

RDI APPLICATION
MANGANESE ROAD
WASHINGTON COUNTY,
UTAH

ATTACHMENT 31

Biography and
Foundation

Edward Bowler

Reporter: Denise M. Thomas, CRR/RPR

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P R O C E E D I N G S

EDWARD LYTLE BOWLER,
having been first duly sworn to tell the
truth, was examined and testified as follows:

(EXHIBITS 1 AND 2 WERE MARKED.)

EXAMINATION

BY MR. RAMPTON:

Q. Mr. Bowler, thank you for agreeing to
participate in this this morning.

Would you first state your full name for
the record?

A. Edward Lytle Bowler.

Q. And where do you presently reside?

A. St. George, Utah.

Q. What's your street address?

A. 1636 South Stone Cliff Drive, St. George,
Utah.

Q. Are you presently employed?

A. I am.

Q. And where are you employed?

A. Southern Utah Title Company.

Q. Have you had your deposition taken before,

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 grandmother and great-grandmother and
2 Great-Grandfather Israel Ivins and Annie Lowrey Ivins
3 came into Washington in 1861, and my grandmother's
4 mother, Caroline Augusta, was a young woman with them
5 coming in 1861. That's on my mother's mother's side,
6 and so they all came in 1861.

7 On the other side of her family were the
8 Paces. Her great-grandfather was James Pace, and
9 they came into the valley as well, and her father
10 was -- her grandfather was John E. Pace, and so my
11 mother's mother was a Pace and an Ivins, and both
12 those families came in 1861.

13 Her father was George H. Lytle, and his
14 father was John Lytle, and they came in as well in
15 that same period of time, in the 1861 period.

16 Q. So the three surnames would have been
17 Ivins, Pace and Lytle?

18 A. Yes.

19 Q. Let's start with the Ivins family. You
20 say that the individuals that came in in 1861 were
21 Israel and Annie Ivins.

22 Is that true?

23 A. Uh-huh, yes.

24 Q. Do you know where they first settled when
25 they came in to Washington County in 1861?

1 A. Yeah. They settled here in St. George.
2 In fact, their home was a block and a half up the
3 street from where we're sitting right now.

4 Q. Is that home still there?

5 A. It is.

6 Q. Have you done a lot of research in to your
7 family's history here?

8 A. Yes. When you say "a lot," yes, what I
9 consider a lot.

10 Q. Let's talk about Israel Ivins for a
11 moment.

12 What did he do? What was his occupation;
13 do you know?

14 A. Well, he was a land surveyor, and, you
15 know, he had surveyed part of, you know, the Salt
16 Lake Valley, and then as he came down into the Utah
17 County he did surveying as well, and then he was
18 called to come down here to do surveying, and he was
19 also a physician of sorts, and if you read the early
20 history of Washington County, he was considered a
21 homeopathic physician as well.

22 Q. In your mother's lineage on the Ivins'
23 side, did Israel have a son that was in that lineage?

24 A. He did.

25 Q. What was his name?

1 A. His name was Anthony W. Ivins. Anthony W.
2 Ivins was prominent in the area as well, and later on
3 Anthony was a rancher and a farmer in the area as
4 well, had holdings in all parts of Washington County,
5 Northern Arizona, Nevada, all where we ranched.

6 Q. To your knowledge, where did Anthony W.
7 Ivins live?

8 A. Anthony lived, of course, you know as a
9 young man here in St. George right there in the
10 family home (indicating), and then as he got older
11 and married, he, you know, had various LDS Church
12 callings and had a home in the colonies in Mexico,
13 and then later of course was in the First Presidency,
14 and so he was in Salt Lake City, but he always had
15 ties down to this area and spent a lot of time.

16 Q. You've referenced what he did, but what
17 was his primary income-producing occupation?

18 A. Well, when he was down here, he was a
19 rancher and a farmer.

20 Q. Now, let's make sure we get the sequence
21 in here.

22 Was Israel your mother's great
23 grandfather?

24 A. No.

25 Q. What was he to her?

1 A. Well, let me make sure that I have the
2 sequence right. Israel would have been her
3 grandfather. No. Israel would have been her
4 great-grandfather.

5 Q. And Anthony W. Ivins would have been her
6 grandfather?

7 A. Anthony W. would have been my mother's
8 uncle, my mother's great-uncle.

9 Q. You've testified that Anthony W. Ivins was
10 a rancher and a farmer.

11 Where did he ranch and where did he farm,
12 to your knowledge?

13 A. He was on the Arizona Strip, several
14 ranches on the Arizona Strip, and then also in the
15 Enterprise area north of here.

16 Q. When you say the Arizona Strip, what are
17 you referring to?

18 A. I'm referring to south of St. George
19 toward Mount Trumbull, between here and Mount
20 Trumbull and areas east toward Pipe Springs.

21 Q. Did Anthony W. Ivins' ranching operation,
22 was that -- on the strip, on the Arizona Strip, was
23 that in Utah or was that in Arizona?

24 A. Arizona. Now, I say Arizona. You know,
25 I'm assuming that the territorial area -- I'm not

1 sure if those boundaries -- when those boundaries got
2 solidified into states because if you go early on,
3 you know, the State, but I'm assuming Arizona.

4 Q. With respect to the Enterprise area, let
5 me have you look at a map that is in front of you
6 we've marked as Exhibit 1, and this is a map of the
7 northwestern quarter of Washington County. You
8 testified that he had ranching operations in the
9 Enterprise area.

10 Do you see where Enterprise --

11 A. Yes.

12 Q. -- is on the top of the map?

13 A. Yes.

14 MR. LONGSON: And, Tony, I'll make the
15 same standing objection for each of the exhibits as
16 leading and lacking foundation and hearsay.

17 Q. (By Mr. Rampton) Where in relationship to
18 the town of Enterprise did Anthony W. Ivins have his
19 ranching operation?

20 A. Okay. If you look on the map, you'll see
21 Holt Canyon. Holt Canyon is a -- it's a stream that
22 kind of is on the north side of Mountain Meadow. The
23 water comes out of a stream, comes down Holt Canyon,
24 and the Ivins ranch was right in that area at the
25 end, or as the water came out into the flatter part

1 of the valley right there (indicating).

2 Q. And you're referencing an area that --
3 Holt Canyon shows up on this map, Exhibit 1, coming
4 out of Mountain Meadow and proceeding in a
5 northwesterly direction, and you're pointing to an
6 area that is indicated on the map in white, which
7 would indicate it's private property, but the area of
8 the cattle operation for Anthony W. Ivins that you've
9 referenced is in that white area near the Washington
10 County border with Iron County --

11 A. Yes.

12 Q. -- is that accurate?

13 A. Correct.

14 Q. Do you know whether Anthony W. Ivins
15 homesteaded in that area?

16 A. I would have to -- I'd have to go back and
17 look on the records to see exactly when that was
18 homesteaded, but I don't know. I would assume that
19 he did because that was typically what happened in
20 that time frame.

21 Q. When did Anthony W. Ivins die?

22 A. That, I'd have to go back in my family
23 history to look at that, but I would think somewhere
24 in the -- I would think somewhere in the early 1900s,
25 like 1920s or '30s is what I would assume.

1 Q. Now, in that Ivins chain, which is the
2 next -- in terms of generation, which is the next
3 relative to your mother?

4 A. There was Anthony, or Israel Ivins. He
5 had a daughter, Caroline Augusta, and Caroline
6 Augusta was my grandmother's mother.

7 Q. And to whom was she married?

8 A. To John E. Pace, John Ezra Pace.

9 Q. Was your mother's maiden name Pace?

10 A. My grandmother's -- my grandmother's --
11 no. My mother's maiden name was Lytle.

12 Q. All right.

13 A. Caroline Augusta married a Pace, had my
14 grandmother, Rachel Lucinda, who was a Pace, and she
15 married my Grandfather Lytle.

16 Q. Let's go back now to the Pace ranch of
17 your mother's family.

18 You've testified that the original Pace
19 that came into the area in 1861 was a gentleman by
20 the name of James Pace?

21 A. James Pace.

22 Q. When he came into the Washington County
23 area in 1861, where did he reside?

24 A. The Paces also lived in the north part of
25 St. George. The Paces had come into the Salt Lake

1 Valley in '47 when most of the LDS people did, and
2 Payson was settled by he and his family, and then
3 they migrated on south, and they came in in that same
4 general time frame of 1861.

5 Q. Do you know what occupation Mr. James Pace
6 had?

7 A. When they first came here, everybody was
8 in the, you know, agriculture business, but the Paces
9 were also -- as time went on, they actually mined in
10 the area, and then they became hotel owners and those
11 type of -- were in that type of business as time went
12 on.

13 Q. Did they do any ranching?

14 A. Some, uh-huh (yes), but they weren't my
15 predominantly ranching heirs. They had other
16 businesses, but, yes, they did.

17 Q. In your mother's line, which is the child
18 of James Pace?

19 A. John E.

20 Q. And, again, what would he have been to
21 your mother?

22 A. Her grandfather.

23 Q. Do you know what John E. Pace's occupation
24 was?

25 A. Well, he lived here in St. George, and,

1 you know, he would have farmed and ranched as well.

2 Q. Did he ranch outside of the St. George
3 area?

4 A. He would have been -- the Pace -- my
5 great-grandfather, John Pace, would have been right
6 here in this area, right around this area.

7 Q. Once again in your mother's line, what is
8 the next generation -- who is the child of John E.
9 Pace that was in your mother's line?

10 A. That was her mother, Rachel Lucinda.

11 Q. And who did Rachel Lucinda marry?

12 A. George H. Lytle.

13 Q. What did George H. Lytle do for a living?

14 A. He was a rancher.

15 Q. Cattle or sheep?

16 A. Cattle.

17 Q. Do you know where George H. Lytle ran his
18 cattle?

19 A. Yeah. He ran cattle on the Arizona Strip
20 near Pipe Springs, Arizona. He originally was
21 running cattle on the Arizona Strip towards Mount
22 Trumbull. He ran cattle in the Mountain Meadow area,
23 he ran cattle in the Barclay, Nevada, area, which is
24 just across the border from Utah and Western
25 Washington County, and he ran cattle in Central --

1 the Beaver Dam Wash area as well. He had holdings
2 throughout Nevada, Arizona, Utah.

3 Q. Did you know George H. Lytle?

4 A. He died before I was born. My mother was
5 the youngest in a large family. He would have died,
6 I think, in the late '40s, 1940s.

7 Q. You mentioned that he ran cattle out in
8 the Beaver Dam Wash area, and that's out on the far
9 western side of Washington County?

10 A. It is. It's the western side of
11 Washington County.

12 Q. Do you know whether George H. Lytle
13 homesteaded land in the Beaver Dam Wash area?

14 A. I don't think he actually homesteaded any
15 of that. You know, they were running on what we
16 would call now as permits. Before Taylor Grazing, it
17 was open range, and he was running cattle in that
18 area.

19 In the Mountain Meadow areas, he didn't
20 buy that ranch until the early '20s, and so that
21 would have already been homesteaded, and a lot of his
22 holdings, you know, he would have acquired and
23 purchased, so I can't say definitely that he actually
24 homesteaded any of those holdings.

25 Q. Let's look at Exhibit 1 again, Mr. Bowler,

1 and could you indicate on Exhibit 1 where,
2 approximately, George Lytle ran cattle?

3 A. Okay. Back in the day before Taylor
4 Grazing, all of this -- if you go up to -- if you
5 follow this map, and it goes back in to Nevada,
6 Barclay, Nevada, is about right in to that area
7 (indicating), and so it comes back down into the
8 Beaver Dam and actually comes down, you know, with
9 overlapping to the East Fork, and then as you follow
10 this -- if you follow this range down on the Beaver
11 Dam and you go west, you go onto the Tooley Desert
12 that goes clear down into Virgin River/Mesquite, and
13 so they ran cattle really from Mesquite/Littlefield
14 area clear up to Barclay, Nevada, which is on the --
15 you know, the really western border and then came
16 right down the Beaver Dam as well.

17 Q. The Beaver Dam Wash area is clearly marked
18 on Exhibit 1, and is it your testimony that your
19 Grandfather Lytle ran cattle essentially the entire
20 length of the Beaver Dam Wash in the State of Utah?

21 A. Yes.

22 Q. Based on your family history research, the
23 Taylor Grazing Act was passed in 1934.

24 A. (Witness nodding head affirmatively.)

25 Q. Do you have any idea how many years

1 previous to 1934 the Lytles ran cattle in the Beaver
2 Dam Wash area?

3 A. They would have run cattle in that area
4 for -- I would say the Lytles would have run cattle
5 in that area when they came in -- when they came down
6 in 1861, they would have started those operations in
7 all of that area, but by the turn of the century --
8 by the turn of the century, they were running cattle
9 in Arizona, and, here again, there were no allotments
10 prior to Taylor Grazing, so everybody was running in
11 common, and so there were cattle end to end, so I've
12 got family on several sides that were running cattle
13 in all of those areas, but my Grandfather Lytle in
14 particular was on the Arizona Strip and would have
15 come back up into this area as well, but then later
16 on, especially around the 1920s, is when he acquired
17 a lot of that stuff in the Mountain Meadow and Beaver
18 Dam area, around 1920/'21, but they would have been
19 in Nevada, and so they would have been in the
20 Barclay, Eagle Mountain -- Eagle Valley area that
21 would have come down into that Beaver Dam Wash and
22 the Tooley Desert as well.

23 Q. In Utah?

24 A. In Utah.

25 Q. So Rachel Lucinda and George H. Lytle were

1 your mother's parents?

2 A. Yes.

3 Q. All right. Let's talk now about the Lytle
4 branch of your mother's family, who you've indicated
5 also came in to Washington County in 1861.

6 Who was the first Lytle that came that
7 year?

8 A. Would have been John, which would have
9 been my great-grandfather.

10 Q. Do you know where John Lytle lived when he
11 first came in to Washington County in 1861?

12 A. Do you know, I'm not sure that I know
13 exactly where he lived, but it would have been in the
14 St. George area, but soon after they got here they
15 did branch out in to parts of neighboring Nevada by
16 the Penache area, which is called Eagle Valley, but
17 Grandfather John was here in St. George, my
18 great-grandfather, and so George H. was raised here
19 in St. George.

20 Q. What did John Lytle do for a living, if
21 you know?

22 A. I do not know exactly, other than he would
23 have -- you know, everybody was in the ag business
24 when they first got here, you know. He wasn't a
25 merchant. He would have been a rancher as well.

1 Q. To your knowledge, did John Lytle run
2 cattle out in the Beaver Dam Wash area?

3 A. Not to my knowledge.

4 Q. Once again, in your mother's lineage, who
5 is the next generation following John Lytle? What
6 was the individual's name?

7 A. George H.

8 Q. He was your grandfather?

9 A. He's my grandfather.

10 Q. And we've already talked about him?

11 A. (Witness nodding head affirmatively.)

12 Q. He married Rachel --

13 A. Lucinda.

14 Q. -- Lucinda. Let's move to your father's
15 side of the family.

16 When did your father's side of the family
17 first come in to Washington County?

18 A. On my father's mother's side of the
19 family, James Holt would have come in with the first
20 settlers in 1861, as well as Jacob Mica Truman's
21 family in that 1861 time period. Jacob Mica was
22 actually in the Mormon Battalion, but Jacob Mica and
23 his family came in about 1861.

24 Q. When did the Bowler side of your father's
25 family come into the Washington County area?

1 A. They came in a little later, around the
2 1882/1883 time period.

3 Q. And who was the first Bowler in the area?

4 A. James Samuel Page Bowler, my
5 great-grandfather.

6 Q. Okay. Let's start with the Holt group.
7 Where did James Holt first live, if you
8 know, when he came down in 1861?

9 A. They first came in to St. George, but then
10 shortly thereafter they settled in the Holt Canyon
11 area, which is just north of Mountain Meadow, and
12 just over the hill from Mountain Meadow in that
13 drainage that goes into the Escalante Valley, and he
14 and his two brothers settled in Holt Canyon with
15 their father, James, and that's kind of where they
16 started. After they came in to St. George, they kind
17 of migrated out shortly thereafter.

18 Q. Once again referencing Exhibit 1,
19 Holt Canyon is clearly marked on the map --

20 A. Yes.

21 Q. -- as Northern Mountain Meadow?

22 A. Uh-huh (yes).

23 Q. And, once again, they settled in the area
24 on the north end of that drainage where there is
25 private property?

1 A. Yes.

2 Q. Let's come down to the next generation.
3 Who was the child of James Holt in your
4 father's lineage.

5 A. Franklin Overton Holt.

6 Q. And he was your grandfather?

7 A. He would have been my great-grandfather.

8 Q. Do you know where Franklin Overton Holt
9 resided?

10 A. He resided in Holt Canyon until 1870, and
11 then he moved to Gunlock.

12 Q. Do you know how long Franklin Overton Holt
13 lived in Gunlock?

14 A. Till he died, and he would have died, I'm
15 going to say, in the mid 1920s.

16 Q. What did Franklin Overton Holt do for a
17 living, if you know?

18 A. He was a rancher/farmer primarily, but
19 when they moved to Gunlock, he also had the -- every
20 little community had a general store, and he also had
21 a store in Gunlock.

22 Q. You say he moved to Gunlock in 1870.
23 Was that approximately when Gunlock was
24 first established?

25 A. No. Gunlock was established in 1857.

1 Q. After moving to Gunlock in 1870, do you
2 know what Franklin Overton Holt's occupation was?

3 A. He was a rancher, farmer, cattleman, and
4 he did homestead the majority -- the major part of
5 Gunlock was homesteaded by Franklin Overton Holt. It
6 was settled in '57, and then of course statehood
7 wasn't until later, but he homesteaded a major part
8 of Gunlock, Gunlock area, the townsite itself, right
9 there, Gunlock (indicating).

10 Q. Let's refer to Exhibit 1 for just a
11 moment.

12 Right in the middle at the very bottom of
13 Exhibit 1 it shows where Gunlock is.

14 Do you see that (indicating)?

15 A. Yes, sir.

16 Q. And there's a swath of white ground on the
17 map that runs from the northeast to the southwest.

18 Do you see that white --

19 A. Yes, sir.

20 Q. Do you know where in that swath of private
21 property was Franklin's homestead?

22 A. Right there (indicating).

23 Q. Okay. Let me have you mark with this felt
24 tip pen where the Holt homestead was.

25 A. Okay. It would be right in this area here

1 (indicating).

2 MR. RAMPTON: Let the record show that
3 immediately to the left of the word "Gunlock" on
4 Exhibit 1 the witness has drawn a box in black pen
5 indicating the location of Franklin Holt's homestead.

6 Q. (By Mr. Rampton) You've testified that
7 Franklin Overton Holt was a rancher.

8 Do you know where he ran his cattle?

9 A. I do. I run on it today. He ran in the
10 Gunlock area, as I pointed out (indicating), and then
11 he also ran further -- and then of course he had
12 holdings in the Holt Canyon as well, but then we ran
13 up in the Santa Clara drainage, and it forks and goes
14 up the Moody Wash, what we call the Moody Wash, and
15 it goes in to Ox Valley, which is a mountain valley
16 south of Enterprise and north of Gunlock, and in all
17 of those mountain drainages we ran -- that's where
18 they ran cattle from, that Ox Valley area down to
19 Gunlock.

20 Q. All right. On Exhibit 1 there is an
21 indication of where Ox Valley is. Actually, the
22 words "Ox Valley" are predominantly inside an area of
23 private property.

24 Do you see that (indicating) --

25 A. Yes, sir.

1 Q. -- on this certain one?

2 A. Uh-huh, yeah.

3 Q. And he ran cattle from Ox Valley you say.
4 How far south?

5 A. Well, they ran cattle basically from
6 Holt Canyon all through the mountains clear into
7 Gunlock and south of Gunlock. That was all open
8 range, and so all of those drainages from
9 basically -- basically from the Nevada border on up
10 to Holt Canyon, all of that area in Mountain Meadow.
11 That entire area prior to Taylor Grazing my
12 Grandfather Holt ran cattle.

13 Q. All right. Let's talk about the area that
14 is to the north and to the west of Gunlock. Let's
15 talk about the area from Gunlock to Quail Canyon.

16 Do you see --

17 A. Yes, sir.

18 Q. -- the notation of Quail Canyon?

19 A. Yes.

20 Q. Did your Great-Grandfather Holt run cattle
21 in that area between Quail Canyon and Gunlock?

22 A. Yes, they would have run cattle in that
23 area as well. Later on, after Taylor Grazing, they
24 confined -- they moved a lot of those areas, but,
25 yes, he would have run in that area as well.

1 Q. Do you know when Franklin Overton Holt
2 died?

3 A. He would have died in the mid 1920s,
4 sometime around there. I'd have to look, you know,
5 for the exact date, but it would have been in the mid
6 to the late 1920s.

7 Q. All right. Let's go to the next
8 generation then in the Holt line.

9 Who was the child of Franklin in your
10 father's lineage?

11 A. My Grandmother Annie, Annie Holt.

12 Q. Did you know your Grandmother Holt?

13 A. Yes.

14 Q. To whom was she married?

15 A. To Francis Joseph Bowler, F.J. Bowler.

16 Q. Let's now pick up the Truman line in your
17 father's lineage, who you've testified once again
18 first came into Washington County in 1861, and you
19 said that the first individual was Jacob Truman.

20 A. Jacob Mica Truman.

21 Q. Do you have any idea or do you know where
22 he lived when he first came in to Washington County?

23 A. He would have been in the -- you know,
24 they all first came into the St. George Valley here,
25 but shortly thereafter he would have been in both

1 what we call the Hamblin/Holt Canyon area as well as
2 Gunlock area.

3 Q. Where on Exhibit 1 is the Hamblin/Holt
4 area?

5 A. Okay. If you go up to Mountain Meadow,
6 you will see at the north end where it says Hamblin
7 Spring (indicating).

8 If you come right there, do you see
9 Hamblin Spring?

10 Q. Yes.

11 A. Okay. If you go to Hamblin Spring, there
12 was a little town called Hamblin, and Jacob Mica is
13 buried in that cemetery in Hamblin, and if you go
14 up -- if you follow that road, then it carries down
15 into Holt Canyon -- it goes over the divide and goes
16 down into Holt Canyon. He was in the Hamblin area,
17 he was in the Enterprise area, he was in the Gunlock
18 area. Primarily that was kind of their -- you know,
19 where everybody at the time, all of my family, was
20 residing, my ancestors.

21 Q. Let me have you with this black marker
22 indicate with a dot where the town of Hamblin or the
23 community of Hamblin was located.

24 A. It's this road going to Pinto. So you
25 have a road coming down right here, and as you come

1 down here, I'm going to say right there would be
2 where Hamblin town was approximately located
3 (indicating). There is a cemetery there, and you
4 will see Jacob Mica's burial there.

5 MR. RAMPTON: Let the record show that the
6 witness has drawn a circle on Exhibit 1 immediately
7 above the words "Mountain Meadow" on Exhibit 1, which
8 indicates the location of Hamblin town or community.

9 Q. (By Mr. Rampton) I take it that Jacob
10 Mica Truman was a rancher?

11 A. Yes.

12 Q. Cattle? Sheep?

13 A. Cattle.

14 Q. You've testified that he ran cattle in the
15 Holt Canyon area, but you also have indicated that he
16 ran cattle in the Gunlock area.

17 A. Yes.

18 Q. Do you know where Jacob Mica Truman ran
19 cattle in the Gunlock area?

20 A. Well, I know where his farm was, which
21 would be -- it's south of -- it's about where Gunlock
22 Reservoir is now. Gunlock Reservoir would have
23 covered up part of that Truman property as well, and
24 then the way all of that worked, quite frankly, is
25 you have all of the drainages that go up and back

1 over the divide, whether it's from the Beaver Dam or
2 whether you're going up the Santa Clara River, the
3 Mogotsi, the Moody, all of those drainages, and then
4 they came back up on top, and then they went over
5 into Holt Canyon, so all of those drainages in the
6 day, my ancestors ran cattle in all of that area, but
7 his farm ground was down about where Gunlock
8 Reservoir is today.

9 Q. Did he homestead that farm ground?

10 A. If you went into the record and actually
11 looked at the patent, I'm not sure it would show
12 Jacob Mica. I'm not sure of that, but he
13 basically -- he basically homesteaded, and it would
14 have been sold, and a lot of that work was done
15 later, you know, clearing up the patents, because a
16 lot of times it would come in to who was ever at the
17 time, you know, occupying the ground.

18 Q. Did Jacob Mica Truman run cattle in that
19 area that we talked earlier --

20 A. Yes.

21 Q. -- from Quail Canyon over to Gunlock?

22 A. Yes.

23 Q. Did he run cattle, to your knowledge, to
24 the east of Veyo at all?

25 A. He would have run cattle up in that entire

1 area going from Veyo up to Central towards Pine
2 Valley and over those mountains as well, yeah. Yes.

3 Q. In your father's lineage, who was the
4 child of Jacob Mica Truman?

5 A. Emma. My Great-Grandmother Emma Truman.

6 Q. If you know, when did Jacob Mica Truman
7 die?

8 A. I do not know the exact date. I'd have to
9 look that up in my family history.

10 Q. Who did your Great-Grandmother Emma Truman
11 marry?

12 A. Franklin Overton Holt.

13 Q. All right. Let's move now to the Bowler
14 side of your father's family. You've testified that
15 they first came in to Washington County in 1881.

16 A. In that general time frame, '81/'82,
17 somewhere around there. For the exact date, I'd have
18 to go back to my family history, but it was about
19 that time period.

20 Q. And, again, what was the name of the first
21 Bowler?

22 You testified it was James Samuel Page
23 Bowler --

24 A. Yes.

25 Q. -- is that accurate?

1 A. Uh-huh (yes).

2 Q. When he first came in to Washington
3 County, do you know where James Samuel Bowler lived?

4 A. Yes. Hebron, Utah. Hebron is just west
5 of Enterprise.

6 Q. Let's look at Exhibit 1 again, Mr. Bowler.
7 Could you indicate with this black marker
8 where the town or the community of Hebron was that
9 your great-grandfather moved into?

10 A. Yes. It would be right in this area right
11 there (indicating).

12 Q. Would you write the word "Hebron" beside
13 it?

14 A. (Witness indicating.)

15 MR. RAMPTON: Let the record show that the
16 witness has drawn a circle in black pen and labeled
17 the circle "Hebron," indicating the location of the
18 town or community of Hebron, and it is on the top
19 part of Exhibit 1, due west from Enterprise.

20 Q. (By Mr. Rampton) If you know, what did
21 James Samuel Page Bowler do for a living?

22 A. He was a school teacher and a cobbler. He
23 was a shoemaker and taught school.

24 Q. Did he actually homestead in the Hebron
25 area?

1 A. No, he did not.

2 Q. Did he acquire property that had been
3 homesteaded, to your knowledge?

4 A. Not in Hebron.

5 Q. Did he live throughout his life in Hebron?

6 A. No.

7 Q. Where did he move?

8 A. He moved several places, but in a short
9 period of time he ended up in Gunlock, Gunlock, Utah.

10 Q. Do you have any idea when he moved to
11 Gunlock, when he actually ended up in Gunlock?

12 A. You know, I would have to look that up in
13 my family history. I could tell you, but it would
14 have been in the -- I'm going to say in the probably
15 mid -- the late 1880s.

16 Let me just say why I say that. He
17 registered the brand that I still use at the family
18 ranch in 1886, and it was registered to James Samuel
19 Page Bowler, and the date on that registration was
20 1886 out of Gunlock, Utah, so I'm assuming he was
21 there because that's the original brand we still use.

22 Q. Did he continue to be a school teacher and
23 a cobbler when he moved to Gunlock; do you know?

24 A. When he got to Gunlock, because he was a
25 little older, all of his boys and his family was in

1 the livestock business, but he actually became the
2 postmaster, and he was the postmaster in the Gunlock
3 area.

4 Q. Let's move now to the next generation.
5 Who was the child of James Samuel Page
6 Bowler that was in your father's lineage?

7 A. Francis J., Francis Joseph Bowler.

8 Q. And he would have been your
9 great-grandfather?

10 A. My grandfather.

11 Q. Where did Francis Joseph Bowler live?

12 A. He lived in Gunlock, Utah.

13 Q. Do you know what Francis Joseph did for a
14 living?

15 A. Yes. He was a rancher.

16 Q. Do you know approximately when Francis
17 Joseph Bowler was born?

18 A. Would be 1878, in that -- between
19 1877/1878, somewhere in that area. Late 1870s. I'd
20 have to check the exact date here again from my
21 history, but in that period of time.

22 He was 89 years old when he died in 1968,
23 so you could probably extrapolate that fairly easy to
24 give you an idea of what date that would be.

25 Q. Did you know your Grandfather Bowler?

1 A. Very well. He died my senior year of high
2 school.

3 Q. Where did Francis Joseph Bowler run his
4 cattle?

5 A. He ran his cattle in the Gunlock area,
6 Beaver Dam Wash area, Ox Valley area, all of the
7 drainages up toward going northwesterly Gunlock as
8 well prior to Taylor Grazing, and then it was -- it
9 brought it in to more specific areas.

10 Q. All right. Let's talk before Taylor
11 Grazing went in.

12 You've said that he ran cattle in the
13 Beaver Dam Wash area?

14 A. Uh-huh (yes).

15 Q. And in the Gunlock area, and by Gunlock
16 area, tell me what area you're talking about.

17 A. Okay. Let me tell you how it really ran.
18 If you go up to -- the way they did that is they
19 summered their cattle in those higher elevations up
20 by Ox Valley, and I'm talking primarily about my
21 ancestors, okay, and the other people that lived in
22 Gunlock in that particular area, but they ran the
23 cattle on the higher elevations up in Ox Valley, up
24 by Quail Spring, up in all of those higher
25 elevations, and then in the wintertime those cattle

1 drifted down, and they drifted down and they'd go
2 south onto the Beaver Dam, what we called the Beaver
3 Dam Slope, and they would take those drainages on
4 down, and they would actually run cattle clear down
5 toward Mesquite, into the Virgin River area of
6 Mesquite/Littlefield.

7 Q. Do you know whether Francis Joseph Bowler
8 ran cattle in the Veyo/Central area?

9 A. Very close to, yes. Specifically, yes,
10 but we didn't -- but F.J., Francis, didn't go much
11 further east of U-18, of the current U-18 for him.
12 Now, I had other ancestors that did, but you're
13 talking about Francis Joseph.

14 Q. Yes.

15 A. He ran -- his east boundary was about
16 where currently U-18 would be.

17 Q. You testified that with the advent of the
18 Taylor Grazing Act in 1934 the areas that Francis
19 Joseph ran cattle became more defined.

20 Would that be accurate?

21 A. Yes.

22 Q. Post 1934, where did Francis Joseph run
23 his cattle?

24 A. From the mountains starting from what we
25 call Big Mountain, which would be the current U-18,

1 clear into Enterprise, from there over the mountains
2 coming south and west through all of the Bull Valley
3 Mountains clear down into the Beaver Dam Wash and
4 clear down into the Nevada/Arizona border area.

5 Q. How many allotments did Francis Joseph
6 have, to your knowledge?

7 A. That he ended up with?

8 Q. Yes.

9 A. Two or three.

10 Q. And were they all in the area west of
11 Highway 18?

12 A. Yes.

13 Q. Did they extend clear over to the State
14 line of both Arizona and Nevada?

15 A. Not after Taylor Grazing. He didn't go
16 that far west. Grandfather Lytle did on my other
17 side, but not my Grandfather Bowler.

18 MR. RAMPTON: Let's take a five minute
19 break, and then we're going to talk about your father
20 and you.

21 THE WITNESS: Okay.

22 (Recess from 10:03 a.m. to 10:14 a.m.)

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

24 Q. (By Mr. Rampton) Mr. Bowler, which of
25 your four grandparents did you actually know?

1 A. My grandparents on the Lytle side, my
2 Grandfather Lytle had died before I was born, and my
3 Grandmother Lytle died when I was a year old so I did
4 not know either one of my grandparents on my mother's
5 side.

6 On my dad's side, on the Bowler side, my
7 grandfather died when I was a senior in high school,
8 and my grandmother died about four years later, so I
9 was well into my mid twenties when my grandmother
10 died.

11 Q. Was your Grandfather Francis Joseph Bowler
12 a hunter?

13 A. He was a hunter, rancher, farmer, all of
14 those things.

15 Q. Did you personally ranch with your
16 Grandfather Bowler?

17 A. I did.

18 Q. Did you personally hunt with your
19 Grandfather Bowler?

20 A. I did.

21 Q. What kind of hunting was it you did with
22 your grandfather?

23 A. Primarily with my grandfather was deer
24 hunting. We hunted coyotes, we hunted rabbits, we
25 hunted all those type of things, but primarily when I

1 went with my grandfather, we were deer hunting.

2 Q. And did you deer hunt in Washington
3 County --

4 A. Yes.

5 Q. -- with your grandfather?

6 A. Yes.

7 Q. And what areas in Washington County did
8 you generally hunt with your grandfather?

9 A. Well, my grandfather, because he was a
10 little older when I was born, my father was the
11 youngest in the family, so we hunted primarily what
12 we would call -- what we would call Gunlock -- with
13 my grandfather in the Gunlock area or up in to more
14 what we called Gold Strike, which is up into Quail
15 Spring, up by the East Fork of the Beaver Dam, up by
16 Dagget Flat, in that area, because the roads were
17 pretty good and we could -- you know, we'd road hunt,
18 then hike a little bit.

19 Q. Were there any other activities that you
20 participated in with your Grandfather Bowler other
21 than hunting and ranching that took you out into the
22 country on the roads?

23 A. When I was a young man, my grandfather was
24 a -- had been a County Commissioner and a State
25 legislator, and so they were always working on

1 projects and roads and this and that and the other,
2 and my father when I was about six years old, or
3 seven, was in the County Commission as well, and
4 occasionally I would be with them as -- now
5 specifically you're talking about my grandfather?

6 Q. Yes.

7 A. Early on I can recollect we would -- we
8 would ride certain roads, and they would be
9 discussing projects that the County was going to do
10 or maintenance and those type of things, because they
11 were both involved in County government throughout
12 their life.

13 Q. Let's go now to your father.

14 What was your father's full name?

15 A. Melvin Truman Bowler.

16 Q. Do you recall when he was born, what year
17 he was born?

18 A. 1922.

19 Q. Do you know where he was born?

20 A. He was born in St. George, Utah.

21 Q. Where did he grow up?

22 A. He grew up in Gunlock.

23 Q. And what did your father do for a living?

24 A. He was a rancher, a farmer, he was a
25 businessman, and then in his last 30 years of his

1 life he was in the banking business. More like
2 25 years of his -- the last 25 years of his life he
3 was in the banking business.

4 Q. You've testified that your father was in
5 the County Commission.

6 A. Uh-huh (yes).

7 Q. Do you recall what years that would have
8 been?

9 A. He would have first been in it in
10 somewhere I'm going to say in 1958/'59, somewhere in
11 that era, and then he served -- there could have been
12 one break, but he served from then until around
13 1973/1974.

14 Q. So all told, something like 20 years?

15 A. Around 16 I would think, something like
16 that. You know, a little less than 20. Somewhere
17 around the 16 I'm assuming because they were either
18 four year or two year terms, so I'm thinking that it
19 would have been a total of around 16.

20 Q. And, again, the first year was --

21 A. I'm going to say '58 or '59 is my
22 recollection, 1958/1959.

23 Q. And he entered his last term when?

24 A. I'm not sure when he -- he would have
25 ended sometime around 1973 or '74 is my recollection.

1 You know, there would be a record of that of course,
2 you know, at the County office building, but that's
3 my recollection.

4 Q. Regarding your father's ranching business,
5 was it cattle ranching?

6 A. Cattle ranching.

7 Q. And where did your father run cattle?

8 A. He ran cattle in the Gunlock area up
9 through those drainages into Ox Valley.

10 Q. Did your father acquire his father's
11 cattle allotments?

12 A. He did, uh-huh, yes.

13 Q. Did your father acquire any of the Lytle
14 allotments?

15 A. Not in Utah, but we did in Arizona.

16 Q. What kind of vehicles did your father and
17 grandfather use in their cattle operations?

18 A. We had a Ford, and I'm going to say -- I
19 want to say a ton, a Ford ton truck, stake truck,
20 what I call with a stake rack so you could load
21 cattle in the back, horses in the back, livestock in
22 the back, and that is my first recollection that's
23 what we used on the ranch.

24 Q. Was that a four-wheel drive or a two-wheel
25 drive?

1 A. It was a two-wheel drive positraction,
2 which means that both back wheels turn, and so the
3 weight of the back you could go just about anywhere
4 that a four-wheel drive could go now.

5 Q. Did your father and grandfather use other
6 vehicles over the time span we're talking about other
7 than that Ford?

8 A. You know, that was primarily what we used
9 when we were in our ranching operation. Some of our
10 cousins had bigger trucks, two-ton trucks, but that's
11 what we used, because we generally traileed most of
12 our cattle instead of hauling them.

13 Q. When did your father pass away?

14 A. 1995.

15 Q. How long did he actively participate in
16 that cattle business?

17 A. His entire life, other than when he was in
18 the service, and a couple of years he was at BYU
19 going to school.

20 Q. When did your father and mother marry?

21 A. They would have married sometime during
22 World War II, and I'm assuming that would have been
23 1945. I'd have to look at the exact date, but I
24 would think around 1945.

25 Q. After the war, did your father come back

1 to Gunlock?

2 A. He did.

3 Q. And did he live in Gunlock all of his
4 life?

5 A. He lived in Gunlock. He was raised in
6 Gunlock, went into the service, came back, and then
7 we lived there for 11 years after they were first
8 married, and then we moved to St. George I'm going to
9 say about 1959, '58/'59, but we always maintained a
10 home in Gunlock and always had the ranch in Gunlock,
11 as we still do today.

12 Q. Was your father a hunter?

13 A. He was.

14 Q. Did you hunt with your father?

15 A. Every year. The first day, then I went
16 with my buddies after that.

17 Q. I take it he was a deer hunter?

18 A. He was a deer hunter.

19 Q. Did he hunt anything other than deer?

20 A. We hunted coyotes and deer, and he let us
21 hunt rabbits and those type things, and squirrels,
22 but yes.

23 Q. And what areas would you --

24 A. He was a lion hunter -- you know, he'd go
25 occasionally on lion hunts as well, and the reason I

1 said that is because I was reminded that -- yes, we
2 had cousins that lion hunt and still do lion hunt
3 today, so he did occasionally go with them as well.

4 Q. When you hunted with your father, what
5 areas did you generally deer hunt?

6 A. We'd generally deer hunt in what we call
7 the Tobin Wash back in that same area west/northwest
8 of Gunlock kind of over by the Beaver Dam Wash area,
9 and then in Ox Valley and east and west and all over
10 around Gunlock, that whole area.

11 Q. Did you ever hunt with your father east of
12 Veyo?

13 A. Yes.

14 Q. As far up as Central?

15 A. We'd go back in that mountain range -- we
16 would hunt occasionally back in that mountain range
17 from Central south back in to what we call -- it was
18 what we called Goat Springs.

19 Q. Was hunting an annual affair in your
20 family?

21 A. Absolutely.

22 Q. You hunted every deer season?

23 A. Yes.

24 Q. Would you hunt throughout the deer season?

25 A. I didn't have that luxury. We would

1 hunt -- they made me go to school. I had to go. I'd
2 hunt Friday -- it started Saturday morning, so we'd
3 go Friday night wherever we were going to go, then
4 we'd hunt Saturday. Generally we came back to church
5 on Sunday. Monday school was out, and so we could
6 always hunt Monday, and then because of the proximity
7 of St. George to our hunting areas, we always hunted
8 after school, but the second weekend, you know, we
9 always tried to not get anything that was -- unless
10 it was really, really good, and then we kind of saved
11 that second weekend, and that second weekend is when
12 we'd specifically go in areas where we kind of
13 thought those deer were moving, where the bigger
14 bucks were, and a lot of times it would be on the
15 Beaver Dam Wash, a lot of times it would be in that
16 Goat Springs area, because those bucks would hang up
17 in there. A lot of times it would be across the road
18 back over the Sand Cove area, but in all of that
19 area, depending on where everybody thought the deer
20 were.

21 Q. You said you hunted coyotes with your
22 father.

23 Where would you have hunted coyotes?

24 A. Now, generally that's kind of around
25 Gunlock because they're predators, and any time that

1 you've got cattle and young calves and this, that and
2 the other, you're always kind of looking and trying
3 to make sure that those were taken care of.

4 Q. How many brothers and/or sisters did you
5 have?

6 A. I had one brother and three sisters.

7 Q. Are they all still living?

8 A. No. My oldest brother was killed in a car
9 accident 40 years ago.

10 Q. Forty years ago?

11 A. More than that. Would be in '71, 1971.
12 He was 24.

13 Q. Are your three sisters still alive?

14 A. Yes.

15 Q. Do they live in Washington County?

16 A. Two of them do, and one of them lives in
17 Las Vegas, Nevada.

18 Q. Were there any other activities that your
19 father participated in in which you also participated
20 in that took you out on the roads other than hunting
21 and ranching?

22 A. He was a Commissioner, and so a lot of
23 times he would be, you know, going over the roads in
24 Washington County to look at a variety of issues,
25 whether it was County maintenance or if there were

1 new roads being built or if there were projects being
2 done, and so a lot of times I would go with him on
3 those outings.

4 Q. While he was a County Commissioner, did he
5 have jurisdiction over roads? Was that part of his
6 job?

7 A. Yeah. Periodically they would change
8 those assignments, you know, but, yes, in his -- in
9 his tenure there, he had jurisdiction over roads many
10 times.

11 Q. When you went out to investigate roads in
12 Washington County when your father was a County
13 Commissioner, what vehicle or vehicles would you use?

14 A. Generally, he would use -- we had a Ford
15 pickup, half-ton pickup, and that's generally what we
16 went around in. Now, when I was younger, you know,
17 when he was first County Commissioner, we would
18 actually have our cattle truck because that's what we
19 used, I mean, you know, but generally, when we were
20 on those dirt roads, that's what we used.

21 Q. Was the Ford half-ton pickup four wheel or
22 two wheel?

23 A. Two wheel. We didn't get into the
24 four-wheel drive until actually I'm going to say the
25 '80s, and they hadn't perfected the four-wheel drive.

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 of Gunlock.

2 Q. Where did you attend grade school?

3 A. Washington County, the East and the West
4 Elementary.

5 Q. Where was that located?

6 A. East Elementary is down by Dixie College,
7 and the West Elementary's now been demolished right
8 where this Hall of Justice is.

9 Q. So you attended elementary school in
10 St. George?

11 A. In St. George.

12 Q. What about junior high school?

13 A. St. George.

14 Q. And high school?

15 A. Dixie High School here in St. George,
16 Utah.

17 Q. What year did you graduate from Dixie
18 High?

19 A. 1969.

20 Q. After you moved to St. George in 1958, you
21 testified that your parents continued to own the home
22 in Gunlock.

23 Is that accurate?

24 A. Yes. My grandparents still lived there,
25 and we had a home there as well.

1 Q. So your Grandfather Francis Bowler had a
2 home there and your parents had a home there?

3 A. Yes.

4 Q. After your graduation from Dixie High in
5 1969, did you have any additional schooling?

6 A. I did. I went two years to Dixie College
7 here in St. George. At the time it was a junior
8 college, and then I went to the University of Utah
9 and finished school at the University of Utah.

10 Q. What year did you graduate from the
11 University of Utah?

12 A. December of 1972.

13 Q. When you were going to the University of
14 Utah, did you live in Salt Lake?

15 A. I did.

16 Q. And what was your degree in from the U?

17 A. It was in finance.

18 Q. After your graduation from the University
19 of Utah, how were you first employed?

20 A. I was employed at Southern Utah Title
21 Company in January 2nd of 1973.

22 Q. Have you been employed by Southern Utah
23 Title ever since?

24 A. Yes.

25 Q. How young were you when you first started

1 participating in your family's cattle operation?

2 A. My earliest recollection.

3 Q. Four or five years old?

4 A. Four or five years old. I have
5 recollections in that four and five years of going
6 with my dad and my mother, yeah. When Mother was a
7 school teacher, my dad -- but both my -- both their
8 families were involved in the ranching business, so
9 my earliest recollection was involved in the ranching
10 business.

11 Q. And when you were a child, before you were
12 ten years old let's say, how did you participate in
13 the family's cattle operation?

14 A. Well, because we had to gather these
15 cattle because it's such a big, open range, by the
16 time I was -- I would say by the time I was six years
17 old I was a horseback with my father and grandfather
18 gathering cattle. We had some gentle horses, what
19 they called the kid horses, that they would put us
20 on, and so they would taking us as early as that, as
21 I do my kids and grandkids, and we -- you know, on
22 those short days when you're that young, you will go
23 with them on those short days. The longer days they
24 would leave you home, but on those short days they
25 would take you, so as early as five and six years old

1 I was a horseback gathering cattle.

2 Q. When you were a kid under ten years old,
3 when you went out to help your father and grandfather
4 gather cattle, would you drive the horses to a
5 certain point and then get on the horses?

6 A. Yeah. We generally would hop in the
7 truck, then we'd go to a certain point, then would
8 unload. And a lot of time on the summer range what
9 we would do would drive up in to that Ox Valley area
10 and then would ride clear through from Ox Valley
11 clear back down and bring the cattle clear down to --
12 there is what we call the post corral generally
13 almost to Gunlock, and that's where we'd kind of
14 gather them, and then somebody would come around the
15 other way and meet us, and we'd go from there.

16 Q. As you got older, did your duties and
17 responsibilities with respect to the family's cattle
18 operation increase?

19 A. It did, and then we acquired more. I
20 acquired more as I got older.

21 Q. Are you still in the cattle business?

22 A. Yes, sir, still in the cattle business.

23 Q. Do you still run cattle where your
24 Grandfather Lytle ran cattle?

25 A. I do.

1 Q. Do you still run cattle where your
2 Grandfather Bowler ran cattle?

3 A. Yes, sir, and my Grandfather Holt,
4 actually, all of them. I've acquired a lot of that
5 same area that they all had over the years.

6 Q. Are you a hunter?

7 A. Yes.

8 Q. How old were you when you first started
9 hunting?

10 A. When I could legally carry a gun. I was
11 hunting, but I couldn't legally shoot until I was 16,
12 but we hunted my entire life even as a young -- even
13 when I could -- even when I could walk with my
14 grandpa when I was really young by five and six, but
15 then when I could start to ride, then I got to go
16 with my dad because we hunted horseback, and so then
17 we hunted horseback until I got -- then when I got
18 old enough, I always hunted with my dad the first
19 day, and then a lot of times I would go with friends
20 as well.

21 Q. After your parents moved to St. George in
22 1958, would you go out to the Gunlock home regularly?
23 How often would you do that?

24 A. At least two or three times a week.

25 Q. Was that primarily in conjunction with

1 your cattle operation?

2 A. Yes.

3 Q. When you were hunting deer, would you hunt
4 from the Gunlock home or the St. George home?

5 A. Both.

6 Q. You testified that, in addition to deer
7 and coyotes, you hunted rabbits and quail?

8 A. Quail, rabbits, squirrels. We didn't have
9 a lot of pheasants in the area, so, really, we didn't
10 hunt much pheasant. We didn't hunt pheasants much,
11 but quail, but not a lot of quail, but primarily
12 rabbits, squirrels and deer, coyotes, that type of
13 thing.

14 Q. Where would you go when you went out to
15 hunt rabbits generally?

16 A. If I was with my buddies, we'd go on any
17 of these roads here that were -- where we had time
18 that was close enough and would go up in the
19 mountains and the hills, all over.

20 Q. Was your hunting for rabbits generally on
21 the east side or the west side of Washington County?

22 A. Generally on the west side because that's
23 where we ranched, and so we were always in that area
24 doing something, and so it was more convenient and
25 they were plentiful.

1 Q. Where would you hunt quail?

2 A. Right there in Gunlock.

3 Q. When did you start driving?

4 A. I started driving legally at 16. I
5 started driving --

6 Q. That's not what I asked.

7 A. When did I start driving? I started
8 driving -- I'm trying to think of how old I would
9 have been when we started. I started to drive the
10 tractor when I would have been 10 or 12, and then
11 when I got big enough, tall enough to reach the
12 pedals so I could shift, by the time we were 12, 13,
13 14, we were driving on the ranch.

14 Q. Would that have been that ranching vehicle
15 you testified about?

16 A. Would have been the ranch truck, yeah. I
17 wasn't allowed to take my father's car till I had a
18 driver's license.

19 Q. How old were you when you got your
20 driver's license?

21 A. Sixteen.

22 Q. When did you personally acquire your first
23 vehicle?

24 A. In 1968.

25 Q. That would have been when you were a

1 junior in high school?

2 A. It was actually -- it was the fall of my
3 senior year.

4 Q. And what kind of a vehicle did you
5 acquire?

6 A. A 1957 Chevrolet.

7 Q. Was that a passenger vehicle?

8 A. It was. It was a car.

9 Q. Did you subsequently acquire a four-wheel
10 drive vehicle?

11 A. I did. That '57 Chevrolet, though, it had
12 a three speed on the column, and it could go over
13 most of the dirt roads. Here, again, it had a
14 positraction, so you could go a lot of places, but my
15 first four-wheel drive would have been in -- I'm
16 going to say somewhere around the early 1980s. I had
17 a pickup or two before then, but early 1980s was my
18 first four-wheel drive.

19 Q. What year did you marry?

20 A. Goll, my wife's not here so I hesitated on
21 that. 1971.

22 Q. And, again, your mother's maiden name?

23 A. Laura Lytle was her name. Lytle was her
24 maiden name.

25 Q. You've talked about your experience as a

1 rancher and as a hunter.

2 Were there other activities in which you
3 participated either growing up or in your adult life
4 that took you out on the roads in Washington County?

5 A. Well, you know, as a teenager part of --
6 when you lived in St. George in 19 -- in the late
7 1960s or early '70s, there was not a lot to do.
8 There was only 5,000 people in Washington County and
9 St. George. I think when I came back, there would
10 have been maybe 10 or 11,000 people in Washington
11 County, so a lot of our activities, quite frankly,
12 you know, we went on every back road, we went to
13 Zion, we went on the back road going over to -- from
14 Rockville over to -- because we had a ranch in Pipe
15 Springs, Arizona, you know, so we were kind of -- so
16 we were on the Arizona Strip, you're out on the
17 Beaver Dam Wash. You go over the east pass into
18 Barclay.

19 You know, a lot of our recreation was, you
20 know, exploring, something to do, and so -- and when
21 you mentioned the four-wheel drive, back in the day
22 before four-wheel drive you learned how to drive a
23 two-wheel drive. You didn't -- and when you got a
24 four-wheel drive, the only time you used four-wheel
25 drive is when you got stuck or got to a place where

1 you -- you know, you learned to drive a two-wheel
2 drive over anything, really.

3 Q. Did you ever camp with your family?

4 A. Uh-huh (yes), I did.

5 Q. Did you have any particular spots that you
6 loved to camp in?

7 A. You know, generally our camping was mostly
8 in the Ox Valley area, and so -- because that's kind
9 of where our ranch headquarters were, but my cousins
10 camped in the Gold Strike area all the time because
11 that was kind of their designated hunting area, and
12 so even though they camped there, I'd always kind
13 of -- we'd always kind of go check them one or two
14 days during the hunt to see how they were doing up in
15 those areas.

16 Q. Did you ever gather wood or chop wood when
17 you were a kid?

18 A. Yes.

19 Q. And where would you go to gather wood?

20 A. It depends on what we were doing. If we
21 were cutting cedar posts, as an example, if we were
22 building some corrals or doing a fence or something,
23 all of this area in the Gold Strike, up in that type
24 of area or up the Moody Wash, or anywhere that was
25 the closest that you could get into some good posts

1 you would cut posts.

2 You'd always go -- when you were gathering
3 wood, it depends on whether if you were getting
4 cottonwood, it was closer to the creek bed, but if
5 you were getting pine, then you'd go a little further
6 up. In particular, there's good areas up going
7 toward Quail Spring, up in that area. You always
8 tried to be as close as you could, but that's
9 generally in those areas where you would go.

10 Q. When you were living in Gunlock, and let
11 me put it this way: In your Gunlock home, either
12 your parents' place or the place you now have, is
13 there a woodburning facility?

14 A. There was. There was, and I actually
15 replaced our wood -- my grandmother cooked on a wood
16 stove, actually, for years, even after I was out of
17 high school, and then we converted her and everybody
18 else over to the electric stoves, and we had a
19 woodburning stove until the 2005 flood, and then I
20 replaced everything with propane because we had a
21 lack of power, and even though woodburning worked
22 pretty good, that propane, if you have it filled just
23 right, was more constant, and so I redid things in
24 about 2005, but up until then we had woodburning
25 stoves.

1 Q. And how often would you as a family have
2 to go out and gather wood?

3 A. That's a good question. When you say how
4 often, we did it -- the way I gathered wood back in
5 the day is when you had time you got a load of wood,
6 or if you were somewhere where you ran on to some
7 pretty good wood then, you had your saw with you
8 mostly, and you'd cut a little bit of wood and bring
9 it in, but it's one of the things you kind of always
10 did in the wintertime. It was a wintertime deal for
11 us, you know, more than anything else.

12 Q. You talked about cutting fence posts.
13 Are these fence posts that your family
14 used in the cattle operation?

15 A. Yes.

16 Q. Were most of your fences that were
17 associated with the cattle operation, let's say when
18 you were living in -- before your parents moved in
19 1958, were most of the fences made with fence posts,
20 cedar posts?

21 A. Cedar posts. Steel posts hadn't come in
22 to -- had not come in to what we used. It was all
23 cedar posts.

24 Q. Was cutting fence posts a regular part of
25 the family's ranching operation?

1 A. Yeah, cutting cedar posts and then what we
2 call -- we use the term "dancer" which it stays in
3 between the posts. You're always cutting cedar
4 posts. You're always looking for places where you
5 could cut cedar posts. Cedar posts and dancers you
6 were always doing.

7 When I say "always," you know, that was
8 something that somebody was always -- you never had
9 enough of.

10 Q. Have you in your adult life -- you've
11 testified that you've worked at Southern Utah Title
12 and ranched all your adult life.

13 Have you taken on any civic
14 responsibilities of any kind?

15 A. Yeah. I'm currently the Chairman of the
16 Board of Trustees of the Washington County Water
17 Conservancy District, and I have been on that board
18 since 1998.

19 Q. Does that position on the Water
20 Conservancy District Board require that you go out in
21 to Washington County and investigate water
22 facilities?

23 A. Yes.

24 Q. Is that a frequent occurrence for you as a
25 water commissioner?

