

Rights of Landowners Seeking Access to Landlocked Agricultural Property

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Overview

Access to agricultural land can be just as important as title to the land itself. A ranch may be privately owned, but if the owner lacks legally enforceable vehicle access to a public road, the practical ability to use, manage, lease, improve, or sell the property can be severely constrained. A recent decision from the Wyoming Supreme Court illustrates the problem and provides a useful reminder that disputes over access roads involve both private property rights and the public interest in productive agricultural land.

Facts

In *Wagonhound Land & Livestock Co., LLC v. Little Medicine Creek Ranch, Inc.*,¹ the court considered whether the owner of a remote 640-acre tract could obtain a private road across a neighboring ranch. The court upheld the establishment of the road, the finding that the road was necessary, the selected route, and a \$61,200 damages award. At the same time, the court rejected two restrictions imposed by the trial court because they were not supported by the evidence.

The case involved Parcel 1, a roughly 640-acre tract in northern Albany County. The parcel was surrounded almost entirely by land owned by Little Medicine Creek Ranch. It adjoined BLM and state trust land, but the existence of those public-land connections did not give Wagonhound legally enforceable vehicle access to a public road. Wagonhound first attempted to negotiate an easement with the neighboring ranch. When those efforts failed, it invoked Wyoming's private-road statute.

Observation: The dispute illustrates an issue that exists in many agricultural areas: a parcel can have a physical route to other land and still be legally landlocked. The Wyoming Supreme Court emphasized that the relevant question was not simply whether Wagonhound could physically travel across some public land. The question was whether it had legally enforceable vehicle access connecting the parcel to the public road system. The court agreed that it did not.

Court's Analysis

Good faith was one of the first issues addressed. Wyoming law requires a landowner seeking a private road to proceed in good faith and to describe efforts to purchase legally enforceable access. The neighboring ranch argued

¹ 2026 WY 100 (Wyo. 2026).

that Wagonhound had not made a sufficiently definite purchase offer. The Supreme Court rejected that argument. Wagonhound had contacted the neighbor, identified the proposed route, offered to purchase a nonexclusive right-of-way, and expressed willingness to compensate the neighbor based upon the value of the affected property. The statute did not require a precise dollar offer before a private-road action could be filed.

The court also rejected arguments that Wagonhound acted in bad faith because it planned to construct a partition fence and later sought a state grazing lease. The important point for agricultural landowners is that good faith is not defeated merely because the parties disagree about the proposed use of the property or because the owner takes other lawful steps affecting adjacent agricultural land. The court focused on whether Wagonhound's conduct was lawful and consistent with the statutory requirements.

The necessity issue was central. Wyoming's private-road statute is designed to provide a remedy when a landowner otherwise lacks access needed to use the property productively. The court agreed that Parcel 1 was effectively landlocked because vehicle access depended upon crossing the neighboring ranch. A primitive route across public land did not eliminate the necessity for a private road when that route did not provide legally enforceable and practical access to a public road.

Route selection presented another important issue. The statute requires the private road to be located so as to cause the least possible damage to the property crossed by the road. The trial court appointed independent viewers and appraisers to evaluate the alternatives. They recommended Wagonhound's proposed route, and the trial court adopted it. The Supreme Court deferred to that factual determination because the record supported the finding that the route was the most reasonable and convenient alternative.

The Damage Issue

Damages were also significant. The viewers used a before-and-after valuation of the affected property. They determined that the proposed road would affect approximately 680 acres of the neighboring ranch and used a \$90-per-acre reduction in value, resulting in \$61,200 of damages. The neighboring ranch argued that it should also recover substantial future operational losses, including alleged livestock, staffing, and hunting-related losses. The Supreme Court rejected that argument. The applicable statute authorized compensation based upon the value of the affected property before and after the road was established, not indirect business losses.

That portion of the decision has broader significance for agricultural condemnation and access disputes. When a statute specifies a property-based measure of compensation, a landowner seeking damages should identify evidence showing how the easement or taking affects the market value of the property. Claims for lost business opportunities or other consequential losses may not be recoverable unless the governing statute or other applicable law authorizes them.



Imposed Conditions

The Supreme Court did, however, place limits on the trial court's authority to impose conditions on the road. The trial court had required Wagonhound to pay for all road damage regardless of who caused it and had prohibited vehicles with more than four axles. The Supreme Court reversed those provisions because the record did not provide evidentiary support for imposing them. The court left intact a requirement that Wagonhound take measures to suppress dust.

The court also rejected the neighboring ranch's request to limit the road to agricultural uses. The ranch had not produced evidence showing that roads in the area were subject to comparable restrictions. The decision therefore demonstrates an important principle: conditions imposed on an access easement or private road should be tied to evidence demonstrating why the particular restriction is necessary.

Broader Application in General

Although *Wagonhound* arose under Wyoming law, its practical lesson extends well beyond Wyoming. Agricultural landowners throughout the country encounter parcels that are physically surrounded by other property, dependent upon informal access arrangements, or connected to public lands without a legally enforceable route to a public road. The precise remedy will depend upon state law, and not every state permits the condemnation of a private road. But the case illustrates several questions that should be addressed whenever agricultural access is disputed.

- First, determine whether the property is actually landlocked in the legal sense. A visible road, trail, or route across neighboring or public land may not constitute a legally enforceable right of access.
- Second, document efforts to negotiate a voluntary easement before pursuing a statutory remedy.
- Third, develop objective evidence concerning alternative routes and the resulting damage to affected property.
- Fourth, distinguish diminution in property value from consequential business losses.
- Finally, proposed restrictions on the use of an access road should be supported by evidence rather than speculation.

Conclusion

For agricultural practitioners, *Wagonhound* is a useful reminder that access disputes are ultimately property-rights disputes. A landowner's ability to make productive use of agricultural property may depend upon a right-of-way that does not appear on the face of the deed. At the same time, obtaining that access does not give the benefiting



landowner unlimited authority to burden a neighbor's property. Courts must balance the statutory right to obtain necessary access with the obligation to minimize damage and provide appropriate compensation.

The Wyoming Supreme Court's decision therefore offers a practical framework for analyzing private-road disputes: Is there legally enforceable access? Has the landowner acted in good faith? Is a private road actually necessary? Which route is most reasonable while minimizing damage? What evidence establishes the diminution in value? And are proposed restrictions supported by the record? Those questions will arise in many agricultural settings, even when the governing statutes differ.

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