

APPENDIX 10

COSGRIFF RANCH
1029 Otter Creek Road
Big Timber, MT 59011
932-4104

MAY 20 2003

_____	District Ranger	<u>BO</u>
✓ _____	Res Asst - Rec/Wldr/Lands	<u>FC</u>
_____	Forestry Tech	_____
_____	Suprv Range Mgr	_____
_____	Range Tech	_____
_____	Range Con	_____
_____	Res Asst - Min/Tmbr/Wild	_____
_____	Minerals	_____
_____	ES Misc Admin	_____
_____	Tmbr/Wild	_____
_____	SSS	_____
_____	EMA	_____
_____	Info Recep	_____
_____	Fire	_____
_____		_____
_____		_____

May 18, 2003

Chuck and Pam Rein
Rein Anchor Ranch
HC 87, Box 2174
Big Timber, MT 59011

Dear Chuck and Pam:

The Cosgriff Ranch is finally taking the time to respond to your letter of March 6, 1999. We could hardly believe this much time has elapsed since receiving your letter. The delay in part results because we are friends and neighbors and these types of matters are somewhat unpleasant to address.

The issues contained in your letter resurfaced recently when the Forest Service on April 29, 2003, forwarded a letter along with a proposed Memorandum of Agreement.

Our fundamental desire is to maintain our friendship and neighborly relationship while also preserving our right to free and unrestricted access to our properties along Sweet Grass Creek and the general area. For many years dating back to 1916 my family has used the road and improvements for a variety of commercial uses. Some, of course, relating to our ranching activities, but also including commercial logging. In the future we may want to expand our commercial use to include hunting and fishing, a dude ranch operation or other related uses. Also, if we ever decide to sell, we wouldn't want to limit the new buyer's access or use of the roadway.

Whether or not this roadway is a public road is a matter of conjecture. We have records dating to 1936 indicating cost sharing with Lloyd Rein in the rebuilding of the bridge east of your home. Our records indicate that in subsequent years we continued to cost share with Lloyd and others to maintain the bridges and roadway. We also have records showing payment to Sweet Grass County to maintain the road and for snow removal.

During the Roosevelt era, the CCC with material provided by our family, Sweet Grass County and the Federal Government, constructed a bridge on the road



south of your home crossing the Sweet Grass. During that era and until recently we all assumed the road in question to be a public road to Eagle Park.

For many years Anita Ward, Barbara Cosgriff's mother, rented hunting cabins to the public. Those cabins remain standing on Section 9. This may well be a use we would once again utilize.

We don't intend by this letter to take any action with regard to your sign or Carroccia's sign, but we don't necessarily agree that the road is not public and certainly don't intend to restrict our future use of this road.

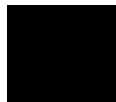
The Memorandum of Agreement prepared by the Forest Service seems to me to be a way of preserving the uncertain status quo. Again to the extent that the proposed agreement is inconsistent with our position set forth herein, we will object. Further, if it is going to be necessary to litigate this matter then perhaps we should confront the issues at this time rather than later. On the other hand, if we have an agreement that no one intends to restrict our future commercial or other use of the road, then perhaps litigation is not inevitable.

I hope you understand that we are not trying to be difficult but rather want to preserve our right to unrestricted commercial use of this road for future generations and future owners.

Regards,


Ralph and Barbara Cosgriff

Cc: Victor Tronrud
Charles P. Anderson
William Carroccia
Rebecca Heath, USFS





United States
Department of
Agriculture

Forest
Service

Gallatin National Forest
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Big Timber Ranger District
P. O. Box 1130
Big Timber, MT 59011-1130

Number of Pages to follow cover sheet 2

Date: 5/21/03

To: Sweet Grass County Road Dept / County Commissioners

From: Bill Avey GNF - Big Timber RD

Subject: Sweet Grass Road - FYI



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