

**Acknowledgment and  
Notice of Acknowledgment  
of Acceptance of R.S. 2477  
Right-of-Way Grant**

**ENTRY NO. 00253768**

06/18/2008 11:40:53 AM B: 0524 P: 1342

2477 Road Acceptance PAGE 1 / 13

CRAIG J. SPERRY, JUAB COUNTY RECORDER

FEE \$ 0.00 BY STATE OF UTAH



**THE STATE OF UTAH**

**TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:**

**Know ye,** This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Juab County as it pertains to the highway located in Juab County known as DIAMOND DIVIDE ROAD; County Road Number: 3110202; State Geographic Information Database (SGID) Road Identification Number: RD121279. Total road length is 2.92 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

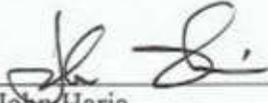
Internet at <http://recorded2477roads.utah.gov>.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

**In Witness Whereof**, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 17<sup>th</sup> day of June, 2008.

By the Governor's Designee

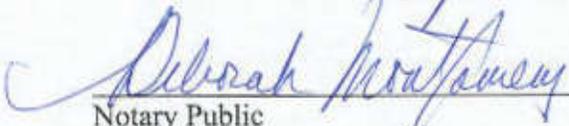
  
\_\_\_\_\_  
John Harja

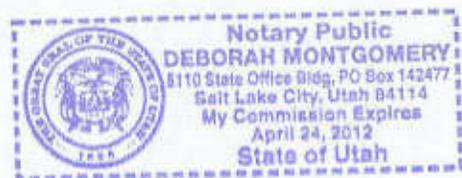
**CERTIFICATION**

State of Utah                    )  
  : ss  
County of Salt Lake         )

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 17 day of June, 2008.

  
\_\_\_\_\_  
Notary Public





**DIAMOND DIVIDE ROAD - Juab County**  
**SGID RD\_ID RD121279**

**Land Ownership Categories**

- |                              |                                |
|------------------------------|--------------------------------|
| ● BLM                        | ◆ Wilderness                   |
| ● Private                    | ◆ UDWR Wildlife Reserve        |
| ● SITLA, State Trust Land    | ◆ DOD, Military                |
| ● USFS, National Forest      | ◆ State Sovereign Land         |
| ● State Parks and Recreation | ◆ National Recreation Area     |
| ● Tribal, Indian Reservation | ◆ USFWS, Natl. Wildlife Refuge |
| ● NPS, National Park         |                                |

**Transportation Network**

- |   |
|---|
| — DIAMOND DIVIDE ROAD                                     |
| — Other Roads   |
| — Title V: Issued Or Under Consideration By BLM Or County |
| ● Photo Event Point                                       |
| ⊞ Section = 1 Mile  |



1:20,783  
 1 inch equals 0.3 miles



Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 May 28, 2008





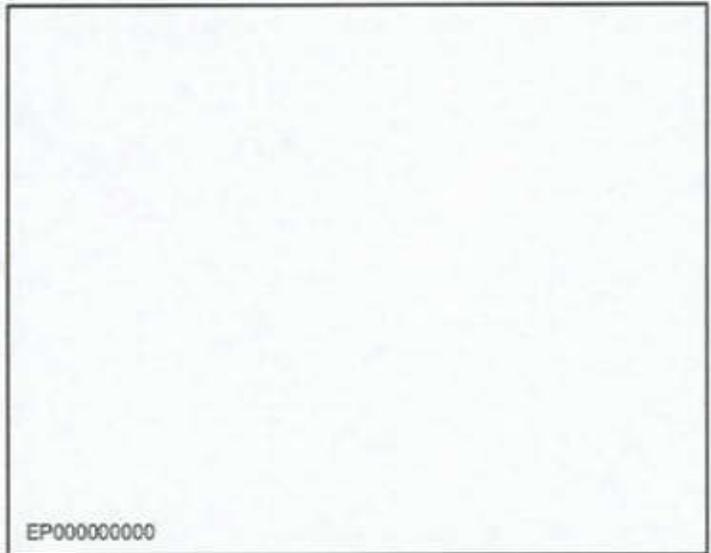
EP121279001



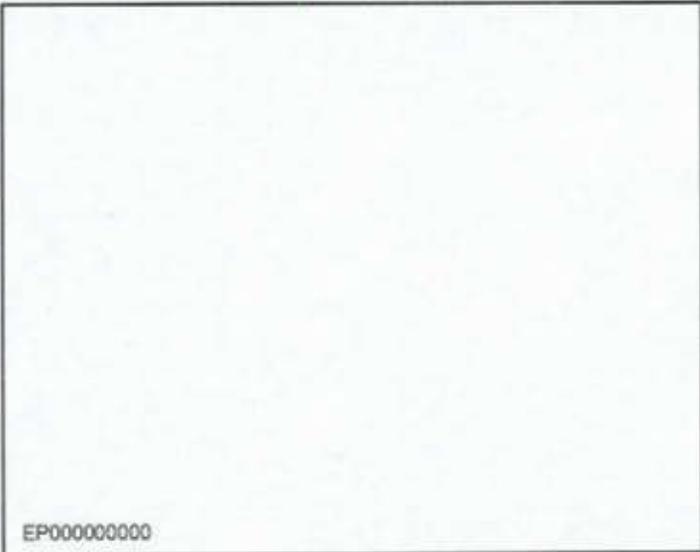
EP121279003



EP121279004



EP000000000



EP000000000



EP000000000

**DIAMOND DIVIDE ROAD - Juab County**  
**SGID RD\_ID RD121279**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
May 28, 2008



### Attachment 3

#### Beginning & Ending Points and Township, Range, and Section References For:

**Popular Name: DIAMOND DIVIDE ROAD**

**County: Juab**

**County Road Number: 3110202**

**State Geographic Information Database (SGID) Road Identification Number: RD121279.**

**Total Road Length: 2.92 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 53 minutes 22.71 seconds North Latitude and -112 degrees 08 minutes 016.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,461,412.6 feet and Y = 7,129,164.0 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 53 minutes 00.94 seconds North Latitude and -112 degrees 05 minutes 30.34 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,474,364.1 feet and Y = 7,126,872.6 feet based on the US Survey Foot conversion.

This road may traverse:

Township 11 South Range 2 West, Section(s) 7,8, Salt Lake Base & Meridian  
Township 11 South Range 3 West, Section(s) 1,12, Salt Lake Base & Meridian  
See Attachment 1 above for a cartographic depiction of the course of this road.

**Attachment 4  
Road Centerline Description Cover Page(s)**

**Popular Name: DIAMOND DIVIDE ROAD**

**County: Juab**

**County Road Number: 3110202**

**State Geographic Information Database (SGID) Road Identification Number: RD121279.**

**Total Road Length: 2.92 miles more or less.**

**Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).**

<b>Road-Segments Listed by SGID Road Identification Number (RD_ID)</b>	<b>Road-Segment Numbers</b>	<b>Believed Ownership Of Servient Estate</b>	<b>Approximate Segment Length</b>	<b>See Attached Appendix</b>
RD121279	001	BLM	0.41 Miles	A
RD121279	002	PVT	0.12 Miles	(not shown)
RD121279	003	BLM	0.88 Miles	B
RD121279	004	PVT	1.18 Miles	(not shown)
RD121279	005	BLM	0.04 Miles	C
RD121279	006	PVT	0.29 Miles	(not shown)
		<b>Total Road Length</b>	<b>2.92</b>	

\* Indicates that a Title V permit will be requested, is in process, or has been issued.

† Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

## Attachment 5

**AFFIDAVIT OF ROBERT STEELE**  
**DIAMOND DIVIDE ROAD**  
**COUNTY ROAD NUMBER 3110202**  
**JUAB COUNTY, UTAH**

State of Utah                    )  
  : ss.  
County of Juab                 )

ROBERT STEELE, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Juab County for 71 years. I was a Juab County Commissioner from 1999-2006.

2. I have traveled and am familiar with a road in Juab County known as Diamond Divide Road. I am also familiar with the land the road traverses. When I first used and observed the road in the mid 1940s, it followed the same route as in 2003 when I last observed it. Attached is a Juab County map showing Diamond Divide Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.

3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the mid 1940s and continuing through 1976 to 2003. Throughout this time period I have observed travel on the road by various means, including cars, trucks, maintenance vehicles, jeeps and ATV's.

Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and was used daily in 2003.

4. Throughout the time period from the mid 1940s to 2003, I have used the road myself for hunting and prospecting for minerals.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus livestock operations, camping, wood gathering, cedar post cutting, mining and government access.

6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

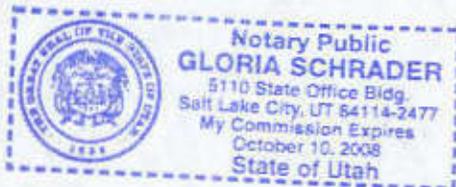
7. Prior to 1976, I observed the graded surface of the road.

Dated this 4 day of June, 2007.



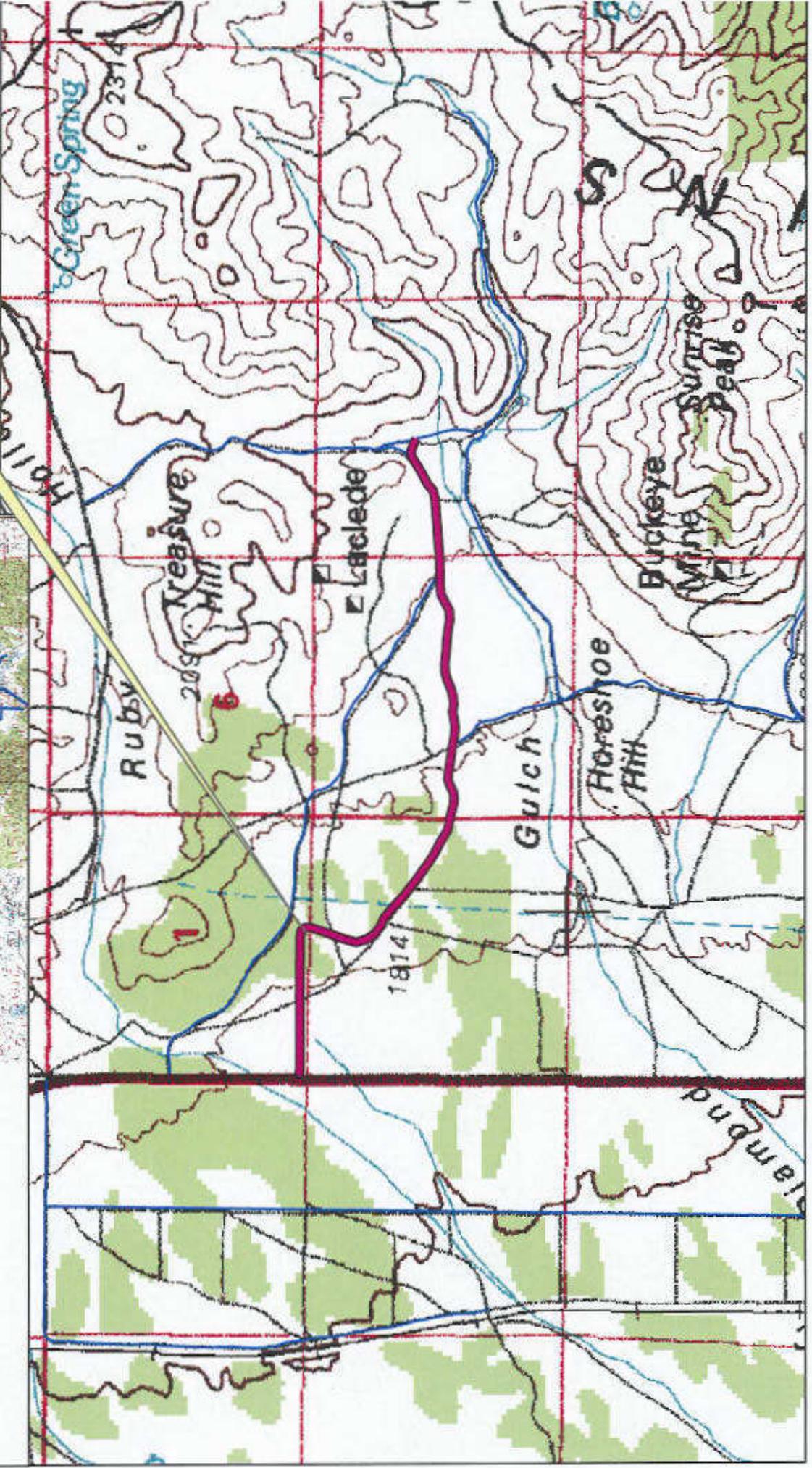
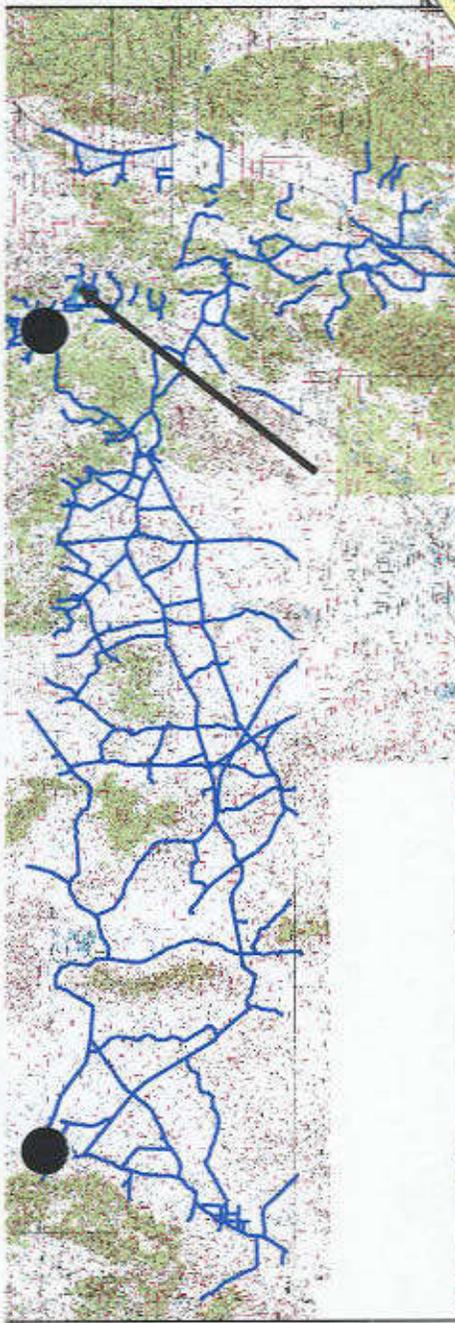
ROBERT STEELE

SUBSCRIBED AND SWORN to before me this 4th day of June, 2007.

  
NOTARY PUBLIC

Juab County  
RS2477 Assertions  
June 2006

Diamond Divide



**AFFIDAVIT OF RON JONES**

**DIAMOND DIVIDE ROAD**

**JUAB COUNTY, UTAH**

**ROAD NUMBER 3110202**

State of Utah                    )  
  : ss.  
County of Juab                 )

RON JONES, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Nephi, Juab County, Utah. I have lived in Juab County for 85 years. I was an employee of the Juab County Road Department for 38 years from 1947 to 1987 and have participated in maintenance of county B roads during that time.

2. I have traveled and am familiar with a road in Juab County known as Diamond Divide Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1930s it followed the same route as in 1997 when I last observed it. Attached is a Juab County map showing Diamond Divide Road. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. I am informed that the County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1930s and continuing through 1976 to 1997. Throughout this time period I have observed travel on the road by means of cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road as been used daily for more than ten continuous years prior to 1976, and was so used in 1997.

5. Throughout the time period from the early 1930s to 1997, I have used the road myself for county road maintenance and travel in and through the area.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus livestock operations, mining, tourism and recreation.

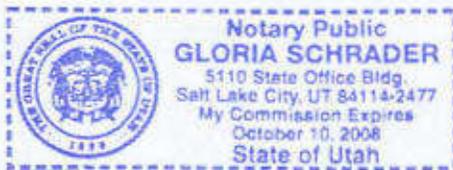
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976 the I supervised the grading and maintenance and construction activities on the road as a county road employee.

DATED this 4 day of June, 2007.

Ron Jones  
RON JONES

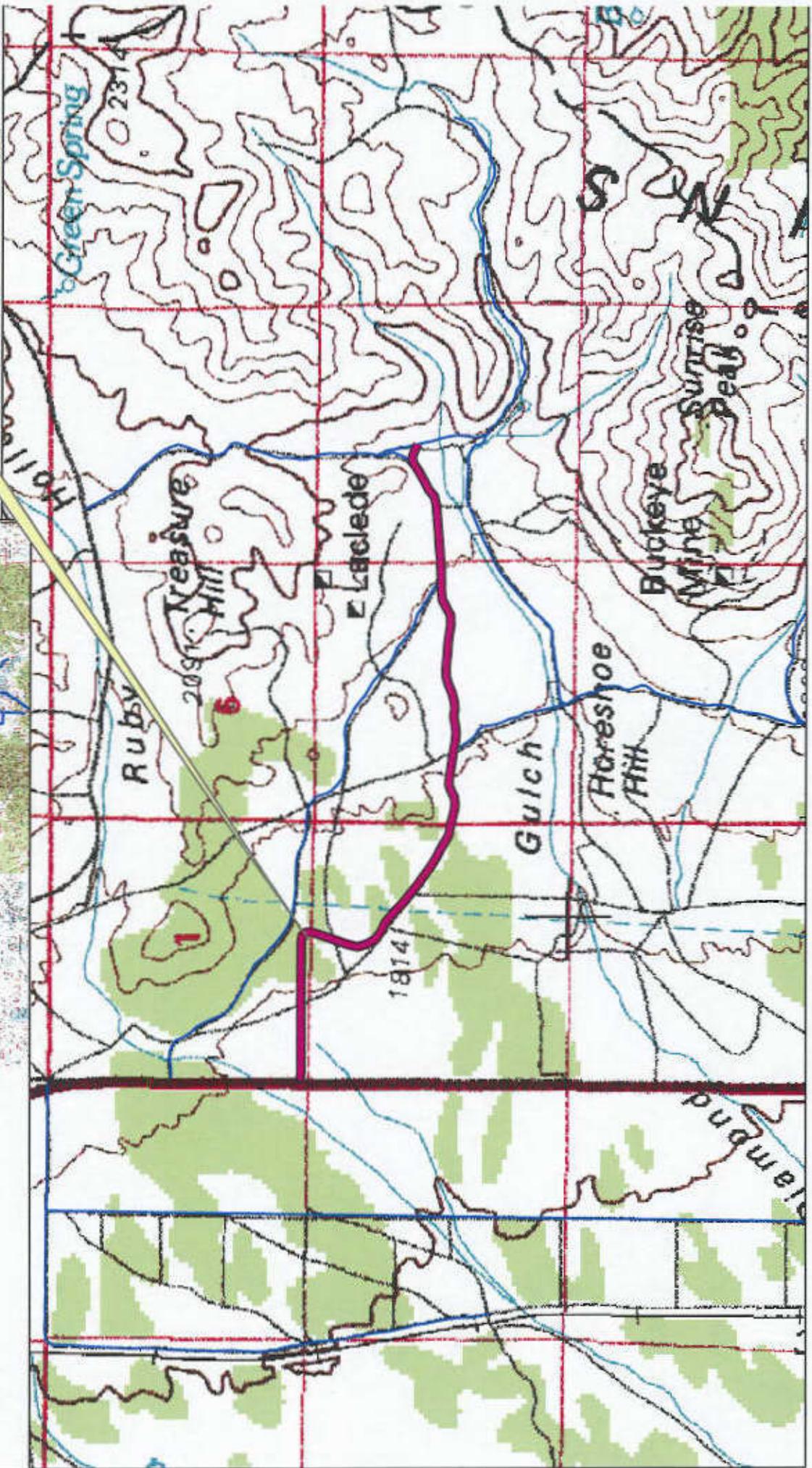
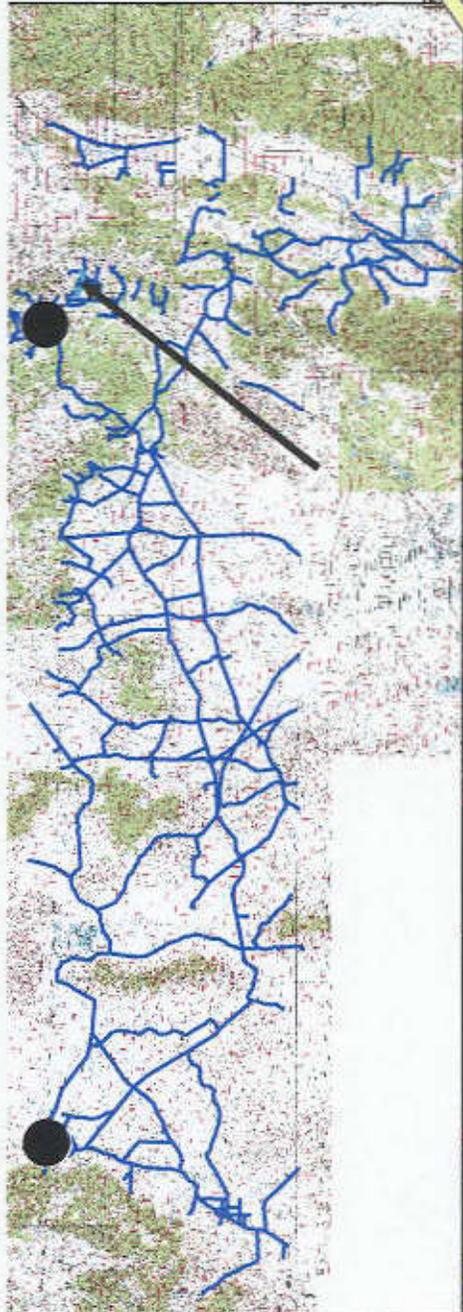
SUBSCRIBED AND SWORN to before me this 4th day of June, 2007.



Gloria Schrader  
NOTARY PUBLIC

Juab County  
RS2477 Assertions  
June 2006

Diamond Divide



## Appendix A to Attachment 4

**Popular Name: DIAMOND DIVIDE ROAD**

**County: Juab**

**County Road Number: 3110202**

**State Geographic Information Database (SGID) Road Identification Number: RD121279.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.41 miles more or less.**

**Believed owner of the land underlying this road-segment is: Bureau of Land Management.**

*The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).*

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 11 South Range 3 West, Section(s) 1, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (DIAMOND DIVIDE ROAD)-- Segment 001 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 39 degrees 53 minutes 22.71 seconds North Latitude and -112 degrees 08 minutes 016.7 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,461,412.6 feet and Y = 7,129,164.0 feet; thence the following courses along the said road center line:

thence North 89 Degrees 40 Minutes 43 Seconds East	3.8 feet
thence North 89 Degrees 40 Minutes 43 Seconds East	30 feet
thence South 81 Degrees 09 Minutes 31 Seconds East	20.6 feet
thence South 88 Degrees 04 Minutes 31 Seconds East	50.2 feet
thence South 41 Degrees 44 Minutes 41 Seconds East	7.4 feet
thence South 83 Degrees 44 Minutes 21 Seconds East	8.6 feet
thence South 89 Degrees 15 Minutes 36 Seconds East	35.4 feet
thence North 87 Degrees 11 Minutes 21 Seconds East	15.1 feet
thence South 89 Degrees 37 Minutes 31 Seconds East	81.1 feet
thence North 89 Degrees 40 Minutes 43 Seconds East	108.6 feet
thence North 89 Degrees 40 Minutes 43 Seconds East	139.1 feet

thence North 89 Degrees 40 Minutes 43 Seconds East 153.2 feet  
thence North 89 Degrees 40 Minutes 43 Seconds East 160.8 feet  
thence North 89 Degrees 24 Minutes 44 Seconds East 141.1 feet  
thence North 87 Degrees 11 Minutes 21 Seconds East 22.7 feet  
thence North 89 Degrees 57 Minutes 05 Seconds East 68.9 feet  
thence North 89 Degrees 50 Minutes 26 Seconds East 116.2 feet  
thence North 89 Degrees 17 Minutes 26 Seconds East 145.4 feet  
thence North 89 Degrees 25 Minutes 48 Seconds East 151.3 feet  
thence North 89 Degrees 26 Minutes 22 Seconds East 157.2 feet  
thence South 89 Degrees 44 Minutes 20 Seconds East 161.5 feet  
thence North 89 Degrees 55 Minutes 10 Seconds East 156.2 feet  
thence South 89 Degrees 58 Minutes 38 Seconds East 164.1 feet  
thence South 89 Degrees 59 Minutes 31 Seconds East 74.3 feet more or less to **the ending**

**point at:** 39 degrees 53 minutes 22.85 seconds North Latitude and -112 degrees 07 minutes 48.86 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,463,582.5 feet and Y = 7,129,163.0 feet.

## Appendix B to Attachment 4

**Popular Name: DIAMOND DIVIDE ROAD**

**County: Juab**

**County Road Number: 3110202**

**State Geographic Information Database (SGID) Road Identification Number: RD121279.**

**Road-Segment Number: 003**

**Road-Segment Length: 0.88 miles more or less.**

**Believed owner of the land underlying this road-segment is: Bureau of Land Management.**

*The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).*

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 11 South Range 2 West, Section(s) 7, Salt Lake Base & Meridian

Township 11 South Range 3 West, Section(s) 1,12, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (DIAMOND DIVIDE ROAD)-- Segment 003 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 39 degrees 53 minutes 22.86 seconds North Latitude and -112 degrees 07 minutes 40.75 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,464,214.3 feet and Y = 7,129,159.9 feet; thence the following courses along the said road center line:

thence South 82 Degrees 47 Minutes 24 Seconds East 129.2 feet  
thence South 47 Degrees 47 Minutes 55 Seconds East 96.6 feet  
thence South 01 Degrees 37 Minutes 39 Seconds East 102.2 feet  
thence South 01 Degrees 37 Minutes 17 Seconds East 27.5 feet  
thence South 17 Degrees 00 Minutes 00 Seconds West 170.8 feet  
thence South 18 Degrees 49 Minutes 27 Seconds West 184.1 feet  
thence South 19 Degrees 15 Minutes 34 Seconds West 207.6 feet  
thence South 19 Degrees 16 Minutes 00 Seconds West 211.4 feet  
thence South 13 Degrees 30 Minutes 51 Seconds West 204.5 feet  
thence South 16 Degrees 26 Minutes 13 Seconds East 151.3 feet

thence South 16 Degrees 46 Minutes 00 Seconds East 56.8 feet  
thence South 32 Degrees 30 Minutes 50 Seconds East 202 feet  
thence South 52 Degrees 53 Minutes 35 Seconds East 195.5 feet  
thence South 66 Degrees 22 Minutes 41 Seconds East 195.7 feet  
thence South 49 Degrees 38 Minutes 13 Seconds East 197.3 feet  
thence South 47 Degrees 30 Minutes 39 Seconds East 200.4 feet  
thence South 47 Degrees 16 Minutes 43 Seconds East 210.6 feet  
thence South 52 Degrees 31 Minutes 17 Seconds East 218.4 feet  
thence South 51 Degrees 53 Minutes 52 Seconds East 198.5 feet  
thence South 54 Degrees 37 Minutes 08 Seconds East 199.6 feet  
thence South 54 Degrees 03 Minutes 09 Seconds East 206.3 feet  
thence South 57 Degrees 55 Minutes 11 Seconds East 206.4 feet  
thence South 63 Degrees 03 Minutes 29 Seconds East 204.9 feet  
thence South 60 Degrees 32 Minutes 22 Seconds East 190.9 feet  
thence South 59 Degrees 32 Minutes 53 Seconds East 152 feet  
thence South 71 Degrees 19 Minutes 47 Seconds East 53.4 feet  
thence South 78 Degrees 43 Minutes 43 Seconds East 26.1 feet  
thence South 83 Degrees 52 Minutes 45 Seconds East 20.5 feet  
thence South 84 Degrees 04 Minutes 01 Seconds East 24.1 feet  
thence South 79 Degrees 43 Minutes 21 Seconds East 108.8 feet  
thence South 75 Degrees 12 Minutes 13 Seconds East 74.2 feet  
thence South 75 Degrees 03 Minutes 57 Seconds East 1.1 feet more or less to **the ending point**

**at:** 39 degrees 52 minutes 52.93 seconds North Latitude and -112 degrees 07 minutes 08.68 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,466,692.8 feet and Y = 7,126,114.0 feet.

## Appendix C to Attachment 4

**Popular Name: DIAMOND DIVIDE ROAD**

**County: Juab**

**County Road Number: 3110202**

**State Geographic Information Database (SGID) Road Identification Number: RD121279.**

**Road-Segment Number: 005**

**Road-Segment Length: 0.04 miles more or less.**

**Believed owner of the land underlying this road-segment is: Bureau of Land Management.**

*The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).*

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 11 South Range 2 West, Section(s) 8, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (DIAMOND DIVIDE ROAD)-- Segment 005 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 39 degrees 52 minutes 56.65 seconds North Latitude and -112 degrees 05 minutes 50.77 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,472,768.9 feet and Y = 7,126,448.9 feet; thence the following courses along the said road center line:

thence North 85 Degrees 25 Minutes 33 Seconds East 141.6 feet

thence North 85 Degrees 41 Minutes 16 Seconds East 14.1 feet

thence North 86 Degrees 16 Minutes 09 Seconds East 56.3 feet more or less to **the ending point at:** 39 degrees 52 minutes 56.82 seconds North Latitude and -112 degrees 05 minutes 48.05 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,472,980.3 feet and Y = 7,126,464.9 feet.