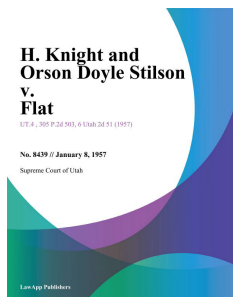


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## H KNIGHT AND ORSON DOYLE STILSON V FLAT EBOOKS 2019



Author: Supreme Court Of Utah

Realese Date: Expected @@expectedReleaseDate@@

WADE, Justice. Plaintiffs and appellants herein brought this action to quiet title to certain unpatented mining claims located in Emery County, Utah, known as the Battle Mountain and Battle Mountain Nos. 1 to 4. The defendants, cross-plaintiffs and joint appellants herein were the locators of claims known as the Beehive and Beehive Nos. 2 and 3 which embraced the same areas as appellants claims. The Flat Top Mining Co., one of defendants and respondents herein, claims the Battle Mountain claims Nos. 1 to 4 by virtue of conveyances to it of Flat Top claims Nos. 1 to 4 by its locators and successors in interest who had obtained a court decree quieting their title to Flat Top claims Nos. 1 to 4 in which the Beehive claimants were named defendants and judgment obtained against them by default. Orson Doyle Stilson was one of the locators of the Flat Top claims Nos. 1 to 4 in 1949 and one of the persons from whom the Flat Top Mining Co. obtained its interest in the Flat Top claims Nos. 1 to 4. He was also the same person who located the Battle Mountain claims Nos. 1 to 4 in 1951 which claims were identical to Flat Top claims Nos. 1 to 4. These claims were located on a mountain or butte commonly known as Flat Top because its top which was about 2500 feet long and 600 to 800 feet wide was flat. These claims covered an area included in claims known as Flat Top Lode and Flat Top Lode No. 1, as well as some land not included therein. A precipitous cliff extends around this flat top and below the cliff the talus slope descends to the valley floor. There is a belt of uranium and vanadium impregnated sandstone which is visible from almost any point around this mountain or butte and this exposed ore was relied upon by the locators of the claims as the discovery of ore.

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