

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

NOV 10 2008 75896  
Recorded \_\_\_\_\_ Filing No. \_\_\_\_\_  
At 3:15 AM/PM in Book R10 Page 1378  
Fee *No fee* Debra L. Ames Rich County Recorder  
Requested 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Rich County as it pertains to the highway located in Rich County known as AR53; County Road Number: AR53; State Geographic Information Database (SGID) Road Identification Number: RD170504. Total road length is 1.32 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 10<sup>th</sup> day of November, 2008.

By the Governor's Designee

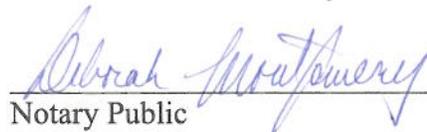
  
\_\_\_\_\_  
John Harja

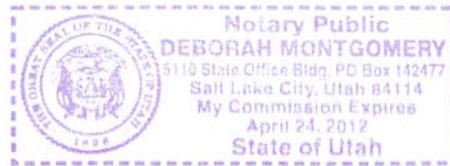
**CERTIFICATION**

State of Utah                    )  
  : ss  
County of Salt Lake         )

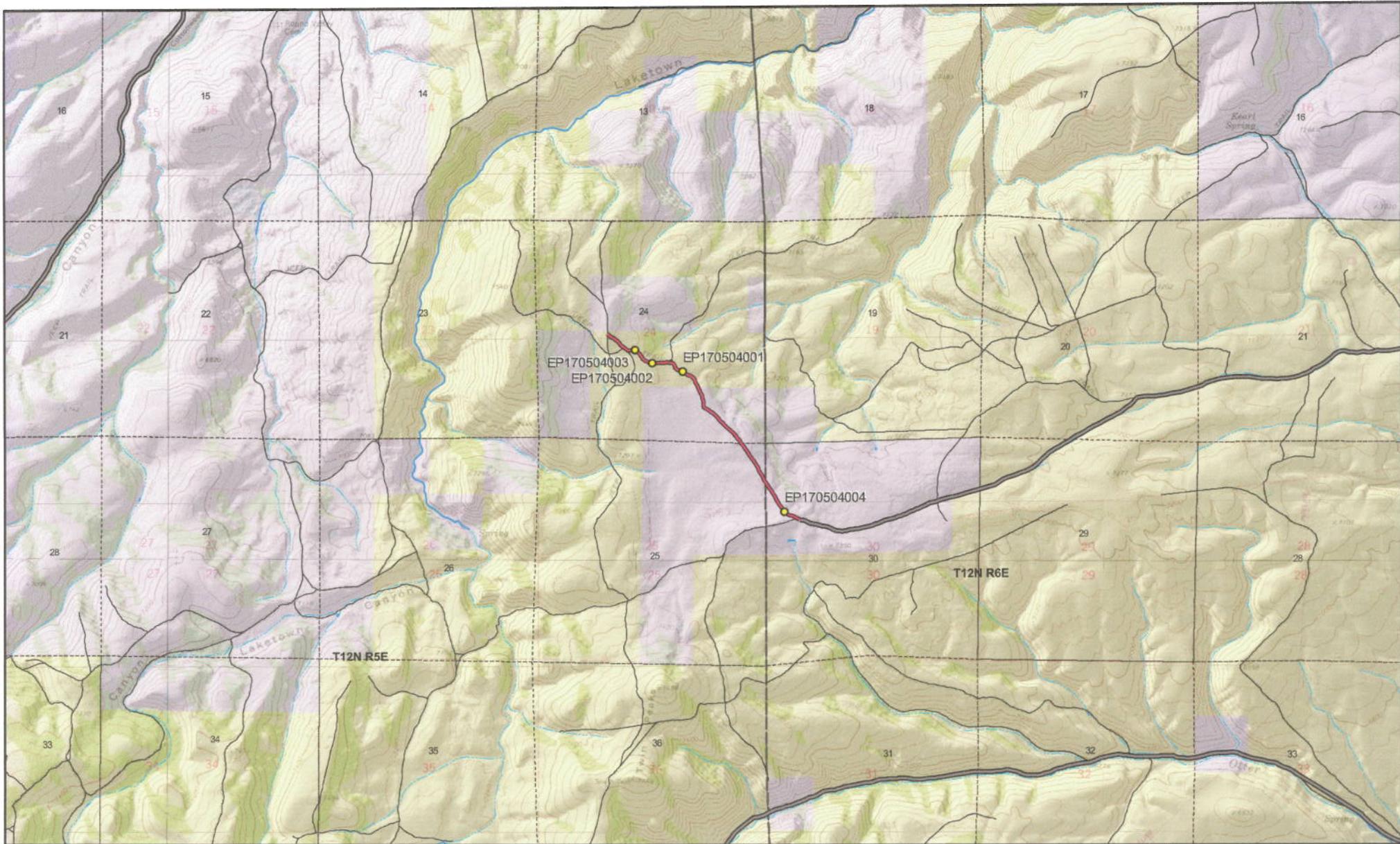
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 10<sup>th</sup> day of November, 2008.

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



1379



**AR53 - Rich County**  
**SGID RD\_ID RD170504 CO\_UNIQUE AR53**

**Land Ownership Categories**

- BLM
- Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ State Parks and Recreation
- ◆ UDWR Wildlife Reserve

**Misc**

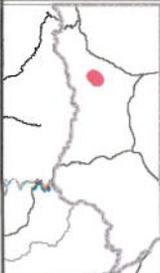
- Photo Event Point
- Section = 1 Mile

**Transportation Network**

- AR53
- Title V: Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads



Scale  
 1:38,653  
 1 in = 43 miles



1380

Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Oct 15, 2008





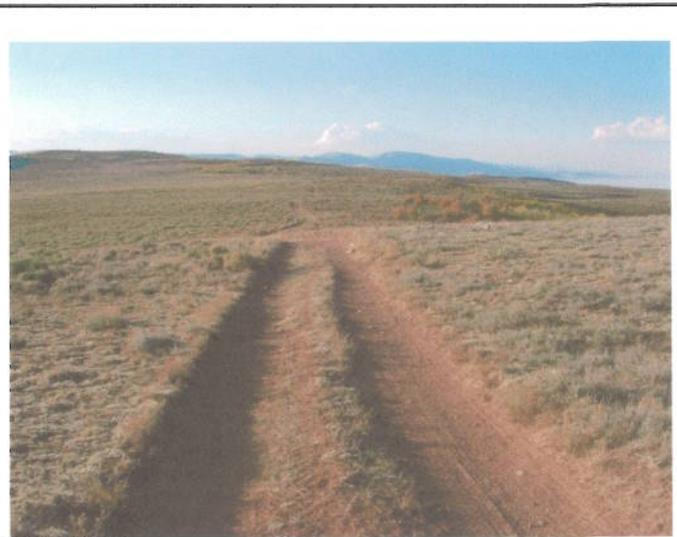
EP170504001



EP170504002



EP170504003



EP170504004

EP000000000

EP000000000

**AR53 - Rich County  
SGID RD\_ID RD170504**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
October 27, 2008

1381



## Attachment 3

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

**Popular Name: AR53**

**County: Rich**

**County Road Number: AR53**

**State Geographic Information Database (SGID) Road Identification Number: RD170504.**

**Total Road Length: 1.32 miles more or less.**

**Beginning at a point** on the road centerline located at 41 degrees 45 minutes 53.96 seconds North Latitude and -111 degrees 20 minutes 11.96 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,684,980.0 feet and Y = 3,802,497.0 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 41 degrees 45 minutes 09.46 seconds North Latitude and -111 degrees 19 minutes 10.16 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,689,672.4 feet and Y = 3,798,001.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 12 North Range 5 East, Section(s) 24,25, Salt Lake Base & Meridian

Township 12 North Range 6 East, Section(s) 30, Salt Lake Base & Meridian

See Attachment 1 above for a cartographic depiction of the course of this road.

1382

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

**Popular Name: AR53**

**County: Rich**

**County Road Number: AR53**

**State Geographic Information Database (SGID) Road Identification Number: RD170504.**

**Total Road Length: 1.32 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>
<b>RD170504</b>	<b>001</b>	<b>BLM</b>	<b>0.52 Miles</b>	<b>A</b>
<b>RD170504</b>	<b>002</b>	<b>PVT</b>	<b>0.79 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>1.32</b>	<b>_____</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.

1383

## Attachment 5

**AFFIDAVIT OF HOWARD J. LAMBORN**  
**RICH COUNTY, UTAH**  
**RICH COUNTY D ROAD NO. AR53**

State of Utah     )  
                          : ss.  
County of Rich    )

I, HOWARD J. LAMBORN, testify and declare under oath as follows:

1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on June 16, 1923 in Laketown, Utah. I have lived in Rich County for 80 years. I have been a cattle rancher for the past 55 years. I was also employed by the Rich County School District for 34 years.

2. I have traveled and am familiar with Rich County Road No. AR 53 and the land it traverses.

3. I took the following steps to verify that the road I refer to in this affidavit and Rich County Road No. AR 53 (the "Road") are the same road:

a. I examined a large Rich County map depicting the Road in relation to other roads, intersections and landmarks. I initialed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.

b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.

c. I viewed aerial photography of the Road, as well as ground photography, and verified that the aerial and ground photography accurately depict the road I refer to in this affidavit.

4. I have personally traveled the Road from the early 1940s through 1976 and continuing until 2008, ("the Time Period of My Experience"). It is the reputation in the community that the Road was traveled as early as the early 1900s, prior to my earliest recollection.

5. When I last traveled and observed the Road in 2008, it appeared to follow the same route as in the early 1940s when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled approximately monthly, weather permitting during grazing season, and monthly, weather permitting throughout the remainder of the year.

7. During the Time Period of My Experience I have personally traveled the Road by various means, including horseback and pickup truck, and I have observed others from the general public traveling it by the same means.

8. During the Time Period of My Experience I have personally used the Road for livestock operations, hunting, fence maintenance, traveling in and through the area and sight seeing and I have observed others from the general public using the Road for the same purposes and others including oil and gas exploration and recreation.

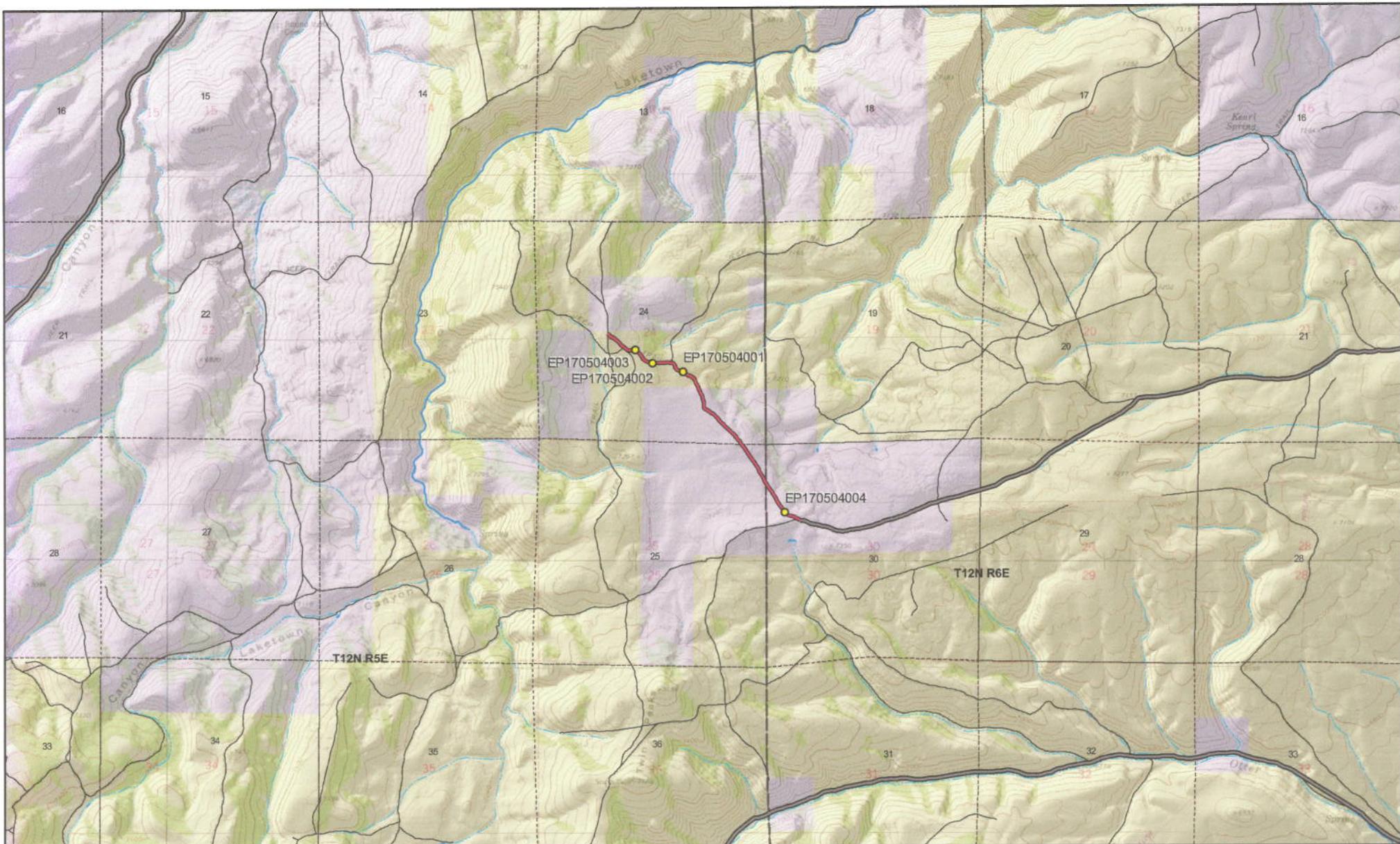
DATED this 27 day of October, 2008.

  
\_\_\_\_\_  
HOWARD J. LAMBORN

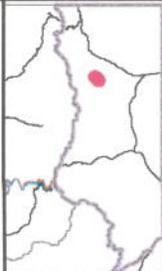
SUBSCRIBED AND SWORN to before me this 27<sup>th</sup> day of October, 2008.



  
\_\_\_\_\_  
NOTARY PUBLIC



Scale  
1:38,653  
1 in = 43 miles



1387

**AR53 - Rich County**  
**SGID RD\_ID RD170504 CO\_UNIQUE AR53**

**Land Ownership Categories**

- BLM
- Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ State Parks and Recreation
- ◆ UDWR Wildlife Reserve

**Misc**

- Photo Event Point
- Section = 1 Mile

**Transportation Network**

- AR53
- Title V: Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads

Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Oct 15, 2008



**AFFIDAVIT OF N. SETH WESTON**  
**RICH COUNTY, UTAH**  
**RICH COUNTY D ROAD NO. AR53**

State of Utah     )  
                          : ss.  
County of Rich    )

I, N. SETH WESTON, testify and declare under oath as follows:

1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on December 27, 1941, in Laketown, Rich County, Utah. I have lived in Rich County all of my life and have been involved in ranching in Rich County all of my life.

2. I have traveled and am familiar with Rich County Road No. AR53 and the land it traverses.

3. I took the following steps to verify that the road I refer to in this affidavit and Rich County Road No. AR53 (the " Road") are the same road:

a. I examined a large Rich County map depicting the Road in relation to other roads, intersections and landmarks. I initialed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.

b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.

c. I viewed aerial photography of the Road, as well as ground photography, and verified that the aerial and ground photography accurately depict the road I refer to in this affidavit.

4. I have personally traveled the Road from the late 1950s through 1976 and continuing until 2006, ("the Time Period of My Experience"). It is the reputation in the community that the Road was traveled as early as the early 1900s, prior to my earliest recollection.

5. When I last traveled and observed the Road in 2006, it appeared to follow the same route as in the late 1950s, when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled weekly, weather permitting.

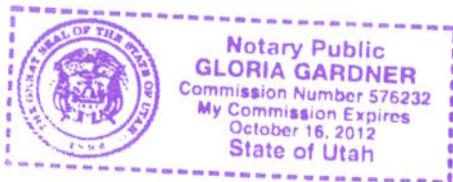
7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck, and I have observed others from the general public traveling it by the same means.

8. During the Time Period of My Experience I have personally used the Road for hunting and livestock operations and I have observed others from the general public using the Road for the same purposes, plus recreation.

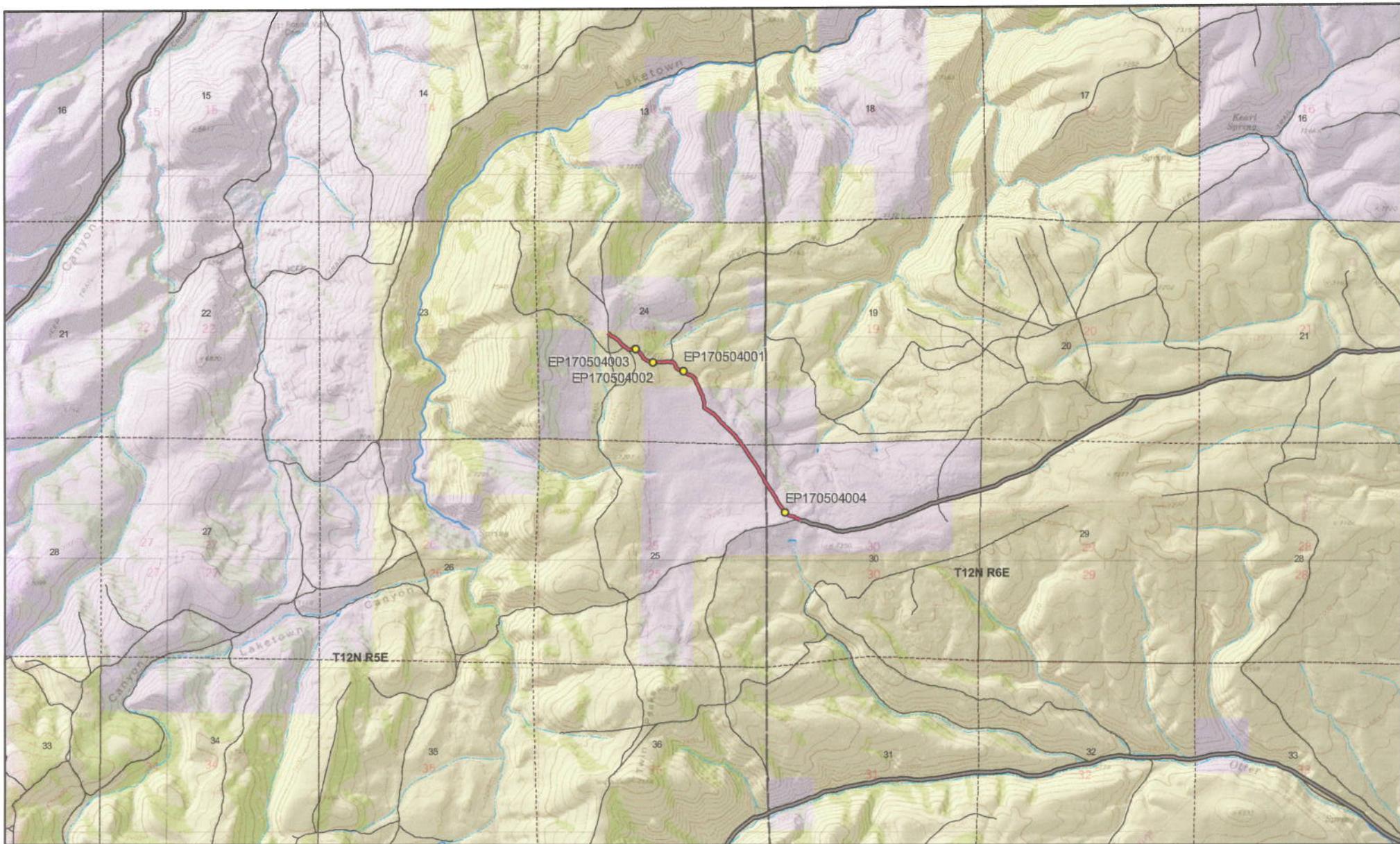
DATED this 28 day of October, 2008.

N. Seth Weston  
N. SETH WESTON

SUBSCRIBED AND SWORN to before me this 28<sup>th</sup> day of October, 2008.



Gloria Gardner  
NOTARY PUBLIC



**AR53 - Rich County**  
**SGID RD\_ID RD170504 CO\_UNIQUE AR53**

**Land Ownership Categories**

- BLM
- Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ State Parks and Recreation
- ◆ UDWR Wildlife Reserve

**Misc**

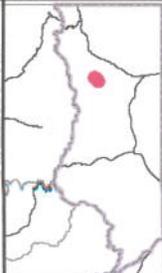
- Photo Event Point
- Section = 1 Mile

**Transportation Network**

- AR53
- Title V: Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads



Scale  
1:38,653  
1 in = 43 miles



1390

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Oct 15, 2008



## Appendix A to Attachment 4

**Popular Name: AR53**

**County: Rich**

**County Road Number: AR53**

**State Geographic Information Database (SGID) Road Identification Number: RD170504.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.52 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 12 North Range 5 East, Section(s) 24, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR53)-- 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 41 degrees 45 minutes 53.96 seconds North Latitude and -111 degrees 20 minutes 11.96 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,684,980.0 feet and Y = 3,802,497.0 feet; thence the following courses along the said road center line:

thence South 53 Degrees 12 Minutes 54 Seconds East	15.2 feet
thence South 51 Degrees 40 Minutes 19 Seconds East	10.5 feet
thence South 44 Degrees 27 Minutes 01 Seconds East	15.1 feet
thence South 43 Degrees 31 Minutes 23 Seconds East	22.1 feet
thence South 46 Degrees 30 Minutes 03 Seconds East	22.7 feet
thence South 61 Degrees 27 Minutes 53 Seconds East	29.2 feet
thence South 67 Degrees 28 Minutes 23 Seconds East	36.3 feet
thence South 64 Degrees 22 Minutes 42 Seconds East	41.2 feet
thence South 56 Degrees 04 Minutes 32 Seconds East	46.1 feet
thence South 51 Degrees 19 Minutes 38 Seconds East	51.1 feet
thence South 42 Degrees 28 Minutes 10 Seconds East	55.8 feet
thence South 44 Degrees 34 Minutes 29 Seconds East	52.7 feet

thence South 47 Degrees 16 Minutes 07 Seconds East 48.1 feet  
 thence South 45 Degrees 19 Minutes 54 Seconds East 43.2 feet  
 thence South 46 Degrees 11 Minutes 13 Seconds East 46.7 feet  
 thence South 48 Degrees 29 Minutes 44 Seconds East 46.3 feet  
 thence South 59 Degrees 44 Minutes 09 Seconds East 43.8 feet  
 thence South 78 Degrees 56 Minutes 23 Seconds East 44.9 feet  
 thence North 88 Degrees 21 Minutes 58 Seconds East 43.3 feet  
 thence North 86 Degrees 37 Minutes 43 Seconds East 37.1 feet  
 thence North 86 Degrees 48 Minutes 20 Seconds East 13.1 feet  
 thence North 83 Degrees 44 Minutes 36 Seconds East 35 feet  
 thence North 87 Degrees 07 Minutes 23 Seconds East 14.8 feet  
 thence South 58 Degrees 00 Minutes 44 Seconds East 57.1 feet  
 thence South 43 Degrees 01 Minutes 05 Seconds East 46 feet  
 thence South 40 Degrees 19 Minutes 40 Seconds East 50.6 feet  
 thence South 38 Degrees 40 Minutes 21 Seconds East 46 feet  
 thence South 37 Degrees 40 Minutes 17 Seconds East 40 feet  
 thence South 35 Degrees 10 Minutes 22 Seconds East 40.8 feet  
 thence South 45 Degrees 19 Minutes 54 Seconds East 39.5 feet  
 thence South 57 Degrees 40 Minutes 15 Seconds East 45.6 feet  
 thence South 62 Degrees 04 Minutes 55 Seconds East 49.9 feet  
 thence South 62 Degrees 09 Minutes 57 Seconds East 47.3 feet  
 thence South 63 Degrees 22 Minutes 23 Seconds East 42.7 feet  
 thence South 77 Degrees 10 Minutes 07 Seconds East 41.8 feet  
 thence North 81 Degrees 25 Minutes 18 Seconds East 45.8 feet  
 thence North 73 Degrees 50 Minutes 08 Seconds East 45.7 feet  
 thence North 81 Degrees 14 Minutes 28 Seconds East 44.8 feet  
 thence North 88 Degrees 01 Minutes 53 Seconds East 46 feet  
 thence South 87 Degrees 56 Minutes 45 Seconds East 47.3 feet  
 thence South 89 Degrees 54 Minutes 38 Seconds East 44.6 feet  
 thence North 81 Degrees 24 Minutes 31 Seconds East 41.1 feet  
 thence North 82 Degrees 24 Minutes 53 Seconds East 36.4 feet  
 thence North 89 Degrees 40 Minutes 05 Seconds East 5.9 feet  
 thence South 85 Degrees 19 Minutes 52 Seconds East 26.4 feet  
 thence South 83 Degrees 26 Minutes 22 Seconds East 30.1 feet  
 thence South 81 Degrees 57 Minutes 57 Seconds East 22.6 feet  
 thence South 82 Degrees 21 Minutes 44 Seconds East 16.6 feet  
 thence South 83 Degrees 53 Minutes 25 Seconds East 20.5 feet  
 thence South 69 Degrees 08 Minutes 16 Seconds East 34.5 feet  
 thence South 44 Degrees 07 Minutes 48 Seconds East 33.2 feet  
 thence South 31 Degrees 56 Minutes 21 Seconds East 35.1 feet  
 thence South 17 Degrees 23 Minutes 19 Seconds East 30.2 feet  
 thence South 09 Degrees 12 Minutes 45 Seconds East 31.9 feet  
 thence South 34 Degrees 25 Minutes 59 Seconds East 38.1 feet  
 thence South 61 Degrees 27 Minutes 34 Seconds East 40.1 feet  
 thence South 72 Degrees 55 Minutes 45 Seconds East 46.1 feet  
 thence South 74 Degrees 36 Minutes 39 Seconds East 46 feet  
 thence South 66 Degrees 43 Minutes 39 Seconds East 42.6 feet  
 thence South 58 Degrees 56 Minutes 55 Seconds East 38.4 feet  
 thence South 56 Degrees 47 Minutes 45 Seconds East 33.9 feet

thence South 54 Degrees 47 Minutes 39 Seconds East 33.9 feet  
thence South 60 Degrees 08 Minutes 53 Seconds East 37.2 feet  
thence South 69 Degrees 13 Minutes 06 Seconds East 35.5 feet  
thence South 71 Degrees 53 Minutes 48 Seconds East 33.2 feet  
thence South 69 Degrees 06 Minutes 50 Seconds East 29.9 feet  
thence South 61 Degrees 21 Minutes 07 Seconds East 24.4 feet  
thence South 52 Degrees 21 Minutes 36 Seconds East 17.1 feet  
thence South 34 Degrees 01 Minutes 19 Seconds East 8.3 feet  
thence South 22 Degrees 57 Minutes 06 Seconds East 12.8 feet  
thence South 26 Degrees 02 Minutes 30 Seconds East 19.7 feet  
thence South 24 Degrees 30 Minutes 39 Seconds East 17.6 feet  
thence South 25 Degrees 29 Minutes 05 Seconds East 41.7 feet  
thence South 25 Degrees 00 Minutes 31 Seconds East 53.5 feet  
thence South 26 Degrees 34 Minutes 39 Seconds East 52.7 feet  
thence South 28 Degrees 22 Minutes 47 Seconds East 45.4 feet  
thence South 27 Degrees 40 Minutes 54 Seconds East 17.1 feet more or less to **the ending**

**point at:** 41 degrees 45 minutes 41.22 seconds North Latitude and -111 degrees 19 minutes 42.94 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,687,181.6 feet and Y = 3,801,211.5 feet.