM land in 3 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 15.

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

specifically described in Exhibit 15. The Wells Draw Road includes the segment of road specifically set forth in Exhibit 15 and as it exists on the ground.

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

363. The Wells Draw Road has long served as a public highway providing access to and across private, state, and public land. This road serves the public's transportation needs.

364. Aerial photography from 1976 and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Wells Draw 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.

365. The Wells Draw Road appears on the Myton (1964), Bridgeland (1964), Myton SW (1964), Gilsonite Draw (1968), Cowboy Bench (1968), and Currant Canyon (1968) USGS 7.5-minute topographical maps(see USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

366. The County confirmed its acceptance of the Wells Draw Road by 1954, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Wells Draw Road using public funds pursuant to the County's governmental right and authority. Members of the county road crew verify they maintained the Wells Draw Road beginning in 1962.

367. Witnesses with personal knowledge of the history of the Wells Draw 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.

368. Currently known reputation in the community is that the Wells Draw 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.

369. Public motor vehicle use of the Wells Draw Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

371. 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 Wells Draw Road.

372. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Wells Draw 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.

Wrinkles Road, 239

373. The Wrinkles Road is designated as county road number 239 and SGID road identification number RD070005 and is more or less 19.37 miles long.

374. The centerline course of the Wrinkles Road is depicted on the map included in Exhibit 16, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

375. The west end of the Wrinkles Road commences in the northeast quarter of section 17, Township 11 South, Range 15 East, S.L.B.M. and proceeds generally east where it ends in the southeast quarter of section 23, Township 11 South, Range 17 East, S.L.B.M.

376. The specific right-of-way for the Wrinkles Road claimed herein crosses 16.65 miles of BLM land in 4 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 16.

377. In this action, the State and County seek to quiet title to the public highway right-of-way for the Wrinkles Road solely as it crosses United States public land as included and specifically described in Exhibit 16. The Wrinkles Road includes the segments of road as specifically set forth in Exhibit 16 and as they exist on the ground.

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

378. The Wrinkles Road has long served as a public highway providing access to and across state and public land. It intersects with Wells Draw Road on the west and provides access to Uintah County on the east. Historically, Wells Draw Road also provided access to the Green River ferry crossing for settlers. This road serves the public's transportation needs.

379. Aerial photography from 1976 and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Wrinkles 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.

380. The Wrinkles Road appears on the Cowboy Bench (1968) and Pinnacle Canyon (1968) USGS 7.5-minute topographical maps and the Nutters Hole (1953) USGS 15-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

381. The County confirmed its acceptance of the Wrinkles Road by 1954, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Wrinkles Road using public funds pursuant to the County's governmental right and authority. Members of the county road crew verify they maintained Wrinkles Road beginning in 1964.

382. Witnesses with personal knowledge of the history of the Wrinkles 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.

383. Currently known reputation in the community is that the Wrinkles 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.

384. Public motor vehicle use of the Wrinkles Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

386. 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 Wrinkles Road.

387. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Wrinkles 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.

13500 South Road, 36

388. The 13500 South Road is designated as county road number 36 and SGID road identification number RD070026 and is more or less 3.92 miles long.

389. The centerline course of the 13500 South Road is depicted on the map included in Exhibit 17, which is attached hereto and incorporated herein. This map further reflects that this road crosses private land, state land, and public land administered by the BLM.

390. The west end of the 13500 South Road commences in the northeast quarter of section 24, Township 8 South, Range 16 East, S.L.B.M. and proceeds generally east where it ends in the southwest quarter of section 21, Township 4 South, Range 1 West, S.L.B.M.

391. The specific right-of-way for the 13500 South Road claimed herein crosses .98 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 17.

392. In this action, the State and County seek to quiet title to the public highway right-of-way for the 13500 South Road solely as it crosses United States public land as included and specifically described in Exhibit 17. The 13500 South Road includes the segment of road specifically set forth in Exhibit 17 and as it exists on the ground.

Acceptance of the 13500 South Road R.S. 2477 Right-of-way Prior to October 21, 1976.

393. The 13500 South Road has long served as a public highway providing access to and across private, state, and public land. This road serves the public's transportation needs.

394. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 13500 South 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.

395. The 13500 South Road appears on the Myton SE (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

396. The County confirmed its acceptance of the 13500 Road by 1972, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the 13500 Road using public funds pursuant to the County's governmental right and authority.

397. Witnesses with personal knowledge of the history of the 13500 South 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.

398. Currently known reputation in the community is that the 13500 South 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.

399. Public motor vehicle use of the 13500 South Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

400. The 13500 South Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

401. 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 13500 South Road.

402. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 13500 South 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.

3000 West Road, 37

403. The 3000 West Road is designated as county road number 37 SGID road identification number RD070074 and is more or less 1.75 miles long.

404. The centerline course of the 3000 West Road is depicted on the map included in Exhibit 18, which is attached hereto and incorporated herein. This map further reflects that this road crosses private land and public land administered by the BLM.

405. The north end of the 3000 West Road commences in the southwest quarter of section 18, Township 4 South, Range 1 East, S.L.B.M. and proceeds generally south where it ends in the northeast quarter of section 19, Township 8 South, Range 17 West, S.L.B.M.

406. The specific right-of-way for the 3000 West Road claimed herein crosses .68 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 18.

407. In this action, the State and County seek to quiet title to the public highway right-of-way for the 3000 West Road solely as it crosses United States public land as included and specifically described in Exhibit 18. The 3000 West Road includes the segment of road specifically set forth in Exhibit 18 and as it exists on the ground.

Acceptance of the 3000 West Road R.S. 2477 Right-of-way Prior to October 21, 1976.

408. The 3000 West Road has long served as a public highway providing access to and across private and public land. This road serves the public's transportation needs.

409. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 3000 West 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.

410. The 3000 West Road appears on the Myton (1964) and Myton SE (1964) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

411. The County confirmed its acceptance of the 3000 West Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the 3000 West Road using public funds pursuant to the County's governmental right and authority.

412. Witnesses with personal knowledge of the history of the 3000 West 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.

413. Currently known reputation in the community is that the 3000 West 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.

414. Public motor vehicle use of the 3000 West Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

415. The 3000 West Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

416. 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 3000 West Road.

417. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 3000 West 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 TO D ROADS IN
DUCHESNE COUNTY, UTAH**

418. The State of Utah and Duchesne County incorporate herein and reallege each of the foregoing paragraphs.

419. Duchesne County includes the following D roads—listed by Common Road Name and County Unique Number: (1) Franks Canyon Road, 501; (2) Cowboy Bench Road, 502; (3) 503 Road, 503; (4) Five Mile Draw Road, 504; (5) 505 Road, 505; (6) Sheep Wash Road, 506; (7) Wilkin Ridge Road, 507; (8) White Mule Spring Road, 508; (9) Pariette Bench Road, 509; (10) Gilsonite Draw Road, 510; (11) Castle Peak Road, 511; (12) Nelson Farm Road, 512; (13) Big Wash Road, 513; (14) Pronghorn Road, 514; (15) North Pronghorn Road, 515; (16) North Monument Butte Road, 516; (17) South Monument Butte Road, 517; (18) Castle Peak Cutoff Road, 518; (19) Raptor Road, 519; (20) Overlook Road, 520; (21) Transport Road, 521; (22) Two Track Road, 522; (23) Wood Canyon Road, 523; (24) Bench Mark Loop Road, 525; (25) Sandstone Road, 526; (26) Buried Line Road, 527; (27) Broken Bench Road, 528; (28) Boundary Fence Road, 529; (29) Wells Overlook Road, 530; (30) Split Road, 531; (31) Deep Well Road, 532; (32) 534 Road, 534; (33) Drumstick Road, 535; (34) Snake Tongue Road, 536; (35) Branding Iron Road, 537; (36) Snyder Reservoir Road, 538; (37) Snyder Spring Road, 539; (38) Snake Flats Road, 540; (39) Jeep Road, 541; (40) Cross Bench Road, 542; (41) Sandy Road, 543; (42) Eagle Perch Road, 545; (43) Eagle Road, 546; (44) Crow Knoll Road, 547; (45) Sheep Wash Road, 548; (46) Petes Wash B Road, 701; (47) Corner Road, 702; (48) Angle Road, 703; (49) Antelope Road, 704; (50) Fork Road, 706; (51) Jackrabbit Canyon Road, 708; (52) Cactus Road, 709; (53) Cedar Road, 710; (54) Canyon Fork Road, 711; and (55) Rye Patch Road, 713.

420. Each right-of-way claimed with respect to the aforementioned roads 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.

421. All rights-of-way claimed with respect to the aforementioned roads 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.

422. All rights-of-way claimed with respect to the aforementioned roads 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).

423. Prior to October 21, 1976, the State of Utah, Duchesne 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.

Franks Canyon Road, 501

424. The Franks Canyon Road is designated as county road number 501 and State Geographic Information Database (“SGID”) road identification number RD070015 and is more or less 4.84 miles long.

425. The centerline course of the Franks Canyon Road is depicted on the map included in Exhibit 19, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

426. The north end of the Franks Canyon Road commences in the northwest quarter of section 23, Township 11 South, Range 16 East, S.L.B.M. and proceeds generally south where it ends in the southwest quarter of section 36, Township 11 South, Range 16 East, S.L.B.M.

427. The specific right-of-way for the Franks Canyon Road claimed herein crosses 4.42 miles of BLM land in 2 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 19.

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

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

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

430. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Franks 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.

431. The Franks Canyon Road appears on the Pinnacle Canyon (1968) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

432. The County confirmed its acceptance of the Franks Canyon Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map.

The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Franks Canyon Road pursuant to the County's governmental right and authority.

433. Witnesses with personal knowledge of the history of the Franks 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.

434. Currently known reputation in the community is that the Franks 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.

435. Public motor vehicle use of the Franks Canyon Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

437. 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 Franks Canyon Road.

438. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Franks 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.

Cowboy Bench Road, 502

439. The Cowboy Bench Road is designated as county road number 502 and SGID road identification number RD070016 and is more or less 2.5 miles long.

440. The centerline course of the Cowboy Bench Road is depicted on the map included in Exhibit 20, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

441. The west end of the Cowboy Bench Road commences in the southeast quarter of section 24, Township 11 South, Range 15 East, S.L.B.M. and proceeds generally southeast to the northeast quarter of section 31, Township 11 South, Range 16 East, S.L.B.M.

442. The specific right-of-way for the Cowboy Bench Road claimed herein crosses 2.5 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 20.

443. In this action, the State and County seek to quiet title to the public highway right-of-way for the Cowboy Bench Road solely as it crosses United States public land as included and specifically described in Exhibit 20. The Cowboy Bench Road includes the segment of road specifically set forth in Exhibit 20 and as it exists on the ground.

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

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

445. Aerial photography from 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Cowboy 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.

446. The Cowboy Bench Road appears on the Cowboy Bench (1968) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

447. The County confirmed its acceptance of the Cowboy Bench Road by 1954, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Cowboy Bench Road pursuant to the County's governmental right and authority.

448. Witnesses with personal knowledge of the history of the Cowboy 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.

449. Currently known reputation in the community is that the Cowboy 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.

450. Public motor vehicle use of the Cowboy Bench Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

452. 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 Cowboy Bench Road.

453. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Cowboy 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.

503 Road, 503

454. The 503 Road is designated as county road number 503 and SGID road identification number RD70017 and is more or less 4.27 miles long.

455. The centerline course of the 503 Road is depicted on the map included in Exhibit 21, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

456. The south end of the 503 Road commences in the northwest quarter of section 4, Township 11 South, Range 17 East, S.L.B.M. and proceeds generally northeast where it ends in the northwest quarter of section 26, Township 10 South, Range 17 East, S.L.B.M.

457. The specific right-of-way for the 503 Road claimed herein crosses 4.27 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 21.

458. In this action, the State and County seek to quiet title to the public highway right-of-way for the 503 Road solely as it crosses United States public land as included and specifically described in Exhibit 21. The 503 Road includes the segment of road specifically set forth in Exhibit 21 and as it exists on the ground.

Acceptance of the 503 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

459. The 503 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

460. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 503 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.

461. The 503 Road appears on the Wilkin Ridge (1965) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

462. The 503 Road was accepted at least 10 years prior to October 21, 1976. Thereafter, the County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the 503 Road pursuant to the County's governmental right and authority.

463. Witnesses with personal knowledge of the history of the 503 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 503 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 503 Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

466. The 503 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 503 Road.

468. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 503 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.

Five Mile Draw Road, 504

469. The Five Mile Draw Road is designated as county road number 504 and SGID road identification number RD070018 and is more or less 14.33 miles long.

470. The centerline course of the Five Mile Draw Road is depicted on the map included in Exhibit 22, which is attached hereto and incorporated herein. This map further reflects that this road crosses forest land, state land, private land, and public land administered by the BLM.

471. The north end of the Five Mile Draw Road commences in the northwest quarter of section 22, Township 10 South, Range 15 East, S.L.B.M. and proceeds generally southwest and east to the southeast quarter of section 4, Township 11 South, Range 15 East, S.L.B.M.

472. The specific right-of-way for the Five Mile Draw Road claimed herein crosses 12.07 miles of BLM land in 5 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 22.

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

Acceptance of the Five Mile Draw Road R.S. 2477 Right-of-way Prior to October 21, 1976.

474. The Five Mile Draw Road has long served as a public highway providing access to and across forest, state, private, and public land. This road serves the public's transportation needs.

475. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Five Mile Draw 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.

476. The Five Mile Draw Road appears on the Gilsonite Draw (1968) and Anthro Mountain NE (1968) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

477. The County confirmed its acceptance of the Five Mile Draw Road by 1954, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Five Mile Draw Road pursuant to the County's governmental right and authority.

478. Witnesses with personal knowledge of the history of the Five Mile Draw 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.

479. Currently known reputation in the community is that the Five Mile Draw 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.

480. Public motor vehicle use of the Five Mile Draw Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

481. The Five Mile Draw Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

482. 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 Five Mile Draw Road.

483. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Five Mile Draw 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.

505 Road, 505

484. The 505 Road is designated as county road number 505 and SGID road identification number RD070019 and is more or less 0.97 miles long.

485. The centerline course of the 505 Road is depicted on the map included in Exhibit 23 which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

486. The north end of the 505 Road commences in the southeast quarter of section 20, Township 11 South, Range 16 East, S.L.B.M. and proceeds generally south where it ends in the northeast quarter of section 29, Township 11 South, Range 16 East, S.L.B.M.

487. The specific right-of-way for the 505 Road claimed herein crosses 0.97 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 23.

488. In this action, the State and County seek to quiet title to the public highway right-of-way for the 505 Road solely as it crosses United States public land as included and

specifically described in Exhibit 23. The 505 Road includes the segment of road specifically set forth in Exhibit 23 and as it exists on the ground.

Acceptance of the 505 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

489. The 505 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

490. Aerial photography from 1977 confirms the historical use, existence, and acceptance of the right-of-way for the 505 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.

491. The 505 Road appears on the Cowboy Bench (1968) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

492. The 505 Road was accepted as a County highway at least 10 years prior to October 21, 1976. Thereafter, the County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the 505 Road pursuant to the County's governmental right and authority.

493. Witnesses with personal knowledge of the history of the 505 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.

494. Currently known reputation in the community is that the 505 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.

495. Public motor vehicle use of the 505 Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

497. 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 505 Road.

498. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 505 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.

Sheep Wash Road, 506

499. The Sheep Wash Road is designated as county road number 506 and SGID road identification number RD070020 and is more or less 5.24 miles long.

500. The centerline course of the Sheep Wash Road is depicted on the map included in Exhibit 24, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

501. The north end of the Sheep Wash Road commences in the southwest quarter of section 10, Township 10 South, Range 17 East, S.L.B.M. and proceeds generally southwest where it ends in the southwest quarter of section 25, Township 10 South, Range 16 East, S.L.B.M.

502. The specific right-of-way for the Sheep Wash Road claimed herein crosses 3.95 miles of BLM land in 2 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 24.

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

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

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

505. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Sheep Wash 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.

506. The Sheep Wash Road appears on the Wilkin Ridge (1965) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

507. The County confirmed its acceptance of the Sheep Wash Road by 1954, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Sheep Wash Road pursuant to the County's governmental right and authority.

508. Witnesses with personal knowledge of the history of the Sheep Wash 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.

509. Currently known reputation in the community is that the Sheep Wash 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.

510. Public motor vehicle use of the Sheep Wash Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

512. 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 Sheep Wash Road.

513. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Sheep Wash 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.

Wilkin Ridge Road, 507

514. The Wilkin Ridge Road is designated as county road number 507 SGID road identification number RD070021 and is more or less 5.8 miles long.

515. The centerline course of the Wilkin Ridge Road is depicted on the map included in Exhibit 25, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

516. The west end of the Wilkin Ridge Road commences in the northwest quarter of section 24, Township 10 South, Range 16 East, S.L.B.M. and proceeds generally northeast where it ends in the southeast quarter of section 3, Township 10 South, Range 17 East, S.L.B.M.

517. The specific right-of-way for the Wilkin Ridge Road claimed herein crosses 5.8 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 25.

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

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

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

520. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Wilkin 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.

521. The Wilkin Ridge Road appears on the Wilkin Ridge (1965) USGS 7.5-minute topographical map (see USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

522. The County confirmed its acceptance of the Wilkin Ridge Road by 1954, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Wilkin Ridge Road pursuant to the County's governmental right and authority.

523. Witnesses with personal knowledge of the history of the Wilkin 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.

524. Currently known reputation in the community is that the Wilkin 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.

525. Public motor vehicle use of the Wilkin Ridge Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

527. 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 Wilkin Ridge Road.

528. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Wilkin 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.

White Mule Spring Road, 508

529. The White Mule Spring Road is designated as county road number 508 and SGID road identification number RD070022 and is more or less 6.61 miles long.

530. The centerline course of the White Mule Spring Road is depicted on the map included in Exhibit 26, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

531. The west end of the White Mule Spring Road commences in the southeast quarter of section 15, Township 10 South, Range 16 East, S.L.B.M. and proceeds generally northeast where it meets the Sandwash Road and Crow Knoll Road in the northeast quarter of section 3, Township 10 South, Range 17 East, S.L.B.M.

532. The specific right-of-way for the White Mule Spring Road claimed herein crosses 6.61 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 26.

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

Acceptance of the White Mule Spring Road R.S. 2477 Right-of-way Prior to October 21, 1976.

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

535. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the White Mule 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.

536. The White Mule Spring Road appears on the Wilkin Ridge (1965) USGS 7.5-minute topographical map and the Nutters Hole (1953) USGS 15-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

537. The County confirmed its acceptance of the White Mule Spring Road by 1954, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the White Mule Spring Road pursuant to the County's governmental right and authority.

538. Witnesses with personal knowledge of the history of the White Mule 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.

539. Currently known reputation in the community is that the White Mule 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.

540. Public motor vehicle use of the White Mule Spring Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

541. The White Mule Spring Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

542. 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 White Mule Spring Road.

543. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the White Mule 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.

Pariette Bench Road, 509

544. The Pariette Bench Road is designated as county road number 509 SGID road identification number RD070023 and is more or less 7.29 miles long.

545. The centerline course of the Pariette Bench Road is depicted on the map included in Exhibit 27, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

546. The west end of the Pariette Bench Road commences in the northeast quarter of section 29, Township 9 South, Range 16 East, S.L.B.M. and proceeds generally northeast where it meets the Sandwash Road in the southeast quarter of section 8, Township 9 South, Range 17 East, S.L.B.M.

547. The specific right-of-way for the Pariette Bench Road claimed herein crosses 7.29 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 27.

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

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

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

550. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Pariette 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.

551. The Pariette Bench Road appears on the Myton SW (1964) and Myton SE (1964) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

552. The County confirmed its acceptance of the Pariette Bench Road by 1954, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Pariette Bench Road pursuant to the County's governmental right and authority.

553. Witnesses with personal knowledge of the history of the Pariette 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.

554. Currently known reputation in the community is that the Pariette 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.

555. Public motor vehicle use of the Pariette Bench Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

557. 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 Pariette Bench Road.

558. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Pariette 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.

Gilsonite Draw, 510

559. The Gilsonite Draw is designated as county road number 510 SGID road identification number RD070024 and is more or less 6.38 miles long.

560. The centerline course of the Gilsonite Draw Road is depicted on the map included in Exhibit 28, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land, and public land administered by the BLM.

561. The south end of the Gilsonite Draw Road commences in the southeast quarter of section 4, Township 10 South, Range 15 East, S.L.B.M. and proceeds generally northeast where it ends in the northeast quarter of section 19, Township 9 South, Range 16 East, S.L.B.M.

562. The specific right-of-way for the Gilsonite Draw Road claimed herein crosses 3.78 miles of BLM land in 3 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 28.

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

specifically described in Exhibit 28. The Gilsonite Draw Road includes the segment of road specifically set forth in Exhibit 28 and as it exists on the ground.

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

564. The Gilsonite Draw Road has long served as a public highway providing access to and across forest, state, and public land. This road serves the public's transportation needs.

565. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Gilsonite Draw 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.

566. The Gilsonite Draw Road appears on the Gilsonite Draw (1968) and Myton SW (1964) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

567. The County confirmed its acceptance of the Gilsonite Draw Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Gilsonite Draw Road pursuant to the County's governmental right and authority.

568. Witnesses with personal knowledge of the history of the Gilsonite Draw 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.

569. Currently known reputation in the community is that the Gilsonite Draw 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.

570. Public motor vehicle use of the Gilsonite Draw Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

572. 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 Gilsonite Draw Road.

573. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Gilsonite Draw 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.

Castle Peak Road, 511

574. The Castle Peak Road is designated as county road number 511 SGID road identification number RD070025 and is more or less 2.37 miles long.

575. The centerline course of the Castle Peak Road is depicted on the map included in Exhibit 29, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land, private land, and public land administered by the BLM.

576. The south end of the Castle Peak Road commences in the northeast quarter of section 9, Township 9 South, Range 17 East, S.L.B.M. and proceeds generally northeast where it ends in the southwest quarter of section 35, Township 8 South, Range 17 East, S.L.B.M.

577. The specific right-of-way for the Castle Peak Road claimed herein crosses 2.15 miles of BLM land in 3 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 29.

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

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

579. The Castle Peak Road has long served as a public highway providing access to and across state, private, and public land. This road serves the public's transportation needs.

580. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Castle Peak 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.

581. The Castle Peak Road appears on the Pariette Draw SW (1964) and Myton SE (1964) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

582. The County confirmed its acceptance of the Castle Peak Road by 1954, when it designated and accepted the road as a County highway on the County's general highway map.

The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Castle Peak Road pursuant to the County's governmental right and authority.

583. Witnesses with personal knowledge of the history of the Castle Peak 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.

584. Currently known reputation in the community is that the Castle Peak 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.

585. Public motor vehicle use of the Castle Peak Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

587. 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 Castle Peak Road.

588. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Castle Peak 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.

Nelson Farm Road, 512

589. The Nelson Farm Road is designated as county road number 512 SGID road identification number RD070075 and is more or less 1.48 miles long.

590. The centerline course of the Nelson Farm Road is depicted on the map included in Exhibit 30, which is attached hereto and incorporated herein. This map further reflects that this road crosses private land and public land administered by the BLM.

591. The west end of the Nelson Farm Road commences in the northeast quarter of section 21, Township 8 South, Range 17 East, S.L.B.M. and proceeds generally east where it ends in the southwest quarter of section 23, Township 8 South, Range 17 East, S.L.B.M.

592. The specific right-of-way for the Nelson Farm Road claimed herein crosses .58 miles of BLM land in 3 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 30.

593. In this action, the State and County seek to quiet title to the public highway right-of-way for the Nelson Farm Road solely as it crosses United States public land as included and specifically described in Exhibit 30. The Nelson Farm Road includes the segments of road specifically set forth in Exhibit 30 and as they exist on the ground.

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

594. The Nelson Farm Road has long served as a public highway providing access to and across state, private, and public land. This road serves the public's transportation needs.

595. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Nelson 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.

596. The Nelson Farm Road appears on the Pariette Draw SW (1964) and Myton SE (1964) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

597. The County confirmed its acceptance of the Nelson Farm Road by 1954, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Nelson Farm Road pursuant to the County's governmental right and authority.

598. Witnesses with personal knowledge of the history of the Nelson 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.

599. Currently known reputation in the community is that the Nelson 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.

600. Public motor vehicle use of the Nelson Farm Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

602. 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 Nelson Farm Road.

603. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Nelson 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.

Big Wash Road, 513

604. The Big Wash Road is designated as county road number 513 SGID road identification number RD070027 and is more or less 9.04 miles long.

605. The centerline course of the Big Wash Road is depicted on the map included in Exhibit 31, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

606. The north end of the Big Wash Road commences in the northwest quarter of section 10, Township 10 South, Range 16 East, S.L.B.M. and proceeds generally southwest where it meets three other roads in the southeast quarter of section 4, Township 11 South, Range 15 East, S.L.B.M.

607. The specific right-of-way for the Big Wash Road claimed herein crosses 8.36miles of BLM land in 2 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 31.

608. In this action, the State and County seek to quiet title to the public highway right-of-way for the Big Wash Road solely as it crosses United States public land as included and specifically described in Exhibit 31. The Big Wash Road includes the segments of road specifically set forth in Exhibit 31 and as they exist on the ground.

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

609. The Big Wash Road has long served as a public highway providing access to and across state and 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 Big Wash 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 Big Wash Road appears on the Gilsonite Draw (1968) and Wilkin Ridge (1965) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

612. The County confirmed its acceptance of the Big Wash Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Big Wash Road pursuant to the County's governmental right and authority.

613. Witnesses with personal knowledge of the history of the Big Wash 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 Big Wash 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 Big Wash Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

616. The Big Wash 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 Big Wash Road.

618. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Big Wash 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.

Pronghorn Road, 514

619. The Pronghorn Road is designated as county road number 514 and SGID road identification number RD070028 and is more or less 7.86 miles long.

620. The centerline course of the Pronghorn Road is depicted on the map included in Exhibit 32, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land, private land, and public land administered by the BLM.

621. The south end of the Pronghorn Road commences in the southeast quarter of section 20, Township 9 South, Range 16 East, S.L.B.M. and proceeds generally northeast where it ends in the southeast quarter of section 32, Township 8 South, Range 17 East, S.L.B.M.

622. The specific right-of-way for the Pronghorn Road claimed herein crosses 6.14 miles of BLM land in 3 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 32.

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

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

624. The Pronghorn Road has long served as a public highway providing access to and across state, private, and public land. This road serves the public's transportation needs.

625. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Pronghorn 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.

626. The Pronghorn Road appears on the Myton SW (1964) and Myton SE (1964) USGS 7.5 topographical maps (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

627. The County confirmed its acceptance of the Pronghorn Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Pronghorn Road pursuant to the County's governmental right and authority.

628. Witnesses with personal knowledge of the history of the Pronghorn 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.

629. Currently known reputation in the community is that the Pronghorn 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.

630. Public motor vehicle use of the Pronghorn Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

632. 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 Pronghorn Road.

633. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Pronghorn 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 Pronghorn Road, 515

634. The North Pronghorn Road is designated as county road number 515 and SGID road identification number RD070029 and is more or less 4.59 miles long.

635. The centerline course of the North Pronghorn Road is depicted on the map included in Exhibit 33, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

636. The west end of the North Pronghorn Road commences in the southeast quarter of section 7, Township 9 South, Range 16 East, S.L.B.M. and proceeds generally northeast where it ends in the southeast quarter of section 2, Township 9 South, Range 16 East, S.L.B.M.

637. The specific right-of-way for the North Pronghorn Road claimed herein crosses 3.86 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 33.

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

and specifically described in Exhibit 33. The North Pronghorn Road includes the segment of road specifically set forth in Exhibit 33 and as it exists on the ground.

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

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

640. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the North Pronghorn 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.

641. The North Pronghorn Road appears on the Myton SW (1964) and Myton SE (1964) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

642. The County confirmed its acceptance of the North Pronghorn Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the North Pronghorn Road pursuant to the County's governmental right and authority.

643. Witnesses with personal knowledge of the history of the North Pronghorn 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.

644. Currently known reputation in the community is that the North Pronghorn 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.

645. Public motor vehicle use of the North Pronghorn Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

647. 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 Pronghorn Road.

648. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the North Pronghorn 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 Monument Butte Road, 516

649. The North Monument Butte Road is designated as county road number 516 SGID road identification number RD070030 and is more or less 2.23 miles long.

650. The centerline course of the North Monument Butte Road is depicted on the map included in Exhibit 34, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

651. The north end of the North Monument Butte Road commences in the southwest quarter of section 1, Township 9 South, Range 16 East, S.L.B.M. and proceeds generally southwest where it ends in the northeast quarter of section 14, Township 9 South, Range 16 East, S.L.B.M.

652. The specific right-of-way for the North Monument Butte Road claimed herein crosses 2.23 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 34.

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

Acceptance of the North Monument Butte Road R.S. 2477 Right-of-way Prior to October 21, 1976.

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

655. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the North Monument Butte 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.

656. The North Monument Butte Road appears on the Myton SE (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

657. The County confirmed its acceptance of the North Monument Butte Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the North Monument Butte Road pursuant to the County's governmental right and authority.

658. Witnesses with personal knowledge of the history of the North Monument Butte 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.

659. Currently known reputation in the community is that the North Monument Butte 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.

660. Public motor vehicle use of the North Monument Butte Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

661. The North Monument Butte Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

662. 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 Monument Butte Road.

663. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the North Monument Butte 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 Monument Butte Road, 517

664. The South Monument Butte Road is designated as county road number 517 and SGID road identification number RD070031 and is more or less 0.39 miles long.

665. The centerline course of the South Monument Butte Road is depicted on the map included in Exhibit 35, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

666. The north end of the South Monument Butte Road commences in the southwest quarter of section 12, Township 9 South, Range 16 East, S.L.B.M. and proceeds generally south where it ends in the southwest quarter of section 12, Township 9 South, Range 16 East, S.L.B.M.

667. The specific right-of-way for the South Monument Butte Road claimed herein crosses 0.39 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 35.

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

Acceptance of the South Monument Butte Road R.S. 2477 Right-of-way Prior to October 21, 1976.

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

670. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the South Monument Butte 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.

671. The South Monument Butte Road appears on the Myton SE (1964) USGS 7.5-minute map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

672. The County confirmed its acceptance of the South Monument Butte Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the South Monument Butte Road pursuant to the County's governmental right and authority.

673. Witnesses with personal knowledge of the history of the South Monument Butte 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.

674. Currently known reputation in the community is that the South Monument Butte 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.

675. Public motor vehicle use of the South Monument Butte Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

676. The South Monument Butte Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

677. 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 Monument Butte Road.

678. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the South Monument Butte 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.

Castle Peak Cutoff Road, 518

679. The Castle Peak Cutoff Road is designated as county road number 518 and SGID road identification number RD070032 and is more or less 1.37 miles long.

680. The centerline course of the Castle Peak Cutoff Road is depicted on the map included in Exhibit 36, which is attached hereto and incorporated herein. This map further reflects that this road crosses private land and public land administered by the BLM.

681. The west end of the Castle Peak Cutoff Road commences in the northeast quarter of section 6, Township 9 South, Range 17 East, S.L.B.M. and proceeds generally east where it ends in the northwest quarter of section 4, Township 9 South, Range 17 East, S.L.B.M.

682. The specific right-of-way for the Castle Peak Cutoff Road claimed herein crosses 1.33 miles of BLM land in 2 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 36.

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

Acceptance of the Castle Peak Cutoff Road R.S. 2477 Right-of-way Prior to October 21, 1976.

684. The Castle Peak Cutoff Road has long served as a public highway providing access to and across private and public land. This road serves the public's transportation needs.

685. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Castle Peak 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.

686. The Castle Peak Cutoff Road appears on the Myton SE (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

687. The County confirmed its acceptance of the Castle Peak Cutoff Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Castle Peak Cutoff Road pursuant to the County's governmental right and authority.

688. Witnesses with personal knowledge of the history of the Castle Peak 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.

689. Currently known reputation in the community is that the Castle Peak 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.

690. Public motor vehicle use of the Castle Peak Cutoff Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

691. The Castle Peak Cutoff Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

692. 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 Castle Peak Cutoff Road.

693. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Castle Peak 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.

Raptor Road, 519

694. The Raptor Road is designated as county road number 519 and SGID road identification number RD070033 and is more or less 2.77 miles long.

695. The centerline course of the Raptor Road is depicted on the map included in Exhibit 37, which is attached hereto and incorporated herein. This map further reflects that this road crosses private land and public land administered by the BLM.

696. The west end of the Raptor Road commences in the northwest quarter of section 30, Township 8 South, Range 17 East, S.L.B.M. and proceeds generally east where it ends in the southeast quarter of section 28, Township 8 South, Range 17 East, S.L.B.M.

697. The specific right-of-way for the Raptor Road claimed herein crosses 2.67 miles of BLM land in 3 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 37.

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

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

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

700. The Raptor Road appears on the Myton SE (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

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

702. Witnesses with personal knowledge of the history of the Raptor 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.

703. Currently known reputation in the community is that the Raptor 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.

704. Public motor vehicle use of the Raptor Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

706. 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 Raptor Road.

707. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Raptor 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.

Overlook Road, 520

708. The Overlook Road is designated as county road number 520 and SGID road identification number RD070034 and is more or less 3.78 miles long.

709. The centerline course of the Overlook Road is depicted on the map included in Exhibit 38, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

710. The west end of the Overlook Road commences in the southeast quarter of section 33, Township 8 South, Range 16 East, S.L.B.M. and proceeds generally northeast where it ends in the northwest quarter of section 30, Township 8 South, Range 17 East, S.L.B.M.

711. The specific right-of-way for the Overlook Road claimed herein crosses 3.78 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 38.

712. In this action, the State and County seek to quiet title to the public highway right-of-way for the Overlook Road solely as it crosses United States public land as included and specifically described in Exhibit 38. The Overlook Road includes the segment of road specifically set forth in Exhibit 38 and as it exists on the ground.

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

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

714. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Overlook 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.

715. The Overlook Road appears on the Myton SE (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

716. The County confirmed its acceptance of the Overlook Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Overlook Road pursuant to the County's governmental right and authority.

717. Witnesses with personal knowledge of the history of the Overlook 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.

718. Currently known reputation in the community is that the Overlook 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.

719. Public motor vehicle use of the Overlook Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

721. 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 Overlook Road.

722. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Overlook 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.

Transport Road, 521

723. The Transport Road is designated as county road number 521 and SGID road identification number RD070035 and is more or less 2.84 miles long.

724. The centerline course of the Transport Road is depicted on the map included in Exhibit 39, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

725. The north end of the Transport Road commences in the southeast quarter of section 27, Township 8 South, Range 16 East, S.L.B.M. and proceeds generally south then loops east, then again south where it ends in the southwest quarter of section 1, Township 9 South, Range 16 East, S.L.B.M.

726. The specific right-of-way for the Transport Road claimed herein crosses 1.47 miles of BLM land in 2 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 39.

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

specifically described in Exhibit 39. The Transport Road includes the segment of road specifically set forth in Exhibit 39 and as it exists on the ground.

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

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

729. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Transport 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.

730. The Transport Road appears on the Myton SE (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

731. The County confirmed its acceptance of the Transport Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Transport Road pursuant to the County's governmental right and authority.

732. Witnesses with personal knowledge of the history of the Transport 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.

733. Currently known reputation in the community is that the Transport 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.

734. Public motor vehicle use of the Transport Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

736. 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 Transport Road.

737. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Transport 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.

Two Track Road, 522

738. The Two Track Road is designated as county road number 522 and SGID road identification number RD070036 and is more or less 1.87 miles long.

739. The centerline course of the Two Track Road is depicted on the map included in Exhibit 40, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

740. The west end of the Two Track Road commences in the northwest quarter of section 4, Township 9 South, Range 16 East, S.L.B.M. and proceeds generally east where it ends in the northwest quarter of section 2, Township 9 South, Range 16 East, S.L.B.M.

741. The specific right-of-way for the Two Track Road claimed herein crosses 1.52 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 40.

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

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

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

744. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Two Track 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.

745. The Two Track Road appears on the Myton SE (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

746. The County confirmed its acceptance of the Two Track Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map.

The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Two Track Road pursuant to the County's governmental right and authority.

747. Witnesses with personal knowledge of the history of the Two Track 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.

748. Currently known reputation in the community is that the Two Track 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.

749. Public motor vehicle use of the Two Track Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

751. 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 Two Track Road.

752. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Two Track 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 Canyon Road, 523

753. The Wood Canyon Road is designated as county road number 523 and SGID road identification number RD70037 and is more or less 4.80 miles long.

754. The centerline course of the Wood Canyon Road is depicted on the map included in Exhibit 41, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

755. The east end of the Wood Canyon Road commences in the southeast quarter of section 19, Township 11 South, Range 14 East, S.L.B.M. and proceeds generally southwest where it meets the Argyle Canyon Road in the southwest quarter of section 25, Township 11 South, Range 13 East, S.L.B.M.

756. The specific right-of-way for the Wood Canyon Road claimed herein crosses 4.8 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 41.

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

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

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

759. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Wood 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.

760. The Wood Canyon Road appears on the Wood Canyon (1968) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

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

762. Witnesses with personal knowledge of the history of the Wood 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.

763. Currently known reputation in the community is that the Wood 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.

764. Public motor vehicle use of the Wood Canyon Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

766. 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 Canyon Road.

767. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Wood 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.

Bench Mark Loop Road, 525

768. The Bench Mark Loop Road is designated as county road number 525 and SGID road identification number RD070039 and is more or less 7.0 miles long.

769. The centerline course of the Bench Mark Loop Road is depicted on the map included in Exhibit 42, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

770. The north end of the Bench Mark Loop Road commences in the southwest quarter of section 7, Township 9 South, Range 16 East, S.L.B.M. and proceeds generally south and east where it ends in the southwest quarter of section 19, Township 9 South, Range 16 East, S.L.B.M.

771. The specific right-of-way for the Bench Mark Loop Road claimed herein crosses 7.0miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 42.

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

and specifically described in Exhibit 42. The Bench Mark Loop Road includes the segment of road specifically set forth in Exhibit 42 and as it exists on the ground.

Acceptance of the Bench Mark Loop Road R.S. 2477 Right-of-way Prior to October 21, 1976.

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

774. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Bench Mark Loop 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.

775. The Bench Mark Loop Road appears on the Myton SW (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

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

777. Witnesses with personal knowledge of the history of the Bench Mark Loop 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.

778. Currently known reputation in the community is that the Bench Mark Loop 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.

779. Public motor vehicle use of the Bench Mark Loop Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

780. The Bench Mark Loop Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

781. 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 Bench Mark Loop Road.

782. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Bench Mark Loop 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.

Sandstone Road, 526

783. The Sandstone Road is designated as county road number 526 and SGID road identification number RD070040 and is more or less 1.75 miles long.

784. The centerline course of the Sandstone Road is depicted on the map included in Exhibit 43, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

785. The east end of the Sandstone Road commences in the southwest quarter of section 22, Township 8 South, Range 16 East, S.L.B.M. and proceeds generally west where it ends in the northeast quarter of section 20, Township 8 South, Range 16 East, S.L.B.M.

786. The specific right-of-way for the Sandstone Road claimed herein crosses 1.75 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 43.

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

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

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

789. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Sandstone 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.

790. The Sandstone Road appears on the Myton SE (1964) and Myton SW (1964) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

791. The County confirmed its acceptance of the Sandstone Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map.

The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Sandstone Road pursuant to the County's governmental right and authority.

792. Witnesses with personal knowledge of the history of the Sandstone 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.

793. Currently known reputation in the community is that the Sandstone 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.

794. Public motor vehicle use of the Sandstone Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

796. 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 Sandstone Road.

797. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Sandstone 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.

Buried Line Road, 527

798. The Buried Line Road is designated as county road number 527 and SGID road identification number RD070041 and is more or less 3.41 miles long.

799. The centerline course of the Buried Line Road is depicted on the map included in Exhibit 44, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

800. The north end of the Buried Line Road commences in the southeast quarter of section 20 Township 8 South, Range 16 East, S.L.B.M. and proceeds generally southwest where it ends in the southeast quarter of section 1, Township 9 South, Range 15 East, S.L.B.M.

801. The specific right-of-way for the Buried Line Road claimed herein crosses 3.41 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 44.

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

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

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

804. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Buried Line 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.

805. The Buried Line Road appears on the Myton SW (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

806. The County confirmed its acceptance of the Buried Line Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Buried Line Road pursuant to the County's governmental right and authority.

807. Witnesses with personal knowledge of the history of the Buried Line 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.

808. Currently known reputation in the community is that the Buried Line 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.

809. Public motor vehicle use of the Buried Line Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

811. 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 Buried Line Road.

812. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Buried Line 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.

Broken Bench Road, 528

813. The Broken Bench Road is designated as county road number 528 and SGID road identification number RD070042 and is more or less 2.86 miles long.

814. The centerline course of the Broken Bench Road is depicted on the map included in Exhibit 45, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

815. The north end of the Broken Bench Road commences in the southwest quarter of section 5, Township 9 South, Range 16 East, S.L.B.M. and proceeds generally southwest where ends in the northeast quarter of section 14, Township 9 South, Range 15 East, S.L.B.M.

816. The specific right-of-way for the Broken Bench Road claimed herein crosses 2.86 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 45.

817. In this action, the State and County seek to quiet title to the public highway right-of-way for the Broken Bench Road solely as it crosses United States public land as included and specifically described in Exhibit 45. The Broken Bench Road includes the segment of road specifically set forth in Exhibit 45 and as it exists on the ground.

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

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

819. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Broken 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.

820. The Broken Bench Road appears on the Myton SW (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

821. The County confirmed its acceptance of the Broken Bench Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Broken Bench Road pursuant to the County's governmental right and authority.

822. Witnesses with personal knowledge of the history of the Broken 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.

823. Currently known reputation in the community is that the Broken 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.

824. Public motor vehicle use of the Broken Bench Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

826. 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 Broken Bench Road.

827. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Broken 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.

Boundary Fence Road, 529

828. The Boundary Fence Road is designated as county road number 529 and SGID road identification number RD070043 and is more or less 3.29 miles long.

829. The centerline course of the Boundary Fence Road is depicted on the map included in Exhibit 46, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

830. The north end of the Boundary Fence Road commences in the northwest quarter of section 2, Township 9 South, Range 15 East, S.L.B.M. and proceeds generally south where it ends in the northwest quarter of section 13, Township 9 South, Range 15 East, S.L.B.M.

831. The specific right-of-way for the Boundary Fence Road claimed herein crosses 1.72 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 46.

832. In this action, the State and County seek to quiet title to the public highway right-of-way for the Boundary Fence Road solely as it crosses United States public land as included and specifically described in Exhibit 46. The Boundary Fence Road includes the segment of road specifically set forth in Exhibit 46 and as it exists on the ground.

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

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

834. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Boundary Fence 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.

835. The Boundary Fence Road appears on the Myton SW (1964) USGS 7.5-minute map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

836. The County confirmed its acceptance of the Boundary Fence Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Boundary Fence Road pursuant to the County's governmental right and authority.

837. Witnesses with personal knowledge of the history of the Boundary Fence 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.

838. Currently known reputation in the community is that the Boundary Fence 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.

839. Public motor vehicle use of the Boundary Fence Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

841. 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 Boundary Fence Road.

842. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Boundary Fence 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.

Wells Overlook Road, 530

843. The Wells Overlook Road is designated as county road number 530 and SGID road identification number RD070044 and is more or less 3.84 miles long.

844. The centerline course of the Wells Overlook Road is depicted on the map included in Exhibit 47, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

845. The south end of the Wells Overlook Road commences in the southwest quarter of section 34, Township 8 South, Range 16 East, S.L.B.M. and proceeds generally north then northeast where it ends in the northwest quarter of section 24, Township 8 South, Range 16 East, S.L.B.M.

846. The specific right-of-way for the Wells Overlook Road claimed herein crosses 3.84 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 47.

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

and specifically described in Exhibit 47. The Wells Overlook Road includes the segment of road specifically set forth in Exhibit 47 and as it exists on the ground.

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

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

849. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Wells Overlook 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.

850. The Wells Overlook Road appears on the Myton SE (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

851. The County confirmed its acceptance of the Wells Overlook Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Wells Overlook Road pursuant to the County's governmental right and authority.

852. Witnesses with personal knowledge of the history of the Wells Overlook 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.

853. Currently known reputation in the community is that the Wells Overlook 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.

854. Public motor vehicle use of the Wells Overlook Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

856. 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 Wells Overlook Road.

857. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Wells Overlook 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.

Split Road, 531

858. The Split Road is designated as county road number 531 and SGID road identification number RD070045 and is more or less 0.56 miles long.

859. The centerline course of the Split Road is depicted on the map included in Exhibit 48, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

860. The north end of the Split Road commences in the northwest quarter of section 21, Township 8 South, Range 16 East, S.L.B.M. and proceeds generally south where it ends in the northwest quarter of section 28, Township 8 South, Range 16 East, S.L.B.M.

861. The specific right-of-way for the Split Road claimed herein crosses 0.56 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 48.

862. In this action, the State and County seek to quiet title to the public highway right-of-way for the Split Road solely as it crosses United States public land as included and specifically described in Exhibit 48. The Split Road includes the segment of road specifically set forth in Exhibit 48 and as it exists on the ground.

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

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

864. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Split 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.

865. The Split Road appears on the Myton SW (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

866. The County confirmed its acceptance of the Split Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map.

The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Split Road pursuant to the County's governmental right and authority.

867. Witnesses with personal knowledge of the history of the Split 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.

868. Currently known reputation in the community is that the Split 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.

869. Public motor vehicle use of the Split Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

871. 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 Split Road.

872. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Split 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.

Deep Well Road, 532

873. The Deep Well Road is designated as county road number 532 and State Geographic Information Database (“SGID”) road identification number RD070046 and is more or less 2.98 miles long.

874. The centerline course of the Deep Well Road is depicted on the map included in Exhibit 49, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

875. The west end of the Deep Well Road commences in the northwest quarter of section 35, Township 8 South, Range 16 East, S.L.B.M. and proceeds generally east where it ends in the southwest quarter of section 30, Township 8 South, Range 17 East, S.L.B.M.

876. The specific right-of-way for the Deep Well Road claimed herein crosses 1.73 miles of BLM land in 2 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 49.

877. In this action, the State and County seek to quiet title to the public highway right-of-way for the Deep Well Road solely as it crosses United States public land as included and specifically described in Exhibit 49. The Deep Well Road includes the segments of road specifically set forth in Exhibit 49 and as they exist on the ground.

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

878. The Deep Well Road has long served as a public highway providing access to and across public land and state land. This road serves the public’s transportation needs.

879. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Deep Well 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.

880. The Deep Well Road appears on the Myton SE (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

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

882. Witnesses with personal knowledge of the history of the Deep Well 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.

883. Currently known reputation in the community is that the Deep Well 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.

884. Public motor vehicle use of the Deep Well Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

886. 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 Deep Well Road.

887. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Deep Well 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.

534 Road, 534

888. The 534 Road is designated as county road number 534 and SGID road identification number RD070048 and is more or less 0.94 miles long.

889. The centerline course of the 534 Road is depicted on the map included in Exhibit 50, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

890. The north end of the 534 Road commences in the southeast quarter of section 12, Township 11 South, Range 14 East, S.L.B.M. and proceeds generally south where ends in the southeast quarter of section 13, Township 11 South, Range 14 East, S.L.B.M.

891. The specific right-of-way for the 534 Road claimed herein crosses .94 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 50.

892. In this action, the State and County seek to quiet title to the public highway right-of-way for the 534 Road solely as it crosses United States public land as included and

specifically described in Exhibit 50. The 534 Road includes the segment of road specifically set forth in Exhibit 50 and as it exists on the ground.

Acceptance of the 534 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

893. The 534 Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

894. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the 534 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.

895. The 534 Road appears on the Currant Canyon (1968) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

896. The 534 Road was accepted as a County highway at least 10 years prior to October 21, 1976. Thereafter, the County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the 534 Road pursuant to the County's governmental right and authority.

897. Witnesses with personal knowledge of the history of the 534 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.

898. Currently known reputation in the community is that the 534 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.

899. Public motor vehicle use of the 534 Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

900. The 534 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

901. 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 534 Road.

902. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 534 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.

Drumstick Road, 535

903. The Drumstick Road is designated as county road number 535 and SGID road identification number RD070049 and is more or less 1.75 miles long.

904. The centerline course of the Drumstick Road is depicted on the map included in Exhibit 51, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

905. The north end of the Drumstick Road commences in the northwest quarter of section 12, Township 9 South, Range 16 East, S.L.B.M. and proceeds generally southwest where it ends in the southeast quarter of section 10, Township 9 South, Range 16 East, S.L.B.M.

906. The specific right-of-way for the Drumstick Road claimed herein crosses 1.75 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 51.

907. In this action, the State and County seek to quiet title to the public highway right-of-way for the Drumstick Road solely as it crosses United States public land as included and specifically described in Exhibit 51. The Drumstick Road includes the segment of road specifically set forth in Exhibit 51 and as it exists on the ground.

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

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

909. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Drumstick 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.

910. The Drumstick Road appears on the Myton SE (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

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

912. Witnesses with personal knowledge of the history of the Drumstick 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.

913. Currently known reputation in the community is that the Drumstick 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.

914. Public motor vehicle use of the Drumstick Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

916. 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 Drumstick Road.

917. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Drumstick 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.

Snake Tongue Road, 536

918. The Snake Tongue Road is designated as county road number 536 and SGID road identification number RD070050 and is more or less 1.46 miles long.

919. The centerline course of the Snake Tongue Road is depicted on the map included in Exhibit 52, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

920. The north end of the Snake Tongue Road commences in the northwest quarter of section 33, Township 8 South, Range 16 East, S.L.B.M. and proceeds generally southwest where it ends in the northwest quarter of section 5, Township 9 South, Range 16 East, S.L.B.M.

921. The specific right-of-way for the Snake Tongue Road claimed herein crosses 0.64 miles of BLM land in 2 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 52.

922. In this action, the State and County seek to quiet title to the public highway right-of-way for the Snake Tongue Road solely as it crosses United States public land as included and specifically described in Exhibit 52. The Snake Tongue Road includes the segments of road specifically set forth in Exhibit 52 and as they exist on the ground.

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

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

924. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Snake Tongue 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.

925. The Snake Tongue Road appears on the Myton SW (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

926. The County confirmed its acceptance of the Snake Tongue Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Snake Tongue Road pursuant to the County's governmental right and authority.

927. Witnesses with personal knowledge of the history of the Snake Tongue 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.

928. Currently known reputation in the community is that the Snake Tongue 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.

929. Public motor vehicle use of the Snake Tongue Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

931. 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 Snake Tongue Road.

932. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Snake Tongue 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.

Branding Iron Road, 537

933. The Branding Iron Road is designated as county road number 537 and SGID road identification number RD070051 and is more or less 2.35 miles long.

934. The centerline course of the Branding Iron Road is depicted on the map included in Exhibit 53, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

935. The west end of the Branding Iron Road commences in the northwest quarter of section 21, Township 9 South, Range 17 East, S.L.B.M. and proceeds generally east where ends in the southwest quarter of section 14, Township 9 South, Range 17 East, S.L.B.M.

936. The specific right-of-way for the Branding Iron Road claimed herein crosses 1.69 miles of BLM land in 3 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 53.

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

specifically described in Exhibit 53. The Branding Iron Road includes the segments of road specifically set forth in Exhibit 53 and as they exist on the ground.

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

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

939. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Branding Iron 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.

940. The Branding Iron Road appears on the Myton SE (1964) and Pariette Draw SW (1964) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

941. The County confirmed its acceptance of the Branding Iron Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Branding Iron Road pursuant to the County's governmental right and authority.

942. Witnesses with personal knowledge of the history of the Branding Iron 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.

943. Currently known reputation in the community is that the Branding Iron 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.

944. Public motor vehicle use of the Branding Iron Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

946. 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 Branding Iron Road.

947. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Branding Iron 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.

Snyder Reservoir Road, 538

948. The Snyder Reservoir Road is designated as county road number 538 and SGID road identification number RD070052 and is more or less 0.42 miles long.

949. The centerline course of the Snyder Reservoir Road is depicted on the map included in Exhibit 54, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

950. The east end of the Snyder Reservoir Road commences in the southwest quarter of section 22, Township 9 South, Range 17 East, S.L.B.M. and proceeds generally southwest where it ends in the southeast quarter of section 21, Township 9 South, Range 17 East, S.L.B.M.

951. The specific right-of-way for the Snyder Reservoir Road claimed herein crosses 0.42 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 54.

952. In this action, the State and County seek to quiet title to the public highway right-of-way for the Snyder Reservoir Road solely as it crosses United States public land as included and specifically described in Exhibit 54. The Snyder Reservoir Road includes the segment of road specifically set forth in Exhibit 54 and as it exists on the ground.

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

953. The Snyder Reservoir 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 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Snyder Reservoir 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 Snyder Reservoir Road appears on the Myton SE (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

956. The County confirmed its acceptance of the Snyder Reservoir Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map.

The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Snyder Reservoir Road pursuant to the County's governmental right and authority.

957. Witnesses with personal knowledge of the history of the Snyder Reservoir 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 Snyder Reservoir 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 Snyder Reservoir Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

960. The Snyder Reservoir 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 Snyder Reservoir Road.

962. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Snyder Reservoir 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.

Snyder Spring Road, 539

963. The Snyder Spring Road is designated as county road number 539 and SGID road identification number RD070053 and is more or less 1.65 miles long.

964. The centerline course of the Snyder Spring Road is depicted on the map included in Exhibit 55, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

965. The west end of the Snyder Spring Road commences in the southeast quarter of section 21, Township 9 South, Range 17 East, S.L.B.M. and proceeds generally east where ends in the northwest quarter of section 26, Township 9 South, Range 17 East, S.L.B.M.

966. The specific right-of-way for the Snyder Spring Road claimed herein crosses 1.65 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 55.

967. In this action, the State and County seek to quiet title to the public highway right-of-way for the Snyder Spring Road solely as it crosses United States public land as included and specifically described in Exhibit 55. The Snyder Spring Road includes the segment of road specifically set forth in Exhibit 55 and as it exists on the ground.

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

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

969. The Snyder Spring Road appears on the Myton SE (1964) and Pariette Draw SW (1964) USGS map 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

970. The County confirmed its acceptance of the Snyder Spring Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Snyder Spring Road pursuant to the County's governmental right and authority.

971. Witnesses with personal knowledge of the history of the Snyder 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.

972. Currently known reputation in the community is that the Snyder 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.

973. Public motor vehicle use of the Snyder Spring Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

975. 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 Snyder Spring Road.

976. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Snyder 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.

Snake Flats Road, 540

977. The Snake Flats Road is designated as county road number 540 and SGID road identification number RD070054 and is more or less 3.65 miles long.

978. The centerline course of the Snake Flats Road is depicted on the map included in Exhibit 56, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

979. The north end of the Snake Flats Road commences in the northeast quarter of section 28, Township 9 South, Range 17 East, S.L.B.M. and proceeds generally southwest where it ends in the southwest quarter of section 31, Township 9 South, Range 17 East, S.L.B.M.

980. The specific right-of-way for the Snake Flats Road claimed herein crosses 3.27 miles of BLM land in 2 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 56.

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

specifically described in Exhibit 56. The Snake Flats Road includes the segments of road specifically set forth in Exhibit 56 and as they exist on the ground.

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

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

983. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Snake 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.

984. The Snake Flats Road appears on the Myton SE (1964) and Wilkin Ridge (1964) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

985. The County confirmed its acceptance of the Snake Flats Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Snake Flats Road pursuant to the County's governmental right and authority.

986. Witnesses with personal knowledge of the history of the Snake 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.

987. Currently known reputation in the community is that the Snake 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.

988. Public motor vehicle use of the Snake Flats Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

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

990. 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 Snake Flats Road.

991. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Snake 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.

Jeep Road, 541

992. The Jeep Road is designated as county road number 541 and SGID road identification number RD070055 and is more or less 1.20 miles long.

993. The centerline course of the Jeep Road is depicted on the map included in Exhibit 57, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

994. The west end of the Jeep Road commences in the northwest quarter of section 30, Township 9 South, Range 17 East, S.L.B.M. and proceeds generally east where ends in the southwest quarter of section 29, Township 9 South, Range 17 East, S.L.B.M.

995. The specific right-of-way for the Jeep Road claimed herein crosses 1.2 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 57.

996. In this action, the State and County seek to quiet title to the public highway right-of-way for the Jeep Road solely as it crosses United States public land as included and specifically described in Exhibit 57. The Jeep Road includes the segment of road specifically set forth in Exhibit 57 and as it exists on the ground.

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

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

998. The Jeep Road appears on the Myton SE (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

999. The County confirmed its acceptance of the Jeep Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Jeep Road pursuant to the County's governmental right and authority.

1000. Witnesses with personal knowledge of the history of the Jeep 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.

1001. Currently known reputation in the community is that the Jeep 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.

1002. Public motor vehicle use of the Jeep Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1003. The Jeep Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1004. 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 Jeep Road.

1005. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Jeep 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.

Cross Bench Road, 542

1006. The Cross Bench Road is designated as county road number 542 and SGID road identification number RD070056 and is more or less 9.32 miles long.

1007. The centerline course of the Cross Bench Road is depicted on the map included in Exhibit 58, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1008. The west end of the Cross Bench Road commences in the northeast quarter of section 7, Township 10 South, Range 16 East, S.L.B.M. and proceeds generally northeast where ends in the southeast quarter of section 17, Township 9 South, Range 17 East, S.L.B.M.

1009. The specific right-of-way for the Cross Bench Road claimed herein crosses 9.32 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 58.

1010. In this action, the State and County seek to quiet title to the public highway right-of-way for the Cross Bench Road solely as it crosses United States public land as included and specifically described in Exhibit 58. The Cross Bench Road includes the segment of road specifically set forth in Exhibit 58 and as it exists on the ground.

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

1011. The Cross Bench Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1012. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Cross 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.

1013. The Cross Bench Road appears on the Myton SE (1964), Wilkin Ridge (1965) and Gilsonite Draw (1968) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

1014. The County confirmed its acceptance of the Cross Bench Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Cross Bench Road pursuant to the County's governmental right and authority.

1015. Witnesses with personal knowledge of the history of the Cross 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.

1016. Currently known reputation in the community is that the Cross 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.

1017. Public motor vehicle use of the Cross Bench Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1018. The Cross Bench Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1019. 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 Cross Bench Road.

1020. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Cross 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.

Sandy Road, 543

1021. The Sandy Road is designated as county road number 543 and SGID road identification number RD070057 and is more or less 0.69 miles long.

1022. The centerline course of the Sandy Road is depicted on the map included in Exhibit 59, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1023. The west end of the Sandy Road commences in the northwest quarter of section 19, Township 9 South, Range 17 East, S.L.B.M. and proceeds generally north where it ends in the southwest quarter of section 18, Township 9 South, Range 17 East, S.L.B.M.

1024. The specific right-of-way for the Sandy Road claimed herein crosses 0.69 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 59.

1025. In this action, the State and County seek to quiet title to the public highway right-of-way for the Sandy Road solely as it crosses United States public land as included and

specifically described in Exhibit 59. The Sandy Road includes the segment of road specifically set forth in Exhibit 59 and as it exists on the ground.

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

1026. The Sandy Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1027. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Sandy 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.

1028. The Sandy Road appears on the Myton SE (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

1029. The County confirmed its acceptance of the Sandy Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Sandy Road pursuant to the County's governmental right and authority.

1030. Witnesses with personal knowledge of the history of the Sandy 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.

1031. Currently known reputation in the community is that the Sandy 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.

1032. Public motor vehicle use of the Sandy Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1033. The Sandy Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1034. 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 Sandy Road.

1035. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Sandy 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.

Eagle Perch Road, 545

1036. The Eagle Perch Road is designated as county road number 545 and SGID road identification number RD070058 and is more or less 3.65 miles long.

1037. The centerline course of the Eagle Perch Road is depicted on the map included in Exhibit 60, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1038. The east end of the Eagle Perch Road commences in the southeast quarter of section 27 Township 9 South, Range 16 East, S.L.B.M. and proceeds generally southwest where it ends in the southeast quarter of section 6, Township 10 South, Range 16 East, S.L.B.M.

1039. The specific right-of-way for the Eagle Perch Road claimed herein crosses 3.65 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 60.

1040. In this action, the State and County seek to quiet title to the public highway right-of-way for the Eagle Perch Road solely as it crosses United States public land as included and specifically described in Exhibit 60. The Silver Falls Road includes the segment of road specifically set forth in Exhibit 60 and as it exists on the ground.

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

1041. The Eagle Perch Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1042. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Eagle Perch 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.

1043. The Eagle Perch Road appears on the Wilkin Ridge (1965) and Gilsonite Draw (1968) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

1044. The Eagle Perch Road was accepted as a County highway at least 10 years prior to October 21, 1976. Thereafter, the County further evidenced its acceptance of its R.S. 2477

right-of-way by managing, maintaining, or improving the Eagle Perch Road pursuant to the County's governmental right and authority.

1045. Witnesses with personal knowledge of the history of the Eagle Perch 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.

1046. Currently known reputation in the community is that the Eagle Perch 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.

1047. Public motor vehicle use of the Eagle Perch Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1048. The Eagle Perch Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1049. 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 Eagle Perch Road.

1050. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Eagle Perch 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.

Eagle Road, 546

1051. The Eagle Road is designated as county road number 546 and SGID road identification number RD070059 and is more or less 2.40 miles long.

1052. The centerline course of the Eagle Road is depicted on the map included in Exhibit 61, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1053. The north end of the Eagle Road commences in the northeast quarter of section 7, Township 10 South, Range 16 East, S.L.B.M. and proceeds generally southwest where ends in the northeast quarter of section 24, Township 10 South, Range 15 East, S.L.B.M.

1054. The specific right-of-way for the Eagle Road claimed herein crosses 2.40 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 61.

1055. In this action, the State and County seek to quiet title to the public highway right-of-way for the Eagle Road solely as it crosses United States public land as included and specifically described in Exhibit 61. The Eagle Road includes the segment of road specifically set forth in Exhibit 61 and as it exists on the ground.

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

1056. The Eagle Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1057. The Eagle Road appears on the Gilsonite Draw (1968) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

1058. The Eagle Road was accepted as a County highway at least 10 years prior to October 21, 1976. Thereafter, the County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Eagle Road pursuant to the County's governmental right and authority.

1059. Witnesses with personal knowledge of the history of the Eagle 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.

1060. Currently known reputation in the community is that the Eagle 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.

1061. Public motor vehicle use of the Eagle Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1062. The Eagle Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1063. 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 Eagle Road.

1064. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Eagle 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.

Crow Knoll Road, 547

1065. The Crow Knoll Road is designated as county road number 547 and SGID road identification number RD070060 and is more or less 1.05 miles long.

1066. The centerline course of the Crow Knoll Road is depicted on the map included in Exhibit 62, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1067. The east end of the Crow Knoll Road commences in the southwest quarter of section 35, Township 9 South, Range 17 East, S.L.B.M. and proceeds generally southwest where it ends in the northeast quarter of section 3, Township 10 South, Range 17 East, S.L.B.M.

1068. The specific right-of-way for the Crow Knoll Road claimed herein crosses 1.05 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 62.

1069. In this action, the State and County seek to quiet title to the public highway right-of-way for the Crow Knoll Road solely as it crosses United States public land as included and specifically described in Exhibit 62. The Crow Knoll Road includes the segment of road specifically set forth in Exhibit 62 and as it exists on the ground.

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

1070. The Crow Knoll Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1071. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Crow Knoll 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.

1072. The Crow Knoll Road was accepted as a County highway at least 10 years prior to October 21, 1976. Thereafter, the County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Crow Knoll Road pursuant to the County's governmental right and authority.

1073. Witnesses with personal knowledge of the history of the Crow Knoll 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.

1074. Currently known reputation in the community is that the Crow Knoll 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.

1075. Public motor vehicle use of the Crow Knoll Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1076. The Crow Knoll Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1077. 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 Crow Knoll Road.

1078. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Crow Knoll 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.

Sheep Wash Road, 548

1079. The Sheep Wash Road is designated as county road number 548 and SGID road identification number RD070061 and is more or less 0.48 miles long.

1080. The centerline course of the Sheep Wash Road is depicted on the map included in Exhibit 63, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

1081. The north end of the Sheep Wash Road commences in the southwest quarter of section 10, Township 10 South, Range 17 East, S.L.B.M. and proceeds generally southwest where it ends in the southeast quarter of section 25, Township 10 South, Range 16 East, S.L.B.M.

1082. The specific right-of-way for the Sheep Wash Road claimed herein crosses .07miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 63.

1083. In this action, the State and County seek to quiet title to the public highway right-of-way for the Sheep Wash Road solely as it crosses United States public land as included and specifically described in Exhibit 63. The Sheep Wash Road includes the segment of road specifically set forth in Exhibit 63 and as it exists on the ground.

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

1084. The Sheep Wash Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1085. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Sheep Wash 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.

1086. The Sheep Wash Road appears on the Nutters Hole (1953) USGS 15-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

1087. The County confirmed its acceptance of the Sheep Wash Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Sheep Wash Road pursuant to the County's governmental right and authority.

1088. Witnesses with personal knowledge of the history of the Sheep Wash 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.

1089. Currently known reputation in the community is that the Sheep Wash 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.

1090. Public motor vehicle use of the Sheep Wash Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1091. The Sheep Wash Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1092. 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 Sheep Wash Road.

1093. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Sheep Wash 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.

Petes Wash B Road, 701

1094. The Petes Wash B Road is designated as county road number 701 and SGID road identification number RD070062 and is more or less 6.61 miles long.

1095. The centerline course of the Petes Wash B Road is depicted on the map included in Exhibit 64, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

1096. The south end of the Petes Wash B Road commences in the southeast quarter of section 16, Township 11 South, Range 16 East, S.L.B.M. and proceeds generally north then

northeast where ends in the southeast quarter of section 25, Township 10 South, Range 16 East, S.L.B.M.

1097. The specific right-of-way for the Petes Wash B Road claimed herein crosses 2.92 miles of BLM land in 3 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 64.

1098. In this action, the State and County seek to quiet title to the public highway right-of-way for the Petes Wash B Road solely as it crosses United States public land as included and specifically described in Exhibit 64. The Petes Wash B Road includes the segments of road specifically set forth in Exhibit 64 and as they exist on the ground.

Acceptance of the Petes Wash B Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1099. The Petes Wash B Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1100. Aerial photography from 1976 and 1977 confirms the historical use, existence, and acceptance of the right-of-way for the Petes Wash B 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.

1101. The Petes Wash B Road appears on the Wilkin Ridge (1965), Cowboy Bench (1968) and Pinnacle Canyon (1968) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

1102. The County confirmed its acceptance of the Petes Wash B Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map.

The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Petes Wash B Road pursuant to the County's governmental right and authority.

1103. Witnesses with personal knowledge of the history of the Petes Wash B 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.

1104. Currently known reputation in the community is that the Petes Wash B 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.

1105. Public motor vehicle use of the Petes Wash B Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1106. The Petes Wash B Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1107. 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 Petes Wash B Road.

1108. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Petes Wash B 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.

Corner Road, 702

1109. The Corner Road is designated as county road number 702 and SGID road identification number RD070063 and is more or less 1.08 miles long.

1110. The centerline course of the Corner Road is depicted on the map included in Exhibit 65, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1111. The north end of the Corner Road commences in the southwest quarter of section 25, Township 8 South, Range 15 East, S.L.B.M. and proceeds generally southwest where it ends in the northwest quarter of section 35, Township 8 South, Range 15 East, S.L.B.M.

1112. The specific right-of-way for the Corner Road claimed herein crosses 1.08 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 65.

1113. In this action, the State and County seek to quiet title to the public highway right-of-way for the Corner Road solely as it crosses United States public land as included and specifically described in Exhibit 65. The Corner Road includes the segment of road specifically set forth in Exhibit 65 and as it exists on the ground.

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

1114. The Corner Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1115. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Corner 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.

1116. The Corner Road appears on the Myton SW (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

1117. The County confirmed its acceptance of the Corner Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Corner Road pursuant to the County's governmental right and authority.

1118. Witnesses with personal knowledge of the history of the Corner 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.

1119. Currently known reputation in the community is that the Corner 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.

1120. Public motor vehicle use of the Corner Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1121. The Corner Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1122. 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 Corner Road.

1123. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Corner 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.

Angle Road, 703

1124. The Angle Road is designated as county road number 703 and SGID road identification number RD070064 and is more or less 1.14 miles long.

1125. The centerline course of the Angle Road is depicted on the map included in Exhibit 66, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1126. The west end of the Angle Road commences in the southwest quarter of section 10, Township 9 South, Range 15 East, S.L.B.M. and proceeds generally east where it intersects with the Boundary Fence Road in the southeast quarter of section 11, Township 9 South, Range 15 East, S.L.B.M.

1127. The specific right-of-way for the Angle Road claimed herein crosses 1.14 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 66.

1128. In this action, the State and County seek to quiet title to the public highway right-of-way for the Angle Road solely as it crosses United States public land as included and specifically described in Exhibit 66. The Silver Falls Road includes the segment of road specifically set forth in Exhibit 66 and as it exists on the ground.

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

1129. The Angle Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1130. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Angle 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.

1131. The Angle Road appears on the Myton SW (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

1132. The County confirmed its acceptance of the Angle Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Angle Road pursuant to the County's governmental right and authority.

1133. Witnesses with personal knowledge of the history of the Angle 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.

1134. Currently known reputation in the community is that the Angle 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.

1135. Public motor vehicle use of the Angle Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1136. The Angle Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1137. 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 Angle Road.

1138. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Angle 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.

Antelope Road, 704

1139. The Antelope Road is designated as county road number 704 and SGID road identification number RD070065 and is more or less 4.53 miles long.

1140. The centerline course of the Antelope Road is depicted on the map included in Exhibit 67, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1141. The north end of the Antelope Road commences in the northeast quarter of section 18, Township 9 South, Range 16 East, S.L.B.M. and proceeds generally southwest where it ends in the northwest quarter of section 27, Township 9 South, Range 15 East, S.L.B.M.

1142. The specific right-of-way for the Antelope Road claimed herein crosses 4.52 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 67.

1143. In this action, the State and County seek to quiet title to the public highway right-of-way for the Antelope Road solely as it crosses United States public land as included and specifically described in Exhibit 67. The Antelope Road includes the segment of road specifically set forth in Exhibit 67 and as it exists on the ground.

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

1144. The Antelope Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1145. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Antelope 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.

1146. The Antelope Road appears on the Myton SW (1964) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

1147. The County confirmed its acceptance of the Antelope Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map.

The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Antelope Road pursuant to the County's governmental right and authority.

1148. Witnesses with personal knowledge of the history of the Antelope 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.

1149. Currently known reputation in the community is that the Antelope 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.

1150. Public motor vehicle use of the Antelope Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1151. The Antelope Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1152. 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 Antelope Road.

1153. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Antelope 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.

Fork Road, 706

1154. The Fork Road is designated as county road number 706 and SGID road identification number RD070067 and is more or less 0.54 miles long.

1155. The centerline course of the Fork Road is depicted on the map included in Exhibit 68, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1156. The north end of the Fork Road commences in the northeast quarter of section 27, Township 9 South, Range 15 East, S.L.B.M. and proceeds generally south where it ends in the southeast quarter of section 27, Township 9 South, Range 15 East, S.L.B.M.

1157. The specific right-of-way for the Fork Road claimed herein crosses .54 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 68.

1158. In this action, the State and County seek to quiet title to the public highway right-of-way for the Fork Road solely as it crosses United States public land as included and specifically described in Exhibit 68. The Fork Road includes the segment of road specifically set forth in Exhibit 68 and as it exists on the ground.

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

1159. The Fork Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1160. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Fork 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.

1161. The Fork Road appears on the Myton SW (1964), and Gilsonite Draw (1968) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

1162. The Fork Road was accepted at least 10 years prior to October 21, 1976. Thereafter, the County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Fork Road pursuant to the County's governmental right and authority.

1163. Witnesses with personal knowledge of the history of the Fork 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.

1164. Currently known reputation in the community is that the Fork 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.

1165. Public motor vehicle use of the Fork Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1166. The Fork Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1167. 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 Fork Road.

1168. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Fork 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.

Jackrabbit Canyon Road, 708

1169. The Jackrabbit Canyon Road is designated as county road number 708 and SGID road identification number RD070069 and is more or less 2.63 miles long.

1170. The centerline course of the Jackrabbit Canyon Road is depicted on the map included in Exhibit 69, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

1171. The north end of the Jackrabbit Canyon Road commences in the southwest quarter of section 19, Township 9 South, Range 16 East, S.L.B.M. and proceeds generally southwest where it ends in the northeast quarter of section 35, Township 9 South, Range 15 East, S.L.B.M.

1172. The specific right-of-way for the Jackrabbit Canyon Road claimed herein crosses 2.02 miles of BLM land in 2 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 69.

1173. In this action, the State and County seek to quiet title to the public highway right-of-way for the Jackrabbit Canyon Road solely as it crosses United States public land as included

and specifically described in Exhibit 69. The Jackrabbit Canyon Road includes the segments of road specifically set forth in Exhibit 69 and as they exist on the ground.

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

1174. The Jackrabbit Canyon Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1175. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Jackrabbit 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.

1176. The Jackrabbit Canyon Road appears on the Myton SW (1964) and Gilsonite Draw (1968) USGS 7.5-minute topographical maps (see USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

1177. The County confirmed its acceptance of the Jackrabbit Canyon Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Jackrabbit Canyon Road pursuant to the County's governmental right and authority.

1178. Witnesses with personal knowledge of the history of the Jackrabbit 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.

1179. Currently known reputation in the community is that the Jackrabbit 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.

1180. Public motor vehicle use of the Jackrabbit Canyon Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1181. The Jackrabbit Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1182. 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 Jackrabbit Canyon Road.

1183. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Jackrabbit 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.

Cactus Road, 709

1184. The Cactus Road is designated as county road number 709 and SGID road identification number RD070070 and is more or less 1.13 miles long.

1185. The centerline course of the Cactus Road is depicted on the map included in Exhibit 70, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1186. The west end of the Cactus Road commences in the northwest quarter of section 15, Township 10 South, Range 15 East, S.L.B.M. and proceeds generally east where ends in the northwest quarter of section 14, Township 10 South, Range 15 East, S.L.B.M.

1187. The specific right-of-way for the Cactus Road claimed herein crosses 1.13 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 70.

1188. In this action, the State and County seek to quiet title to the public highway right-of-way for the Cactus Road solely as it crosses United States public land as included and specifically described in Exhibit 70. The Cactus Road includes the segment of road specifically set forth in Exhibit 70 and as it exists on the ground.

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

1189. The Cactus Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1190. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Cactus 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.

1191. The Cactus Road appears on the Gilsonite Draw (1968) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

1192. The County confirmed its acceptance of the Cactus Road by 1972, when it designated and accepted the road as a County highway on the County's general highway map.

The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Cactus Road pursuant to the County's governmental right and authority.

1193. Witnesses with personal knowledge of the history of the Cactus 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 Cactus 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 Cactus Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1196. The Cactus 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 Cactus Road.

1198. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Cactus 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 Road, 710

1199. The Cedar Road is designated as county road number 710 and SGID road identification number RD070071 and is more or less 3.10 miles long.

1200. The centerline course of the Cedar Road is depicted on the map included in Exhibit 71, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1201. The east end of the Cedar Road commences in the northwest quarter of section 22, Township 10 South, Range 15 East, S.L.B.M. and proceeds generally southwest where ends in the southeast quarter of section 30, Township 10 South, Range 15 East, S.L.B.M.

1202. The specific right-of-way for the Cedar Road claimed herein crosses 3.1 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 71.

1203. In this action, the State and County seek to quiet title to the public highway right-of-way for the Cedar Road solely as it crosses United States public land as included and specifically described in Exhibit 71. The Cedar Road includes the segment of road specifically set forth in Exhibit 71 and as it exists on the ground.

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

1204. The Cedar Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1205. The Cedar Road appears on the Anthro Mtn NE (1968) and Gilsonite Draw (1968) USGS 7.5-minute topographical maps (*see* USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

1206. The County confirmed its acceptance of the Cedar Road by 1972, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Cedar Road pursuant to the County's governmental right and authority.

1207. Witnesses with personal knowledge of the history of the Cedar 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.

1208. Currently known reputation in the community is that the Cedar 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.

1209. Public motor vehicle use of the Cedar Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1210. The Cedar Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1211. 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 Road.

1212. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Cedar 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.

Canyon Fork Road, 711

1213. The Canyon Fork Road is designated as county road number 711 and SGID road identification number RD070072 and is more or less 1.66 miles long.

1214. The centerline course of the Canyon Fork Road is depicted on the map included in Exhibit 72, which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1215. The north end of the Canyon Fork Road commences in the northeast quarter of section 20, Township 10 South, Range 15 East, S.L.B.M. and proceeds generally southwest where it ends in the northeast quarter of section 30, Township 10 South, Range 15 East, S.L.B.M.

1216. The specific right-of-way for the Canyon Fork Road claimed herein crosses 1.67 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segment crossing BLM land is contained in Exhibit 72.

1217. In this action, the State and County seek to quiet title to the public highway right-of-way for the Canyon Fork Road solely as it crosses United States public land as included and specifically described in Exhibit 72. The Silver Falls Road includes the segment of road specifically set forth in Exhibit 72 and as it exists on the ground.

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

1218. The Canyon Fork Road has long served as a public highway providing access to and across public land. This road serves the public's transportation needs.

1219. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Canyon Fork 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.

1220. The Canyon Fork Road appears on the Anthro Mtn NE (1968) and Gilsonite Draw (1968) USGS 7.5-minute topographical maps (see USGS map information, *supra* ¶ 55), which evidence the acceptance, use, and existence of the right-of-way for this road.

1221. The County confirmed its acceptance of the Canyon Fork Road by 1972, when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Canyon Fork Road pursuant to the County's governmental right and authority.

1222. Witnesses with personal knowledge of the history of the Canyon Fork 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.

1223. Currently known reputation in the community is that the Canyon Fork 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.

1224. Public motor vehicle use of the Canyon Fork Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1225. The Canyon Fork Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1226. 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 Canyon Fork Road.

1227. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Canyon Fork 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.

Rye Patch Road, 713

1228. The Rye Patch Road is designated as county road number 713 and SGID road number RD070073 and is more or less 11.98 miles long.

1229. The centerline course of the Rye Patch Road is depicted on the map included in Exhibit 73, which is attached hereto and incorporated herein. This map further reflects that this road crosses state land and public land administered by the BLM.

1230. The east end of the Rye Patch Road commences in the southeast quarter of section 17, Township 11 South, Range 15 East, S.L.B.M. and proceeds generally west where it ends in the northeast quarter of section 29, Township 11 South, Range 14 East, S.L.B.M.

1231. The specific right-of-way for the Rye Patch Road claimed herein crosses 10.5 miles of BLM land in 6 segments. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 73.

1232. In this action, the State and County seek to quiet title to the public highway right-of-way for the Rye Patch Road solely as it crosses United States public land as included and specifically described in Exhibit 73. The Rye Patch Road includes the segments of road specifically set forth in Exhibit 73 and as they exist on the ground.

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

1233. The Rye Patch Road has long served as a public highway providing access to and across state and public land. This road serves the public's transportation needs.

1234. Aerial photography from 1976 confirms the historical use, existence, and acceptance of the right-of-way for the Rye Patch 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.

1235. The Rye Patch Road appears on the Currant Canyon (1968) USGS 7.5-minute topographical map (*see* USGS map information, *supra* ¶ 55), which evidences the acceptance, use, and existence of the right-of-way for this road.

1236. The County confirmed its acceptance of the Rye Patch Road by 1972 when it designated and accepted the road as a County highway on the County's general highway map. The County further evidenced its acceptance of its R.S. 2477 right-of-way by managing, maintaining, or improving the Rye Patch Road pursuant to the County's governmental right and authority.

1237. Witnesses with personal knowledge of the history of the Rye Patch 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.

1238. Currently known reputation in the community is that the Rye Patch 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.

1239. Public motor vehicle use of the Rye Patch Road as a public thoroughfare traversing unreserved public lands on a continuous basis, 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 for this road.

1240. The Rye Patch Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1241. 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 Rye Patch Road.

1242. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Rye Patch 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, the Plaintiffs request relief against the Defendant as follows:

1. On its First Cause of Action—Duchesne County B Roads—an order quieting title in and to the R.S. 2477 public highway rights-of-way for the following roads: (1) Sheep Reservoir Road, 186; (2) Argyle Canyon Road, 23; (3) BLM Fence Road, 31; (4) Horner Knoll Road, 34; (5) Nine Mile Canyon Road, 240; (6) North Wells Draw Cutoff Road, 34a; (7) Pariette Road, 33; (8) Pipeline Road, 238; (9) Sandwash Road, 35; (10) Shearing Corral Cutoff Road, 30; (11) South Wells Draw Cutoff Road, 34b; (12) Wells Draw Road, 32; (13) Wrinkles Road, 239; (14) 13500 South Road, 36; and (15) 3000 West Road, 37, as described in Exhibits 3 through 17 and as pleaded herein.

2. On its Second Cause of Action—Duchesne County D Roads—an order quieting title in and to the R.S. 2477 public highway rights-of-way for the following roads: (1) Franks Canyon Road, 501; (2) Cowboy Bench Road, 502; (3) 503 Road, 503; (4) Five Mile Draw Road, 504; (5) 505 Road, 505; (6) Sheep Wash Road, 506; (7) Wilkin Ridge Road, 507; (8) White Mule Spring Road, 508; (9) Pariette Bench Road, 509; (10) Gilsonite Draw Road, 510; (11) Castle Peak Road, 511; (12) Nelson Farm Road, 512; (13) Big Wash Road, 513; (14) Pronghorn Road, 514; (15) North Pronghorn Road, 515; (16) North Monument Butte Road, 516; (17) South Monument Butte Road, 517; (18) Castle Peak Cutoff Road, 518; (19) Raptor Road, 519; (20) Overlook Road, 520; (21) Transport Road, 521; (22) Two Track Road, 522; (23) Wood Canyon Road, 523; (24) Bench Mark Loop Road, 525; (25) Sandstone Road, 526; (26) Buried Line Road, 527; (27) Broken Bench Road, 528; (28) Boundary Fence Road, 529; (29) Wells Overlook Road, 530; (30) Split Road, 531; (31) Deep Well Road, 532; (32) 534 Road, 534; (33) Drumstick Road, 535; (34) Snake Tongue Road, 536; (35) Branding Iron Road, 537; (36) Snyder Reservoir Road, 538; (37) Snyder Spring Road, 539; (38) Snake Flats Road, 540; (39) Jeep Road, 541; (40)

Cross Bench Road, 542; (41) Sandy Road, 543; (42) Eagle Perch Road, 545; (43) Eagle Road, 546; (44) Crow Knoll Road, 547; (45) Sheep Wash Road, 548; (46) Petes Wash B Road, 701; (47) Corner Road, 702; (48) Angle Road, 703; (49) Antelope Road, 704; (50) Fork Road, 706; (51) Jackrabbit Canyon Road, 708; (52) Cactus Road, 709; (53) Cedar Road, 710; (54) Canyon Fork Road, 711; and (55) Rye Patch Road, 713, as described in Exhibits 4 through 73 and as pleaded herein; and

3. An order awarding costs, fees and attorney fees to the extent permitted by law;
- and
4. An order granting such further and other relief as may be appropriate.

Respectfully submitted this 23rd day of August, 2012.

/s/ Harry H. Souvall
Assistant Attorney General