

**CENTRAL REGION  
RIGHT OF WAY BRANCH**

**APPLICATON AND USE TO ESTABLISH EXISTING RIGHT OF WAY**

**'47 ACT**

1. No road necessary
2. ONE TAKE.
3. Before PLO: Take could be as reasonably wide and necessary for construction purposes (66'+/-) 100' right of way, RS 2477. Section line width possibility for lack of any other known width requirement.
4. After PLO and Entry - subject to '47 Act with no road up to 1971. Entry subject to new construction right of way and classification of road and right of way being constructed.
5. Before PLO and Entry – subject to '47 Act with an existing road of undetermined right of way width. The Entry is subject to the existing road and if no construction occurs until after effective date of PLO, Entry is subject to ONE TAKE – logically to the right of way and classification of the proposed road construction.

**PUBLIC LAND ORDERS**

1. Needs existing road.
2. '47 Act could establish width of road right of way for construction purposes any time before or after PLO until 1966.
3. If right of way and road existed before PLO and Patent was issued and subject to '47 Act, new construction for the road could exercise the one-time taking right of way, logically, to the classification width of the road at the time of construction.
4. Entry and Patent subject to the road classification right of way is simply the designated PLO right of way at the time of Entry and involves an existing road.

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## **PUBLIC LAND ORDERS**

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