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

PIUTE 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-00428-CW

Judge: Honorable Clark Waddoups

Piute County, Utah (“Piute 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codified as Revised Statutes 2477 and as 43 U.S.C. §932 (repealed October 21, 1976 with savings provisions recognizing validity of rights-of-way already established) (hereinafter “R.S. 2477”).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 October 31, 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. Piute 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 Piute 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 Piute 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 so as 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, whenever convenient or necessary, 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 as well as 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”) in Piute County 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. Piute 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 was convenient or necessary, 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.”).

35. The R.S. 2477 rights-of-way for the Class B roads claimed herein were initially accepted as public highways by public use whenever convenient or necessary 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 Piute County’s official designation of these roads as county general highways or by Piute 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 in Piute County claimed herein were accepted by the public’s continuous use of the roads as public thoroughfares whenever convenient or necessary 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, Piute County is the highway authority with sole jurisdiction and control of Class B and Class D roads within its borders. Piute 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 by contract and 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 only those 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. In order to better organize the rights-of-way included in this amended complaint to fit within Utah's transportation system, the roads have been divided into Five Areas: (1) West Highway 89 Area: west of Highway 89 to the west and south Piute County line ; (2) North Elbow and Dry Creek Area: east of Highway 89,north of Elbow and Dry Creek Roads to the Highway 62 and the north Piute County line; (3) South Elbow and Dry Creek Area: east of Highway 89, south of Elbow and Dry Creek Roads to the south Piute County line;(4) North Otter Creek Lake Area: east of Highway 62 to Otter Creek Lake 159 Road; and (5) South Otter Creek Lake Area: east of Highway 62 and south of Otter Creek Lake 159 Road (collectively, the "Five Areas").

48. The roads within each of the Five Areas are important links in the State of Utah and the County's transportation systems. These roads connect communities and provide access to natural resources; other roads; and areas of scenic, recreational, and historic value.

49. 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.

50. The West Highway 89 Area is located in west Piute County and is shown on Exhibit 3, attached hereto and incorporated herein.

51. The West Highway 89 Area includes the following roads—listed by Common Road Name and County Unique Number: (1) Deer Creek Road, PCRD15; (2) Beaver Creek Road, PCRD13A; (3) Bullion Canyon Road, PCRD12; (4) Cottonwood Road, PCRD162; (5) Gold Gulch Road, PCRD11; (6) Orange Hill Road, PCRD160; (7) Oak Spring Road, PCRD146; (8) Dock Springs Road, PCRD2; (9) Television Tower Junction Road, PCRD120; (10) West Side Circleville Road, PCRD1; (11) Birch Creek Road, PCRD4, (12) Rainbow Road, PCRD168; and (13) Wades Canyon Road, PCRD166.

52. The North Elbow and Dry Creek Area is located in north-central Piute County and is shown on Exhibit 4, attached hereto and incorporated herein.

53. The North Elbow and Dry Creek Area includes the following roads—listed by Common Road Name and County Unique Number:(1) Flat Top Road, PCRD100; (2) Iron Cap Road, PCRD98; (3) Iron Cap Mine Road, PCRD99; (4) Marysvale Tower Road, PCRD97A; (5) Poverty Flat Road, PCRD91; (6) VCA Mine Road, PCRD97; (7) Anderson Canyon Mine Road, PCRD90; (8) Cameron Meadow Road, PCRD98A; (9) Willow Springs Road, PCRD86; (10)

Anderson Canyon Road, PCRD87; (11) Elbow/Poverty/Blind Springs Road, PCRD16; (12) Durkey Spring Road, PCRD85; (13) River Road, PCRD95; (14) Thompsonville Road, PCRD92; (15) Elbow Road, PCRD96; (16) Barben Drive, PCRD16A; (17) Dry Creek Road, PCRD18; (18) Box Creek Trailhead Road, PCRD50A; (19) Box Creek Road, PCRD50; (20) Koosharem Road, PCRD39; (21) Durkey's Road, PCRD94; (22) Manning Creek Road, PCRD167; and (23) Little Table Road, PCRD171.

54. The South Elbow and Dry Creek Area is located in south-central Piute County and is shown on Exhibit 5, attached hereto and incorporated herein.

55. On its Third Cause of Action – South Elbow and Dry Creek Area, an order quieting title in and to the R.S. 2477 public highway rights-of-way for the following roads: (1) Ten Mile Pit Road, PCRD10A; (2) Ten Mile Ranch Road, PCRD10; (3) Howes Cemetery Road, PCRD9; (4) Old US Highway 89, PCRD7; (5) Piute Reservoir Dam Road, PCRD8; (6) Piute State Park Road, PCRD101; (7) Piute State Park Campground Road, PCRD101A; (8) 89 Shortcut Road, PCRD104; (9) Piute 105 Road, PCRD105; (10) Old Dump Road, PCRD109; (11) East Side Piute Reservoir Road, PCRD3; (12) East Piute Reservoir "A" Road, PCRD3A; (13) East Circleville Road, PCRD119; (14) Forshea Monroe Mountain Road, PCRD17B; (15) Swift Springs Road, PCRD143; (16) Little Cottonwood Road, PCRD144; (17) Pole Canyon Road, PCRD32, (18) Allen Pond Road, PCRD35; (19) Seismograph Trail Road, PCRD135; (20) West Angle Road, PCRD136; (21) Hickman Road, PCRD139; (22) Hodge Ranch Road, PCRD66; (23) Otter Creek TV Tower Road, PCRD82; (24) Rock Canyon Road, PCRD172; (25) Rocky Ford Trail Road, PCRD132; and (26) East Piute Access Road, PCRD116.

56. The North Otter Creek Lake Area is located in northeast Piute County and is shown on Exhibit 6, attached hereto and incorporated herein.

57. The North Otter Creek Lake Area consists of the following roads—listed by Common Road Name and County Unique Number: (1) North Parker Spring Road, PCRD34C; (2) Magleby Ranch Road, PCRD49; (3) Parker Springs Road, PCRD34B; (4) Vicks Road, PCRD33; (5) Parker/Antimony Road, PCRD23; (6) Horse Pasture Road, PCRD51; (7) Otter Creek Flat Road, PCRD33B; (8) Narrows Road, PCRD33A; (9) Old SR 62 Road, PCRD27; (10) Otter Creek Lake 154 Road, PCRD154; (11) Otter Creek Lake 155 Road, PCRD155; (12) Otter Creek Lake 157 Road, PCRD157; (13) Otter Creek Lake 158 Road, PCRD158; (14) Otter Creek Lake 159 Road, PCRD159; (15) Tamerisk Point Loop Road, PCRD64; (16) Red Schoolhouse Road, PCRD34; (17) Radio Tower Road, PCRD27A; (18) Tower Expansion Road; PCRD27B; (19) Cabin Springs Road, PCRD29; and (20) Fish Lake Road, PCRD28.

58. The South Otter Creek Lake Area is located in south-central Piute County and is shown on Exhibit 7, attached hereto and incorporated herein.

59. The South Otter Creek Lake Area consists of the following roads—listed by Common Road Name and County Unique Number: (1) Otter Creek 68 Road, PCRD68; (2) Otter Creek 69 Road, PCRD69; (3) Otter Creek 70 Road, PCRD70; (4) Otter Creek 71 Road, PCRD71; (5) Otter Creek 72 Road, PCRD72; (6) Otter Creek 73 Road, PCRD73; (7) Otter Creek 74 Road, PCRD74; (8) Otter Creek 75 Road, PCRD75; (9) Otter Creek 76 Road, PCRD76; (10) Otter Creek 77 Road, PCRD77; (11) Otter Creek 78 Road, PCRD78; (12) Otter Creek 79 Road, PCRD79; (13) Otter Creek 80 Road, PCRD80; (14) Otter Creek 81 Road, PCRD81; (15) Otter

Creek Road, PCRD83; (16) Little Meadows Road, PCRD21; and (17) East Otter Creek Road, PCRD170.

60. The surveyed centerline of the above named roads in the Five Areas are displayed, respectively, as Exhibits 8–106, 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, and overlaid upon United States Geological Survey topographic maps.

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

62. 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.

63. The maps referenced for each of the Five Areas include the following United States Geological Survey (“USGS”) maps, which evidence the acceptance, use, and existence of the right-of-way for the road: (1) West of Highway 89 Area: Sevier, 1935, USGS 15-minute quadrangle map (Mapped by the Geological Survey 1935. Polyconic projection. 1927 North American datum 5000 yard gird based on U.S. zone system, F 10000 foot gird based on Utah (South) rectangular based coordinate system.), Delano Peak, 1943, USGS 15-minute quadrangle map (Mapped by the Geological Survey 1943. Polyconic projection. 1927 North American

datum 5000 yard gird based on U.S. zone system, F 10000 foot gird based on Utah (South) rectangular based coordinate system.), Marysvale, 1947, USGS 15-minute quadrangle map (Mapped by the Geological Survey 1947. Polyconic projection. 1927 North American datum 10000 foot gird based on Utah (South) rectangular coordinate system.), Circleville, 1966, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1966. Topography by photogrammetric method from aerial photographs taken 1965.), Circleville Mountain, 1971, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1971. Topography by photogrammetric method from aerial photographs taken 1970.), and Junction, 1966, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1966. Topography by photogrammetric method from aerial photographs taken 1965.); (2) North Elbow and Dry Creek Roads Area: Marysvale, 1947, USGS 15-minute quadrangle map (Mapped by the Geological Survey 1947. Polyconic projection. 1927 North American datum 10000 foot gird based on Utah (South) rectangular coordinate system.), Monroe, 1944, USGS 15-minute quadrangle map (Mapped by the Geological Survey 1944. Polyconic projection. 1927 North American datum 5000 yard gird based on U.S. zone system, F 10000 foot gird based on Utah (South) rectangular based coordinate system.), Koosharem, 1968, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1968. Topography by photogrammetric method from aerial photographs taken 1966.), and Greenwich, 1969, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1969. Topography by photogrammetric method from aerial photographs taken 1967.); (3) South Elbow and Dry Creek Roads Area: Junction, 1966, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1966. Topography by photogrammetric

method from aerial photographs taken 1965.), Marysvale, 1947, USGS 15-minute quadrangle map (Mapped by the Geological Survey 1947. Polyconic projection. 1927 North American datum 10000 foot grid based on Utah (South) rectangular coordinate system.), Parker Knoll, 1969, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1969. Topography by photogrammetric method from aerial photographs taken 1967.), Phonolite Hill, 1971, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1971. Topography by photogrammetric method from aerial photographs taken 1970.), and Angle, 1970, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1970. Topography by photogrammetric method from aerial photographs taken 1967.); (4) North Otter Creek Lake 159 Road Area: Burrville, 1968, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1968. Topography by photogrammetric method from aerial photographs taken 1966.), Greenwich, 1969, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1969. Topography by photogrammetric method from aerial photographs taken 1967.), Parker Knoll, 1969, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1969. Topography by photogrammetric method from aerial photographs taken 1967.), Angle, 1970, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1970. Topography by photogrammetric method from aerial photographs taken 1967.), Abes Knoll, 1969, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1969. Topography by photogrammetric method from aerial photographs taken 1967.), Jakes Knoll, 1969, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1969. Topography by photogrammetric method from aerial photographs taken 1967.), and Flossie Knoll, 1969, USGS

7.5-minute quadrangle map (Mapped by the Geological Survey 1969. Topography by photogrammetric method from aerial photographs taken 1967.); and (5) South Otter Creek Lake 159 Road Area: Flossie Knoll, 1969, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1969. Topography by photogrammetric method from aerial photographs taken 1967.), Phonolite Hill, 1971, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1971. Topography by photogrammetric method from aerial photographs taken 1970.), and Angle, 1970, USGS 7.5-minute quadrangle map (Mapped by the Geological Survey 1970. Topography by photogrammetric method from aerial photographs taken 1967.)

64. 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.

65. 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.

66. 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.

67. The rights-of-way claimed herein and described in the GPS data, attached hereto as Exhibits 8-106, include only those portions of the roads crossing public lands under the jurisdiction of the DOI.

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

69. The segments of roads crossing United States land managed by the National Park Service (“NPS”) are not at issue in this amended complaint. Plaintiffs, however, do not concede that the segments are not R.S. 2477 rights-of-way and reserve the right to bring a future quiet title action on these segments.

THE CASE OR CONTROVERSY

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

70. Piute County encompasses approximately 766 square miles of land. More than 73% of the land within Piute County is federal land.

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

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

73. 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.

74. 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.

75. 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.

76. 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.

77. 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.

78. 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.

79. 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, Piute 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.

80. 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

81. 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.

82. Under Article III of the United States 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.

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

84. The State of Utah and Piute 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.

85. 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 Piute County which only resolution by the Court can redress.

86. 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.

87. 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.

88. 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.

89. 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.

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

91. 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.

92. 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.

93. After filing the 2000 NOI, and between 2005 and 2011, the State of Utah recorded all Class B roads in the State, including those in Piute 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.

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

95. 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.

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

97. The 2011 NOIs also included detailed county maps, legal descriptions of each road, and affidavits of witnesses attesting to the location and use of the R.S. 2477 rights-of-way at issue in Piute County.

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

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

100. 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).

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

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

103. 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.

104. 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.

105. 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.*

106. 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.

107. 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.

108. 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).

109. 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.

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

111. 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.

112. 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.*

113. 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.

114. 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”).

115. 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).

116. 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.*

117. 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.*

118. 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”).

119. 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.”

120. 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.”

121. 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.

122. 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.

123. 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.

124. 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.

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

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

127. 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.*

128. 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.

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

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

131. 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.*

132. 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.

133. 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.

134. 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.

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

136. 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.

137. 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.

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

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

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

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

142. 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.

143. 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 Piute 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.

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

145. 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.”

146. Because the State of Utah and Piute 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.

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

148. Certain roads become impassable and dangerous without maintenance.

149. 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.

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

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

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

a. ***

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

BLM Manual 2801.8.G.1.b.

151. 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.

152. 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.

153. 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.

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

155. 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.”

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

157. 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.

158. 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.

159. 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.

160. Piute 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).

161. Piute 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).

162. 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.

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

164. 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.

165. 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 Piute County.

166. 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.

167. 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.

168. 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.

169. Certain roads have fallen into disrepair without Piute 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.

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

171. 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.

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

173. 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").

174. 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.*

175. 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.

176. 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.*

177. 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.*

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

179. 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.

180. 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.

181. 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.

182. 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).

183. 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.

184. 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.

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

186. 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.

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

188. In response to Piute County’s claims of ownership of these rights-of-way, the RMP finalized by the BLM covering Piute 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.*

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

190. The BLM's actions in implementing and enforcing the Richfield RMP's transportation decisions and the subsequent road closures have excluded Piute 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.

191. Despite the State of Utah and Piute 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.

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

193. 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.

194. 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
WEST HIGHWAY 89 AREA

195. The State of Utah and Piute County incorporate herein and re-allege each of the foregoing paragraphs.

196. The West Highway 89 Area is located in northeastern Piute County in the south-central region of Utah.

197. The West Highway 89 Area includes the following roads—listed by Common Road Name and County Unique Number: (1) Deer Creek Road, PCRD15; (2) Beaver Creek Road, PCRD13A; (3) Bullion Canyon Road, PCRD12; (4) Cottonwood Road, PCRD162; (5) Gold Gulch Road, PCRD11; (6) Orange Hill Road, PCRD160; (7) Oak Spring Road, PCRD146; (8) Dock Springs Road, PCRD2; (9) Television Tower Junction Road, PCRD120; (10) West Side Circleville Road, PCRD1; (11) Birch Creek Road, PCRD4, (12) Rainbow Road, PCRD168; and (13) Wades Canyon Road, PCRD166.

198. Each right-of-way claimed in the West Highway 89 Area was used by the general public who engaged in one or more of the following activities: cattle ranching, sheep herding, prospecting for minerals, rock hounding, mining, oil and gas exploration, wood gathering, cutting wood, collecting pine nuts or berries, recreation, hunting, trapping, government access, traveling in and through the area, or any other legitimate purpose.

199. All rights-of-way claimed in the West Highway 89 Area are sufficient in scope for general motor vehicle travel and include that which is reasonable and necessary to meet the

exigencies of motor vehicle travel according to safe engineering practices that protect the public and the road and also prevent undue degradation of the adjacent land.

200. All rights-of-way claimed in the West Highway 89 Area include a minimum right-of-way width of 66 feet or greater width as determined at trial, along with cuts, fills, slopes, water bars, and such features and facilities as have historically been acknowledged by the DOI and under law as being reasonable and necessary for the use, benefit, and enjoyment of public highway rights-of-way. *See, e.g.*, UTAH CODE ANN. § 72-5-302(4)(b) (2003).

201. Prior to October 21, 1976, the State of Utah, Piute 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.

Deer Creek Road, PCRD15

202. The Deer Creek Road is designated as county road number PCRD15 and State Geographic Information Database (“SGID”) road identification number RD160015 and is more or less 2.55 miles long.

203. The centerline course of the Deer Creek Road is depicted on the map included in Exhibit 8 (Deer Creek Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

204. The west end of Deer Creek Road commences in the northeast quarter of section 3, Township 27 South, Range 4 West, S.L.B.M. and then proceeds generally northeast until it ends in the southeast quarter of section 29, Township 26 South, Range 4 West, S.L.B.M.

205. The specific right-of-way for the Deer Creek Road claimed herein crosses 0.16 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 8.

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

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

207. The Deer Creek Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

208. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Deer Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

209. The Deer Creek Road appears on the Delano Peak (1937) and Sevier (1932) USGS 15-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

210. The County confirmed its acceptance of the Deer Creek Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Deer Creek Road using public funds pursuant to the County's governmental right and authority.

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

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

213. Public motor vehicle use of the Deer Creek 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.

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

215. 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 Deer Creek Road.

216. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Deer Creek Road on lands owned by the United States as described herein

and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

Beaver Creek Road, PCRD13A

217. The Beaver Creek Road is designated as county road number PCRD13A and SGID road identification number RD160013 and is more or less 8.69 miles long.

218. The centerline course of the Beaver Creek Road is depicted on the map included in Exhibit 9 (Beaver Creek Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

219. The west end of Beaver Creek Road commences in the northeast quarter of section 18, Township 27 South, Range 4 West, S.L.B.M. and then proceeds generally east then south until it ends in the southeast quarter of section 19, Township 27 South, Range 3 West, S.L.B.M.

220. The specific right-of-way for the Beaver Creek Road claimed herein crosses 2.57 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 8.

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

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

222. The Beaver Creek Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

223. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Beaver Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

224. The Beaver Creek Road appears on the Delano Peak (1937) and Marysvale (1945) USGS 15-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

225. The County confirmed its acceptance of the Beaver Creek Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Beaver Creek Road using public funds pursuant to the County's governmental right and authority.

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

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

228. Public motor vehicle use of the Beaver Creek 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.

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

230. 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 Beaver Creek Road.

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

Bullion Canyon Road, PCRD12

232. The Bullion Canyon Road is designated as county road number PCRD12 and SGID road identification number RD160012 and is more or less 11.1 miles long.

233. The centerline course of the Bullion Canyon Road is depicted on the map included in Exhibit 10 (Bullion Canyon Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

234. The north end of Bullion Canyon Road commences in the southeast quarter of section 19, Township 27 South, Range 3 West, S.L.B.M. and then proceeds generally southwest then south until it ends in the southwest quarter of section 9, Township 28 South, Range 4 West, S.L.B.M.

235. The specific right-of-way for the Bullion Canyon Road claimed herein crosses 0.51 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 10.

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

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

237. The Bullion Canyon Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

238. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Bullion 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.

239. The Bullion Canyon Road appears on the Delano Peak (1937) and Marysvale (1945) USGS 15-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

240. The County confirmed its acceptance of the Bullion Canyon Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Bullion Canyon Road using public funds pursuant to the County's governmental right and authority.

241. Witnesses with personal knowledge of the history of the Bullion 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.

242. Currently known reputation in the community is that the Bullion 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.

243. Public motor vehicle use of the Bullion 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.

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

245. 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 Bullion Canyon Road.

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

Cottonwood Road, PCRD162

247. The Cottonwood Road is designated as county road number PCRD162 and SGID road identification number RD160178 and is more or less 10.63 miles long.

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

249. The west end of Cottonwood Road commences in the southwest quarter of section 9, Township 28 South, Range 4 West, S.L.B.M. and then proceeds generally south then northeast until it ends in the southwest quarter of section 5, Township 28 South, Range 3 West, S.L.B.M.

250. The specific right-of-way for the Cottonwood Road claimed herein crosses 1.20 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 11.

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

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

252. The Cottonwood Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

253. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Cottonwood 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.

254. The Cottonwood Road appears on the Delano Peak (1937) and Marysvale (1945) USGS 15-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

255. The County confirmed its acceptance of the Cottonwood Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Cottonwood Road using public funds pursuant to the County's governmental right and authority.

256. Witnesses with personal knowledge of the history of the Cottonwood 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.

257. Currently known reputation in the community is that the Cottonwood 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.

258. Public motor vehicle use of the Cottonwood 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.

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

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

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

Gold Gulch Road, PCRD11

262. The Gold Gulch Road is designated as county road number PCRD11 and SGID road identification number RD160011 and is more or less 5.5 miles long.

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

264. The west end of Gold Gulch Road commences in the northwest quarter of section 26, Township 28 South, Range 4 West, S.L.B.M. and then proceeds generally northwest then east then northeast until it ends in the northeast quarter of section 20, Township 28 South, Range 3 West, S.L.B.M.

265. The specific right-of-way for the Gold Gulch Road claimed herein crosses 1.33 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 12.

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

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

267. The Gold Gulch Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

268. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Gold Gulch Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

269. The Gold Gulch Road appears on the Delano Peak (1937) and Marysvale (1945) USGS 15-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

270. The County confirmed its acceptance of the Gold Gulch Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Gold Gulch Road using public funds pursuant to the County's governmental right and authority.

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

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

273. Public motor vehicle use of the Gold Gulch 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.

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

275. 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 Gold Gulch Road.

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

Orange Hill Road, PCRD160

277. The Orange Hill Road is designated as county road number PCRD160 and SGID road identification number RD160176 and is more or less 0.55 miles long.

278. The centerline course of the Orange Hill Road is depicted on the map included in Exhibit 13 (Orange Hill Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

279. The north end of the Orange Hill Road commences in the southwest quarter of section 5, Township 29 South, Range 3 West, S.L.B.M. and proceeds generally southeast where it ends the northeast quarter of section 8, Township 29 South, Range 3 West, S.L.B.M.

280. The specific right-of-way for the Orange Hill Road claimed herein crosses 0.55 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 13.

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

specifically described in Exhibit 13. The Orange Hill Road includes the segment of road specifically set forth in Exhibit 13 and as exists on the ground.

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

282. The Orange Hill Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

283. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Orange Hill Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

284. The County confirmed its acceptance of the Orange Hill Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Orange Hill Road using public funds pursuant to the County's governmental right and authority.

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

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

287. Public motor vehicle use of the Orange Hill 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.

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

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

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

Oak Spring Road, PCRD146

291. The Oak Spring Road is designated as county road number PCRD146 and SGID road identification number RD160146 and is more or less 3.04 miles long.

292. The centerline course of the Oak Spring Road is depicted on the map included in Exhibit 14 (Oak Spring Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

293. The northwest end of Oak Spring Road commences in the southeast quarter of section 1, Township 29 South, Range 4 West, S.L.B.M. and then proceeds generally southeast until it ends in the southeast quarter of section 8, Township 29 South, Range 3 West, S.L.B.M.

294. The specific right-of-way for the Oak Spring Road claimed herein crosses 2.2 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 14.

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

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

296. The Oak Spring Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

297. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Oak 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.

298. The Oak Spring Road appears on the Delano Peak (1937) and Marysvale (1945) USGS 15-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

299. The County confirmed its acceptance of the Oak Spring Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Oak Spring Road using public funds pursuant to the County's governmental right and authority.

300. Witnesses with personal knowledge of the history of the Oak 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.

301. Currently known reputation in the community is that the Oak 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.

302. Public motor vehicle use of the Oak 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.

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

304. 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 Oak Spring Road.

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

Dock Springs Road, PCRD2

306. The Dock Springs Road is designated as county road number PCRD2 and SGID road identification number RD160002 and is more or less 7.34 miles long.

307. The centerline course of the Dock Springs Road is depicted on the map included in Exhibit 15 (Dock Springs Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

308. The north end of Dock Springs Road commences in the southeast quarter of section 26, Township 29 South, Range 4 West, S.L.B.M. and then proceeds generally south then east until it ends in the northwest quarter of section 17, Township 30 South, Range 3 West, S.L.B.M.

309. The specific right-of-way for the Dock Springs Road claimed herein crosses 2.40miles 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.

310. In this action, the State and County seek to quiet title to the public highway right-of-way for the Dock Springs Road solely as it crosses United States public land as included and specifically described in Exhibit 15. The Dock Springs Road includes the segments of road specifically set forth in Exhibit 15 and as exist on the ground.

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

311. The Dock Springs Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

312. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Dock Springs Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

313. The Dock Springs Road appears on the Delano Peak (1937) USGS 15-minute quadrangle map and the Circleville (1966) and Junction (1966) USGS 7.5-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

314. The County confirmed its acceptance of the Dock Springs Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Dock Springs Road using public funds pursuant to the County's governmental right and authority.

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

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

317. Public motor vehicle use of the Dock Springs 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.

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

319. 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 Dock Springs Road.

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

Television Tower Junction Road, PCRD120

321. The Television Tower Junction Road is designated as county road number PCRD120 and SGID road identification number RD160120 and is more or less 0.75 miles long.

322. The centerline course of the Television Tower Junction Road is depicted on the map included in Exhibit 16 (Television Tower Junction Road), which is attached hereto and

incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

323. The west end of the Television Tower Junction Road commences in the southeast quarter of section 7, Township 30 South, Range 3 West, S.L.B.M. and proceeds generally southeast until it ends in the northwest quarter of section 17, Township 30 South, Range 3 West, S.L.B.M.

324. The specific right-of-way for the Television Tower Junction Road claimed herein crosses 0.1 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 16.

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

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

326. The Television Tower Junction Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

327. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Television Tower Junction 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.

328. The Television Tower Junction Road appears on the Junction (1966) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

329. The County confirmed its acceptance of the Television Tower Junction Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Television Tower Junction Road using public funds pursuant to the County's governmental right and authority.

330. Witnesses with personal knowledge of the history of the Television Tower Junction 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.

331. Currently known reputation in the community is that the Television Tower Junction 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.

332. Public motor vehicle use of the Television Tower Junction 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.

333. The Television Tower Junction Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

334. 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 Television Tower Junction Road.

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

West Side Circleville Road, PCRD1

336. The West Side Circleville Road is designated as county road number PCRD1 and SGID road identification number RD160001 and is more or less 5.4 miles long.

337. The centerline course of the West Side Circleville Road is depicted on the map included in Exhibit 17 (West Side Circleville Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

338. The north end of the West Side Circleville Road commences in the north-central portion of section 14, Township 30 South, Range 4 West, S.L.B.M. and proceeds generally south where it ends in the southwest quarter of section 34, Township 30 South, Range 4 West, S.L.B.M.

339. The specific right-of-way for the West Side Circleville Road claimed herein crosses 2.11 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 17.

340. In this action, the State and County seek to quiet title to the public highway right-of-way for the West Side Circleville Road solely as it crosses United States public land as included and specifically described in Exhibit 17. The West Side Circleville Road includes the segments of road specifically set forth in Exhibit 17 and as exist on the ground.

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

341. The West Side Circleville Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

342. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the West Side Circleville 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.

343. The West Side Circleville Road appears on the Circleville (1966) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

344. The County confirmed its acceptance of the West Side Circleville Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 West Side Circleville Road using public funds pursuant to the County's governmental right and authority.

345. Witnesses with personal knowledge of the history of the West Side Circleville 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.

346. Currently known reputation in the community is that the West Side Circleville 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.

347. Public motor vehicle use of the West Side Circleville 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.

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

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

350. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the West Side Circleville 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.

Birch Creek Road, PCRD4

351. The Birch Creek Road is designated as county road number PCRD4 and SGID road identification number RD160004 and is more or less 7.69 miles long.

352. The centerline course of the Birch Creek Road is depicted on the map included in Exhibit 18 (Birch Creek Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

353. The east end of Birch Creek Road commences in the southeast quarter of section 34, Township 30 South, Range 4 West, S.L.B.M. and then proceeds generally northwest then south until it ends in the southeast quarter of section 35, Township 30 South, Range 5 West, S.L.B.M.

354. The specific right-of-way for the Birch Creek Road claimed herein crosses 0.56miles 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.

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

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

356. The Birch Creek Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

357. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Birch Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

358. The Birch Creek Road appears on the Circleville (1966) and Circleville Mountain (1971) USGS 7.5-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

359. The County confirmed its acceptance of the Birch Creek Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Birch Creek Road using public funds pursuant to the County's governmental right and authority.

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

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

362. Public motor vehicle use of the Birch Creek 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.

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

364. 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 Birch Creek Road.

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

Rainbow Road, PCRD168

366. The Rainbow Road is designated as county road number PCRD168 and SGID road identification number RD160192 and is more or less 5.37 miles long.

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

368. The east end of Rainbow Road commences in the southeast quarter of section 19, Township 27 South, Range 3 West, S.L.B.M. and then proceeds generally southwest then south until it ends in the northeast quarter of section 34, Township 27 South, Range 4 West, S.L.B.M.

369. The specific right-of-way for the Rainbow Road claimed herein crosses 2.67 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 19.

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

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

371. The Rainbow Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

372. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Rainbow 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.

373. The Rainbow Road appears on the Delano Peak (1937) and Marysville (1945) USGS 15-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

374. The County confirmed its acceptance of the Rainbow Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Rainbow Road pursuant to the County's governmental right and authority.

375. Witnesses with personal knowledge of the history of the Rainbow 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.

376. Currently known reputation in the community is that the Rainbow 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.

377. Public motor vehicle use of the Rainbow 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.

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

379. 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 Rainbow Road.

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

Wades Canyon Road, PCRD166

381. The Wades Canyon Road is designated as county road number PCRD166 and SGID road identification number RD160194 and is more or less 5.31 miles long.

382. The centerline course of the Wades Canyon Road is depicted on the map included in Exhibit 20 (Wades Canyon Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

383. The west end of the Wades Canyon Road commences in the northeast portion of section 13, Township 30 South, Range 5 West, S.L.B.M. and proceeds generally east where it ends in the southwest quarter of section 23, Township 30 South, Range 4 West, S.L.B.M.

384. The specific right-of-way for the Wades Canyon Road claimed herein crosses 1.31 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.

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

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

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

386. The Wades Canyon Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

387. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Wades 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.

388. The Wades Canyon Road appears on the Circleville (1966) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

389. The County confirmed its acceptance of the Wades Canyon Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Wades Canyon Road pursuant to the County's governmental right and authority.

390. Witnesses with personal knowledge of the history of the Wades 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.

391. Currently known reputation in the community is that the Wades 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.

392. Public motor vehicle use of the Wades 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.

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

394. 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 Wades Canyon Road.

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

SECOND CAUSE OF ACTION – QUIET TITLE
NORTH ELBOW AND DRY CREEK AREA

396. The State of Utah and Piute County incorporate herein and re-allege each of the foregoing paragraphs.

397. The North Elbow and Dry Creek Area is located in north-central Piute County in the south-central region of Utah.

398. The North Elbow and Dry Creek Area includes the following roads—listed by Common Road Name and County Unique Number: (1) Flat Top Road, PCRD100; (2) Iron Cap Road, PCRD98; (3) Iron Cap Mine Road, PCRD99; (4) Marysvale Tower Road, PCRD97A; (5) Poverty Flat Road, PCRD91; (6) VCA Mine Road, PCRD97; (7) Anderson Canyon Mine Road, PCRD90; (8) Cameron Meadow Road, PCRD98A; (9) Willow Springs Road, PCRD86; (10) Anderson Canyon Road, PCRD87; (11) Elbow/Poverty/Blind Springs Road, PCRD16; (12) Durkey Spring Road, PCRD85; (13) River Road, PCRD95; (14) Thompsonville Road, PCRD92; (15) Elbow Road, PCRD96; (16) Barben Drive, PCRD16A; (17) Dry Creek Road, PCRD18; (18) Box Creek Trailhead Road, PCRD50A; (19) Box Creek Road, PCRD50; (20) Koosharem Road, PCRD39; (21) Durkey’s Road, PCRD94; (22) Manning Creek Road, PCRD167; and (23) Little Table Road, PCRD171.

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

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

401. All rights-of-way claimed in the North Elbow and Dry Creek Area include a minimum right-of-way width of 66 feet or greater width as determined at trial, along with cuts, fills, slopes, water bars, and such features and facilities as have historically been acknowledged by the DOI and under law as being reasonable and necessary for the use, benefit, and enjoyment of public highway rights-of-way. *See, e.g.*, UTAH CODE ANN. § 72-5-302(4)(b) (2003).

402. Prior to October 21, 1976, the State of Utah, Piute 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.

Flat Top Road, PCRD100

403. The Flat Top Road is designated as county road number PCRD100 and SGID road identification number RD160100 and is more or less 1.27 miles long.

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

405. The west end of Flat Top Road commences in the northwest quarter of section 5, Township 27 South, Range 3 West, S.L.B.M. and then proceeds generally northeast until it ends in the northeast quarter of section 27, Township 26 South, Range 4 West, S.L.B.M.

406. The specific right-of-way for the Flat Top Road claimed herein crosses 1.2 miles of BLM land. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 21.

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

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

408. The Flat Top Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

409. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Flat Top 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 County confirmed its acceptance of the Flat Top Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Flat Top Road using public funds pursuant to the County's governmental right and authority.

411. Witnesses with personal knowledge of the history of the Flat Top 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.

412. Currently known reputation in the community is that the Flat Top 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.

413. Public motor vehicle use of the Flat Top 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.

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

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

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

Iron Cap Road, PCRD98

417. The Iron Cap Road is designated as county road number PCRD98 and SGID road identification number RD160098 and is more or less 3.56 miles long.

418. The centerline course of the Iron Cap Road is depicted on the map included in Exhibit 22 (Iron Cap Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

419. The west end of Iron Cap Road commences in the northeast quarter of section 28, Township 26 South, Range 4 West, S.L.B.M. and then proceeds generally southeast until it ends in the southwest quarter of section 9, Township 27 South, Range 3 West, S.L.B.M.

420. The specific right-of-way for the Iron Cap Road claimed herein crosses 1 mile 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 22.

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

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

422. The Iron Cap Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

423. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Iron Cap 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.

424. The Iron Cap Road appears on the Monroe (1944) and Marysvale (1945) USGS 15-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

425. The County confirmed its acceptance of the Iron Cap Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Iron Cap Road using public funds pursuant to the County's governmental right and authority.

426. Witnesses with personal knowledge of the history of the Iron Cap 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.

427. Currently known reputation in the community is that the Iron Cap 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.

428. Public motor vehicle use of the Iron Cap 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.

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

430. 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 Iron Cap Road.

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

Iron Cap Mine Road, PCRD99

432. The Iron Cap Mine Road is designated as county road number PCRD99 and SGID road identification number RD160099 and is more or less 0.91 miles long.

433. The centerline course of the Iron Cap Mine Road is depicted on the map included in Exhibit 23 (Iron Cap Mine Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

434. The west end of Iron Cap Mine Road commences in the northwest quarter of section 5, Township 27 South, Range 3 West, S.L.B.M. and then proceeds generally east until it ends in the northeast quarter of section 5, Township 26 South, Range 3 West, S.L.B.M.

435. The specific right-of-way for the Iron Cap Mine Road claimed herein crosses 0.91 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 23.

436. In this action, the State and County seek to quiet title to the public highway right-of-way for the Iron Cap Mine Road solely as it crosses United States public land as included and specifically described in Exhibit 23. The Iron Cap Mine Road includes the segments of road specifically set forth in Exhibit 23 and as exist on the ground.

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

437. The Iron Cap Mine Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

438. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Iron Cap Mine 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.

439. The County confirmed its acceptance of the Iron Cap Mine Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Iron Cap Mine Road using public funds pursuant to the County's governmental right and authority.

440. Witnesses with personal knowledge of the history of the Iron Cap Mine 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.

441. Currently known reputation in the community is that the Iron Cap Mine 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.

442. Public motor vehicle use of the Iron Cap Mine 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.

443. The Iron Cap Mine Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

444. 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 Iron Cap Mine Road.

445. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Iron Cap Mine 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.

Marysvale Tower Road, PCRD97A

446. The Marysvale Tower Road is designated as county road number PCRD97A and SGID road identification number RD160097 and is more or less 1.16 miles long.

447. The centerline course of the Marysvale Tower Road is depicted on the map included in Exhibit 24 (Marysvale Tower Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

448. The north end of Marysvale Tower Road commences in the southwest quarter of section 26, Township 26 South, Range 4 West, S.L.B.M. and then proceeds generally southeast then east, then south until it ends in the northwest quarter of section 4, Township 27 South, Range 3 West, S.L.B.M.

449. The specific right-of-way for the Marysvale Tower Road claimed herein crosses 0.32 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 24.

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

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

451. The Marysvale Tower Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

452. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Marysvale Tower Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

453. The County confirmed its acceptance of the Marysvale Tower Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Marysvale Tower Road using public funds pursuant to the County's governmental right and authority.

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

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

456. Public motor vehicle use of the Marysvale Tower 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.

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

458. 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 Marysvale Tower Road.

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

Poverty Flat Road, PCRD91

460. The Poverty Flat Road is designated as county road number PCRD91 and SGID road identification number RD160091 and is more or less 3.24 miles long.

461. The centerline course of the Poverty Flat Road is depicted on the map included in Exhibit 25 (Poverty Flat Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

462. The north end of the Poverty Flat Road commences in the northeast quarter of section 25, Township 26 South, Range 4 West, S.L.B.M. and proceeds generally southwest where it ends in the southwest quarter of section 9, Township 27 South, Range 3 West, S.L.B.M.

463. The specific right-of-way for the Poverty Flat Road claimed herein crosses 3.23 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 25.

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

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

465. The Poverty Flat Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

466. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Poverty Flat 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.

467. The Poverty Flat Road appears on the Monroe (1944) and Marysvale (1945) USGS 15-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

468. The County confirmed its acceptance of the Poverty Flat Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Poverty Flat Road using public funds pursuant to the County's governmental right and authority.

469. Witnesses with personal knowledge of the history of the Poverty Flat 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.

470. Currently known reputation in the community is that the Poverty Flat 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.

471. Public motor vehicle use of the Poverty Flat 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.

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

473. 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 Poverty Flat Road.

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

VCA Mine Road, PCRD97

475. The VCA Mine Road is designated as county road number PCRD97 and SGID road identification number RD160187 and is more or less 1.7 miles long.

476. The centerline course of the VCA Mine Road is depicted on the map included in Exhibit 26 (VCA Mine Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

477. The north end of the VCA Mine Road commences in the northwest quarter of section 4, Township 27 South, Range 3 West, S.L.B.M. and proceeds generally south where it ends in the northeast quarter of section 9, Township 27 South, Range 3 West, S.L.B.M.

478. The specific right-of-way for the VCA Mine Road claimed herein crosses 1.61 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.

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

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

480. The VCA Mine Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

481. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the VCA Mine 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.

482. The VCA Mine Road appears on Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

483. The County confirmed its acceptance of the VCA Mine Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 VCA Mine Road using public funds pursuant to the County's governmental right and authority.

484. Witnesses with personal knowledge of the history of the VCA Mine 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.

485. Currently known reputation in the community is that the VCA Mine 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.

486. Public motor vehicle use of the VCA Mine 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.

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

488. 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 VCA Mine Road.

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

Anderson Canyon Mine Road, PCRD90

490. The Anderson Canyon Mine Road is designated as county road number PCRD90 and SGID road identification number RD16090 and is more or less 0.94 miles long.

491. The centerline course of the Anderson Canyon Mine Road is depicted on the map included in Exhibit 27 (Anderson Canyon Mine Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

492. The west end of Anderson Canyon Mine Road commences in the southeast quarter of section 9, Township 27 South, Range 3 West, S.L.B.M. and then proceeds generally northeast until it ends in the southeast quarter of section 10, Township 27 South, Range 3 West, S.L.B.M.

493. The specific right-of-way for the Anderson Canyon Mine Road claimed herein crosses 0.51 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.

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

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

495. The Anderson Canyon Mine Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

496. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Anderson Canyon Mine 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.

497. The Anderson Canyon Mine Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

498. The County confirmed its acceptance of the Anderson Canyon Mine Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Anderson Canyon Mine Road using public funds pursuant to the County's governmental right and authority.

499. Witnesses with personal knowledge of the history of the Anderson Canyon Mine 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.

500. Currently known reputation in the community is that the Anderson Canyon Mine 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.

501. Public motor vehicle use of the Anderson Canyon Mine 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.

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

503. 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 Anderson Canyon Mine Road.

504. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Anderson Canyon Mine 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.

Cameron Meadow Road, PCRD98A

505. The Cameron Meadow Road is designated as county road number PCRD98A and SGID road identification number RD160171 and is more or less 0.38 miles long.

506. The centerline course of the Cameron Meadow Road is depicted on the map included in Exhibit 28 (Cameron Meadow Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

507. The west end of Cameron Meadow Road commences in the northwest quarter of section 8, Township 27 South, Range 3 West, S.L.B.M. and then proceeds generally northeast then east until it ends in the northeast quarter of section 8, Township 27 South, Range 3 West, S.L.B.M.

508. The specific right-of-way for the Cameron Meadow Road claimed herein crosses 0.38 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 28.

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

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

510. The Cameron Meadow Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

511. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Cameron Meadow 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.

512. The County confirmed its acceptance of the Cameron Meadow Road by 1973, when it designated and accepted the road as a County highway on the County's general highway

map. From at least 1973 and 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 Cameron Meadow Road using public funds pursuant to the County's governmental right and authority.

513. Witnesses with personal knowledge of the history of the Cameron Meadow 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.

514. Currently known reputation in the community is that the Cameron Meadow 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.

515. Public motor vehicle use of the Cameron Meadow 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.

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

517. 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 Cameron Meadow Road.

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

Willow Springs Road, PCRD86

519. The Willow Springs Road is designated as county road number PCRD86 and SGID road identification number RD160086 and is more or less 1.97 miles long.

520. The centerline course of the Willow Springs Road is depicted on the map included in Exhibit 29 (Willow Springs Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

521. The north end of the Willow Springs Road commences in the southeast quarter of section 5, Township 27 South, Range 2.5 West, S.L.B.M. and proceeds generally southwest where it ends in the northwest quarter of section 13, Township 27 South, Range 3 West, S.L.B.M.

522. The specific right-of-way for the Willow Springs Road claimed herein crosses 1.18 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 29.

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

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

524. The Willow Springs Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

525. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Willow Springs Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

526. The Willow Springs Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

527. The County confirmed its acceptance of the Willow Springs Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Willow Springs Road using public funds pursuant to the County's governmental right and authority.

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

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

530. Public motor vehicle use of the Willow Springs 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.

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

532. 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 Willow Springs Road.

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

Anderson Canyon Road, PCRD87

534. The Anderson Canyon Road is designated as county road number PCRD87 and SGID road identification number RD160087 and is more or less 4.56 miles long.

535. The centerline course of the Anderson Canyon Road is depicted on the map included in Exhibit 30 (Anderson Canyon Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

536. The west end of Anderson Canyon Road commences in the southeast quarter of section 9, Township 27 South, Range 3 West, S.L.B.M. and then proceeds generally northeast until it ends in the southeast quarter of section 5, Township 27 South, Range 2.5 West, S.L.B.M.

537. The specific right-of-way for the Anderson Canyon Road claimed herein crosses 3.70 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.

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

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

539. The Anderson Canyon Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

540. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Anderson 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.

541. The Anderson Canyon Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

542. The County confirmed its acceptance of the Anderson Canyon Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Anderson Canyon Road using public funds pursuant to the County's governmental right and authority.

543. Witnesses with personal knowledge of the history of the Anderson 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.

544. Currently known reputation in the community is that the Anderson 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.

545. Public motor vehicle use of the Anderson 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.

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

547. 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 Anderson Canyon Road.

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

Elbow/Poverty/Blind Springs Road, PCRD16

549. The Elbow/Poverty/Blind Springs Road is designated as county road number PCRD16 and SGID road identification number RD160016 and is more or less 16.20 miles long.

550. The centerline course of the Elbow/Poverty/Blind Springs Road is depicted on the map included in Exhibit 31 (Elbow/Poverty/Blind Springs Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

551. The northwest end of Elbow/Poverty/Blind Springs Road commences in the southeast quarter of section 20, Township 27 South, Range 3 West, S.L.B.M. and then proceeds generally north then south until it ends in the northwest quarter of section 4, Township 29 South, Range 2.5 West, S.L.B.M.

552. The specific right-of-way for the Elbow/Poverty/Blind Springs Road claimed herein crosses 9.86miles 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 31.

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

Acceptance of the Elbow/Poverty/Blind Springs Road R.S. 2477 Right-of-way Prior to October 21, 1976.

554. The Elbow/Poverty/Blind Springs Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

555. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Elbow/Poverty/Blind 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.

556. The Elbow/Poverty/Blind Springs Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

557. The County confirmed its acceptance of the Elbow/Poverty/Blind Springs Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Elbow/Poverty/Blind Springs Road using public funds pursuant to the County's governmental right and authority.

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

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

560. Public motor vehicle use of the Elbow/Poverty/Blind Springs 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.

561. The Elbow/Poverty/Blind Springs Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

562. 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 Elbow/Poverty/Blind Springs Road.

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

Durkey Spring Road, PCRD85

564. The Durkey Spring Road is designated as county road number PCRD85 and SGID road identification number RD160085 and is more or less 10.01 miles long.

565. The centerline course of the Durkey Spring Road is depicted on the map included in Exhibit 32 (Durkey Spring Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

566. The north end of Durkey Spring Road commences in the southwest quarter of section 15, Township 27 South, Range 3 West, S.L.B.M. and then proceeds generally northwest then south until it ends in the southeast quarter of section 12, Township 28 South, Range 3 West, S.L.B.M.

567. The specific right-of-way for the Durkey Spring Road claimed herein crosses 5.82 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 32.

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

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

569. The Durkey Spring Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

570. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Durkey 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.

571. The Durkey Spring Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

572. The County confirmed its acceptance of the Durkey Spring Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Durkey Spring Road using public funds pursuant to the County's governmental right and authority.

573. Witnesses with personal knowledge of the history of the Durkey 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.

574. Currently known reputation in the community is that the Durkey 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.

575. Public motor vehicle use of the Durkey 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.

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

577. 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 Durkey Spring Road.

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

River Road, PCRD95

579. The River Road is designated as county road number PCRD95 and SGID road identification number R160095 and is more or less 4.16 miles long.

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

581. The west end of the River Road commences in the northeast quarter of section 20, Township 27 South, Range 3 West, S.L.B.M. and proceeds generally southeast where it ends in the southwest quarter of section 3, Township 28 South, Range 3 West, S.L.B.M.

582. The specific right-of-way for the River Road claimed herein crosses 1.85 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 33.

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

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

584. The River Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

585. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the River 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.

586. The River Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

587. The County confirmed its acceptance of the River Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 River Road using public funds pursuant to the County's governmental right and authority.

588. Witnesses with personal knowledge of the history of the River 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.

589. Currently known reputation in the community is that the River 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.

590. Public motor vehicle use of the River 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.

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

592. 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 River Road.

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

Thompsonville Road, PCRD92

594. The Thompsonville Road is designated as county road number PCRD92 and SGID road identification number RD160092 and is more or less 3.65 miles long.

595. The centerline course of the Thompsonville Road is depicted on the map included in Exhibit 34 (Thompsonville Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

596. The north end of the Thompsonville Road commences in the northeast quarter of section 29, Township 27 South, Range 3 West, S.L.B.M. and proceeds generally south, then proceeds southwest, then west where it ends in the southwest quarter of section 5, Township 28 South, Range 3 West, S.L.B.M.

597. The specific right-of-way for the Thompsonville Road claimed herein crosses 0.27 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 34.

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

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

599. The Thompsonville Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

600. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Thompsonville 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.

601. The Thompsonville Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

602. The County confirmed its acceptance of the Thompsonville Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Thompsonville Road using public funds pursuant to the County's governmental right and authority.

603. Witnesses with personal knowledge of the history of the Thompsonville 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.

604. Currently known reputation in the community is that the Thompsonville 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.

605. Public motor vehicle use of the Thompsonville 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.

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

607. 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 Thompsonville Road.

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

Elbow Road, PCRD96

609. The Elbow Road is designated as county road number PCRD96 and SGID road identification number RD160096 and is more or less 3.33 miles long.

610. The centerline course of the Elbow Road is depicted on the map included in Exhibit 35 (Elbow Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

611. The west end of Elbow Road commences in the northwest quarter of section 8, Township 28 South, Range 3 West, S.L.B.M. and then proceeds generally east then south until it ends in the northwest quarter of section 11, Township 28 South, Range 3 West, S.L.B.M.

612. The specific right-of-way for the Elbow Road claimed herein crosses 1.89 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 35.

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

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

614. The Elbow Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

615. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Elbow 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.

616. The Elbow Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

617. The County confirmed its acceptance of the Elbow Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Elbow Road using public funds pursuant to the County's governmental right and authority.

618. Witnesses with personal knowledge of the history of the Elbow 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.

619. Currently known reputation in the community is that the Elbow 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.

620. Public motor vehicle use of the Elbow 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.

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

622. 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 Elbow Road.

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

Barben Drive, PCRD16A

624. The Barben Drive is designated as county road number PCRD16A and SGID road identification number RD160165 and is more or less 0.34 miles long.

625. The centerline course of the Barben Drive is depicted on the map included in Exhibit 36 (Barben Drive), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

626. The south end of Barben Drive commences in the southeast quarter of section 11, Township 28 South, Range 3 West, S.L.B.M. and then proceeds generally north until it ends in the northwest quarter of section 12, Township 28 South, Range 3 West, S.L.B.M.

627. The specific right-of-way for the Barben Drive claimed herein crosses 0.05 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 36.

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

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

629. The Barben Drive has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

630. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Barben Drive 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.

631. The County confirmed its acceptance of the Barben Drive by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Barben Drive using public funds pursuant to the County's governmental right and authority.

632. Witnesses with personal knowledge of the history of the Barben Drive 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.

633. Currently known reputation in the community is that the Barben Drive 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.

634. Public motor vehicle use of the Barben Drive 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.

635. The Barben Drive traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

636. 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 Barben Drive.

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

Dry Creek Road, PCRD18

638. The Dry Creek Road is designated as county road number PCRD18 and SGID road identification number RD160018 and is more or less 8.7 miles long.

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

640. The west end of Dry Creek Road commences in the southeast quarter of section 13, Township 28 South, Range 3 West, S.L.B.M. and then proceeds generally southeast then northeast until it ends in the northeast quarter of section 32, Township 27 South, Range 2 West, S.L.B.M.

641. The specific right-of-way for the Dry Creek Road claimed herein crosses 1.06 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 37.

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

specifically described in Exhibit 37. The Dry Creek Road includes the segment of road specifically set forth in Exhibit 37 and as exists on the ground.

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

643. The Dry Creek Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

644. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Dry Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

645. The Dry Creek Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

646. The County confirmed its acceptance of the Dry Creek Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Dry Creek Road using public funds pursuant to the County's governmental right and authority.

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

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

649. Public motor vehicle use of the Dry Creek 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.

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

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

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

Box Creek Trailhead Road, PCRD50A

653. The Box Creek Trailhead Road is designated as county road number PCRD50A and SGID road identification number RD160169 and is more or less 1.56 miles long.

654. The centerline course of the Box Creek Trailhead Road is depicted on the map included in Exhibit 38 (Box Creek Trailhead Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

655. The west end of Box Creek Trailhead Road commences in the southeast quarter of section 24, Township 27 South, Range 2 West, S.L.B.M. and then proceeds generally southeast until it ends in the southwest quarter of section 20, Township 27 South, Range 1 West, S.L.B.M.

656. The specific right-of-way for the Box Creek Trailhead Road claimed herein crosses 0.15 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 38.

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

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

658. The Box Creek Trailhead Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

659. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Box Creek Trailhead 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.

660. The Box Creek Trailhead Road appears on Greenwich (1969) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

661. The County confirmed its acceptance of the Box Creek Trailhead Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Box Creek Trailhead Road using public funds pursuant to the County's governmental right and authority.

662. Witnesses with personal knowledge of the history of the Box Creek Trailhead 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.

663. Currently known reputation in the community is that the Box Creek Trailhead 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.

664. Public motor vehicle use of the Box Creek Trailhead 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.

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

666. 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 Box Creek Trailhead Road.

667. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Box Creek Trailhead 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.

Box Creek Road, PCRD50

668. The Box Creek Road is designated as county road number PCRD50 and SGID road identification number RD160050 and is more or less 8.43 miles long.

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

670. The north end of Box Creek Road commences in the southwest quarter of section 2, Township 27 South, Range 2 West, S.L.B.M. and then proceeds generally southeast until it ends in the northwest quarter of section 28, Township 27 South, Range 1 West, S.L.B.M.

671. The specific right-of-way for the Box Creek Road claimed herein crosses 1.1 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 39.

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

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

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

674. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Box Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

675. The Box Creek Road appears on the Greenwich (1969) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

676. The County confirmed its acceptance of the Box Creek Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Box Creek Road using public funds pursuant to the County's governmental right and authority.

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

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

679. Public motor vehicle use of the Box Creek 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.

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

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

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

Koosharem Road, PCRD39

683. The Koosharem Road is designated as county road number PCRD39 and SGID road identification number RD160039 and is more or less 2.19 miles long.

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

685. The south end of Koosharem Road commences in the southeast quarter of section 9, Township 27 South, Range 1 West, S.L.B.M. and then proceeds generally north until it ends in the southeast quarter of section 34, Township 26 South, Range 1 West, S.L.B.M.

686. The specific right-of-way for the Koosharem Road claimed herein crosses 0.14 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 40.

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

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

688. The Koosharem Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

689. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Koosharem 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.

690. The Koosharem Road appears on the Greenwich (1969) and Koosharem (1968) USGS 7.5-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

691. The County confirmed its acceptance of the Koosharem Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Koosharem Road using public funds pursuant to the County's governmental right and authority.

692. Witnesses with personal knowledge of the history of the Koosharem 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.

693. Currently known reputation in the community is that the Koosharem 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.

694. Public motor vehicle use of the Koosharem 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.

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

696. 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 Koosharem Road.

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

Durkey's Road, PCRD94

698. The Durkey's Road is designated as county road number PCRD94 and SGID road identification number RD160094 and is more or less 0.79 miles long.

699. The centerline course of the Durkey's Road is depicted on the map included in Exhibit 41 (Durkey's Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

700. The west end of Durkey's Road commences in the southwest quarter of section 34, Township 27 South, Range 3 West, S.L.B.M. and then proceeds generally east until it ends in the southeast quarter of section 34, Township 27 South, Range 3 West, S.L.B.M.

701. The specific right-of-way for the Durkey's Road claimed herein crosses 0.79 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.

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

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

703. The Durkey's Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

704. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Durkey's 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.

705. The Durkey's Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

706. The County confirmed its acceptance of the Durkey's Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Durkey's Road using public funds pursuant to the County's governmental right and authority.

707. Witnesses with personal knowledge of the history of the Durkey's 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.

708. Currently known reputation in the community is that the Durkey's 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.

709. Public motor vehicle use of the Durkey's 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.

710. The Durkey's Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

711. 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 Durkey's Road.

712. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Durkey's 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.

Manning Creek Road, PCRD167

713. The Manning Creek Road is designated as county road number PCRD167 and SGID road identification number RD160193 and is more or less 2.38 miles long.

714. The centerline course of the Manning Creek Road is depicted on the map included in Exhibit 42 (Manning Creek Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

715. The south end of Manning Creek Road commences in the southwest quarter of section 12, Township 28 South, Range 3 West, S.L.B.M. and then proceeds generally north then east until it ends in the southwest quarter of section 33, Township 27 South, Range 2.5 West, S.L.B.M.

716. The specific right-of-way for the Manning Creek Road claimed herein crosses 1.96 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 42.

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

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

718. The Manning Creek Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

719. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Manning Creek Road as a public highway located on the land at issue in

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

720. The Manning Creek Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

721. The County confirmed its acceptance of the Manning Creek Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Manning Creek Road pursuant to the County's governmental right and authority.

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

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

724. Public motor vehicle use of the Manning Creek 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.

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

726. 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 Manning Creek Road.

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

Little Table Road, PCRD171

728. The Little Table Road is designated as county road number PCRD171 and SGID road identification number RD160190 and is more or less 6.77 miles long.

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

730. The west end of Little Table Road commences in the northeast quarter of section 13, Township 28 South, Range 3 West, S.L.B.M. and then proceeds generally north, curving east then proceeds southeast until it ends in the southeast quarter of section 11, Township 28 South, Range 2.5 West, S.L.B.M.

731. The specific right-of-way for the Little Table Road claimed herein crosses 1.23 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 43.

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

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

733. The Little Table Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

734. The Little Table Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

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

736. Witnesses with personal knowledge of the history of the Little Table 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.

737. Currently known reputation in the community is that the Little Table 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.

738. Public motor vehicle use of the Little Table 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.

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

740. 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 Little Table Road.

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

THIRD CAUSE OF ACTION – QUIET TITLE
SOUTH ELBOW AND DRY CREEK AREA

742. The State of Utah and Piute County incorporate herein and re-allege each of the foregoing paragraphs.

743. The South Elbow and Dry Creek Area is located in south-central Piute County in the south-central region of Utah.

744. On its Third Cause of Action – South Elbow and Dry Creek Area, an order quieting title in and to the R.S. 2477 public highway rights-of-way for the following roads: (1) Ten Mile Pit Road, PCRD10A; (2) Ten Mile Ranch Road, PCRD10; (3) Howes Cemetery Road, PCRD9; (4) Old US Highway 89, PCRD7; (5) Piute Reservoir Dam Road, PCRD8; (6) Piute State Park Road, PCRD101; (7) Piute State Park Campground Road, PCRD101A; (8) 89 Shortcut Road, PCRD104; (9) Piute 105 Road, PCRD105; (10) Old Dump Road, PCRD109; (11) East Side Piute Reservoir Road, PCRD3; (12) East Piute Reservoir “A” Road, PCRD3A; (13) East Circleville Road, PCRD119; (14) Forshea Monroe Mountain Road, PCRD17B; (15) Swift Springs Road, PCRD143; (16) Little Cottonwood Road, PCRD144; (17) Pole Canyon Road, PCRD32, (18) Allen Pond Road, PCRD35; (19) Seismograph Trail Road, PCRD135; (20) West Angle Road, PCRD136; (21) Hickman Road, PCRD139; (22) Hodge Ranch Road, PCRD66; (23) Otter Creek TV Tower Road, PCRD82; (24) Rock Canyon Road, PCRD172; (25) Rocky Ford Trail Road, PCRD132; and (26) East Piute Access Road, PCRD116.

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

746. All rights-of-way claimed in the South Elbow and Dry Creek Area are sufficient in scope for general motor vehicle travel and include that which is reasonable and necessary to

meet the exigencies of motor vehicle travel according to safe engineering practices that protect the public and the road and also prevent undue degradation of the adjacent land.

747. All rights-of-way claimed in the South Elbow and Dry Creek Area include a minimum right-of-way width of 66 feet or greater width as determined at trial, along with cuts, fills, slopes, water bars, and such features and facilities as have historically been acknowledged by the DOI and under law as being reasonable and necessary for the use, benefit, and enjoyment of public highway rights-of-way. *See, e.g.*, UTAH CODE ANN. § 72-5-302(4)(b) (2003).

748. Prior to October 21, 1976, the State of Utah, Piute 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.

Ten Mile Pit Road, PCRD10A

749. The Ten Mile Pit Road is designated as county road number PCRD10A and SGID road identification number RD160160 and is more or less 0.86 miles long.

750. The centerline course of the Ten Mile Pit Road is depicted on the map included in Exhibit 44 (Ten Mile Pit Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

751. The west end of the Ten Mile Pit Road commences in the southwest quarter of section 21, Township 28 South, Range 3 West, S.L.B.M. and proceeds generally northeast where it ends in the northeast quarter of section 21, Township 28 South, Range 3 West, S.L.B.M.

752. The specific right-of-way for the Ten Mile Pit Road claimed herein crosses 0.85 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.

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

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

754. The Ten Mile Pit Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

755. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Ten Mile Pit 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.

756. The Ten Mile Pit Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

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

758. Witnesses with personal knowledge of the history of the Ten Mile Pit 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.

759. Currently known reputation in the community is that the Ten Mile Pit 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.

760. Public motor vehicle use of the Ten Mile Pit 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.

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

762. 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 Ten Mile Pit Road.

763. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Ten Mile Pit 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.

Ten Mile Ranch Road, PCRD10

764. The Ten Mile Ranch Road is designated as county road number PCRD10 and SGID road identification number RD160010 and is more or less 5.52 miles long.

765. The centerline course of the Ten Mile Ranch Road is depicted on the map included in Exhibit 45 (Ten Mile Ranch Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

766. The north end of the Ten Mile Ranch Road commences in the southwest quarter of section 33, Township 27 South, Range 3 West, S.L.B.M. and proceeds generally south then southwest where it ends in the northeast quarter of section 29, Township 28 South, Range 3 West, S.L.B.M.

767. The specific right-of-way for the Ten Mile Ranch Road claimed herein crosses 1.05 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 45.

768. In this action, the State and County seek to quiet title to the public highway right-of-way for the Ten Mile Ranch Road solely as it crosses United States public land as included and specifically described in Exhibit 45. The Ten Mile Ranch Road includes the segments of road specifically set forth in Exhibit 45 and as exist on the ground.

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

769. The Ten Mile Ranch Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

770. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Ten Mile Ranch 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.

771. The Ten Mile Ranch Road appears on the Marysville (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

772. The County confirmed its acceptance of the Ten Mile Ranch Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Ten Mile Ranch Road using public funds pursuant to the County's governmental right and authority.

773. Witnesses with personal knowledge of the history of the Ten Mile Ranch 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.

774. Currently known reputation in the community is that the Ten Mile Ranch 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.

775. Public motor vehicle use of the Ten Mile Ranch 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.

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

777. 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 Ten Mile Ranch Road.

778. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Ten Mile Ranch 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.

Howes Cemetery Road, PCRD9

779. The Howes Cemetery Road is designated as county road number PCRD9 and SGID road identification number RD160009 and is more or less 1.34 miles long.

780. The centerline course of the Howes Cemetery Road is depicted on the map included in Exhibit 46 (Howes Cemetery Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

781. The southwest end of Howes Cemetery Road commences in the northwest quarter of section 28, Township 28 South, Range 3 West, S.L.B.M. and then proceeds generally northeast until it ends in the southwest quarter of section 22, Township 28 South, Range 3 West, S.L.B.M.

782. The specific right-of-way for the Howes Cemetery Road claimed herein crosses 1.04 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.

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

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

784. The Howes Cemetery Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

785. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Howes Cemetery Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

786. The Howes Cemetery Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

787. The County confirmed its acceptance of the Howes Cemetery Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Howes Cemetery Road using public funds pursuant to the County's governmental right and authority.

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

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

790. Public motor vehicle use of the Howes Cemetery 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.

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

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

793. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Howes Cemetery Road on lands owned by the United States as described

herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

Old US Highway 89, PCRD7

794. The Old US Highway 89 Road is designated as county road number PCRD7 and SGID road identification number RD160007 and is more or less 8.78 miles long.

795. The centerline course of the Old US Highway 89 Road is depicted on the map included in Exhibit 47 (Old US Highway 89 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

796. The north end of the Old US Highway 89 Road commences in the southwest quarter of section 5, Township 28 South, Range 3 West, S.L.B.M. and proceeds generally south where it ends in the northeast quarter of section 20, Township 29 South, Range 3 West, S.L.B.M.

797. The specific right-of-way for the Old US Highway 89 Road claimed herein crosses 5.45 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 47

798. In this action, the State and County seek to quiet title to the public highway right-of-way for the Old US Highway 89 Road solely as it crosses United States public land as included and specifically described in Exhibit 47. The Old US Highway 89 Road includes the segments of road specifically set forth in Exhibit 47 and as exist on the ground.

Acceptance of the Old US Highway 89 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

799. The Old US Highway 89 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

800. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Old US Highway 89 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.

801. The Old US Highway 89 Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

802. The County confirmed its acceptance of the Old US Highway 89 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Old US Highway 89 Road using public funds pursuant to the County's governmental right and authority.

803. Witnesses with personal knowledge of the history of the Old US Highway 89 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.

804. Currently known reputation in the community is that the Old US Highway 89 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.

805. Public motor vehicle use of the Old US Highway 89 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.

806. The Old US Highway 89 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

807. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Old US Highway 89 Road.

808. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Old US Highway 89 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.

Piute Reservoir Dam Road, PCRD8

809. The Piute Reservoir Dam Road is designated as county road number PCRD8 and SGID road identification number RD160008 and is more or less 1.47miles long.

810. The centerline course of the Piute Reservoir Dam Road is depicted on the map included in Exhibit 48 (Piute Reservoir Dam Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

811. The west end of the Piute Reservoir Dam Road commences in the northwest quarter of section 33, Township 28 South, Range 3 West, S.L.B.M. and proceeds generally southeast where it ends in the northwest quarter of section 3, Township 29 South, Range 3 West, S.L.B.M.

812. The specific right-of-way for the Piute Reservoir Dam Road claimed herein crosses 1.06 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.

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

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

814. The Piute Reservoir Dam Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

815. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Piute Reservoir Dam 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.

816. The Piute Reservoir Dam Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

817. The County confirmed its acceptance of the Piute Reservoir Dam Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Piute Reservoir Dam Road using public funds pursuant to the County's governmental right and authority.

818. Witnesses with personal knowledge of the history of the Piute Reservoir Dam 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.

819. Currently known reputation in the community is that the Piute Reservoir Dam 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.

820. Public motor vehicle use of the Piute Reservoir Dam 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.

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

822. 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 Piute Reservoir Dam Road.

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

Piute State Park Road, PCRD101

824. The Piute State Park Road is designated as county road number PCRD101 and SGID road identification number RD160101 and is more or less 1.34 miles long.

825. The centerline course of the Piute State Park Road is depicted on the map included in Exhibit 49 (Piute State Park Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

826. The west end of the Piute State Park Road commences in the southeast quarter of section 32, Township 28 South, Range 3 West, S.L.B.M. and proceeds generally southeast where it ends in the northwest quarter of section 3, Township 29 South, Range 3 West, S.L.B.M.

827. The specific right-of-way for the Piute State Park Road claimed herein crosses 0.76 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 49.

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

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

829. The Piute State Park Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

830. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Piute State Park Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

831. The County confirmed its acceptance of the Piute State Park Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Piute State Park Road using public funds pursuant to the County's governmental right and authority.

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

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

834. Public motor vehicle use of the Piute State Park 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.

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

836. 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 Piute State Park Road.

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

Piute State Park Campground Road, PCRD101A

838. The Piute State Park Campground Road is designated as county road number PCRD101A and SGID road identification number RD160172 and is more or less .20 miles long.

839. The centerline course of the Piute State Park Campground Road is depicted on the map included in Exhibit 50 (Piute State Park Campground Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

840. The north end of the Piute State Park Campground Road commences in the northeast quarter of section 4, Township 29 South, Range 3 West, S.L.B.M. and proceeds generally southeast where it ends in the northeast quarter of section 4, Township 29 South, Range 3 West, S.L.B.M.

841. The specific right-of-way for the Piute State Park Campground Road claimed herein crosses 0.05 miles of BLM land in 1 segment. NAD83 mapping grade GPS data plotting the centerline and course of the segments crossing BLM land is contained in Exhibit 50.

842. In this action, the State and County seek to quiet title to the public highway right-of-way for the Piute State Park Campground Road solely as it crosses United States public land as included and specifically described in Exhibit 50. The Piute State Park Campground Road includes the segments of road specifically set forth in Exhibit 50 and as exist on the ground.

Acceptance of the Piute State Park Campground Road R.S. 2477 Right-of-way Prior to October 21, 1976.

843. The Piute State Park Campground Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

844. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Piute State Park Campground 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.

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

846. Witnesses with personal knowledge of the history of the Piute State Park Campground 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.

847. Currently known reputation in the community is that the Piute State Park Campground 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.

848. Public motor vehicle use of the Piute State Park Campground 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.

849. The Piute State Park Campground Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

850. 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 Piute State Park Campground Road.

851. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Piute State Park Campground 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.

89 Shortcut Road, PCRD104

852. The 89 Shortcut Road is designated as county road number PCRD104 and SGID road identification number RD160104 and is more or less 0.48 miles long.

853. The centerline course of the 89 Shortcut Road is depicted on the map included in Exhibit 51 (89 Shortcut Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

854. The west end of 89 Shortcut Road commences in the northeast quarter of section 8, Township 29 South, Range 3 West, S.L.B.M. and then proceeds generally southeast until it ends in the southwest quarter of section 9, Township 29 South, Range 3 West, S.L.B.M.

855. The specific right-of-way for the 89 Shortcut Road claimed herein crosses 0.47 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.

856. In this action, the State and County seek to quiet title to the public highway right-of-way for the 89 Shortcut Road solely as it crosses United States public land as included and specifically described in Exhibit 51. The 89 Shortcut Road includes the segment of road specifically set forth in Exhibit 51 and as exists on the ground.

Acceptance of the 89 Shortcut Road R.S. 2477 Right-of-way Prior to October 21, 1976.

857. The 89 Shortcut Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

858. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the 89 Shortcut 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.

859. The 89 Shortcut Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

860. The County confirmed its acceptance of the 89 Shortcut Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 89 Shortcut Road using public funds pursuant to the County's governmental right and authority.

861. Witnesses with personal knowledge of the history of the 89 Shortcut 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.

862. Currently known reputation in the community is that the 89 Shortcut 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.

863. Public motor vehicle use of the 89 Shortcut 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.

864. The 89 Shortcut Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

865. 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 89 Shortcut Road.

866. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the 89 Shortcut 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.

Piute 105 Road, PCRD105

867. The Piute 105 Road is designated as county road number PCRD105 and SGID road identification number RD160105 and is more or less 0.28 miles long.

868. The centerline course of the Piute 105 Road is depicted on the map included in Exhibit 52 (Piute 105 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

869. The west end of the Piute 105 Road commences in the southeast quarter of section 8, Township 29 South, Range 3 West, S.L.B.M. and proceeds generally east where it meets the Piute Reservoir in the southwest quarter of section 9, Township 29 South, Range 3 West, S.L.B.M.

870. The specific right-of-way for the Piute 105 Road claimed herein crosses 0.05 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 52.

871. In this action, the State and County seek to quiet title to the public highway right-of-way for the Piute 105 Road solely as it crosses United States public land as included and specifically described in Exhibit 52. The Piute 105 Road includes the segment of road specifically set forth in Exhibit 52 and as exists on the ground.

Acceptance of the Piute 105 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

872. The Piute 105 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

873. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Piute 105 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.

874. The County confirmed its acceptance of the Piute 105 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Piute 105 Road using public funds pursuant to the County's governmental right and authority.

875. Witnesses with personal knowledge of the history of the Piute 105 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.

876. Currently known reputation in the community is that the Piute 105 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.

877. Public motor vehicle use of the Piute 105 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.

878. The Piute 105 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

879. 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 Piute 105 Road.

880. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Piute 105 Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

Old Dump Road, PCRD109

881. The Old Dump Road is designated as county road number PCRD109 and SGID road identification number RD160109 and is more or less 1.15 miles long.

882. The centerline course of the Old Dump Road is depicted on the map included in Exhibit 53 (Old Dump Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

883. The west end of the Old Dump Road commences in the northeast quarter of section 20, Township 29 South, Range 3 West, S.L.B.M. and proceeds generally east, then south until it then turns east and ends in the southwest quarter of section 21, Township 29 South, Range 3 West, S.L.B.M.

884. The specific right-of-way for the Old Dump Road claimed herein crosses 0.66 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 53.

885. In this action, the State and County seek to quiet title to the public highway right-of-way for the Old Dump Road solely as it crosses United States public land as included and specifically described in Exhibit 53. The Old Dump Road includes the segments of road specifically set forth in Exhibit 53 and as exist on the ground.

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

886. The Old Dump Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

887. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Old Dump 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.

888. The County confirmed its acceptance of the Old Dump Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Old Dump Road using public funds pursuant to the County's governmental right and authority.

889. Witnesses with personal knowledge of the history of the Old Dump 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.

890. Currently known reputation in the community is that the Old Dump 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.

891. Public motor vehicle use of the Old Dump 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.

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

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

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

East Side Piute Reservoir Road, PCRD3

895. The East Side Piute Reservoir Road is designated as county road number PCRD3 and SGID road identification number RD160003 and is more or less 6.36 miles long.

896. The centerline course of the East Side Piute Reservoir Road is depicted on the map included in Exhibit 54 (East Side Piute Reservoir Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

897. The north end of East Side Piute Reservoir Road commences in the southwest quarter of section 10, Township 29 South, Range 3 West, S.L.B.M. and then proceeds generally south until it ends in the northwest quarter of section 11, Township 30 South, Range 3 West, S.L.B.M.

898. The specific right-of-way for the East Side Piute Reservoir Road claimed herein crosses 5.17 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 54.

899. In this action, the State and County seek to quiet title to the public highway right-of-way for the East Side Piute Reservoir Road solely as it crosses United States public land as included and specifically described in Exhibit 54. The East Side Piute Reservoir Road includes the segments of road specifically set forth in Exhibit 54 and as exist on the ground.

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

900. The East Side Piute Reservoir Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

901. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the East Side Piute 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.

902. The East Side Piute Reservoir Road appears on the Marysvale (1945) USGS 15-minute quadrangle map and the Junction (1966) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

903. The County confirmed its acceptance of the East Side Piute Reservoir Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 East Side Piute Reservoir Road using public funds pursuant to the County's governmental right and authority.

904. Witnesses with personal knowledge of the history of the East Side Piute 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.

905. Currently known reputation in the community is that the East Side Piute 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.

906. Public motor vehicle use of the East Side Piute 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.

907. The East Side Piute Reservoir Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

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

909. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the East Side Piute 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.

East Piute Reservoir "A" Road, PCRD3A

910. The East Side Piute Reservoir "A" Road is designated as county road number PCRD3A and SGID road identification number RD16003E and is more or less 0.32 miles long.

911. The centerline course of the East Side Piute Reservoir “A” Road is depicted on the map included in Exhibit 55 (East Side Piute Reservoir “A” Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

912. The west end of East Piute Reservoir “A” Road commences in the northeast quarter of section 3, Township 30 South, Range 3 West, S.L.B.M. and then proceeds generally east then southeast until it ends in the southwest quarter of section 2, Township 30 South, Range 3 West, S.L.B.M.

913. The specific right-of-way for the East Side Piute Reservoir “A” Road claimed herein crosses 0.27 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 55.

914. In this action, the State and County seek to quiet title to the public highway right-of-way for the East Side Piute Reservoir “A” Road solely as it crosses United States public land as included and specifically described in Exhibit 55. The East Side Piute Reservoir “A” Road includes the segment of road specifically set forth in Exhibit 55 and as exists on the ground.

Acceptance of the East Side Piute Reservoir “A” Road R.S. 2477 Right-of-way Prior to October 21, 1976.

915. The East Side Piute Reservoir “A” Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public’s transportation needs.

916. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the East Side Piute Reservoir “A” 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.

917. The East Side Piute Reservoir “A” Road appears on the Junction (1966) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

918. The County confirmed its acceptance of the East Side Piute Reservoir “A” Road by 1973, when it designated and accepted the road as a County highway on the County’s general highway map. From at least 1973 and 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 East Side Piute Reservoir “A” Road using public funds pursuant to the County’s governmental right and authority.

919. Witnesses with personal knowledge of the history of the East Side Piute Reservoir “A” 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.

920. Currently known reputation in the community is that the East Side Piute Reservoir “A” 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.

921. Public motor vehicle use of the East Side Piute Reservoir “A” 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.

922. The East Side Piute Reservoir “A” Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

923. Without confirmation from the United States, a cloud remains on the State and County’s title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the East Side Piute Reservoir “A” Road.

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

East Circleville Road, PCRD119

925. The East Circleville Road is designated as county road number PCRD119 and SGID road identification number RD160119 and is more or less 2.89 miles long.

926. The centerline course of the East Circleville Road is depicted on the map included in Exhibit 56 (East Circleville Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

927. The north end of East Circleville Road commences in the southeast quarter of section 16, Township 30 South, Range 3 West, S.L.B.M. and then proceeds generally southwest until it ends in the southwest quarter of section 29, Township 30 South, Range 3 West, S.L.B.M.

928. The specific right-of-way for the East Circleville Road claimed herein crosses 0.86 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 56.

929. In this action, the State and County seek to quiet title to the public highway right-of-way for the East Circleville Road solely as it crosses United States public land as included and specifically described in Exhibit 56. The East Circleville Road includes the segments of road specifically set forth in Exhibit 56 and as exist on the ground.

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

930. The East Circleville Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

931. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the East Circleville 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.

932. The East Circleville Road appears on the Junction (1966) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

933. The County confirmed its acceptance of the East Circleville Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 East Circleville Road using public funds pursuant to the County's governmental right and authority.

934. Witnesses with personal knowledge of the history of the East Circleville 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.

935. Currently known reputation in the community is that the East Circleville 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.

936. Public motor vehicle use of the East Circleville 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.

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

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

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

Forshea Monroe Mountain Road, PCRD17B

940. The Forshea Monroe Mountain Road is designated as county road number PCRD17B and SGID road identification number RD160017 and is more or less 17.46 miles long.

941. The centerline course of the Forshea Monroe Mountain Road is depicted on the map included in Exhibit 57 (Forshea Monroe Mountain Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

942. The south end of Forshea Monroe Mountain Road commences in the southwest quarter of section 13, Township 30 South, Range 3 West, S.L.B.M. and then proceeds generally northeast until it ends in the northeast quarter of section 20, Township 28 South, Range 2 West, S.L.B.M.

943. The specific right-of-way for the Forshea Monroe Mountain Road claimed herein crosses 6.59 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.

944. In this action, the State and County seek to quiet title to the public highway right-of-way for the Forshea Monroe Mountain Road solely as it crosses United States public land as included and specifically described in Exhibit 57. The Forshea Monroe Mountain Road includes the segment of road specifically set forth in Exhibit 57 and as exists on the ground.

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

945. The Forshea Monroe Mountain Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

946. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Forshea Monroe Mountain Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

947. The Forshea Monroe Mountain Road appears on the Marysvale (1945) USGS 15-minute quadrangle map, and the Phonolite Hill (1971) and Junction (1966) USGS 7.5-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

948. The County confirmed its acceptance of the Forshea Monroe Mountain Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Forshea Monroe Mountain Road using public funds pursuant to the County's governmental right and authority.

949. Witnesses with personal knowledge of the history of the Forshea Monroe Mountain Road confirm public use of this road as a public thoroughfare by means of motor

vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

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

951. Public motor vehicle use of the Forshea Monroe Mountain 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.

952. The Forshea Monroe Mountain Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

953. 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 Forshea Monroe Mountain Road.

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

Swift Springs Road, PCRD143

955. The Swift Springs Road is designated as county road number PCRD143 and SGID road identification number RD160143 and is more or less 6.91 miles long.

956. The centerline course of the Swift Springs Road is depicted on the map included in Exhibit 58 (Swift Springs Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

957. The north end of the Swift Springs Road commences in the northwest quarter of section 4, Township 29 South, Range 2.5 West, S.L.B.M. and proceeds generally west then generally south where it ends in the southwest quarter of section 28, Township 29 South, Range 2.5 West, S.L.B.M.

958. The specific right-of-way for the Swift Springs Road claimed herein crosses 6.91 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.

959. In this action, the State and County seek to quiet title to the public highway right-of-way for the Swift Springs Road solely as it crosses United States public land as included and specifically described in Exhibit 58. The Swift Springs Road includes the segment of road specifically set forth in Exhibit 58 and as exists on the ground.

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

960. The Swift Springs Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

961. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Swift 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.

962. The Swift Springs Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

963. The County confirmed its acceptance of the Swift Springs Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Swift Springs Road using public funds pursuant to the County's governmental right and authority.

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

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

966. Public motor vehicle use of the Swift Springs 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.

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

968. 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 Swift Springs Road.

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

Little Cottonwood Road, PCRD144

970. The Little Cottonwood Road is designated as county road number PCRD144 and SGID road identification number RD160180 and is more or less 3.90 miles long.

971. The centerline course of the Little Cottonwood Road is depicted on the map included in Exhibit 59 (Little Cottonwood Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

972. The north end of Little Cottonwood Road commences in the northwest quarter of section 4, Township 29 South, Range 2.5 West, S.L.B.M. and then proceeds generally south until it ends in the northeast quarter of section 22, Township 29 South, Range 2.5 West, S.L.B.M.

973. The specific right-of-way for the Little Cottonwood Road claimed herein crosses 2.01 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.

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

and specifically described in Exhibit 59. The Little Cottonwood Road includes the segment of road specifically set forth in Exhibit 59 and as exists on the ground.

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

975. The Little Cottonwood Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

976. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Little Cottonwood 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.

977. The Little Cottonwood Road appears on the Marysvale (1945) USGS 15-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

978. The County confirmed its acceptance of the Little Cottonwood Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Little Cottonwood Road using public funds pursuant to the County's governmental right and authority.

979. Witnesses with personal knowledge of the history of the Little Cottonwood 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.

980. Currently known reputation in the community is that the Little Cottonwood 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.

981. Public motor vehicle use of the Little Cottonwood 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.

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

983. 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 Little Cottonwood Road.

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

Pole Canyon Road, PCRD32

985. The Pole Canyon Road is designated as county road number PCRD32 and SGID road identification number RD160032 and is more or less 6.20 miles long.

986. The centerline course of the Pole Canyon Road is depicted on the map included in Exhibit 60 (Pole Canyon Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

987. The west end of the Pole Canyon Road commences in the northeast quarter of section 12, Township 29 South, Range 2.5 West, S.L.B.M. and proceeds generally south then east until it ends in the northwest quarter of section 23, Township 29 South, Range 2 West, S.L.B.M.

988. The specific right-of-way for the Pole Canyon Road claimed herein crosses 1.43 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.

989. In this action, the State and County seek to quiet title to the public highway right-of-way for the Pole Canyon Road solely as it crosses United States public land as included and specifically described in Exhibit 60. The Pole Canyon Road includes the segment of road specifically set forth in Exhibit 60 and as exists on the ground.

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

990. The Pole Canyon Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

991. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Pole 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.

992. The Pole Canyon Road appears on the Marysvale (1945) USGS 15-minute quadrangle map and the Parker Knoll (1969) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

993. The County confirmed its acceptance of the Pole Canyon Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Pole Canyon Road using public funds pursuant to the County's governmental right and authority.

994. Witnesses with personal knowledge of the history of the Pole 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.

995. Currently known reputation in the community is that the Pole 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.

996. Public motor vehicle use of the Pole 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.

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

998. 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 Pole Canyon Road.

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

Allen Pond Road, PCRD35

1000. The Allen Pond Road is designated as county road number PCRD35 and SGID road identification number RD160035 and is more or less 1.09 miles long.

1001. The centerline course of the Allen Pond Road is depicted on the map included in Exhibit 61 (Allen Pond Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1002. The west end of Allen Pond Road commences in the southwest quarter of section 15, Township 29 South, Range 2 West, S.L.B.M. and then proceeds generally southeast until it ends in the southwest quarter of section 23, Township 29 South, Range 2 West, S.L.B.M.

1003. The specific right-of-way for the Allen Pond Road claimed herein crosses 1.09 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.

1004. In this action, the State and County seek to quiet title to the public highway right-of-way for the Allen Pond Road solely as it crosses United States public land as included and specifically described in Exhibit 61. The Allen Pond Road includes the segment of road specifically set forth in Exhibit 61 and as exists on the ground.

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

1005. The Allen Pond Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1006. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Allen Pond 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.

1007. The Allen Pond Road appears on the Parker Knoll (1969) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1008. The County confirmed its acceptance of the Allen Pond Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Allen Pond Road using public funds pursuant to the County's governmental right and authority.

1009. Witnesses with personal knowledge of the history of the Allen Pond 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.

1010. Currently known reputation in the community is that the Allen Pond 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.

1011. Public motor vehicle use of the Allen Pond 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.

1012. The Allen Pond Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1013. 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 Allen Pond Road.

1014. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Allen Pond 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.

Seismograph Trail Road, PCRD135

1015. The Seismograph Trail Road is designated as county road number PCRD135 and SGID road identification number RD160135 and is more or less 2.69 miles long.

1016. The centerline course of the Seismograph Road is depicted on the map included in Exhibit 62 (Seismograph Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1017. The west end of Seismograph Road commences in the northwest quarter of section 20, Township 29 South, Range 2 West, S.L.B.M. and then proceeds generally southeast until it ends in the northwest quarter of section 22, Township 29 South, Range 2 West, S.L.B.M.

1018. The specific right-of-way for the Seismograph Road claimed herein crosses 1.42 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 62.

1019. In this action, the State and County seek to quiet title to the public highway right-of-way for the Seismograph Road solely as it crosses United States public land as included and specifically described in Exhibit 62. The Seismograph Road includes the segment of road specifically set forth in Exhibit 62 and as exists on the ground.

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

1020. The Seismograph Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1021. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Seismograph 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.

1022. The County confirmed its acceptance of the Seismograph Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Seismograph Road using public funds pursuant to the County's governmental right and authority.

1023. Witnesses with personal knowledge of the history of the Seismograph 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.

1024. Currently known reputation in the community is that the Seismograph 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.

1025. Public motor vehicle use of the Seismograph 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.

1026. The Seismograph Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1027. 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 Seismograph Road.

1028. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Seismograph Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

West Angle Road, PCRD136

1029. The West Angle Road is designated as county road number PCRD136 and SGID road identification number RD160136 and is more or less 5.1 miles long.

1030. The centerline course of the West Angle Road is depicted on the map included in Exhibit 63 (West Angle Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1031. The west end of the West Angle Road commences in the southeast quarter of section 19, Township 29 South, Range 2 West, S.L.B.M. and proceeds generally south where it curves north then it generally proceeds southeast until it ends in the southwest quarter of section 26, Township 29 South, Range 2 West, S.L.B.M.

1032. The specific right-of-way for the West Angle Road claimed herein crosses 2.6 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 63.

1033. In this action, the State and County seek to quiet title to the public highway right-of-way for the West Angle Road solely as it crosses United States public land as included and specifically described in Exhibit 63. The West Angle Road includes the segment of road specifically set forth in Exhibit 63 and as exists on the ground.

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

1034. The West Angle Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1035. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the West 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.

1036. The West Angle Road appears on the Marysvale (1945) USGS 15-minute quadrangle map and the Phonolite Hill (1971), Parker Knoll (1969) and Angle (1970) USGS 7.5-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

1037. The County confirmed its acceptance of the West Angle Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 West Angle Road using public funds pursuant to the County's governmental right and authority.

1038. Witnesses with personal knowledge of the history of the West 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.

1039. Currently known reputation in the community is that the West 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.

1040. Public motor vehicle use of the West 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.

1041. The West Angle Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1042. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the West Angle Road.

1043. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the West 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.

Hickman Road, PCRD139

1044. The Hickman Road is designated as county road number PCRD139 and SGID road identification number RD160139 and is more or less 2.08 miles long.

1045. The centerline course of the Hickman Road is depicted on the map included in Exhibit 64 (Hickman Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1046. The north end of Hickman Road commences in the southeast quarter of section 25, Township 29 South, Range 2.5 West, S.L.B.M. and then proceeds generally south then west until it ends in the southwest quarter of section 1, Township 30 South, Range 2.5 West, S.L.B.M.

1047. The specific right-of-way for the Hickman Road claimed herein crosses 1.04 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 64.

1048. In this action, the State and County seek to quiet title to the public highway right-of-way for the Hickman Road solely as it crosses United States public land as included and specifically described in Exhibit 64. The Hickman Road includes the segment of road specifically set forth in Exhibit 64 and as exists on the ground.

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

1049. The Hickman Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1050. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Hickman 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.

1051. The Hickman Road appears on the Marysvale (1945) USGS 15-minute quadrangle map and the Phonolite Hill (1971) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1052. The County confirmed its acceptance of the Hickman Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Hickman Road using public funds pursuant to the County's governmental right and authority.

1053. Witnesses with personal knowledge of the history of the Hickman 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.

1054. Currently known reputation in the community is that the Hickman 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.

1055. Public motor vehicle use of the Hickman 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.

1056. The Hickman Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1057. 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 Hickman Road.

1058. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Hickman 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.

Hodge Ranch Road, PCRD66

1059. The Hodge Ranch Road is designated as county road number PCRD66 and SGID road identification number RD160066 and is more or less 0.7 miles long.

1060. The centerline course of the Hodge Ranch Road is depicted on the map included in Exhibit 65 (Hodge Ranch Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1061. The west end of Hodge Ranch Road commences in the southwest quarter of section 9, Township 30 South, Range 2 West, S.L.B.M. and then proceeds generally southeast until it ends in the southwest quarter of section 10, Township 30 South, Range 2 West, S.L.B.M.

1062. The specific right-of-way for the Hodge Ranch Road claimed herein crosses 0.6 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.

1063. In this action, the State and County seek to quiet title to the public highway right-of-way for the Hodge Ranch Road solely as it crosses United States public land as included and

specifically described in Exhibit 65. The Hodge Ranch Road includes the segment of road specifically set forth in Exhibit 65 and as exists on the ground.

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

1064. The Hodge Ranch Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1065. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Hodge Ranch 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.

1066. The Hodge Ranch Road appears on the Phonolite Hill (1971) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1067. The County confirmed its acceptance of the Hodge Ranch Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Hodge Ranch Road using public funds pursuant to the County's governmental right and authority.

1068. Witnesses with personal knowledge of the history of the Hodge Ranch 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.

1069. Currently known reputation in the community is that the Hodge Ranch 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.

1070. Public motor vehicle use of the Hodge Ranch 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.

1071. The Hodge Ranch Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1072. 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 Hodge Ranch Road.

1073. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Hodge Ranch 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.

Otter Creek TV Tower Road, PCRD82

1074. The Otter Creek TV Tower Road is designated as county road number PCRD82 and SGID road identification number RD160082 and is more or less 1.63 miles long.

1075. The centerline course of the Otter Creek TV Tower Road is depicted on the map included in Exhibit 66 (Otter Creek TV Tower Road), which is attached hereto and incorporated

herein. This map further reflects that this road crosses only public land administered by the BLM.

1076. The west end of the Otter Creek TV Tower Road commences in the northwest quarter of section 20, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally northeast then southeast where it curves east and then proceeds generally east until it curves southeast where it ends in the southwest quarter of section 21, Township 30 South, Range 2 West, S.L.B.M.

1077. The specific right-of-way for the Otter Creek TV Tower Road claimed herein crosses 1.63 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.

1078. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek TV Tower Road solely as it crosses United States public land as included and specifically described in Exhibit 66. The Otter Creek TV Tower Road includes the segment of road specifically set forth in Exhibit 66 and as exists on the ground.

Acceptance of the Otter Creek TV Tower Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1079. The Otter Creek TV Tower Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1080. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek TV Tower Road as a public highway located on the land at

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

1081. The Otter Creek TV Tower Road appears on the Phonolite Hill (1971) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1082. The County confirmed its acceptance of the Otter Creek TV Tower Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek TV Tower Road using public funds pursuant to the County's governmental right and authority.

1083. Witnesses with personal knowledge of the history of the Otter Creek TV Tower Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1084. Currently known reputation in the community is that the Otter Creek TV Tower Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1085. Public motor vehicle use of the Otter Creek TV Tower 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.

1086. The Otter Creek TV Tower Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1087. 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 Otter Creek TV Tower Road.

1088. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek TV Tower Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

Rock Canyon Road, PCRD172

1089. The Rock Canyon Road is designated as county road number PCRD172 and SGID road identification number RD160189 and is more or less 7.97 miles long.

1090. The centerline course of the Rock Canyon Road is depicted on the map included in Exhibit 67 (Rock Canyon Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1091. The west end of Rock Canyon Road commences in the southwest quarter of section 29, Township 28 South, Range 2 West, S.L.B.M. and then proceeds generally southeast until it ends in the southwest quarter of section 23, Township 29 South, Range 2 West, S.L.B.M.

1092. The specific right-of-way for the Rock Canyon Road claimed herein crosses 2.49 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.

1093. In this action, the State and County seek to quiet title to the public highway right-of-way for the Rock Canyon Road solely as it crosses United States public land as included and specifically described in Exhibit 67. The Rock Canyon Road includes the segment of road specifically set forth in Exhibit 67 and as exists on the ground.

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

1094. The Rock Canyon Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1095. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Rock 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.

1096. The Rock Canyon Road appears on the Marysvale (1945) USGS 15-minute quadrangle map and the Parker Knoll (1969) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1097. The County confirmed its acceptance of the Rock Canyon Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Rock Canyon Road pursuant to the County's governmental right and authority.

1098. Witnesses with personal knowledge of the history of the Rock 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.

1099. Currently known reputation in the community is that the Rock 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.

1100. Public motor vehicle use of the Rock 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.

1101. The Rock Canyon Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1102. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Rock Canyon Road.

1103. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Rock 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.

Rocky Ford Trail Road, PCRD132

1104. The Rocky Ford Trail is designated as county road number PCRD132 and SGID road identification number RD160196 and is more or less 4.77 miles long.

1105. The centerline course of the Rocky Ford Trail is depicted on the map included in Exhibit 68 (Rocky Ford Trail), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1106. The north end of Rocky Ford Trail commences in the northwest quarter of section 13, Township 30 South, Range 3 West, S.L.B.M. and then proceeds generally southwest, until it ends in the southwest quarter of section 34, Township 30 South, Range 3 West, S.L.B.M.

1107. The specific right-of-way for the Rocky Ford Trail claimed herein crosses 4.77 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.

1108. In this action, the State and County seek to quiet title to the public highway right-of-way for the Rocky Ford Trail solely as it crosses United States public land as included and specifically described in Exhibit 68. The Rocky Ford Trail includes the segment of road specifically set forth in Exhibit 68 and as exists on the ground.

Acceptance of the Rocky Ford Trail R.S. 2477 Right-of-way Prior to October 21, 1976.

1109. The Rocky Ford Trail has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1110. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Rocky Ford Trail 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.

1111. The Rocky Ford Trail appears on the Junction (1966) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1112. The County confirmed its acceptance of the Rocky Ford Trail by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Rocky Ford Trail pursuant to the County's governmental right and authority.

1113. Witnesses with personal knowledge of the history of the Rocky Ford Trail 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.

1114. Currently known reputation in the community is that the Rocky Ford Trail 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.

1115. Public motor vehicle use of the Rocky Ford Trail 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.

1116. The Rocky Ford Trail traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1117. 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 Rocky Ford Trail.

1118. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Rocky Ford Trail on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

East Piute Access Road, PCRD116

1119. The East Piute Access is designated as county road number PCRD116 and SGID road identification number RD160116 and is more or less .80 miles long.

1120. The centerline course of the East Piute Access is depicted on the map included in Exhibit 69 (East Piute Access), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1121. The north end of East Piute Access commences in the southwest quarter of section 11, Township 30 South, Range 3 West, S.L.B.M. and then proceeds generally southwest, until it ends in the northwest quarter of section 14, Township 30 South, Range 3 West, S.L.B.M.

1122. The specific right-of-way for the East Piute Access claimed herein crosses 4.77 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 69.

1123. In this action, the State and County seek to quiet title to the public highway right-of-way for the East Piute Access solely as it crosses United States public land as included and specifically described in Exhibit 69. The East Piute Access Road includes the segment of road specifically set forth in Exhibit 69 and as exists on the ground.

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

1124. The East Piute Access Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1125. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the East Piute Access 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.

1126. The East Piute Access Road appears on the Junction (1966) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1127. The County confirmed its acceptance of the East Piute Access Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 East Piute Access Road using public funds pursuant to the County's governmental right and authority.

1128. Witnesses with personal knowledge of the history of the East Piute Access 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.

1129. Currently known reputation in the community is that the East Piute Access 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.

1130. Public motor vehicle use of the East Piute Access 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.

1131. The East Piute Access Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1132. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the East Piute Access Road.

1133. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the East Piute Access Road on lands owned by the United States as described

herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

FOURTH CAUSE OF ACTION – QUIET TITLE
NORTH OTTER CREEK AREA

1134. The State of Utah and Piute County incorporate herein and re-allege each of the foregoing paragraphs.

1135. The North Otter Creek Area is located in north-central Piute County in the south-central region of Utah.

1136. The North Otter Creek Area consists of the following roads—listed by Common Road Name and County Unique Number: (1) North Parker Spring Road, PCRD34C; (2) Magleby Ranch Road, PCRD49; (3) Parker Springs Road, PCRD34B; (4) Vicks Road, PCRD33; (5) Parker/Antimony Road, PCRD23; (6) Horse Pasture Road, PCRD51; (7) Otter Creek Flat Road, PCRD33B; (8) Narrows Road, PCRD33A; (9) Old SR 62 Road, PCRD27; (10) Otter Creek Lake 154 Road, PCRD154; (11) Otter Creek Lake 155 Road, PCRD155; (12) Otter Creek Lake 157 Road, PCRD157; (13) Otter Creek Lake 158 Road, PCRD158; (14) Otter Creek Lake 159 Road, PCRD159; (15) Tamerisk Point Loop Road, PCRD64; (16) Red Schoolhouse Road, PCRD34; (17) Radio Tower Road, PCRD27A; (18) Tower Expansion Road, PCRD27B; (19) Cabin Springs Road, PCRD29; and (20) Fish Lake Road, PCRD28.

1137. Each right-of-way claimed in the North Otter Creek Area was used by the general public who engaged in one or more of the following activities: cattle ranching, sheep herding, prospecting for minerals, rock hounding, mining, oil and gas exploration, wood gathering,

cutting wood, collecting pine nuts or berries, recreation, hunting, trapping, government access, traveling in and through the area, or any other legitimate purpose.

1138. All rights-of-way claimed in the North Otter Creek Area are sufficient in scope for general motor vehicle travel and include that which is reasonable and necessary to meet the exigencies of motor vehicle travel according to safe engineering practices that protect the public and the road and also prevent undue degradation of the adjacent land.

1139. All rights-of-way claimed in the North Otter Creek Area include a minimum right-of-way width of 66 feet or greater width as determined at trial, along with cuts, fills, slopes, water bars, and such features and facilities as have historically been acknowledged by the DOI and under law as being reasonable and necessary for the use, benefit, and enjoyment of public highway rights-of-way. *See, e.g.*, UTAH CODE ANN. § 72-5-302(4)(b) (2003).

1140. Prior to October 21, 1976, the State of Utah, Piute 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.

North Parker Spring Road, PCRD34C

1141. The North Parker Spring Road is designated as county road number PCRD34C and SGID road identification number RD160168 and is more or less 0.14 miles long.

1142. The centerline course of the North Parker Spring Road is depicted on the map included in Exhibit 70 (North Parker Spring Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1143. The west end of North Parker Spring Road commences in the northwest quarter of section 35, Township 27 South, Range 1 West, S.L.B.M. and then proceeds generally northeast until it ends in the northwest quarter of section 35, Township 27 South, Range 1 West, S.L.B.M.

1144. The specific right-of-way for the North Parker Spring Road claimed herein crosses 0.14 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 70.

1145. In this action, the State and County seek to quiet title to the public highway right-of-way for the North Parker Spring Road solely as it crosses United States public land as included and specifically described in Exhibit 70. The North Parker Spring Road includes the segment of road specifically set forth in Exhibit 70 and as exists on the ground.

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

1146. The North Parker Spring Road has long served as a public highway providing access to and across public land as managed by the BLM. This road serves the public's transportation needs.

1147. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the North Parker 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.

1148. The County confirmed its acceptance of the North Parker Spring Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 North Parker Spring Road using public funds pursuant to the County's governmental right and authority.

1149. Witnesses with personal knowledge of the history of the North Parker 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.

1150. Currently known reputation in the community is that the North Parker 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.

1151. Public motor vehicle use of the North Parker 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.

1152. The North Parker Spring Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1153. 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 Parker Spring Road.

1154. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the North Parker 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.

Magleby Ranch Road, PCRD49

1155. The Magleby Ranch Road is designated as county road number PCRD49 and SGID road identification number RD160049 and is more or less 0.77 miles long.

1156. The centerline course of the Magleby Ranch Road is depicted on the map included in Exhibit 71 (Magleby Ranch Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1157. The west end of Magleby Ranch Road commences in the southeast quarter of section 32, Township 27 South, Range 1 West, S.L.B.M. and then proceeds generally southeast until it ends in the northwest quarter of section 4, Township 28 South, Range 1 West, S.L.B.M.

1158. The specific right-of-way for the Magleby Ranch Road claimed herein crosses 0.63 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.

1159. In this action, the State and County seek to quiet title to the public highway right-of-way for the Magleby Ranch Road solely as it crosses United States public land as included and specifically described in Exhibit 71. The Magleby Ranch Road includes the segment of road specifically set forth in Exhibit 71 and as exists on the ground.

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

1160. The Magleby Ranch Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1161. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Magleby Ranch 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.

1162. The Magleby Ranch Road appears on the Greenwich (1969) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1163. The County confirmed its acceptance of the Magleby Ranch Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Magleby Ranch Road using public funds pursuant to the County's governmental right and authority.

1164. Witnesses with personal knowledge of the history of the Magleby Ranch 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.

1165. Currently known reputation in the community is that the Magleby Ranch 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.

1166. Public motor vehicle use of the Magleby Ranch 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.

1167. The Magleby Ranch Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1168. 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 Magleby Ranch Road.

1169. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Magleby Ranch 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.

Parker Springs Road, PCRD34B

1170. The Parker Springs Road is designated as county road number PCRD34B and SGID road identification number RD160167 and is more or less 1.1 miles long.

1171. The centerline course of the Parker Springs Road is depicted on the map included in Exhibit 72 (Parker Springs Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1172. The north end of the Parker Springs Road commences in the northwest quarter of section 34, Township 27 South, Range 1 West, S.L.B.M. and proceeds generally southeast where it ends in the southwest quarter of section 35, Township 27 South, Range 1 West, S.L.B.M.

1173. The specific right-of-way for the Parker Springs Road claimed herein crosses 1.1 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 72.

1174. In this action, the State and County seek to quiet title to the public highway right-of-way for the Parker Springs Road solely as it crosses United States public land as included and specifically described in Exhibit 72. The Parker Springs Road includes the segment of road specifically set forth in Exhibit 72 and as exists on the ground.

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

1175. The Parker Springs Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1176. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Parker Springs Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1177. The Parker Springs Road appears on the Greenwich (1969) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1178. The County confirmed its acceptance of the Parker Springs Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Parker Springs Road using public funds pursuant to the County's governmental right and authority.

1179. Witnesses with personal knowledge of the history of the Parker Springs Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1180. Currently known reputation in the community is that the Parker Springs Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1181. Public motor vehicle use of the Parker Springs 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.

1182. The Parker Springs Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1183. 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 Parker Springs Road.

1184. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Parker Springs Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

Vicks Road, PCRD33

1185. The Vicks Road is designated as county road number PCRD33 and SGID road identification number RD160033 and is more or less 0.29 miles long.

1186. The centerline course of the Vicks Road is depicted on the map included in Exhibit 73 (Vicks Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1187. The west end of the Vicks Road commences in the northeast quarter of section 8, Township 28 South, Range 1 West, S.L.B.M. and proceeds generally east where it ends in the northeast quarter of section 8, Township 28 South, Range 1 West, S.L.B.M.

1188. The specific right-of-way for the Vicks Road claimed herein crosses 0.24 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 73.

1189. In this action, the State and County seek to quiet title to the public highway right-of-way for the Vicks Road solely as it crosses United States public land as included and

specifically described in Exhibit 73. The Vicks Road includes the segment of road specifically set forth in Exhibit 73 and as exists on the ground.

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

1190. The Vicks Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1191. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Vicks Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1192. The Vicks Road appears on the Greenwich (1969) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1193. The County confirmed its acceptance of the Vicks Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Vicks Road using public funds pursuant to the County's governmental right and authority.

1194. Witnesses with personal knowledge of the history of the Vicks 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.

1195. Currently known reputation in the community is that the Vicks 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.

1196. Public motor vehicle use of the Vicks 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.

1197. The Vicks Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1198. 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 Vicks Road.

1199. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Vicks 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.

Parker/Antimony Road, PCRD23

1200. The Parker/Antimony Road is designated as county road number PCRD23 and SGID road identification number RD160023 and is more or less 28.66 miles long.

1201. The centerline course of the Parker/Antimony Road is depicted on the map included in Exhibit 74 (Parker/Antimony Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1202. The north end of the Parker/Antimony Road commences in the northeast quarter of section 20, Township 27 South, Range 1 East, S.L.B.M. and proceeds generally south where it ends in the southwest quarter of section 32, Township 30 South, Range 1 West, S.L.B.M.

1203. The specific right-of-way for the Parker/Antimony Road claimed herein crosses 2.46 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 74.

1204. In this action, the State and County seek to quiet title to the public highway right-of-way for the Parker/Antimony Road solely as it crosses United States public land as included and specifically described in Exhibit 74. The Parker/Antimony Road includes the segments of road specifically set forth in Exhibit 74 and as exist on the ground.

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

1205. The Parker/Antimony Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1206. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Parker/Antimony 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.

1207. The Parker/Antimony Road appears on the Abes Knoll (1969), Parker Knoll (1969), Jakes Knoll (1969), Flossie Knoll (1969), and Angle (1970) USGS 7.5-minute

quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

1208. The County confirmed its acceptance of the Parker/Antimony Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Parker/Antimony Road using public funds pursuant to the County's governmental right and authority.

1209. Witnesses with personal knowledge of the history of the Parker/Antimony 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.

1210. Currently known reputation in the community is that the Parker/Antimony 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.

1211. Public motor vehicle use of the Parker/Antimony 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.

1212. The Parker/Antimony Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1213. 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 Parker/Antimony Road.

1214. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Parker/Antimony Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

Horse Pasture Road, PCRD51

1215. The Horse Pasture Road is designated as county road number PCRD51 and SGID road identification number RD160051 and is more or less 0.23 miles long.

1216. The centerline course of the Horse Pasture Road is depicted on the map included in Exhibit 75 (Horse Pasture Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1217. The west end of Horse Pasture Road commences in the southwest quarter of section 8, Township 28 South, Range 1 West, S.L.B.M. and then proceeds generally east until it ends in the southeast quarter of section 8, Township 28 South, Range 1 West, S.L.B.M.

1218. The specific right-of-way for the Horse Pasture Road claimed herein crosses 0.23 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 75.

1219. In this action, the State and County seek to quiet title to the public highway right-of-way for the Horse Pasture Road solely as it crosses United States public land as included and

specifically described in Exhibit 75. The Horse Pasture Road includes the segment of road specifically set forth in Exhibit 75 and as exists on the ground.

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

1220. The Horse Pasture Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1221. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Horse Pasture 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.

1222. The Horse Pasture Road appears on the Greenwich (1969) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1223. The County confirmed its acceptance of the Horse Pasture Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Horse Pasture Road using public funds pursuant to the County's governmental right and authority.

1224. Witnesses with personal knowledge of the history of the Horse Pasture 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.

1225. Currently known reputation in the community is that the Horse Pasture 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.

1226. Public motor vehicle use of the Horse Pasture 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.

1227. The Horse Pasture Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1228. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Horse Pasture Road.

1229. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Horse Pasture 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.

Otter Creek Flat Road, PCRD33B

1230. The Otter Creek Flat Road is designated as county road number PCRD33B and SGID road identification number RD160186 and is more or less 1.36 miles long.

1231. The centerline course of the Otter Creek Flat Road is depicted on the map included in Exhibit 76 (Otter Creek Flat Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1232. The north end of the Otter Creek Flat Road commences in the northwest quarter of section 30, Township 28 South, Range 1 West, S.L.B.M. and proceeds generally south where it ends in the northwest quarter of section 31, Township 28 South, Range 1 West, S.L.B.M.

1233. The specific right-of-way for the Otter Creek Flat Road claimed herein crosses 0.32 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 76.

1234. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek Flat Road solely as it crosses United States public land as included and specifically described in Exhibit 76. The Otter Creek Flat Road includes the segments of road specifically set forth in Exhibit 76 and as exist on the ground.

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

1235. The Otter Creek Flat Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1236. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek Flat 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.

1237. The Otter Creek Flat Road appears on the Parker Knoll (1969) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1238. The County confirmed its acceptance of the Otter Creek Flat Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek Flat Road using public funds pursuant to the County's governmental right and authority.

1239. Witnesses with personal knowledge of the history of the Otter Creek Flat 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.

1240. Currently known reputation in the community is that the Otter Creek Flat 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.

1241. Public motor vehicle use of the Otter Creek Flat 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.

1242. The Otter Creek Flat Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1243. 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 Otter Creek Flat Road.

1244. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek Flat 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.

Narrows Road, PCRD33A

1245. The Narrows Road is designated as county road number PCRD33A and SGID road identification number RD160166 and is more or less 7.7 miles long.

1246. The centerline course of the Narrows Road is depicted on the map included in Exhibit 77 (Narrows Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1247. The north end of Narrows Road commences in the southwest quarter of section 17, Township 28 South, Range 1 West, S.L.B.M. and then proceeds generally southeast then south, then west until it ends in the southeast quarter of section 36, Township 28 South, Range 2 West, S.L.B.M.

1248. The specific right-of-way for the Narrows Road claimed herein crosses 6.01 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 77.

1249. In this action, the State and County seek to quiet title to the public highway right-of-way for the Narrows Road solely as it crosses United States public land as included and specifically described in Exhibit 77. The Narrows Road includes the segments of road specifically set forth in Exhibit 77 and as exist on the ground.

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

1250. The Narrows Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1251. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Narrows 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.

1252. The Narrows Road appears on the Parker Knoll (1969) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1253. The County confirmed its acceptance of the Narrows Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Narrows Road using public funds pursuant to the County's governmental right and authority.

1254. Witnesses with personal knowledge of the history of the Narrows 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.

1255. Currently known reputation in the community is that the Narrows 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.

1256. Public motor vehicle use of the Narrows 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.

1257. The Narrows Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1258. 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 Narrows Road.

1259. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Narrows Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

Old SR 62 Road, PCRD27

1260. The Old SR 62 Road is designated as county road number PCRD27 and SGID road identification number RD160027 and is more or less 6.38 miles long.

1261. The centerline course of the Old SR 62 Road is depicted on the map included in Exhibit 78 (Old SR 62 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1262. The north end of the Old SR 62 Road commences in the northwest quarter of section 26, Township 29 South, Range 2 West, S.L.B.M. and proceeds generally south where it ends in the southeast quarter of section 20, Township 30 South, Range 2 West, S.L.B.M.

1263. The specific right-of-way for the Old SR 62 Road claimed herein crosses 3.50 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 78.

1264. In this action, the State and County seek to quiet title to the public highway right-of-way for the Old SR 62 Road solely as it crosses United States public land as included and specifically described in Exhibit 78. The Old SR 62 Road includes the segments of road specifically set forth in Exhibit 78 and as exist on the ground.

Acceptance of the Old SR 62 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1265. The Old SR 62 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1266. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Old SR 62 Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1267. The Old SR 62 Road appears on the Parker Knoll (1969), Angle (1970) and Phonolite Hill (1971) USGS 7.5-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

1268. The County confirmed its acceptance of the Old SR 62 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Old SR 62 Road using public funds pursuant to the County's governmental right and authority.

1269. Witnesses with personal knowledge of the history of the Old SR 62 Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1270. Currently known reputation in the community is that the Old SR 62 Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1271. Public motor vehicle use of the Old SR 62 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.

1272. The Old SR 62 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1273. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the Old SR 62 Road.

1274. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Old SR 62 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.

Otter Creek Lake 154 Road, PCRD154

1275. The Otter Creek Lake 154 Road is designated as county road number PCRD154 and SGID road identification number RD160154 and is more or less 0.29 miles long.

1276. The centerline course of the Otter Creek Lake 154 Road is depicted on the map included in Exhibit 79 (Otter Creek Lake 154 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1277. The west end of the Otter Creek Lake 154 Road commences in the northeast quarter of section 3, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally northeast where it ends in the southwest quarter of section 35, Township 29 South, Range 2 West, S.L.B.M.

1278. The specific right-of-way for the Otter Creek Lake 154 Road claimed herein crosses 0.29 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 79.

1279. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek Lake 154 Road solely as it crosses United States public land as included and specifically described in Exhibit 79. The Otter Creek Lake 154 Road includes the segment of road specifically set forth in Exhibit 79 and as exists on the ground.

Acceptance of the Otter Creek Lake 154 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1280. The Otter Creek Lake 154 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1281. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek Lake 154 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.

1282. The Otter Creek Lake 154 Road appears on the Angle (1970) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1283. The County confirmed its acceptance of the Otter Creek Lake 154 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek Lake 154 Road using public funds pursuant to the County's governmental right and authority.

1284. Witnesses with personal knowledge of the history of the Otter Creek Lake 154 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.

1285. Currently known reputation in the community is that the Otter Creek Lake 154 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.

1286. Public motor vehicle use of the Otter Creek Lake 154 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.

1287. The Otter Creek Lake 154 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1288. 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 Otter Creek Lake 154 Road.

1289. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek Lake 154 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.

Otter Creek Lake 155 Road, PCRD155

1290. The Otter Creek Lake 155 Road is designated as county road number PCRD155 and SGID road identification number RD160155 and is more or less 0.86 miles long.

1291. The centerline course of the Otter Creek Lake 155 Road is depicted on the map included in Exhibit 80 (Otter Creek Lake 155 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1292. The west end of the Otter Creek Lake 155 Road commences in the southwest quarter of section 3, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally east where it ends in the northwest quarter of section 11, Township 30 South, Range 2 West, S.L.B.M.

1293. The specific right-of-way for the Otter Creek Lake 155 Road claimed herein crosses 0.67 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 80.

1294. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek Lake 155 Road solely as it crosses United States public land as included and specifically described in Exhibit 80. The Otter Creek Lake 155 Road includes the segments of road specifically set forth in Exhibit 80 and as exist on the ground.

Acceptance of the Otter Creek Lake 155 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1295. The Otter Creek Lake 155 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1296. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek Lake 155 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.

1297. The Otter Creek Lake 155 Road appears on Angle (1970) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1298. The County confirmed its acceptance of the Otter Creek Lake 155 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek Lake 155 Road using public funds pursuant to the County's governmental right and authority.

1299. Witnesses with personal knowledge of the history of the Otter Creek Lake 155 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.

1300. Currently known reputation in the community is that the Otter Creek Lake 155 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.

1301. Public motor vehicle use of the Otter Creek Lake 155 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.

1302. The Otter Creek Lake 155 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1303. 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 Otter Creek Lake 155 Road.

1304. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek Lake 155 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.

Otter Creek Lake 157 Road, PCRD157

1305. The Otter Creek Lake 157 Road is designated as county road number PCRD157 and SGID road identification number RD160157 and is more or less 0.34 miles long.

1306. The centerline course of the Otter Creek Lake 157 Road is depicted on the map included in Exhibit 81 (Otter Creek Lake 157 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1307. The west end of the Otter Creek Lake 157 Road commences in the northeast quarter of section 10, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally southeast where it ends in the northwest quarter of section 11, Township 30 South, Range 2 West, S.L.B.M.

1308. The specific right-of-way for the Otter Creek Lake 157 Road claimed herein crosses 0.34 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 81.

1309. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek Lake 157 Road solely as it crosses United States public land as included and specifically described in Exhibit 81. The Otter Creek Lake 157 Road includes the segment of road specifically set forth in Exhibit 81 and as exists on the ground.

Acceptance of the Otter Creek Lake 157 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1310. The Otter Creek Lake 157 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1311. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek Lake 157 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.

1312. The Otter Creek Lake 157 Road appears on the Angle (1970) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1313. The County confirmed its acceptance of the Otter Creek Lake 157 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek Lake 157 Road using public funds pursuant to the County's governmental right and authority.

1314. Witnesses with personal knowledge of the history of the Otter Creek Lake 157 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.

1315. Currently known reputation in the community is that the Otter Creek Lake 157 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.

1316. Public motor vehicle use of the Otter Creek Lake 157 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.

1317. The Otter Creek Lake 157 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1318. 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 Otter Creek Lake 157 Road.

1319. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek Lake 157 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.

Otter Creek Lake 158 Road, PCRD158

1320. The Otter Creek Lake 158 Road is designated as county road number PCRD158 and SGID road identification number RD160158 and is more or less 0.72 miles long.

1321. The centerline course of the Otter Creek Lake 158 Road is depicted on the map included in Exhibit 82 (Otter Creek Lake 158 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1322. The west end of the Otter Creek Lake 158 Road commences in the southwest quarter of section 10, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally southeast where it end in the southeast quarter of section 10, Township 30 South, Range 2 West, S.L.B.M.

1323. The specific right-of-way for the Otter Creek Lake 158 Road claimed herein crosses 0.72 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 82.

1324. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek Lake 158 Road solely as it crosses United States public land as included and specifically described in Exhibit 82. The Otter Creek Lake 158 Road includes the segment of road specifically set forth in Exhibit 82 and as exists on the ground.

Acceptance of the Otter Creek Lake 158 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1325. The Otter Creek Lake 158 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1326. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek Lake 158 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.

1327. The Otter Creek Lake 158 Road appears on the Phonolite Hill (1971) and Angle (1970) USGS 7.5-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

1328. The County confirmed its acceptance of the Otter Creek Lake 158 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek Lake 158 Road using public funds pursuant to the County's governmental right and authority.

1329. Witnesses with personal knowledge of the history of the Otter Creek Lake 158 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.

1330. Currently known reputation in the community is that the Otter Creek Lake 158 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.

1331. Public motor vehicle use of the Otter Creek Lake 158 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.

1332. The Otter Creek Lake 158 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1333. 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 Otter Creek Lake 158 Road.

1334. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek Lake 158 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.

Otter Creek Lake 159 Road, PCRD159

1335. The Otter Creek Lake 159 Road is designated as county road number PCRD159 and SGID road identification number RD160159 and is more or less 0.36 miles long.

1336. The centerline course of the Otter Creek Lake 159 Road is depicted on the map included in Exhibit 83 (Otter Creek Lake 159 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1337. The west end of the Otter Creek Lake 159 Road commences in the northwest quarter of section 15, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally east where it ends in the northeast quarter of section 15, Township 30 South, Range 2 West, S.L.B.M.

1338. The specific right-of-way for the Otter Creek Lake 159 Road claimed herein crosses 0.33 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 83.

1339. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek Lake 159 Road solely as it crosses United States public land as included and specifically described in Exhibit 83. The Otter Creek Lake 159 Road includes the segment of road specifically set forth in Exhibit 83 and as exists on the ground.

Acceptance of the Otter Creek Lake 159 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1340. The Otter Creek Lake 159 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1341. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek Lake 159 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.

1342. The County confirmed its acceptance of the Otter Creek Lake 159 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek Lake 159 Road using public funds pursuant to the County's governmental right and authority.

1343. Witnesses with personal knowledge of the history of the Otter Creek Lake 159 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.

1344. Currently known reputation in the community is that the Otter Creek Lake 159 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.

1345. Public motor vehicle use of the Otter Creek Lake 159 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.

1346. The Otter Creek Lake 159 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1347. 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 Otter Creek Lake 159 Road.

1348. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek Lake 159 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.

Tamerisk Point Loop Road, PCRD64

1349. The Tamerisk Point Loop Road is designated as county road number PCRD64 and SGID road identification number RD160064 and is more or less 0.87 miles long.

1350. The centerline course of the Tamerisk Point Loop Road is depicted on the map included in Exhibit 84 (Tamerisk Point Loop Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1351. The north end of the Tamerisk Point Loop Road commences in the northeast quarter of section 10, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally south where it ends in the southeast quarter of section 10, Township 30 South, Range 2 West, S.L.B.M.

1352. The specific right-of-way for the Tamerisk Point Loop Road claimed herein crosses 0.87 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 84.

1353. In this action, the State and County seek to quiet title to the public highway right-of-way for the Tamerisk Point Loop Road solely as it crosses United States public land as included and specifically described in Exhibit 84. The Tamerisk Point Loop Road includes the segment of road specifically set forth in Exhibit 84 and as exists on the ground.

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

1354. The Tamerisk Point Loop Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1355. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Tamerisk Point 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.

1356. The Tamerisk Point Loop Road appears on the Angle (1970) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1357. The County confirmed its acceptance of the Tamerisk Point Loop Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Tamerisk Point Loop Road using public funds pursuant to the County's governmental right and authority.

1358. Witnesses with personal knowledge of the history of the Tamerisk Point 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.

1359. Currently known reputation in the community is that the Tamerisk Point 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.

1360. Public motor vehicle use of the Tamerisk Point 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.

1361. The Tamerisk Point Loop Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1362. 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 Tamerisk Point Loop Road.

1363. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Tamerisk Point 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.

Red Schoolhouse Road, PCRD34

1364. The Red Schoolhouse Road is designated as county road number PCRD34 and SGID road identification number RD160034 and is more or less 6.89 miles long.

1365. The centerline course of the Red Schoolhouse Road is depicted on the map included in Exhibit 85 (Red Schoolhouse Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1366. The north end of the Red Schoolhouse Road commences in the southeast quarter of section 36, Township 26 South, Range 1 West, S.L.B.M. and proceeds generally south where it ends in the southwest quarter of section 34, Township 27 South, Range 1 West, S.L.B.M.

1367. The specific right-of-way for the Red Schoolhouse Road claimed herein crosses 3.51 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 85.

1368. In this action, the State and County seek to quiet title to the public highway right-of-way for the Red Schoolhouse Road solely as it crosses United States public land as included and specifically described in Exhibit 85. The Red Schoolhouse Road includes the segments of road specifically set forth in Exhibit 85 and as exist on the ground.

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

1369. The Red Schoolhouse Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1370. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Red Schoolhouse 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.

1371. The Red Schoolhouse Road appears on the Burrville (1968), Greenwich (1969) and Abes Knoll (1969) USGS 7.5-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

1372. The County confirmed its acceptance of the Red Schoolhouse Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Red Schoolhouse Road using public funds pursuant to the County's governmental right and authority.

1373. Witnesses with personal knowledge of the history of the Red Schoolhouse 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.

1374. Currently known reputation in the community is that the Red Schoolhouse 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.

1375. Public motor vehicle use of the Red Schoolhouse 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.

1376. The Red Schoolhouse Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1377. 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 Red Schoolhouse Road.

1378. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Red Schoolhouse 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.

Radio Tower Road, PCRD27A

1379. The Radio Tower Road is designated as county road number PCRD27A and SGID road identification number RD16027A and is more or less 2.25miles long.

1380. The centerline course of the Radio Tower Road is depicted on the map included in Exhibit 86 (Radio Tower Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1381. The north end of the Radio Tower Road commences in the southwest quarter of section 9, Township 27 South, Range 1 East, S.L.B.M. and proceeds generally south where it ends in the northeast quarter of section 20, Township 27 South, Range 1 East, S.L.B.M.

1382. The specific right-of-way for the Radio Tower Road claimed herein crosses 2.05 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 86.

1383. In this action, the State and County seek to quiet title to the public highway right-of-way for the Radio Tower Road solely as it crosses United States public land as included and specifically described in Exhibit 86. The Radio Tower Road includes the segments of road specifically set forth in Exhibit 86 and as exist on the ground.

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

1384. The Radio Tower Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1385. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Radio Tower Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1386. The Radio Tower Road appears on the Abes Knoll (1969) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1387. The County confirmed its acceptance of the Radio Tower Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Radio Tower Road using public funds pursuant to the County's governmental right and authority.

1388. Witnesses with personal knowledge of the history of the Radio Tower Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1389. Currently known reputation in the community is that the Radio Tower Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1390. Public motor vehicle use of the Radio Tower 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.

1391. The Radio Tower Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1392. 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 Radio Tower Road.

1393. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Radio Tower Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

Tower Expansion Road, PCRD27B

1394. The Tower Expansion Road is designated as county road number PCRD27B and SGID road identification number RD160185 and is more or less .07 miles long.

1395. The centerline course of the Tower Expansion Road is depicted on the map included in Exhibit 87 (Tower Expansion Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1396. The north end of the Tower Expansion Road commences in the southwest quarter of section 9, Township 27 South, Range 1 East, S.L.B.M. and proceeds generally southeast where it ends in the southwest quarter of section 9, Township 27 South, Range 1 East, S.L.B.M.

1397. The specific right-of-way for the Tower Expansion Road claimed herein crosses .07 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 87.

1398. In this action, the State and County seek to quiet title to the public highway right-of-way for the Tower Expansion Road solely as it crosses United States public land as included and specifically described in Exhibit 87. The Tower Expansion Road includes the segment of road specifically set forth in Exhibit 87 and as exists on the ground.

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

1399. The Tower Expansion Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1400. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Tower Expansion 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.

1401. The County confirmed its acceptance of the Tower Expansion Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Tower Expansion Road using public funds pursuant to the County's governmental right and authority.

1402. Witnesses with personal knowledge of the history of the Tower Expansion 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.

1403. Currently known reputation in the community is that the Tower Expansion 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.

1404. Public motor vehicle use of the Tower Expansion 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.

1405. The Tower Expansion Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1406. 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 Tower Expansion Road.

1407. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Tower Expansion 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.

Cabin Springs Road, PCRD29

1408. The Cabin Springs Road is designated as county road number PCRD29 and SGID road identification number RD160029 and is more or less 0.85 miles long.

1409. The centerline course of the Cabin Springs Road is depicted on the map included in Exhibit 88 (Cabin Springs Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1410. The south end of Cabin Springs Road commences in the southeast quarter of section 3, Township 27 South, Range 1 East, S.L.B.M. and then proceeds generally north then east until it ends in the northwest quarter of section 2, Township 27 South, Range 1 East, S.L.B.M.

1411. The specific right-of-way for the Cabin Springs Road claimed herein crosses 0.54 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 88.

1412. In this action, the State and County seek to quiet title to the public highway right-of-way for the Cabin Springs Road solely as it crosses United States public land as included and specifically described in Exhibit 88. The Cabin Springs Road includes the segment of road specifically set forth in Exhibit 88 and as exists on the ground.

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

1413. The Cabin Spring Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1414. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Cabin 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.

1415. The Cabin Springs Road appears on the Abes Knoll (1969) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1416. The County confirmed its acceptance of the Cabin Springs Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Cabin Springs Road using public funds pursuant to the County's governmental right and authority.

1417. Witnesses with personal knowledge of the history of the Cabin Springs Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1418. Currently known reputation in the community is that the Cabin Springs Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1419. Public motor vehicle use of the Cabin Springs 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.

1420. The Cabin Springs Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1421. 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 Cabin Springs Road.

1422. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Cabin Springs Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

Fish Lake Road, PCRD28

1423. The Fish Lake Road is designated as county road number PCRD28 and SGID road identification number RD160028 and is more or less 1.03 miles long.

1424. The centerline course of the Fish Lake Road is depicted on the map included in Exhibit 89 (Fish Lake Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1425. The north end of Fish Lake Road commences in the southwest quarter of section 34, Township 26 South, Range 1 East, S.L.B.M. and then proceeds generally south until it ends in the southeast quarter of section 3, Township 27 South, Range 1 East, S.L.B.M.

1426. The specific right-of-way for the Fish Lake Road claimed herein crosses 0.78 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 89.

1427. In this action, the State and County seek to quiet title to the public highway right-of-way for the Fish Lake Road solely as it crosses United States public land as included and

specifically described in Exhibit 89. The Fish Lake Road includes the segment of road specifically set forth in Exhibit 89 and as exists on the ground.

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

1428. The Fish Lake Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1429. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Fish Lake 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.

1430. The Fish Lake Road appears on the Abes Knoll (1969) and Burrville (1968) USGS 7.5-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

1431. The County confirmed its acceptance of the Fish Lake Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Fish Lake Road using public funds pursuant to the County's governmental right and authority.

1432. Witnesses with personal knowledge of the history of the Fish Lake 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.

1433. Currently known reputation in the community is that the Fish Lake 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.

1434. Public motor vehicle use of the Fish Lake 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.

1435. The Fish Lake Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1436. 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 Fish Lake Road.

1437. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Fish Lake Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

FIFTH CAUSE OF ACTION – QUIET TITLE
SOUTH OTTER CREEK LAKE AREA

1438. The State of Utah and Piute County incorporate herein and re-allege each of the foregoing paragraphs.

1439. The South Otter Creek Lake Area is located in north-central Piute County in the south-central region of Utah.

1440. The South Otter Creek Lake Area includes the following roads—listed by Common Road Name and County Unique Number: (1) Otter Creek 68 Road, PCRD68; (2) Otter Creek 69 Road, PCRD69; (3) Otter Creek 70 Road, PCRD70; (4) Otter Creek 71 Road, PCRD71; (5) Otter Creek 72 Road, PCRD72; (6) Otter Creek 73 Road, PCRD73; (7) Otter Creek 74 Road, PCRD74; (8) Otter Creek 75 Road, PCRD75; (9) Otter Creek 76 Road, PCRD76; (10) Otter Creek 77 Road, PCRD77; (11) Otter Creek 78 Road, PCRD78; (12) Otter Creek 79 Road, PCRD79; (13) Otter Creek 80 Road, PCRD80; (14) Otter Creek 81 Road, PCRD81; (15) Otter Creek Road, PCRD83; (16) Little Meadows Road, PCRD21; and (17) East Otter Creek Road, PCRD170.

1441. Each right-of-way claimed in the South Otter Creek Lake Area was used by the general public who engaged in one or more of the following activities: cattle ranching, sheep herding, prospecting for minerals, rock hounding, mining, oil and gas exploration, wood gathering, cutting wood, collecting pine nuts or berries, recreation, hunting, trapping, government access, traveling in and through the area, or any other legitimate purpose.

1442. All rights-of-way claimed in the South Otter Creek Lake Area are sufficient in scope for general motor vehicle travel and include that which is reasonable and necessary to meet the exigencies of motor vehicle travel according to safe engineering practices that protect the public and the road and also prevent undue degradation of the adjacent land.

1443. All rights-of-way claimed in the South Otter Creek Lake Area include a minimum right-of-way width of 66 feet or greater width as determined at trial, along with cuts, fills, slopes, water bars, and such features and facilities as have historically been acknowledged by the DOI

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

1444. Prior to October 21, 1976, the State of Utah, Piute 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.

Otter Creek 68 Road, PCRD68

1445. The Otter Creek 68 Road is designated as county road number PCRD68 and SGID road identification number RD160068 and is more or less 0.25 miles long.

1446. The centerline course of the Otter Creek 68 Road is depicted on the map included in Exhibit 90 (Otter Creek 68 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1447. The west end of the Otter Creek 68 Road commences in the northwest quarter of section 15, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally southeast where it ends in the northwest quarter of section 15, Township 30 South, Range 2 West, S.L.B.M.

1448. The specific right-of-way for the Otter Creek 68 Road claimed herein crosses 0.25 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 90.

1449. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek 68 Road solely as it crosses United States public land as included and specifically described in Exhibit 90. The Otter Creek 68 Road includes the segment of road specifically set forth in Exhibit 90 and as exists on the ground.

Acceptance of the Otter Creek 68 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1450. The Otter Creek 68 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1451. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek 68 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.

1452. The County confirmed its acceptance of the Otter Creek 68 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek 68 Road using public funds pursuant to the County's governmental right and authority.

1453. Witnesses with personal knowledge of the history of the Otter Creek 68 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.

1454. Currently known reputation in the community is that the Otter Creek 68 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.

1455. Public motor vehicle use of the Otter Creek 68 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.

1456. The Otter Creek 68 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1457. 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 Otter Creek 68 Road.

1458. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek 68 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.

Otter Creek 69 Road, PCRD69

1459. The Otter Creek 69 Road is designated as county road number PCRD69 and SGID road identification number RD160069 and is more or less 0.39 miles long.

1460. The centerline course of the Otter Creek 69 Road is depicted on the map included in Exhibit 91 (Otter Creek 69 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1461. The west end of the Otter Creek 69 Road commences in the northwest quarter of section 15, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally southeast where it ends in the southwest quarter of section 15, Township 30 South, Range 2 West, S.L.B.M.

1462. The specific right-of-way for the Otter Creek 69 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 91.

1463. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek 69 Road solely as it crosses United States public land as included and specifically described in Exhibit 91. The Otter Creek 69 Road includes the segment of road specifically set forth in Exhibit 91 and as exists on the ground.

Acceptance of the Otter Creek 69 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1464. The Otter Creek 69 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1465. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek 69 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.

1466. The County confirmed its acceptance of the Otter Creek 69 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek 69 Road using public funds pursuant to the County's governmental right and authority.

1467. Witnesses with personal knowledge of the history of the Otter Creek 69 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.

1468. Currently known reputation in the community is that the Otter Creek 69 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.

1469. Public motor vehicle use of the Otter Creek 69 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.

1470. The Otter Creek 69 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1471. 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 Otter Creek 69 Road.

1472. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek 69 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.

Otter Creek 70 Road, PCRD70

1473. The Otter Creek 70 Road is designated as county road number PCRD70 and SGID road identification number RD160070 and is more or less 0.36 miles long.

1474. The centerline course of the Otter Creek 70 Road is depicted on the map included in Exhibit 92 (Otter Creek 70 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1475. The west end of the Otter Creek 70 Road commences in the northwest quarter of section 15, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally northeast where it ends in the southwest quarter of section 15, Township 30 South, Range 2 West, S.L.B.M.

1476. The specific right-of-way for the Otter Creek 70 Road claimed herein crosses 0.36 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 92.

1477. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek 70 Road solely as it crosses United States public land as included and specifically described in Exhibit 92. The Otter Creek 70 Road includes the segment of road specifically set forth in Exhibit 92 and as exists on the ground.

Acceptance of the Otter Creek 70 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1478. The Otter Creek 70 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1479. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek 70 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.

1480. The County confirmed its acceptance of the Otter Creek 70 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek 70 Road using public funds pursuant to the County's governmental right and authority.

1481. Witnesses with personal knowledge of the history of the Otter Creek 70 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.

1482. Currently known reputation in the community is that the Otter Creek 70 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.

1483. Public motor vehicle use of the Otter Creek 70 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.

1484. The Otter Creek 70 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1485. 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 Otter Creek 70 Road.

1486. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek 70 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.

Otter Creek 71 Road, PCRD71

1487. The Otter Creek 71 Road is designated as county road number PCRD71 and SGID road identification number RD160071 and is more or less 0.25 miles long.

1488. The centerline course of the Otter Creek 71 Road is depicted on the map included in Exhibit 93 (Otter Creek 71 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1489. The west end of the Otter Creek 71 Road commences in the southeast quarter of section 16, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally southeast where it ends in the southwest quarter of section 15, Township 30 South, Range 2 West, S.L.B.M.

1490. The specific right-of-way for the Otter Creek 71 Road claimed herein crosses 0.21 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 93.

1491. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek 71 Road solely as it crosses United States public land as included and specifically described in Exhibit 93. The Otter Creek 71 Road includes the segment of road specifically set forth in Exhibit 93 and as exists on the ground.

Acceptance of the Otter Creek 71 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1492. The Otter Creek 71 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1493. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek 71 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.

1494. The County confirmed its acceptance of the Otter Creek 71 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek 71 Road using public funds pursuant to the County's governmental right and authority.

1495. Witnesses with personal knowledge of the history of the Otter Creek 71 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.

1496. Currently known reputation in the community is that the Otter Creek 71 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.

1497. Public motor vehicle use of the Otter Creek 71 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.

1498. The Otter Creek 71 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1499. 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 Otter Creek 71 Road.

1500. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek 71 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.

Otter Creek 72 Road, PCRD72

1501. The Otter Creek 72 Road is designated as county road number PCRD72 and SGID road identification number RD160072 and is more or less 0.28 miles long.

1502. The centerline course of the Otter Creek 72 Road is depicted on the map included in Exhibit 94 (Otter Creek 72 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1503. The west end of the Otter Creek 72 Road commences in the southeast quarter of section 16, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally northeast where it ends in the southwest quarter of section 15, Township 30 South, Range 2 West, S.L.B.M.

1504. The specific right-of-way for the Otter Creek 72 Road claimed herein crosses 0.08 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 94.

1505. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek 72 Road solely as it crosses United States public land as included and specifically described in Exhibit 94. The Otter Creek 72 Road includes the segment of road specifically set forth in Exhibit 94 and as exists on the ground.

Acceptance of the Otter Creek 72 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1506. The Otter Creek 72 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1507. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek 72 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.

1508. The County confirmed its acceptance of the Otter Creek 72 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek 72 Road using public funds pursuant to the County's governmental right and authority.

1509. Witnesses with personal knowledge of the history of the Otter Creek 72 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.

1510. Currently known reputation in the community is that the Otter Creek 72 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.

1511. Public motor vehicle use of the Otter Creek 72 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.

1512. The Otter Creek 72 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1513. 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 Otter Creek 72 Road.

1514. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek 72 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.

Otter Creek 73 Road, PCRD73

1515. The Otter Creek 73 Road is designated as county road number PCRD73 and SGID road identification number RD160073 and is more or less 0.26 miles long.

1516. The centerline course of the Otter Creek 73 Road is depicted on the map included in Exhibit 95 (Otter Creek 73 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1517. The north end of the Otter Creek 73 Road commences in the southeast quarter of section 16, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally southeast where it ends in the northeast quarter of section 21, Township 30 South, Range 2 West, S.L.B.M.

1518. The specific right-of-way for the Otter Creek 73 Road claimed herein crosses 0.24 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 95.

1519. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek 73 Road solely as it crosses United States public land as included and specifically described in Exhibit 95. The Otter Creek 73 Road includes the segment of road specifically set forth in Exhibit 95 and as exists on the ground.

Acceptance of the Otter Creek 73 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1520. The Otter Creek 73 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1521. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek 73 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.

1522. The County confirmed its acceptance of the Otter Creek 73 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek 73 Road using public funds pursuant to the County's governmental right and authority.

1523. Witnesses with personal knowledge of the history of the Otter Creek 73 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.

1524. Currently known reputation in the community is that the Otter Creek 73 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.

1525. Public motor vehicle use of the Otter Creek 73 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.

1526. The Otter Creek 73 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1527. 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 Otter Creek 73 Road.

1528. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek 73 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.

Otter Creek 74 Road, PCRD74

1529. The Otter Creek 74 Road is designated as county road number PCRD74 and SGID road identification number RD160074 and is more or less 0.30 miles long.

1530. The centerline course of the Otter Creek 74 Road is depicted on the map included in Exhibit 96 (Otter Creek 74 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1531. The west end of the Otter Creek 74 Road commences in the northeast quarter of section 21, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally southeast where it ends in the northeast quarter of section 21, Township 30 South, Range 2 West, S.L.B.M.

1532. The specific right-of-way for the Otter Creek 74 Road claimed herein crosses 0.30 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 96.

1533. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek 74 Road solely as it crosses United States public land as included and specifically described in Exhibit 96. The Otter Creek 74 Road includes the segment of road specifically set forth in Exhibit 96 and as exists on the ground.

Acceptance of the Otter Creek 74 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1534. The Otter Creek 74 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1535. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek 74 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.

1536. The Otter Creek 74 Road appears on the Phonolite Hill (1971) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1537. The County confirmed its acceptance of the Otter Creek 74 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek 74 Road using public funds pursuant to the County's governmental right and authority.

1538. Witnesses with personal knowledge of the history of the Otter Creek 74 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.

1539. Currently known reputation in the community is that the Otter Creek 74 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.

1540. Public motor vehicle use of the Otter Creek 74 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.

1541. The Otter Creek 74 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1542. 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 Otter Creek 74 Road.

1543. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek 74 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.

Otter Creek 75 Road, PCRD75

1544. The Otter Creek 75 Road is designated as county road number PCRD75 and SGID road identification number RD160075 and is more or less 0.45 miles long.

1545. The centerline course of the Otter Creek 75 Road is depicted on the map included in Exhibit 97 (Otter Creek 75 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1546. The north end of the Otter Creek 75 Road commences in the northeast quarter of section 21, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally southeast where it ends in the southeast quarter of section 21, Township 30 South, Range 2 West S.L.B.M.

1547. The specific right-of-way for the Otter Creek 75 Road claimed herein crosses 0.45miles 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 97.

1548. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek 75 Road solely as it crosses United States public land as included and specifically described in Exhibit 97. The Otter Creek 75 Road includes the segment of road specifically set forth in Exhibit 97 and as exists on the ground.

Acceptance of the Otter Creek 75 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1549. The Otter Creek 75 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1550. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek 75 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.

1551. The County confirmed its acceptance of the Otter Creek 75 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek 75 Road using public funds pursuant to the County's governmental right and authority.

1552. Witnesses with personal knowledge of the history of the Otter Creek 75 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.

1553. Currently known reputation in the community is that the Otter Creek 75 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.

1554. Public motor vehicle use of the Otter Creek 75 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.

1555. The Otter Creek 75 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1556. 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 Otter Creek 75 Road.

1557. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek 75 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.

Otter Creek 76 Road, PCRD76

1558. The Otter Creek 76 Road is designated as county road number PCRD76 and SGID road identification number RD160076 and is more or less 0.36 miles long.

1559. The centerline course of the Otter Creek 76 Road is depicted on the map included in Exhibit 98 (Otter Creek 76 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1560. The north end of the Otter Creek 76 Road commences in the southwest quarter of section 21, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally southeast where it ends in the southeast quarter of section 21, Township 30 South, Range 2 West, S.L.B.M.

1561. The specific right-of-way for the Otter Creek 76 Road claimed herein crosses 0.36 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 98.

1562. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek 76 Road solely as it crosses United States public land as included and specifically described in Exhibit 98. The Otter Creek 76 Road includes the segment of road specifically set forth in Exhibit 98 and as exists on the ground.

Acceptance of the Otter Creek 76 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1563. The Otter Creek 76 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1564. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek 76 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.

1565. The County confirmed its acceptance of the Otter Creek 76 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek 76 Road using public funds pursuant to the County's governmental right and authority.

1566. Witnesses with personal knowledge of the history of the Otter Creek 76 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.

1567. Currently known reputation in the community is that the Otter Creek 76 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.

1568. Public motor vehicle use of the Otter Creek 76 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.

1569. The Otter Creek 76 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1570. 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 Otter Creek 76 Road.

1571. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek 76 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.

Otter Creek 77 Road, PCRD77

1572. The Otter Creek 77 Road is designated as county road number PCRD77 and SGID road identification number RD160077 and is more or less 0.55miles long.

1573. The centerline course of the Otter Creek 77 Road is depicted on the map included in Exhibit 99 (Otter Creek 77 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1574. The north end of the Otter Creek 77 Road commences in the southwest quarter of section 21, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally south where it ends in the northwest quarter of section 28, Township 30 South, Range 2 West, S.L.B.M.

1575. The specific right-of-way for the Otter Creek 77 Road claimed herein crosses 0.55 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 99.

1576. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek 77 Road solely as it crosses United States public land as included and specifically described in Exhibit 99. The Otter Creek 77 Road includes the segment of road specifically set forth in Exhibit 99 and as exists on the ground.

Acceptance of the Otter Creek 77 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1577. The Otter Creek 77 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1578. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek 77 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.

1579. The County confirmed its acceptance of the Otter Creek 77 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek 77 Road using public funds pursuant to the County's governmental right and authority.

1580. Witnesses with personal knowledge of the history of the Otter Creek 77 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.

1581. Currently known reputation in the community is that the Otter Creek 77 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.

1582. Public motor vehicle use of the Otter Creek 77 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.

1583. The Otter Creek 77 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1584. 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 Otter Creek 77 Road.

1585. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek 77 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.

Otter Creek 78 Road, PCRD78

1586. The Otter Creek 78 Road is designated as county road number PCRD78 and SGID road identification number RD160078 and is more or less 0.34 miles long.

1587. The centerline course of the Otter Creek 78 Road is depicted on the map included in Exhibit 100 (Otter Creek 78 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1588. The north end of the Otter Creek 78 Road commences in the southwest quarter of section 21, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally south where it ends in the northwest quarter of section 28, Township 30 South, Range 2 West, S.L.B.M.

1589. The specific right-of-way for the Otter Creek 78 Road claimed herein crosses 0.34 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 100.

1590. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek 78 Road solely as it crosses United States public land as included and specifically described in Exhibit 100. The Otter Creek 78 Road includes the segment of road specifically set forth in Exhibit 100 and as exists on the ground.

Acceptance of the Otter Creek 78 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1591. The Otter Creek 78 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1592. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek 78 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.

1593. The County confirmed its acceptance of the Otter Creek 78 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek 78 Road using public funds pursuant to the County's governmental right and authority.

1594. Witnesses with personal knowledge of the history of the Otter Creek 78 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.

1595. Currently known reputation in the community is that the Otter Creek 78 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.

1596. Public motor vehicle use of the Otter Creek 78 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.

1597. The Otter Creek 78 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1598. 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 Otter Creek 78 Road.

1599. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek 78 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.

Otter Creek 79 Road, PCRD79

1600. The Otter Creek 79 Road is designated as county road number PCRD79 and SGID road identification number RD160079 and is more or less 0.24 miles long.

1601. The centerline course of the Otter Creek 79 Road is depicted on the map included in Exhibit 101 (Otter Creek 79 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1602. The north end of the Otter Creek 79 Road commences in the southwest quarter of section 21, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally south then loops north where it ends in the northwest quarter of section 28, Township 30 South, Range 2 West, S.L.B.M.

1603. The specific right-of-way for the Otter Creek 79 Road claimed herein crosses 0.24 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 101.

1604. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek 79 Road solely as it crosses United States public land as included and specifically described in Exhibit 101. The Otter Creek 79 Road includes the segment of road specifically set forth in Exhibit 101 and as exists on the ground.

Acceptance of the Otter Creek 79 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1605. The Otter Creek 79 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1606. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek 79 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.

1607. The County confirmed its acceptance of the Otter Creek 79 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek 79 Road using public funds pursuant to the County's governmental right and authority.

1608. Witnesses with personal knowledge of the history of the Otter Creek 79 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.

1609. Currently known reputation in the community is that the Otter Creek 79 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.

1610. Public motor vehicle use of the Otter Creek 79 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.

1611. The Otter Creek 79 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1612. 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 Otter Creek 79 Road.

1613. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek 79 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.

Otter Creek 80 Road, PCRD80

1614. The Otter Creek 80 Road is designated as county road number PCRD80 and SGID road identification number RD160080 and is more or less 0.21 miles long.

1615. The centerline course of the Otter Creek 80 Road is depicted on the map included in Exhibit 102 (Otter Creek 80 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1616. The north end of the Otter Creek 80 Road commences in the southwest quarter of section 21, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally south then loops north where it ends in the northwest quarter of section 28, Township 30 South, Range 2 West, S.L.B.M.

1617. The specific right-of-way for the Otter Creek 80 Road claimed herein crosses 0.21 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 102.

1618. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek 80 Road solely as it crosses United States public land as included and specifically described in Exhibit 102. The Otter Creek 80 Road includes the segment of road specifically set forth in Exhibit 102 and as exists on the ground.

Acceptance of the Otter Creek 80 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1619. The Otter Creek 80 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1620. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek 80 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.

1621. The County confirmed its acceptance of the Otter Creek 80 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek 80 Road using public funds pursuant to the County's governmental right and authority.

1622. Witnesses with personal knowledge of the history of the Otter Creek 80 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.

1623. Currently known reputation in the community is that the Otter Creek 80 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.

1624. Public motor vehicle use of the Otter Creek 80 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.

1625. The Otter Creek 80 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1626. 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 Otter Creek 80 Road.

1627. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek 80 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.

Otter Creek 81 Road, PCRD81

1628. The Otter Creek 81 Road is designated as county road number PCRD81 and SGID road identification number RD160081 and is more or less 0.19 miles long.

1629. The centerline course of the Otter Creek 81 Road is depicted on the map included in Exhibit 103 (Otter Creek 81 Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses only public land administered by the BLM.

1630. The north end of the Otter Creek 81 Road commences in the southeast quarter of section 20, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally southeast where it ends in the northwest quarter of section 28, Township 30 South, Range 2 West, S.L.B.M.

1631. The specific right-of-way for the Otter Creek 81 Road claimed herein crosses 0.19 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 103.

1632. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek 81 Road solely as it crosses United States public land as included and specifically described in Exhibit 103. The Otter Creek 81 Road includes the segment of road specifically set forth in Exhibit 103 and as exists on the ground.

Acceptance of the Otter Creek 81 Road R.S. 2477 Right-of-way Prior to October 21, 1976.

1633. The Otter Creek 81 Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1634. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek 81 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.

1635. The County confirmed its acceptance of the Otter Creek 81 Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek 81 Road using public funds pursuant to the County's governmental right and authority.

1636. Witnesses with personal knowledge of the history of the Otter Creek 81 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.

1637. Currently known reputation in the community is that the Otter Creek 81 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.

1638. Public motor vehicle use of the Otter Creek 81 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.

1639. The Otter Creek 81 Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1640. 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 Otter Creek 81 Road.

1641. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek 81 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.

Otter Creek Road, PCRD83

1642. The Otter Creek Road is designated as county road number PCRD83 and SGID road identification number RD160083 and is more or less 0.36 miles long.

1643. The centerline course of the Otter Creek Road is depicted on the map included in Exhibit 104 (Otter Creek Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1644. The west end of the Otter Creek Road commences in the northeast quarter of section 29, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally east then southeast where it ends in the northwest quarter of section 28, Township 30 South, Range 2 West, S.L.B.M.

1645. The specific right-of-way for the Otter Creek Road claimed herein crosses 0.33 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 104.

1646. In this action, the State and County seek to quiet title to the public highway right-of-way for the Otter Creek Road solely as it crosses United States public land as included and specifically described in Exhibit 104. The Otter Creek Road includes the segment of road specifically set forth in Exhibit 104 and as exists on the ground.

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

1647. The Otter Creek Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1648. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Otter Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1649. The Otter Creek Road appears on the Phonolite Hill (1971) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1650. The County confirmed its acceptance of the Otter Creek Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Otter Creek Road using public funds pursuant to the County's governmental right and authority.

1651. Witnesses with personal knowledge of the history of the Otter Creek Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1652. Currently known reputation in the community is that the Otter Creek Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1653. Public motor vehicle use of the Otter Creek 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.

1654. The Otter Creek Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1655. 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 Otter Creek Road.

1656. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Otter Creek Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

Little Meadows Road, PCRD21

1657. The Little Meadows Road is designated as county road number PCRD21 and SGID road identification number RD160021 and is more or less 5.38 miles long.

1658. The centerline course of the Little Meadows Road is depicted on the map included in Exhibit 105 (Little Meadows Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1659. The south end of Little Meadows Road commences in the northwest quarter of section 34, Township 30 South, Range 2 West, S.L.B.M. and then proceeds generally north then northeast until it ends in the northwest quarter of section 19, Township 30 South, Range 1 West, S.L.B.M.

1660. The specific right-of-way for the Little Meadows Road claimed herein crosses 4.15 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 105.

1661. In this action, the State and County seek to quiet title to the public highway right-of-way for the Little Meadows Road solely as it crosses United States public land as included and specifically described in Exhibit 105. The Little Meadows Road includes the segment of road specifically set forth in Exhibit 105 and as exists on the ground.

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

1662. The Little Meadows Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1663. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the Little Meadows 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.

1664. The Little Meadow Road appears on the Phonolite Hill (1971) and Angle (1970) USGS 7.5-minute quadrangle maps (*see* USGS map information, *supra* ¶ 63), which evidence the acceptance, use, and existence of the right-of-way for this road.

1665. The County confirmed its acceptance of the Little Meadow Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 Little Meadow Road using public funds pursuant to the County's governmental right and authority.

1666. Witnesses with personal knowledge of the history of the Little Meadow 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.

1667. Currently known reputation in the community is that the Little Meadow 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.

1668. Public motor vehicle use of the Little Meadow 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.

1669. The Little Meadow Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1670. 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 Little Meadow Road.

1671. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the Little Meadow Road on lands owned by the United States as described herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

East Otter Creek, PCRD170

1672. The East Otter Creek Road is designated as county road number PCRD170 and SGID road identification number RD160191 and is more or less 5.68 miles long.

1673. The centerline course of the East Otter Creek Road is depicted on the map included in Exhibit 106 (East Otter Creek Road), which is attached hereto and incorporated herein. This map further reflects that this road crosses public land administered by the BLM.

1674. The north end of the East Otter Creek Road commences in the northwest quarter of section 1, Township 30 South, Range 2 West, S.L.B.M. and proceeds generally southwest where it ends in the southwest quarter of section 27, Township 30 South, Range 2 West, S.L.B.M.

1675. The specific right-of-way for the East Otter Creek Road claimed herein crosses 5.44 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 106.

1676. In this action, the State and County seek to quiet title to the public highway right-of-way for the East Otter Creek Road solely as it crosses United States public land as included and specifically described in Exhibit 106. The East Otter Creek Road includes the segment of road specifically set forth in Exhibit 106 and as exists on the ground.

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

1677. The East Otter Creek Road has long served as a public highway providing access to and across public land managed by the BLM. This road serves the public's transportation needs.

1678. 1976 aerial photography confirms the historical use, existence, and acceptance of the right-of-way for the East Otter Creek Road as a public highway located on the land at issue in this case and following the course described herein. More recent aerial photography continues to show the road as it existed prior to October 21, 1976.

1679. The East Otter Creek Road appears on the Angle (1970) USGS 7.5-minute quadrangle map (*see* USGS map information, *supra* ¶ 63), which evidences the acceptance, use, and existence of the right-of-way for this road.

1680. The County confirmed its acceptance of the East Otter Creek Road by 1973, when it designated and accepted the road as a County highway on the County's general highway map. From at least 1973 and 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 East Otter Creek Road pursuant to the County's governmental right and authority.

1681. Witnesses with personal knowledge of the history of the East Otter Creek Road confirm public use of this road as a public thoroughfare by means of motor vehicles on a continuous basis, whenever convenient or necessary, for more than 10 years prior to October 21, 1976.

1682. Currently known reputation in the community is that the East Otter Creek Road has been open for all to come and go whenever convenient or necessary for more than 10 years prior to October 21, 1976, and continuing to the present.

1683. Public motor vehicle use of the East Otter Creek 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.

1684. The East Otter Creek Road traverses a valid and perfected R.S. 2477 public highway right-of-way as described herein.

1685. Without confirmation from the United States, a cloud remains on the State and County's title to the right-of-way. Therefore, the State and County have brought this quiet title action to establish clear title to the right-of-way underlying the East Otter Creek Road.

1686. The State and County are entitled to an order quieting title to their R.S. 2477 right-of-way for the East Otter Creek Road on lands owned by the United States as described

herein and including that which is reasonable and necessary for the use, benefit, and enjoyment of this road.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs request relief against the Defendant as follows:

1. On its First Cause of Action – West Highway 89 Area, an order quieting title in and to the R.S. 2477 public highway rights-of-way for the following roads: (1) Deer Creek Road, PCRD15; (2) Beaver Creek Road, PCRD13A; (3) Bullion Canyon Road, PCRD12; (4) Cottonwood Road, PCRD162; (5) Gold Gulch Road, PCRD11; (6) Orange Hill Road, PCRD160; (7) Oak Spring Road, PCRD146; (8) Dock Springs Road, PCRD2; (9) Television Tower Junction Road, PCRD120; (10) West Side Circleville Road, PCRD1; (11) Birch Creek Road, PCRD4, (12) Rainbow Road, PCRD168; and (13) Wades Canyon Road, PCRD166.

2. On its Second Cause of Action – North Elbow and Dry Creek Area, an order quieting title in and to the R.S. 2477 public highway rights-of-way for the following roads: (1) Flat Top Road, PCRD100; (2) Iron Cap Road, PCRD98; (3) Iron Cap Mine Road, PCRD99; (4) Marysvale Tower Road, PCRD97A; (5) Poverty Flat Road, PCRD91; (6) VCA Mine Road, PCRD97; (7) Anderson Canyon Road, PCRD87; (8) Cameron Meadow Road, PCRD98A; (9) Willow Springs Road, PCRD86; (10) Anderson Canyon Mine Road, PCRD90; (11) Elbow/Poverty/Blind Springs Road, PCRD16; (12) Durkey Spring Road, PCRD85; (13) River Road, PCRD95; (14) Thompsonville Road, PCRD92; (15) Elbow Road, PCRD96; (16) Barben Drive, PCRD16A; (17) Dry Creek Road, PCRD18; (18) Box Creek Trailhead Road, PCRD50A;

(19) Box Creek Road, PCRD50; (20) Koosharem Road, PCRD39; (21) Durkey's Road, PCRD94; (22) Manning Creek Road, PCRD167; and (23) Little Table Road, PCRD171.

3. On its Third Cause of Action – South Elbow and Dry Creek Area, an order quieting title in and to the R.S. 2477 public highway rights-of-way for the following roads: (1) Ten Mile Pit Road, PCRD10A; (2) Ten Mile Ranch Road, PCRD10; (3) Howes Cemetery Road, PCRD9; (4) Old US Highway 89, PCRD7; (5) Piute Reservoir Dam Road, PCRD8; (6) Piute State Park Road, PCRD101; (7) Piute State Park Campground Road, PCRD101A; (8) 89 Shortcut Road, PCRD104; (9) Piute 105 Road, PCRD105; (10) Old Dump Road, PCRD109; (11) East Side Piute Reservoir Road, PCRD3; (12) East Piute Reservoir "A" Road, PCRD3A; (13) East Circleville Road, PCRD119; (14) Forshea Monroe Mountain Road, PCRD17B; (15) Swift Springs Road, PCRD143; (16) Little Cottonwood Road, PCRD144; (17) Pole Canyon Road, PCRD32, (18) Allen Pond Road, PCRD35; (19) Seismograph Trail Road, PCRD135; (20) West Angle Road, PCRD136; (21) Hickman Road, PCRD139; (22) Hodge Ranch Road, PCRD66; (23) Otter Creek TV Tower Road, PCRD82; (24) Rock Canyon Road, PCRD172; (25) Rocky Ford Trail Road, PCRD132; and (26) East Piute Access Road, PCRD116.

4. On its Fourth Cause of Action – North Otter Creek Lake Area, an order quieting title in and to the R.S. 2477 public highway rights-of-way for the following roads: (1) North Parker Spring Road, PCRD34C; (2) Magleby Ranch Road, PCRD49; (3) Parker Springs Road, PCRD34B; (4) Vicks Road, PCRD33; (5) Parker/Antimony Road, PCRD23; (6) Horse Pasture Road, PCRD51; (7) Otter Creek Flat Road, PCRD33B; (8) Narrows Road, PCRD33A; (9) Old SR 62 Road, PCRD27; (10) Otter Creek Lake 154 Road, PCRD154; (11) Otter Creek Lake 155

Road, PCRD155; (12) Otter Creek Lake 157 Road, PCRD157; (13) Otter Creek Lake 158 Road, PCRD158; (14) Otter Creek Lake 159 Road, PCRD159; (15) Tamerisk Point Loop Road, PCRD64; (16) Red Schoolhouse Road, PCRD34; (17) Radio Tower Road, PCRD27A; (18) Tower Expansion Road; PCRD27B; (19) Cabin Springs Road, PCRD29; and (20) Fish Lake Road, PCRD28.

5. On its Fifth Cause of Action – South Otter Creek Lake Area, an order quieting title in and to the R.S. 2477 public highway rights-of-way for the following roads: (1) Otter Creek 68 Road, PCRD68; (2) Otter Creek 69 Road, PCRD69; (3) Otter Creek 70 Road, PCRD70; (4) Otter Creek 71 Road, PCRD71; (5) Otter Creek 72 Road, PCRD72; (6) Otter Creek 73 Road, PCRD73; (7) Otter Creek 74 Road, PCRD74; (8) Otter Creek 75 Road, PCRD75; (9) Otter Creek 76 Road, PCRD76; (10) Otter Creek 77 Road, PCRD77; (11) Otter Creek 78 Road, PCRD78; (12) Otter Creek 79 Road, PCRD79; (13) Otter Creek 80 Road, PCRD80; (14) Otter Creek 81 Road, PCRD81; (15) Otter Creek Road, PCRD83; (16) Little Meadows Road, PCRD21; and (17) East Otter Creek Road, PCRD170.

6. An order awarding costs, fees and attorneys' fees to the extent permitted by law; and

7. 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