

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

Ent 103051 Bk 892 Pg 843 -855  
Date: 29-MAY-2008 9:51AM  
Fee: None  
Filed By: LCJ  
LOUISE JONES, Recorder  
SAN JUAN COUNTY CORPORATION  
For: GOVERNOR 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 San Juan County as it pertains to the highway located in San Juan County known as PACK CREEK ROAD; County Road Number: B128; State Geographic Information Database (SGID) Road Identification Number: RD190056. Total road length is 3.46 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.

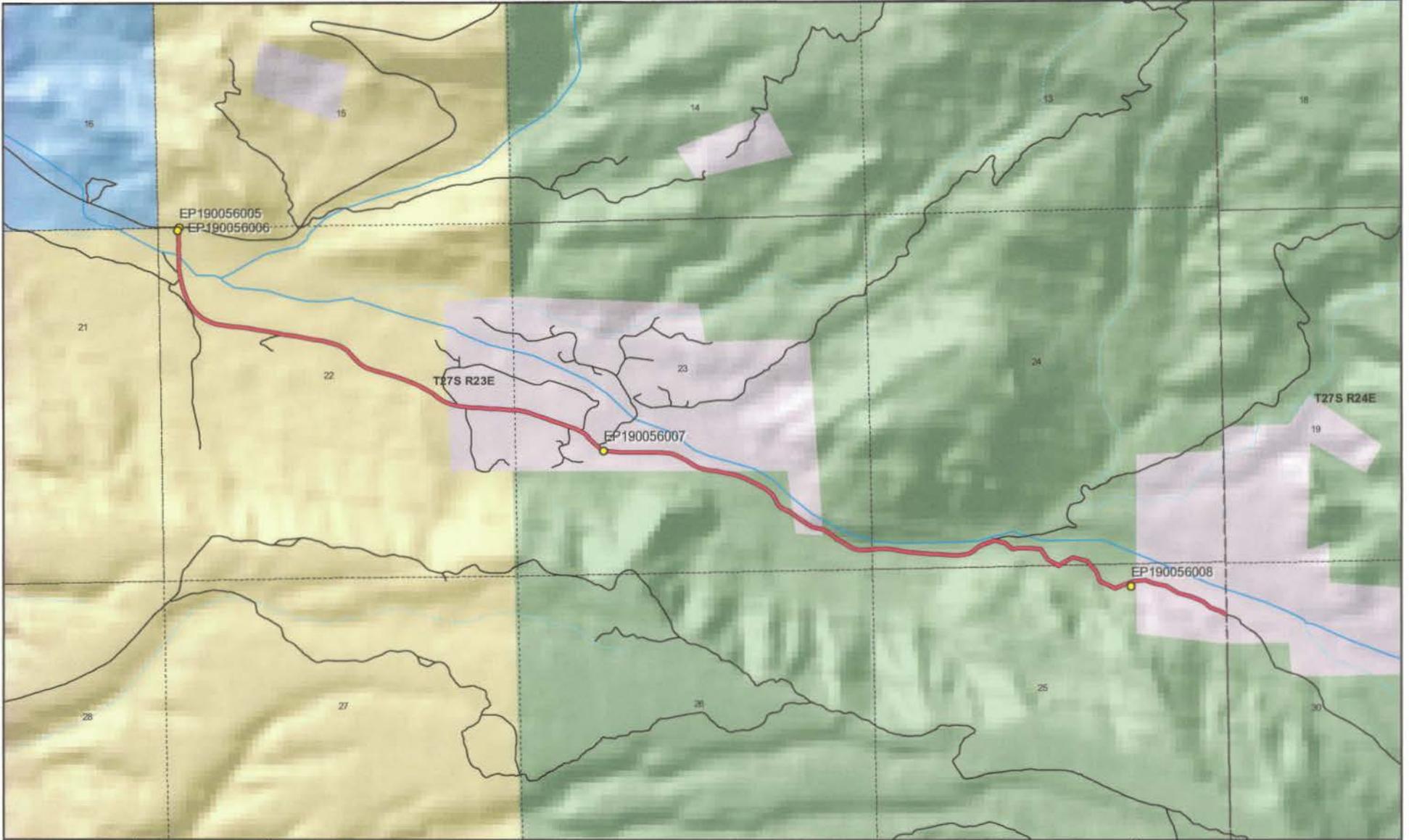
This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of 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





Ent 103051 Rk 0892 Pg 0845



1:23,913  
1 inch equals 0.4 miles



**PACK CREEK ROAD - San Juan County**  
**SGID RD\_ID RD190056**

**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         |                              |

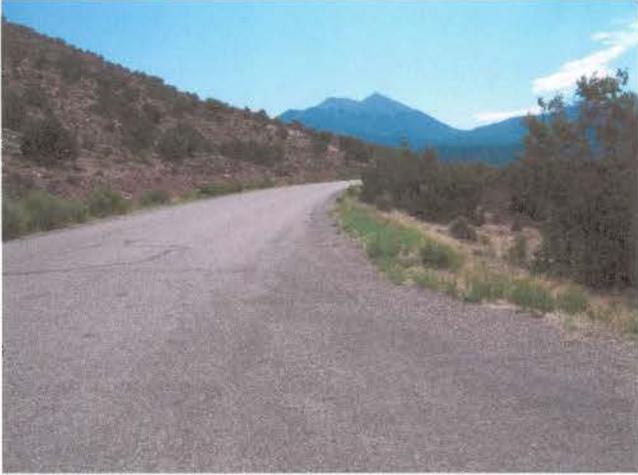
**Transportation Network**

- |   |
|---|
| PACK CREEK ROAD   |
| Other Roads   |
| Title V: Issued Or Under Consideration By BLM Or County |
| Photo Event Point                                       |
| Section = 1 Mile  |

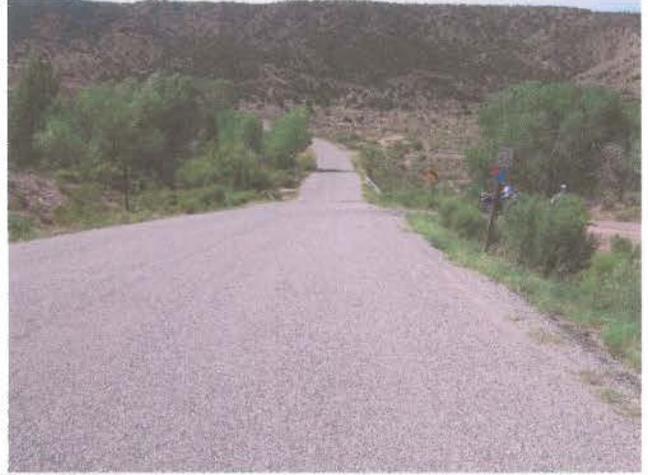
Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Apr 02, 2008



Attachment 2



EP190056005



EP190056006



EP190056007



EP190056008

EP000000000

EP000000000

**PACK CREEK ROAD - San Juan County**  
**SGID RD\_ID RD190056**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
April 11, 2008



### Attachment 3

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

**Popular Name: PACK CREEK ROAD**

**County: San Juan**

**County Road Number: B128**

**State Geographic Information Database (SGID) Road Identification Number: RD190056.**

**Total Road Length: 3.46 miles more or less.**

**Beginning at a point** on the road centerline located at 38 degrees 26 minutes 49.52 seconds North Latitude and -109 degrees 23 minutes 06.71 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,246,067.4 feet and Y = 10,497,659.5 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 38 degrees 25 minutes 49.42 seconds North Latitude and -109 degrees 19 minutes 51.41 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,261,741.9 feet and Y = 10,491,936.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 27 South Range 23 East, Section(s) 15,22,23,24,25, 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: PACK CREEK ROAD**

**County: San Juan**

**County Road Number: B128**

**State Geographic Information Database (SGID) Road Identification Number: RD190056.**

**Total Road Length: 3.46 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>RD190056</b>	<b>001</b>	<b>BLM</b>	<b>1.03 Miles</b>	<b>A</b>
<b>RD190056</b>	<b>002</b>	<b>PVT</b>	<b>0.79 Miles</b>	<b>(not shown)</b>
<b>RD190056</b>	<b>003</b>	<b>FS</b>	<b>0.27 Miles</b>	<b>†(pending)</b>
<b>RD190056</b>	<b>004</b>	<b>PVT</b>	<b>0.09 Miles</b>	<b>(not shown)</b>
<b>RD190056</b>	<b>005</b>	<b>FS</b>	<b>0.99 Miles</b>	<b>†(pending)</b>
<b>RD190056</b>	<b>006</b>	<b>PVT</b>	<b>0.28 Miles</b>	<b>(not shown)</b>
<b>Total Road Length</b>			<b>3.46</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.

## Attachment 5

**AFFIDAVIT OF ALBERT E. STEELE**

**PACK CREEK ROAD**

**SAN JUAN COUNTY, UTAH**

**COUNTY ROAD NUMBER B128**

State of Utah                    )  
  : ss  
County of San Juan            )

Albert E. 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 currently reside in San Juan County, Utah. I have lived in San Juan County for 60 years.

2. I have traveled and am familiar with a road in San Juan County known as Pack Creek Road. I am also familiar with the land the road traverses. When I first used and observed the road in the early 1950s, it followed the same route as in 2000, when I last observed it. Attached is a San Juan County map showing Pack Creek 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 identifies this road according to the road number described 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 1950s and continuing through 1976 to 2000. Throughout this time period I have observed travel on the road by various means, including: car, pickup and jeep. Throughout this time period, the road was used daily, for more than 10 continuous years prior to 1976, and was used daily in 2000.

5. Throughout the time period from the early 1950s to 2000, I have used the road myself for the following uses: trapping and predator control.

6. 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 the following uses: livestock operations, residential access, hunting, mining and oil and gas activity.

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 1950's and continuing through 1976 to the present, for the uses described in the previous paragraphs.

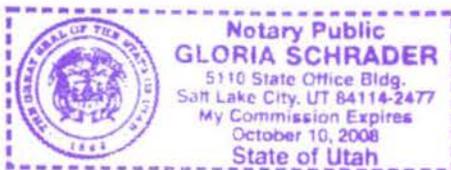
8. I observed graders performing maintenance activities prior to 1976.

Dated this 20<sup>th</sup> day of September, 2007.

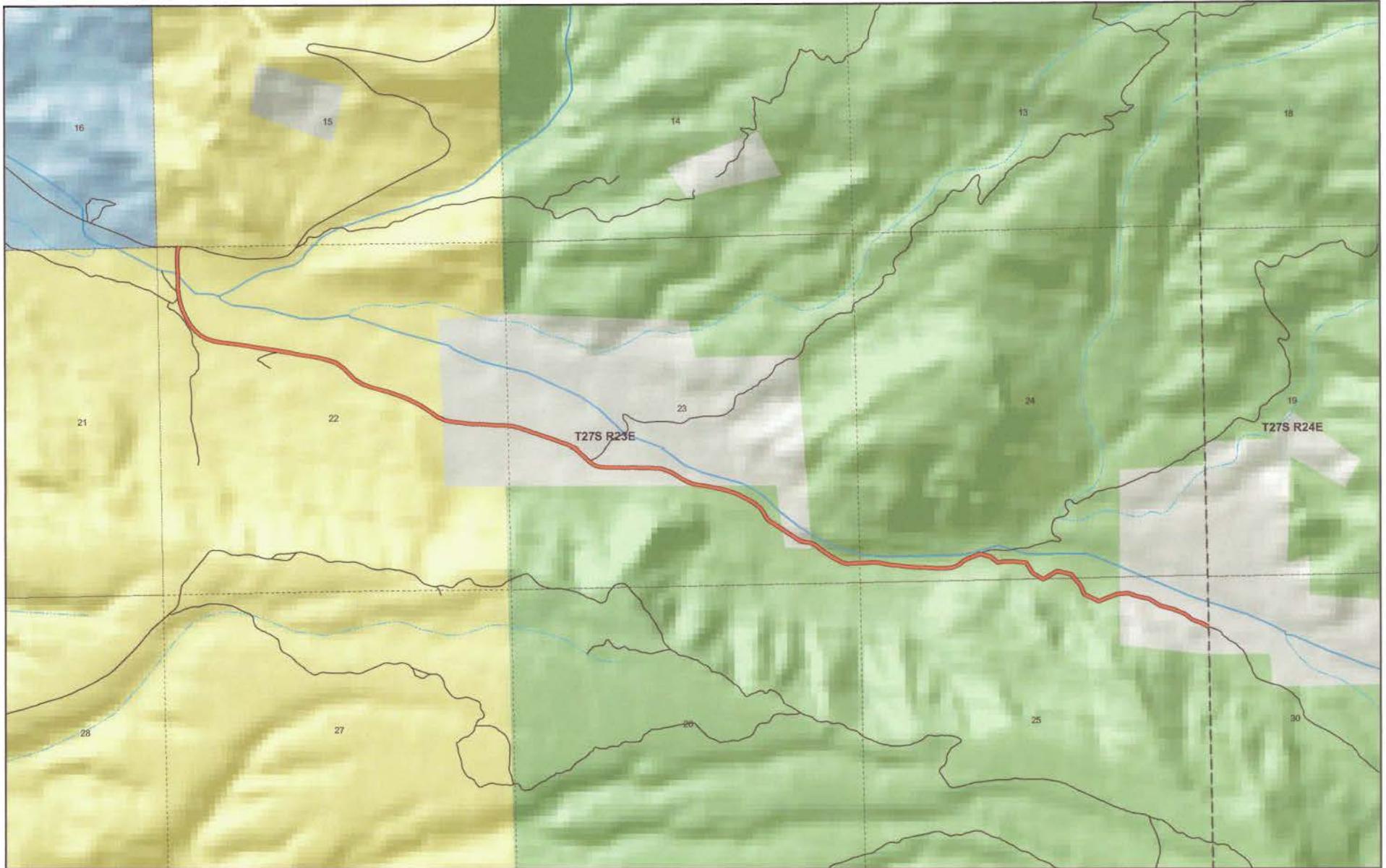


Albert E. Steele

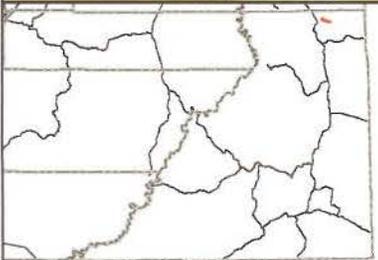
SUBSCRIBED AND SWORN TO before me this 20<sup>th</sup> day of September, 2007.



Notary Public



Ent 103051 BK 0892 Pg 0852



**PACK CREEK**  
County Unique - B128

**Land Ownership Categories**

- BLM
- National Recreation Area
- SITLA, State Trust Land
- USFS, National Forest
- National Parks & Monuments (NPS)
- Private
- Wilderness
- State Park
- Tribal Lands

**Misc**

- City / Town
- Municipalities
- Section = 1 Mile

**Transportation Network**

- PACK CREEK
- State / U.S. Highway
- Local Roads



1:23,913  
1 inch equals 0.4 miles  
Jul 25, 2007

**AFFIDAVIT OF LEWIS DALE FULLER**

**PACK CREEK ROAD**

**SAN JUAN COUNTY, UTAH**

**COUNTY ROAD NUMBER B128**

State of Utah                    )  
  : ss  
County of San Juan            )

Lewis Dale Fuller, 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 San Juan County, Utah. I have lived in San Juan County since 1932. I either supervised or personally graded the roads in San Juan County from 1960 to 1993.

2. I have traveled and am familiar with a road in San Juan County known as Pack Creek Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1952, it followed the same route as in 2007, when I last observed it. Attached is a San Juan County map showing Pack Creek 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 identifies this road according to the road number described 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 1952 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including

pickup trucks, horses, jeeps, motorcycles, ATV's, road maintenance vehicles and seismograph vehicles. Throughout this time period, the road has been used daily.

5. Throughout the time period from 1952 to 2007, I have used the road myself for the following uses: hunting, traveling in and through the area, ATV recreation and county road maintenance.

6. 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 the following uses: livestock operations, tourism, residential access, prospecting for minerals.

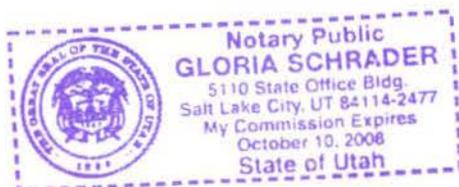
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. I observed the following evidence of construction and maintenance performed on the road prior to 1976: I personally graded the road.

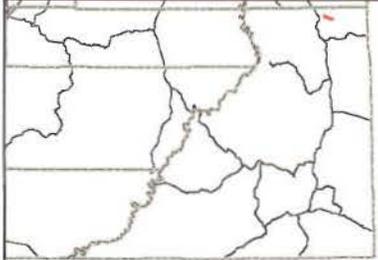
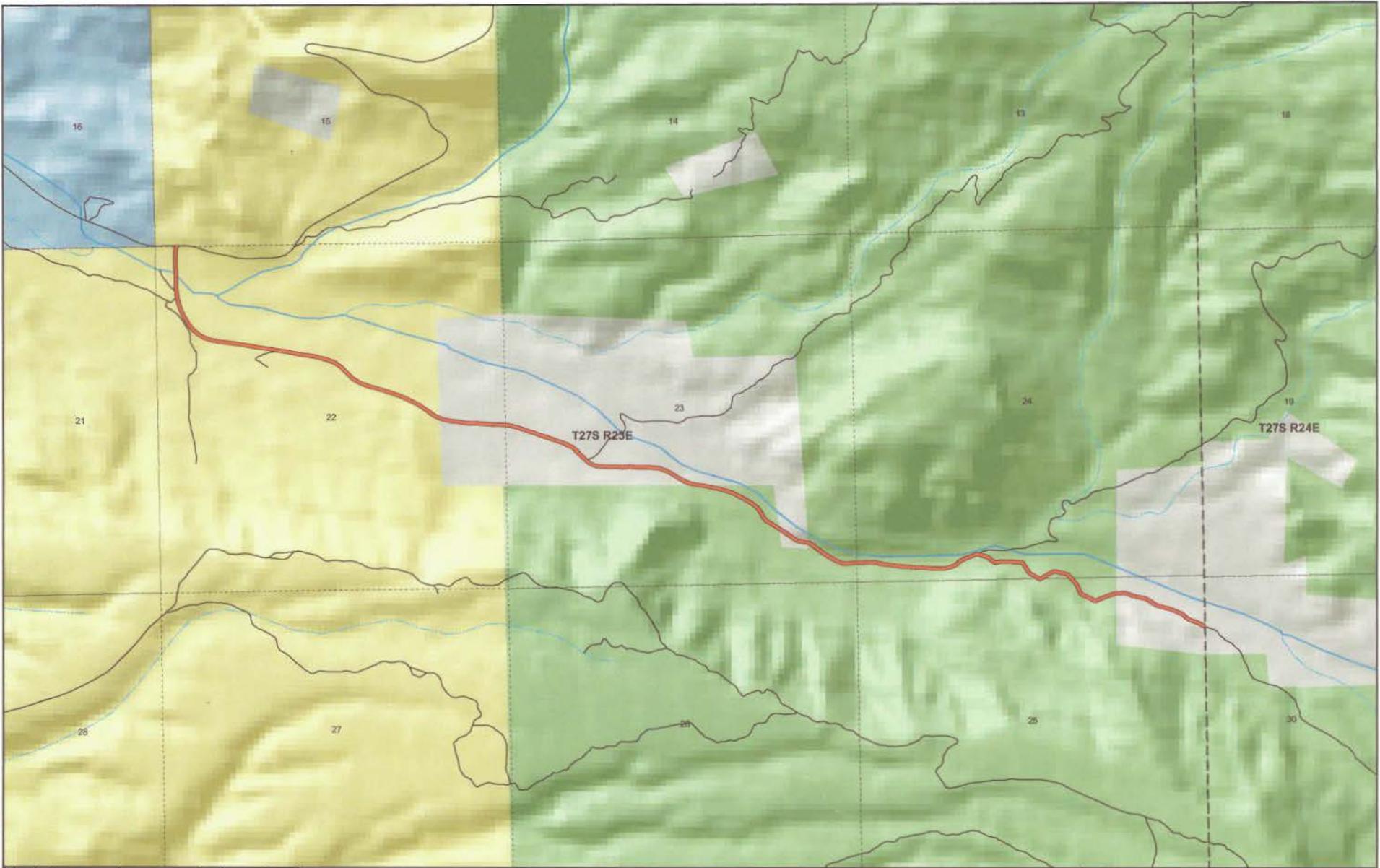
Dated this 17 day of September, 2007.

Lewis Dale Fuller  
Lewis Dale Fuller

SUBSCRIBED AND SWORN TO before me this 17th day of September, 2007.



Gloria Schrader  
Notary Public



**PACK CREEK**  
County Unique - B128

**Land Ownership Categories**

- BLM
- National Recreation Area
- SITLA, State Trust Land
- USFS, National Forest
- National Parks & Monuments (NPS)
- Private
- Wilderness
- State Park
- Tribal Lands

**Misc**

- City / Town
- Municipalities
- Section = 1 Mile

**Transportation Network**

- PACK CREEK
- State / U.S. Highway
- Local Roads



1:23,913  
1 inch equals 0.4 miles  
Jul 25, 2007

## Appendix A to Attachment 4

**Popular Name: PACK CREEK ROAD**

**County: San Juan**

**County Road Number: B128**

**State Geographic Information Database (SGID) Road Identification Number: RD190056.**

**Road-Segment Number: 001**

**Road-Segment Length: 1.03 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 27 South Range 23 East, Section(s) 22, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (PACK CREEK 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 38 degrees 26 minutes 49.52 seconds North Latitude and -109 degrees 23 minutes 06.71 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,246,067.4 feet and Y = 10,497,659.5 feet; thence the following courses along the said road center line:

thence South 29 Degrees 23 Minutes 29 Seconds West 11.3 feet  
thence South 29 Degrees 28 Minutes 09 Seconds West 44.2 feet  
thence South 02 Degrees 59 Minutes 40 Seconds West 68.7 feet  
thence South 00 Degrees 17 Minutes 29 Seconds East 80.7 feet  
thence South 01 Degrees 03 Minutes 56 Seconds East 72.9 feet  
thence South 00 Degrees 17 Minutes 29 Seconds East 33.5 feet  
thence South 06 Degrees 50 Minutes 00 Seconds West 2.6 feet  
thence South 00 Degrees 17 Minutes 29 Seconds East 1.6 feet  
thence South 00 Degrees 55 Minutes 38 Seconds West 30.9 feet  
thence South 02 Degrees 19 Minutes 40 Seconds East 73.9 feet  
thence South 00 Degrees 50 Minutes 51 Seconds East 101.4 feet

thence South 01 Degrees 55 Minutes 41 Seconds East 114.9 feet  
 thence South 06 Degrees 48 Minutes 40 Seconds East 115.6 feet  
 thence South 12 Degrees 37 Minutes 50 Seconds East 118.2 feet  
 thence South 17 Degrees 49 Minutes 30 Seconds East 118.7 feet  
 thence South 23 Degrees 00 Minutes 33 Seconds East 118.1 feet  
 thence South 30 Degrees 26 Minutes 31 Seconds East 115 feet  
 thence South 39 Degrees 44 Minutes 01 Seconds East 112.6 feet  
 thence South 46 Degrees 55 Minutes 41 Seconds East 113.7 feet  
 thence South 60 Degrees 19 Minutes 33 Seconds East 116.3 feet  
 thence South 73 Degrees 07 Minutes 15 Seconds East 122.3 feet  
 thence South 79 Degrees 22 Minutes 36 Seconds East 121.3 feet  
 thence South 84 Degrees 08 Minutes 16 Seconds East 122.4 feet  
 thence South 83 Degrees 40 Minutes 09 Seconds East 125.2 feet  
 thence South 81 Degrees 51 Minutes 14 Seconds East 129.7 feet  
 thence South 80 Degrees 32 Minutes 52 Seconds East 131.8 feet  
 thence South 80 Degrees 59 Minutes 35 Seconds East 132 feet  
 thence South 80 Degrees 01 Minutes 23 Seconds East 138.1 feet  
 thence South 80 Degrees 12 Minutes 39 Seconds East 15 feet  
 thence South 80 Degrees 21 Minutes 41 Seconds East 125.6 feet  
 thence South 81 Degrees 21 Minutes 12 Seconds East 141.5 feet  
 thence South 80 Degrees 26 Minutes 13 Seconds East 141.9 feet  
 thence South 80 Degrees 35 Minutes 35 Seconds East 144.1 feet  
 thence South 80 Degrees 56 Minutes 13 Seconds East 143.3 feet  
 thence South 77 Degrees 34 Minutes 31 Seconds East 141.6 feet  
 thence South 69 Degrees 33 Minutes 19 Seconds East 134.4 feet  
 thence South 55 Degrees 51 Minutes 59 Seconds East 127.7 feet  
 thence South 45 Degrees 42 Minutes 18 Seconds East 128.5 feet  
 thence South 45 Degrees 23 Minutes 43 Seconds East 127.8 feet  
 thence South 57 Degrees 56 Minutes 38 Seconds East 128.2 feet  
 thence South 69 Degrees 59 Minutes 51 Seconds East 134.3 feet  
 thence South 73 Degrees 47 Minutes 13 Seconds East 138.6 feet  
 thence South 74 Degrees 46 Minutes 55 Seconds East 136.2 feet  
 thence South 73 Degrees 04 Minutes 59 Seconds East 130.9 feet  
 thence South 69 Degrees 20 Minutes 08 Seconds East 132.1 feet  
 thence South 66 Degrees 17 Minutes 07 Seconds East 131.5 feet  
 thence South 61 Degrees 49 Minutes 18 Seconds East 128 feet  
 thence South 58 Degrees 15 Minutes 13 Seconds East 123.1 feet  
 thence South 54 Degrees 55 Minutes 14 Seconds East 117.9 feet  
 thence South 52 Degrees 06 Minutes 08 Seconds East 59.3 feet  
 thence South 72 Degrees 17 Minutes 14 Seconds East 1.4 feet  
 thence South 60 Degrees 47 Minutes 26 Seconds East 28.7 feet  
 thence South 66 Degrees 45 Minutes 52 Seconds East 52.6 feet  
 thence South 69 Degrees 38 Minutes 11 Seconds East 22.2 feet more or less to **the ending**

**point at:** 38 degrees 26 minutes 22.81 seconds North Latitude and -109 degrees 22 minutes 17.16 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 2,250,069.7 feet and Y = 10,495,047.2 feet.