

RDI APPLICATION
MANGANESE ROAD
WASHINGTON COUNTY,
UTAH

ATTACHMENTS 33

Excerpts

Edward Bowler

1 They always had positraction, and we always felt like
2 you go with the two-wheel drive until you think
3 you're going to get stuck, and then you turn around
4 and you come back, and the early experience with
5 four-wheel drives, if you got a two-wheel drive stuck
6 it was one thing, if you got a four-wheel drive stuck
7 you had a problem, so you had to use a little
8 judgment, but it doesn't rain here enough to give you
9 much trouble.

10 Q. Except in the sand.

11 A. Except in the sand. That was a problem.

12 Q. All right. Let's move on to your story,
13 Mr. Bowler.

14 When were you born?

15 A. 1951.

16 Q. Where were you born?

17 A. St. George, Utah.

18 Q. And where were your parents living at the
19 time you were born?

20 A. Gunlock.

21 Q. You testified that your parents lived in
22 Gunlock until 1958.

23 A. '58/'59, in that.

24 Q. So you were seven or eight years old?

25 A. Yes. I was around seven when we moved out

1 Mr. Bowler?

2 A. Yes.

3 Q. So you're familiar with the procedure that
4 we follow?

5 A. Yes.

6 Q. All right. Let's get started.

7 What I would like to do, first of all,
8 Mr. Bowler, is talk about your family's history here
9 in Washington County for a little while to give
10 background to the testimony that you'll give today
11 and maybe tomorrow regarding some roads in Washington
12 County.

13 When did your family, your ancestors,
14 first come in to Washington County?

15 A. My ancestors first came in to Washington
16 County in 1861.

17 Q. Let's start, first of all, with your
18 mother's side of the family.

19 Did your mother's ancestors come in to
20 Washington County in 1861?

21 A. Yes.

22 Q. Could you tell me the names of the
23 individuals that were in that group that came in
24 1861?

25 A. Yeah. My mother's -- my mother's

1 A. Well, we run cattle out in that general
2 area, and so we would have been out there checking on
3 cattle, and then as well that is -- we hunt that all
4 the time as well.

5 Q. What was the condition of the Manganese
6 Road when you were first on it when you were seven or
7 eight?

8 A. Just a graded dirt road.

9 Q. What would the condition of that road have
10 been in 1976?

11 MR. LONGSON: Objection. Misstates facts
12 not in evidence.

13 MR. RAMPTON: What's that?

14 MR. LONGSON: I don't believe the witness
15 has testified that he had been there in '76, so I
16 said it states facts not in evidence.

17 Q. (By Mr. Rampton) Were you on the road in
18 or about 1976 at any time?

19 A. Yes.

20 Q. And what would the condition of the road
21 have been in 1976?

22 A. Maintained, graded dirt road.

23 Q. Was it surfaced in any way?

24 A. No. Just graded.

25 Q. Let me now direct your attention to a road

1 them?

2 A. And the water people have been there on
3 peak season more than weekly.

4 Q. In that whole area on all those roads?

5 A. In that whole area on all of those roads.

6 MR. RAMPTON: Let's take five minutes.

7 (Recess from 9:37 a.m. to 9:51 a.m.)

8 MR. RAMPTON: Let's go back on the record.

9 Q. (By Mr. Rampton) Let me now, Mr. Bowler,
10 direct your attention to a road that's identified on
11 the map, Exhibit 2, as Manganese Road.

12 Do you see the road that I'm referring to?

13 A. Yes.

14 Q. And it's Road No. 0063, and it appears to
15 run from the eastern end from the Gunlock Highway
16 over to a road on the western end that's marked as
17 Jackson Road, 0011.

18 A. Yes.

19 Q. Are you familiar with that road?

20 A. Yes.

21 Q. When do you believe you were first on the
22 Manganese Road?

23 A. Maybe when I was seven or eight.

24 Q. Do you recall why you were on the
25 Manganese Road at that time?

1 Q. (By Mr. Rampton) Because of the shift in
2 the way your family ran the cattle?

3 A. Exactly.

4 Q. How would you use Road 0127 over the years
5 in conjunction with your cattle operation?

6 A. The 0127 brought you from -- there is a
7 series of springs. There's water in -- they're
8 watering part of these canyons, and there is a
9 pipeline in part of these canyons as well, and so
10 when you're just kind of checking for your cattle,
11 you would take this road that intersects back into
12 the Manganese Road, so you can just kind of check and
13 see how everything looked for general conditions, and
14 so you'd take that road -- you'd many times go up the
15 Tobin Flat -- what we call the Tobin Road. You'd
16 take that road over, and you'd go over and kind of
17 check everything out, hit that part of it and then
18 come back towards -- so you make a circle coming back
19 toward Gunlock.

20 Q. And how frequently in your cattle
21 operation -- let's say in the years between
22 approximately 1961, or 1960 and 1976, how often would
23 you be on that road?

24 A. For our cattle operation, because in that
25 period of time we didn't actually own that allotment,

1 same piece of property?

2 A. Yup. Yes, sir.

3 Q. Okay. You mentioned a stretch of 0128
4 that's used for horse races.

5 A. It was. I was there in person.

6 Q. All right. Show --

7 A. Right here -- there is an old starting
8 gate right there, and for about a quarter of a mile
9 there is a remnant of the racetrack right there, and
10 that was the racetrack (indicating).

11 Q. When did you first become aware of the
12 existence of that racetrack on that section of road?

13 A. My earliest recollections.

14 Q. When you were a little boy?

15 A. Little boy. My Grandfather Holt owned
16 that ground and I do now.

17 Q. So the racetrack is actually on property
18 that was at one time owned by your grandfather?

19 A. Yeah.

20 Q. And you own it now?

21 A. And I own it now.

22 Q. Let's go back to when you first started
23 using the road.

24 Why was that road used by your family back
25 earlier --