

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

Recorded NOV 10 2008 Filing No. 75921  
At 3:15 ~~AM~~/PM in Book R10 Page 1704  
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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 AR69D; County Road Number: AR69D; State Geographic Information Database (SGID) Road Identification Number: RD170530. Total road length is 0.17 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 7<sup>th</sup> day of November, 2008.

By the Governor's Designee

John Harja

### CERTIFICATION

State of Utah                    )  
  : ss  
County of Salt Lake         )

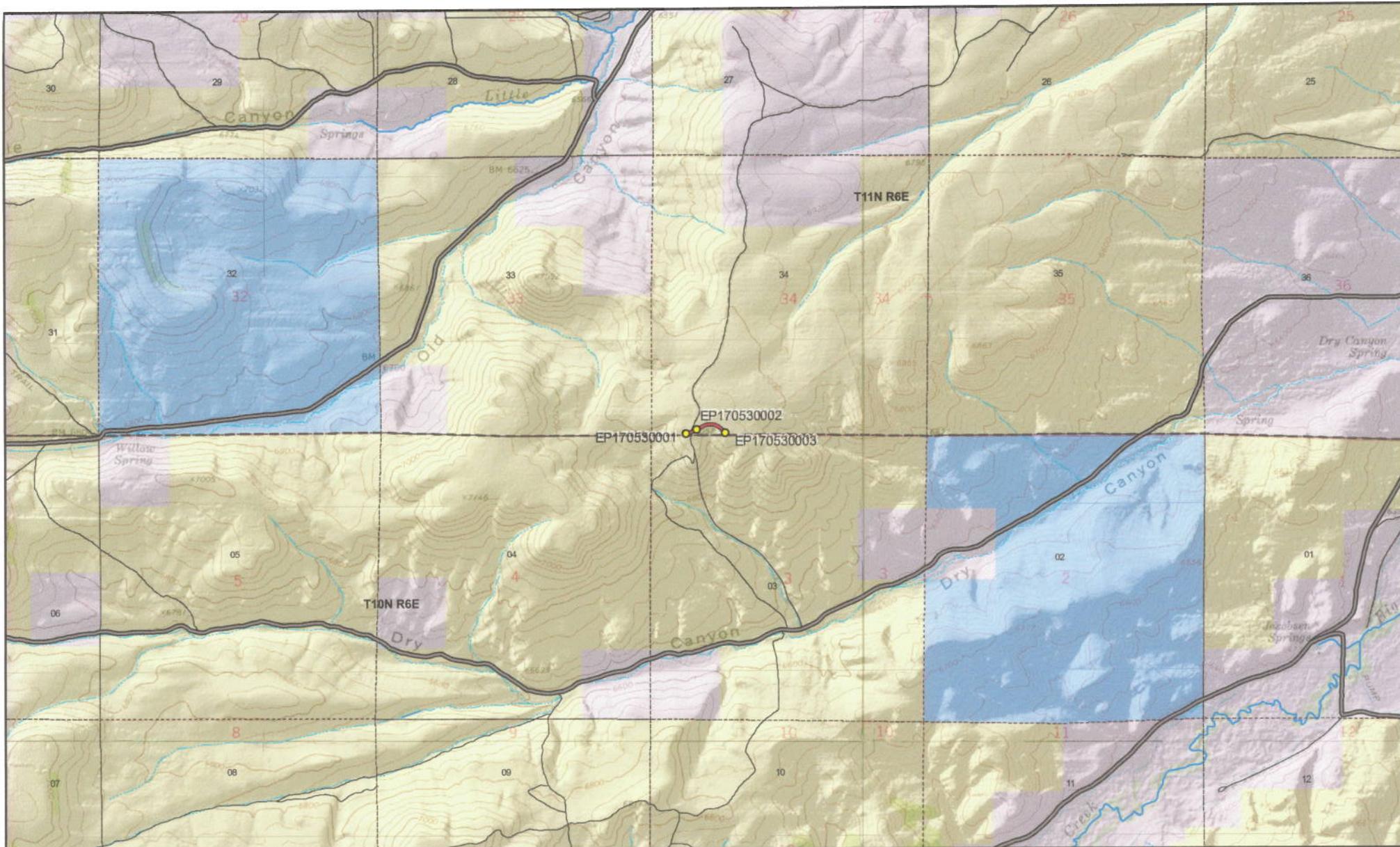
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 7<sup>th</sup> day of November, 2008.

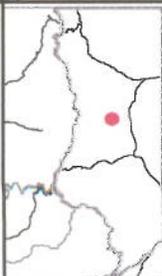


Notary Public

1705



Scale  
1:30,384  
1 in = 43 miles



1706

**AR69D - Rich County**  
**SGID RD\_ID RD170530 CO\_UNIQUE AR69D**

**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**

- AR69D
- 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





EP170530001



EP170530002



EP170530003

EP000000000

EP000000000

EP000000000

**AR69D - Rich County  
SGID RD\_ID RD170530**

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

1707



## Attachment 3

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

**Popular Name: AR69D**

**County: Rich**

**County Road Number: AR69D**

**State Geographic Information Database (SGID) Road Identification Number: RD170530.**

**Total Road Length: 0.17 miles more or less.**

**Beginning at a point** on the road centerline located at 41 degrees 38 minutes 27.65 seconds North Latitude and -111 degrees 15 minutes 47.03 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,705,179.7 feet and Y = 3,757,367.6 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 41 degrees 38 minutes 27.58 seconds North Latitude and -111 degrees 15 minutes 36.58 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,705,973.0 feet and Y = 3,757,362.7 feet based on the US Survey Foot conversion.

This road may traverse:

Township 11 North Range 6 East, Section(s) 34, Salt Lake Base & Meridian  
See Attachment 1 above for a cartographic depiction of the course of this road.

1708

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

**Popular Name: AR69D**

**County: Rich**

**County Road Number: AR69D**

**State Geographic Information Database (SGID) Road Identification Number: RD170530.**

**Total Road Length: 0.17 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>RD170530</b>	<b>001</b>	<b>BLM</b>	<b>0.17 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>0.17</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.

1709

Attachment 5

**AFFIDAVIT OF GLEN H. THOMSON**  
**RICH COUNTY, UTAH**  
**RICH COUNTY D ROAD NO. AR69D**

State of Utah     )  
                      : ss.  
County of Rich    )

I, GLEN H. THOMSON, 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 July 21, 1934 in Randolph, Utah. I have lived in Rich County for 71 years. I have been a cattle rancher for the past 65 years.

2. I have traveled and am familiar with Rich County Road No. AR 69D 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 69D (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 1944 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 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 1944 when I first traveled and observed it.

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

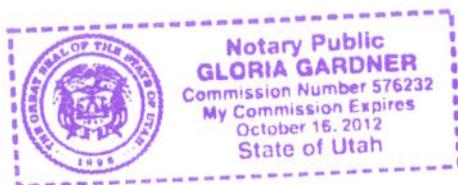
7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and horseback, and I have observed others from the general public traveling it by the same means and others, including ATVs and jeeps.

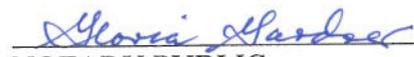
8. During the Time Period of My Experience I have personally used the Road for livestock operations, recreation and hunting and I have observed others from the general public using the Road for the same purposes and others including oil and gas exploration, traveling in and through the area, fire control, predator control and wildlife inventory from Utah State University.

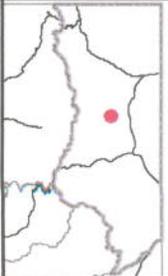
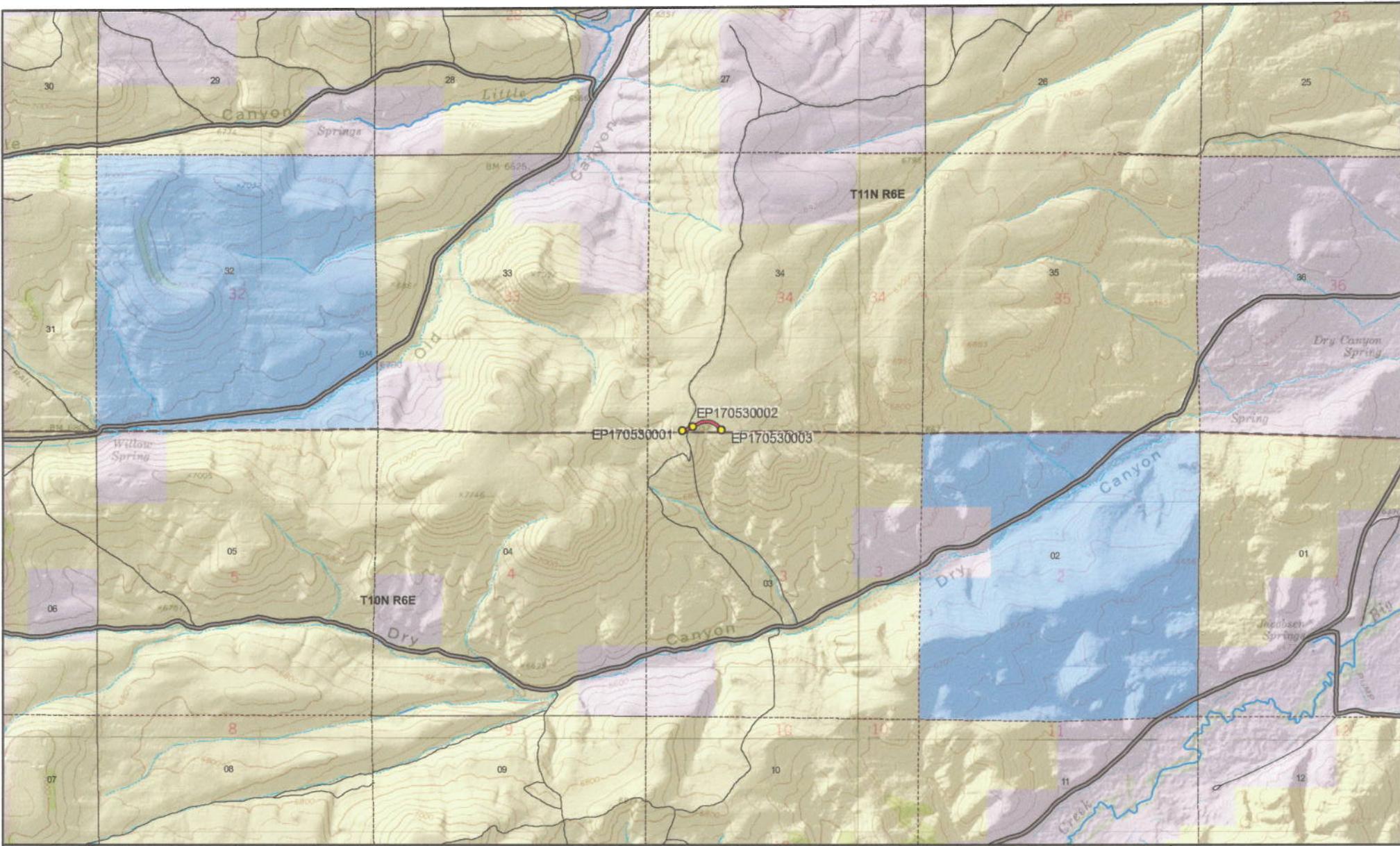
DATED this 22 day of October, 2008.

  
\_\_\_\_\_  
GLEN H. THOMSON

SUBSCRIBED AND SWORN to before me this 22nd day of October, 2008.



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



Scale  
1:30,384  
1 in = 43 miles

1713

**AR69D - Rich County**  
**SGID RD\_ID RD170530 CO\_UNIQUE AR69D**

- | Land Ownership Categories  | Misc              | Transportation Network                                  |
|----------------------------|-------------------|---|
| BLM                        | Photo Event Point | AR69D   |
| Private                    | Section = 1 Mile  | Title V: Issued Or Under Consideration By BLM Or County |
| SITLA, State Trust Land    |                   | County B Road   |
| USFS, National Forest      |                   | State / U.S. Highway                                    |
| State Parks and Recreation |                   | Other Roads   |
| UDWR Wildlife Reserve      |                   |   |

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 KENNETH R. BROWN**  
**RICH COUNTY, UTAH**  
**RICH COUNTY D ROAD NO. AR69D**

State of Utah     )  
                          : ss.  
County of Rich    )

I, KENNETH R. BROWN, 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 April 24, 1938 in Woodruff, Utah. I have lived in Rich County for 50 years. I have been a cattle rancher for the past 40 years. I was a Rich County Commissioner from 1982 to 1996.

2. I have traveled and am familiar with Rich County Road No. AR 69D 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 69D (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 1964 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.

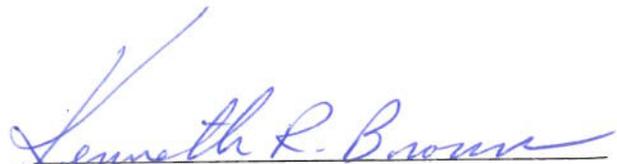
5. When I last traveled and observed the Road in 2006, it appeared to follow the same route as in 1964 when I first traveled and observed it.

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

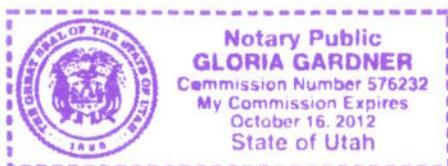
7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and horseback, and I have observed others from the general public traveling it by the same means and others, including jeeps and ATVs.

8. During the Time Period of My Experience I have personally used the Road for livestock operations and I have observed others from the general public using the Road for the same purposes and others including traveling in and through the area, hunting, fire control, trapping and predator control.

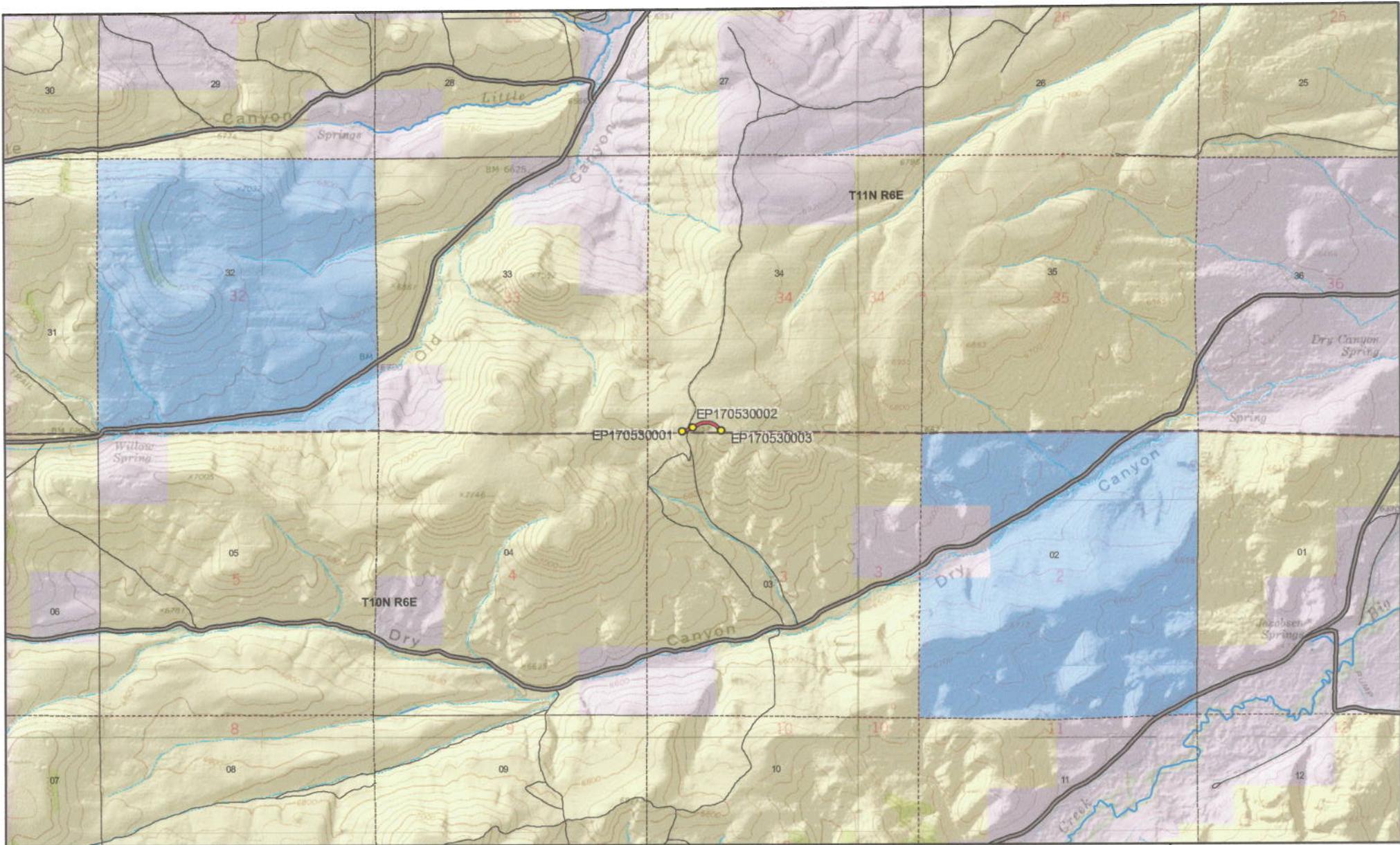
DATED this 20 day of October, 2008.

  
KENNETH R. BROWN

SUBSCRIBED AND SWORN to before me this 20th day of October, 2008.



  
NOTARY PUBLIC



**AR69D - Rich County**  
**SGID RD\_ID RD170530 CO\_UNIQUE AR69D**

**Land Ownership Categories**

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

**Misc**

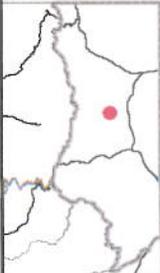
- Photo Event Point
- Section = 1 Mile

**Transportation Network**

- AR69D
- Title V: Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads



Scale  
1:30,384  
1 in = 43 miles



1776

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: AR69D**

**County: Rich**

**County Road Number: AR69D**

**State Geographic Information Database (SGID) Road Identification Number: RD170530.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.17 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 North Range 6 East, Section(s) 34, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (AR69D)-- 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 38 minutes 27.65 seconds North Latitude and -111 degrees 15 minutes 47.03 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,705,179.7 feet and Y = 3,757,367.6 feet; thence the following courses along the said road center line:

thence North 77 Degrees 08 Minutes 24 Seconds East	21.2 feet
thence North 75 Degrees 13 Minutes 29 Seconds East	22.4 feet
thence North 74 Degrees 37 Minutes 52 Seconds East	22.8 feet
thence North 75 Degrees 04 Minutes 48 Seconds East	24.8 feet
thence North 73 Degrees 06 Minutes 42 Seconds East	12.7 feet
thence North 69 Degrees 55 Minutes 19 Seconds East	13.6 feet
thence North 66 Degrees 46 Minutes 42 Seconds East	32.1 feet
thence North 64 Degrees 12 Minutes 20 Seconds East	38.2 feet
thence North 62 Degrees 30 Minutes 33 Seconds East	42.4 feet
thence North 61 Degrees 20 Minutes 18 Seconds East	42.9 feet
thence North 61 Degrees 59 Minutes 16 Seconds East	45.2 feet
thence North 62 Degrees 43 Minutes 00 Seconds East	43.4 feet

thence North 68 Degrees 30 Minutes 27 Seconds East 43.6 feet  
thence North 76 Degrees 59 Minutes 57 Seconds East 43.4 feet  
thence North 83 Degrees 57 Minutes 30 Seconds East 46.2 feet  
thence South 89 Degrees 56 Minutes 28 Seconds East 48.2 feet  
thence South 79 Degrees 19 Minutes 01 Seconds East 49.8 feet  
thence South 65 Degrees 59 Minutes 49 Seconds East 56.6 feet  
thence South 54 Degrees 52 Minutes 17 Seconds East 56 feet  
thence South 47 Degrees 36 Minutes 05 Seconds East 52.7 feet  
thence South 46 Degrees 27 Minutes 15 Seconds East 47.4 feet  
thence South 49 Degrees 37 Minutes 42 Seconds East 40.3 feet  
thence South 60 Degrees 15 Minutes 44 Seconds East 28.8 feet  
thence South 68 Degrees 31 Minutes 46 Seconds East 6.4 feet  
thence South 66 Degrees 17 Minutes 12 Seconds East 4.7 feet more or less to **the ending point**

**at:** 41 degrees 38 minutes 27.58 seconds North Latitude and -111 degrees 15 minutes 36.58 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 1,705,973.0 feet and Y = 3,757,362.7 feet.