

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

Ent 154874 Bk 570 Pg 778  
Date: 15-MAY-2008 2:34PM  
Fee: None  
Filed By: RDH  
REED D HATCH, Recorder  
SANPETE COUNTY CORPORATION  
For: GOVERNOR STATE OF UTAH

35,36-16-1W

1,2,11,14,15,22-17-1W

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Sanpete County as it pertains to the highway located in Sanpete County known as FLAT CANYON ROAD; County Road Number: Sanp17; State Geographic Information Database (SGID) Road Identification Number: RD200078. Total road length is 4.59 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 APRIL, 2008.

By the Governor's Designee

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

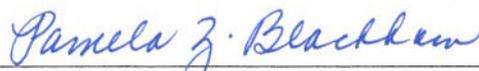
### CERTIFICATION

State of Utah                    )  
  : ss  
County of Salt Lake         )

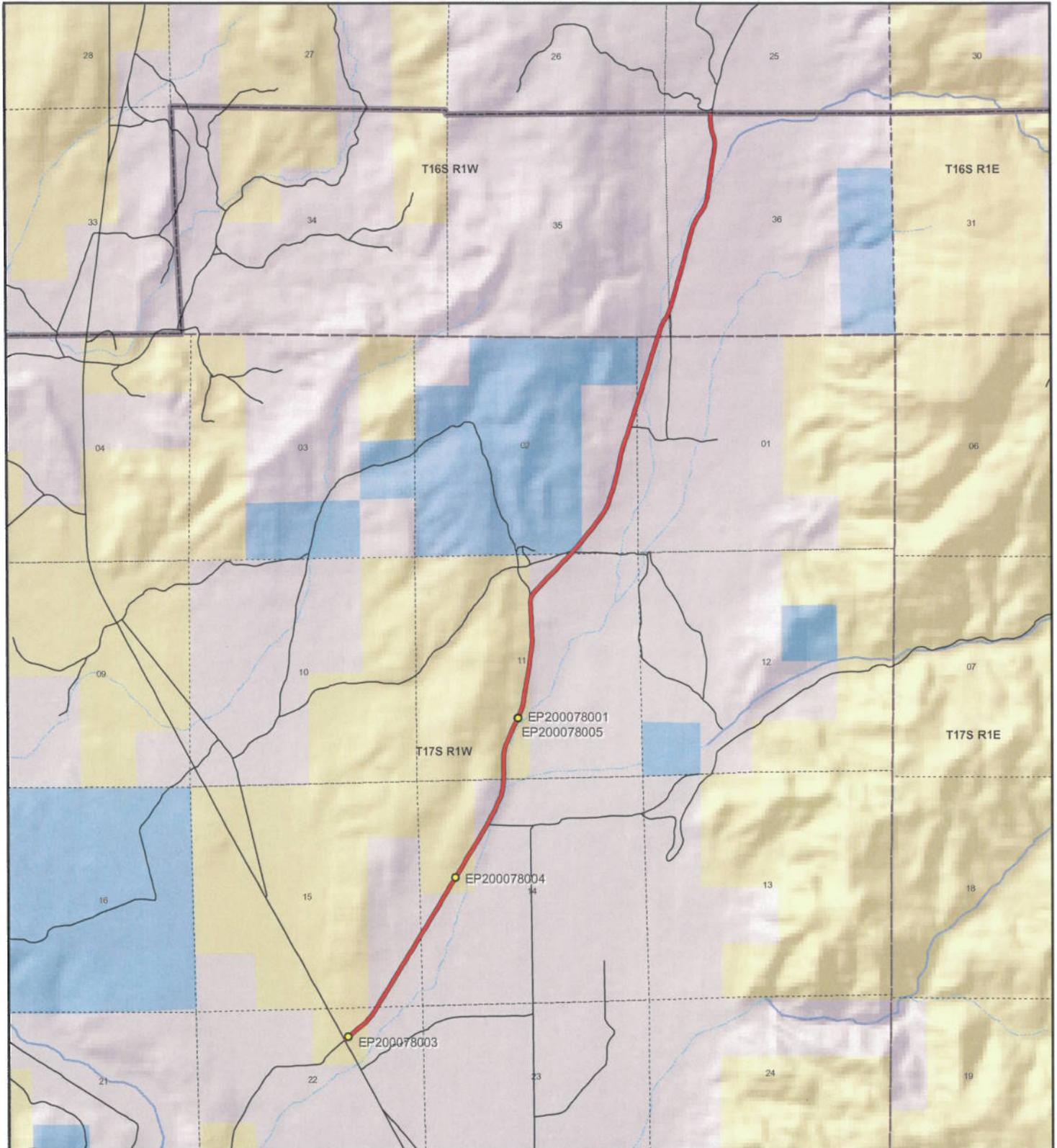
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 17<sup>th</sup> day of April, 2008.



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

Attachment 1



1:36,918  
1 inch equals 0.6 miles



**FLAT CANYON ROAD - Sanpete County**  
**SGID RD\_ID RD200078**

Land Ownership Categories		Transportation Network
BLM	Wilderness	FLAT CANYON ROAD
Private	UDWR Wildlife Reserve	Title V: Issued Or Under Consideration By BLM Or County
SITLA, State Trust Land	DOD, Military	Other Roads
USFS, National Forest	State Sovereign Land	Photo Event Point
State Parks and Recreation	National Recreation Area	Section = 1 Mile
Tribal, Indian Reservation	USFWS, Natl. Wildlife Refuge	
NPS, National Park		

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Aug 24, 2007

Attachment 2



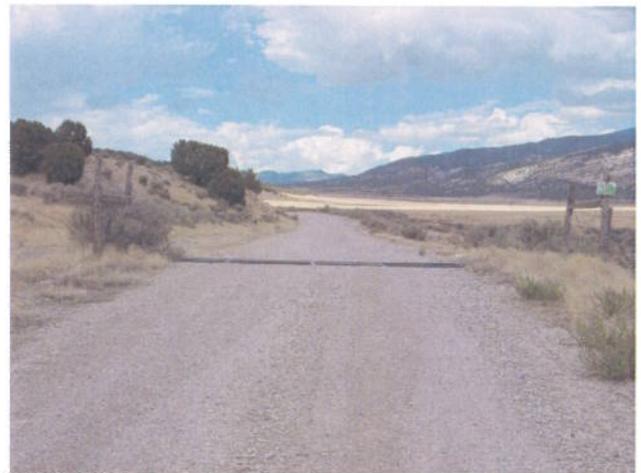
EP200078001



EP200078003



EP200078004



EP200078005

EP000000000

EP000000000

**FLAT CANYON ROAD - Sanpete County**  
**SGID RD\_ID RD200078**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
August 23, 2007



### Attachment 3

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

**Popular Name: FLAT CANYON ROAD**

**County: Sanpete**

**County Road Number: Sanp17**

**State Geographic Information Database (SGID) Road Identification Number: RD200078.**

**Total Road Length: 4.59 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 19 minutes 016.2 seconds North Latitude and -111 degrees 54 minutes 27.62 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,525,086.3 feet and Y = 6,921,733.9 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 22 minutes 53.12 seconds North Latitude and -111 degrees 52 minutes 39.23 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,533,697.1 feet and Y = 6,943,643.1 feet based on the US Survey Foot conversion.

This road may traverse:

Township 16 South Range 1 West, Section(s) 35,36, Salt Lake Base & Meridian

Township 17 South Range 1 West, Section(s) 1,2,11,14,15,22, 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: FLAT CANYON ROAD**

**County: Sanpete**

**County Road Number: Sanp17**

**State Geographic Information Database (SGID) Road Identification Number: RD200078.**

**Total Road Length: 4.59 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>
RD200078	001	BLM	0.13 Miles	A
RD200078	002	PVT	0.68 Miles	(not shown)
RD200078	003	BLM	0.24 Miles	B
RD200078	004	PVT	0.34 Miles	(not shown)
RD200078	005	BLM	0.52 Miles	C
RD200078	006	PVT	0.58 Miles	(not shown)
RD200078	007	ST	0.08 Miles	(not shown)
RD200078	008	PVT	2.03 Miles	(not shown)
		<b>Total Road Length</b>	<b>4.59</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 CARL POULSEN**  
**FLAT CANYON ROAD**  
**COUNTY ROAD NUMBER Sanp17**  
**SANPETE COUNTY, UTAH**

State of Utah            )  
                                  : ss.  
County of Sanpete        )

CARL POULSEN, 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 Manti, Sanpete County, Utah. I have lived in Sanpete County for 86 years.

2. I have traveled and am familiar with a road in Sanpete County known as Flat Canyon 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 2005 when I last observed it. Attached is a Sanpete County map showing Flat Canyon 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. I am informed that 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 early 1930s and continuing through 1976 to 2005. Throughout this time period I have observed travel on the road by various means, including cars, pickup trucks, jeeps, and farm equipment. Throughout this time period, the road was used daily, weather permitting.

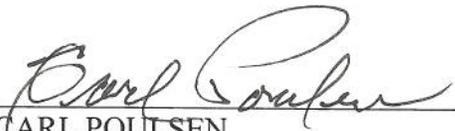
4. Throughout the time period from the early 1930s to 2005, I have used the road myself for trapping, hunting, camping, and herding sheep.

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.

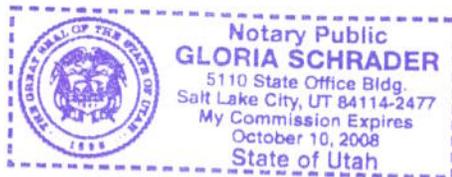
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

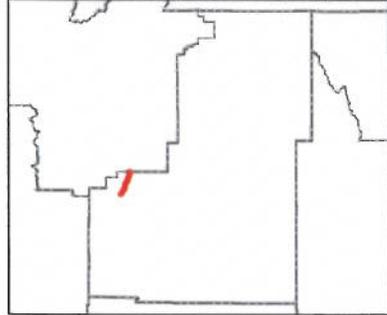
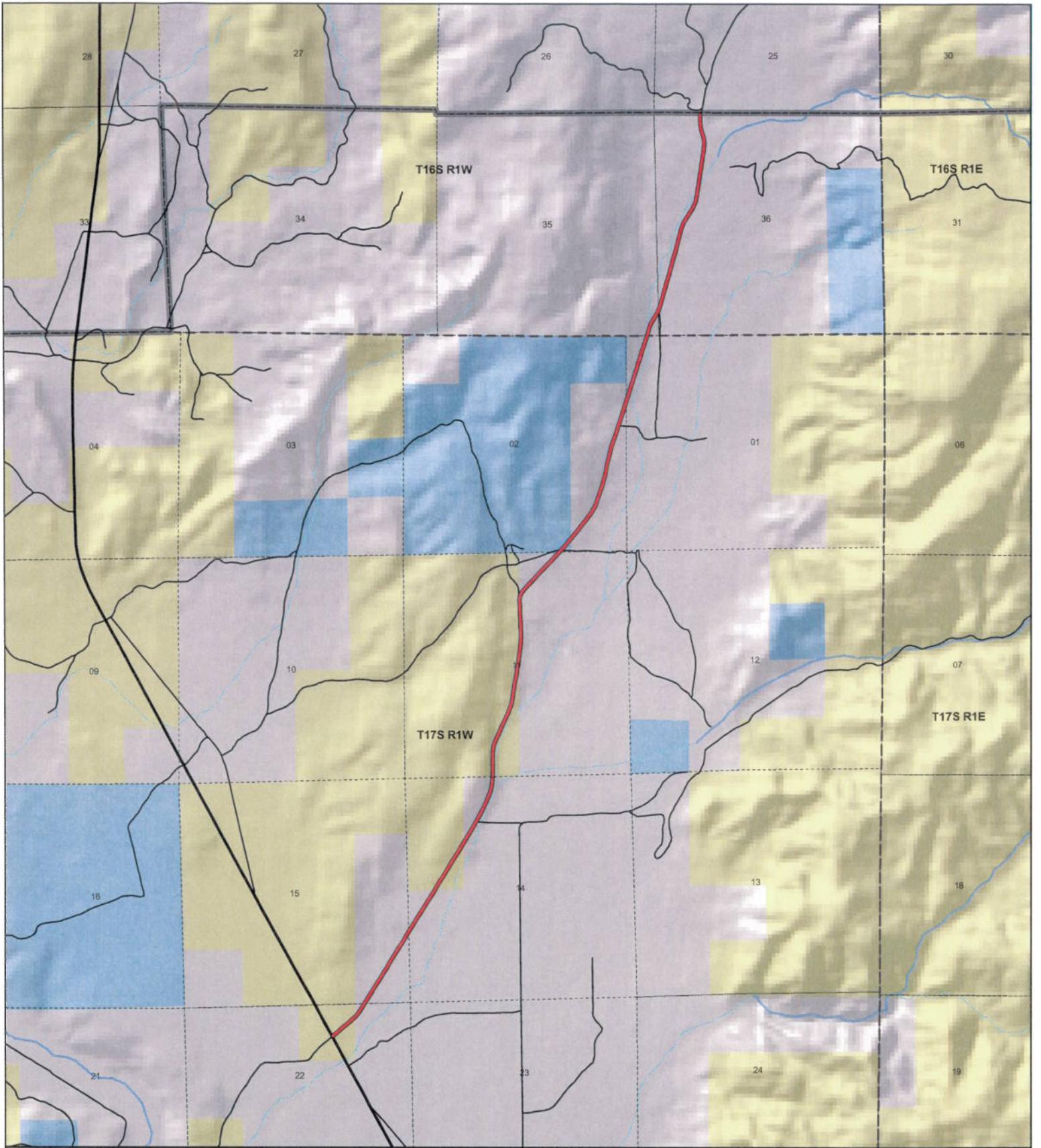
DATED this 15 day of March, 2007.

  
CARL POULSEN

SUBSCRIBED AND SWORN to before me this 15<sup>th</sup> day of March, 2007.



  
NOTARY PUBLIC



**FLAT CANYON ROAD**  
*County Unique - Sanp17*

**Land Ownership Categories**

- ◆ BLM
- ◆ Private
- ◆ SITLA, State Trust Land
- ◆ USFS, National Forest
- ◆ State Parks and Recreation
- ◆ Military

**Transportation Network**

- FLAT CANYON ROAD
- State / U.S. Highway
- Local Roads

**Misc**

- City / Town
- Municipalities



1:36,438  
 1 inch equals 0.6 miles



Map prepared by the State of Utah  
 AGRC  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Feb 08, 2007



Ent 154874 Bk 0570 Pl 0287

**AFFIDAVIT OF RICHARD OLSEN**  
**FLAT CANYON ROAD**  
**COUNTY ROAD NUMBER Sanp17**  
**SANPETE COUNTY, UTAH**

State of Utah            )  
                                  : ss.  
County of Sanpete        )

RICHARD OLSEN, 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 Sanpete County, Utah. I have lived in Sanpete County 74 years. I worked as County Road Supervisor for the Sanpete County Road Department from 1967 continuing through 1979, and then returned again to the same position from 1987 to 1995.

2. I have traveled and am familiar with a road in Sanpete County known as Flat Canyon Road. I am also familiar with the land the road traverses. When I first used and observed the road in the 1950s, it followed the same route as in 1995 when I last observed it. Attached is a Sanpete County map showing Flat Canyon 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. I am informed that 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 1950s and continuing through 1976 to 1995. Throughout this time period I have observed travel on the road by various means, including cars, pickup trucks, jeeps, ATVs, motorcycles, snowmobiles, livestock vehicles, oil drilling equipment, and road maintenance vehicles and equipment. Throughout this time period, the road was used daily.

4. Throughout the time period from the 1950s to 1995, I have used the road myself for hunting, and performing road maintenance and plowing snow with the Sanpete County Road Department.

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 recreation such as hunting, camping, ATV, snowmobile, and motorcycle riding, sheep and cattle herding, oil and gas exploration and development, logging, and private land access.

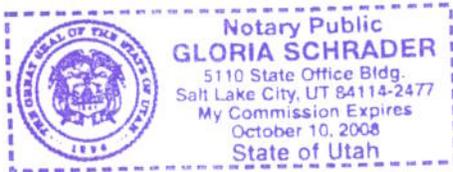
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1800s and continuing through 1976 to present, for the uses described in the previous paragraphs.

7. Prior to 1976, I personally performed maintenance and construction activities on the road. The road was routinely maintained and graded by the county road department a couple times a year, snow plowed during winter months, graveled twice in a 20 year time span.

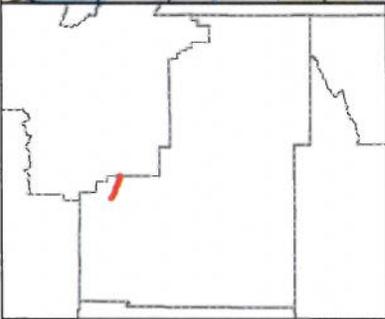
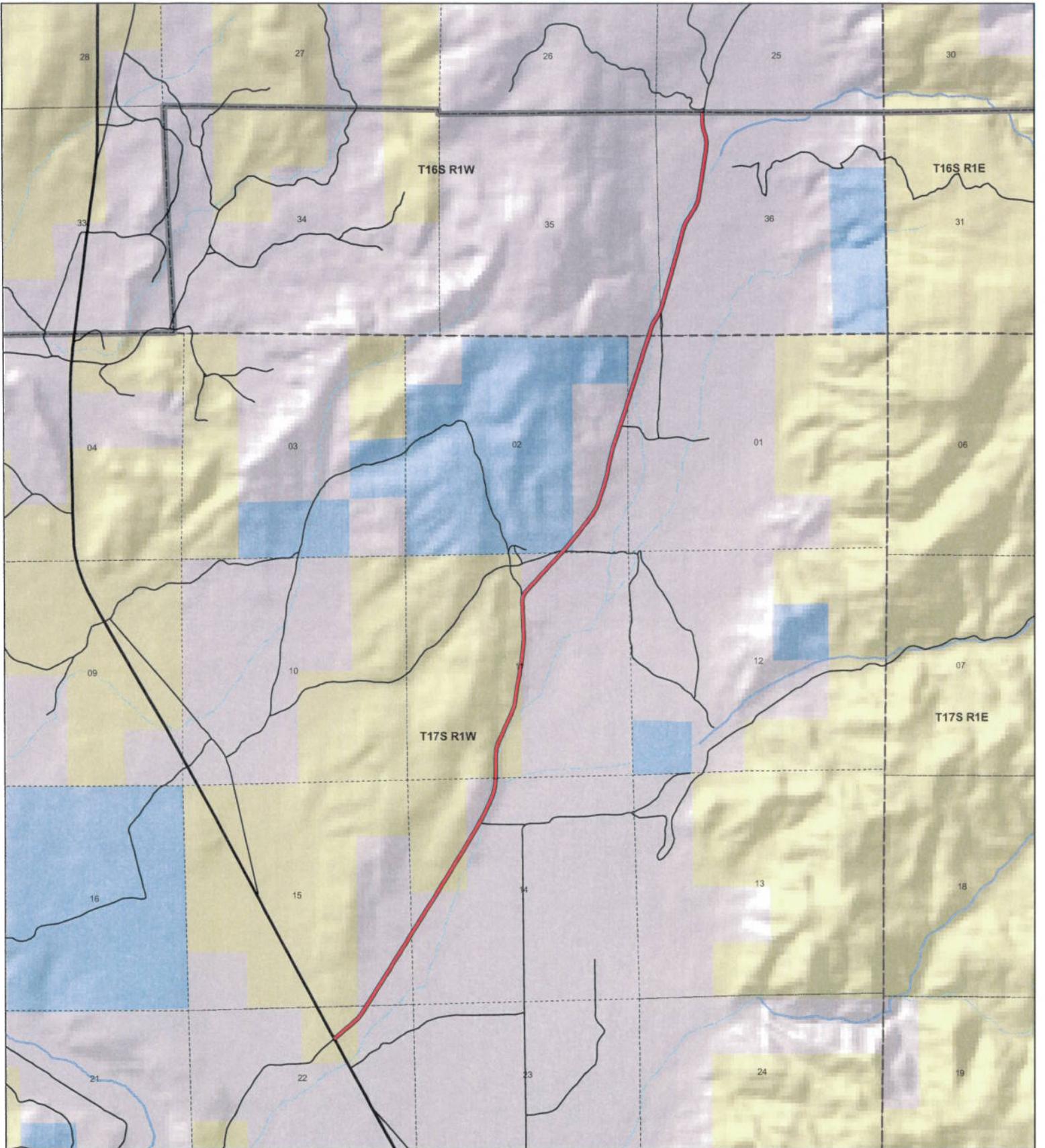
DATED this 15 day of March, 2007.

  
RICHARD OLSEN

SUBSCRIBED AND SWORN to before me this 15<sup>th</sup> day of March, 2007.



  
NOTARY PUBLIC



**FLAT CANYON ROAD**  
**County Unique - Sanp17**

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Military

**Transportation Network**

- FLAT CANYON ROAD
- State / U.S. Highway
- Local Roads

**Misc**

- City / Town
- Municipalities



1:36,438

1 inch equals 0.6 miles



Map prepared by the State of Utah  
 AGRC  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Feb 08, 2007



Ent 154874 Bk 0570 Pf 0790

## Appendix A to Attachment 4

**Popular Name: FLAT CANYON ROAD**

**County: Sanpete**

**County Road Number: Sanp17**

**State Geographic Information Database (SGID) Road Identification Number: RD200078.**

**Road-Segment Number: 001**

**Road-Segment Length: 0.13 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 17 South Range 1 West, Section(s) 22, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (FLAT CANYON 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 19 minutes 016.2 seconds North Latitude and -111 degrees 54 minutes 27.62 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,525,086.3 feet and Y = 6,921,733.9 feet; thence the following courses along the said road center line:

thence North 50 Degrees 12 Minutes 25 Seconds East 132.7 feet

thence North 46 Degrees 32 Minutes 01 Seconds East 72 feet

thence North 50 Degrees 34 Minutes 28 Seconds East 104 feet

thence North 50 Degrees 04 Minutes 45 Seconds East 121 feet

thence North 50 Degrees 38 Minutes 24 Seconds East 114.1 feet

thence North 47 Degrees 51 Minutes 57 Seconds East 108.8 feet

thence North 44 Degrees 23 Minutes 52 Seconds East 46.1 feet more or less to **the ending**

**point at:** 39 degrees 19 minutes 20.73 seconds North Latitude and -111 degrees 54 minutes 20.93 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,525,614.7 feet and Y = 6,922,190.2 feet.

## Appendix B to Attachment 4

**Popular Name: FLAT CANYON ROAD**

**County: Sanpete**

**County Road Number: Sanp17**

**State Geographic Information Database (SGID) Road Identification Number: RD200078.**

**Road-Segment Number: 003**

**Road-Segment Length: 0.24 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 17 South Range 1 West, Section(s) 14, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (FLAT CANYON 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 19 minutes 50.76 seconds North Latitude and -111 degrees 53 minutes 57.11 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,527,499.9 feet and Y = 6,925,219.7 feet; thence the following courses along the said road center line:

thence North 31 Degrees 18 Minutes 18 Seconds East 0.1 feet  
thence North 31 Degrees 30 Minutes 20 Seconds East 75.3 feet  
thence North 31 Degrees 06 Minutes 54 Seconds East 138.5 feet  
thence North 32 Degrees 05 Minutes 00 Seconds East 137.2 feet  
thence North 30 Degrees 51 Minutes 53 Seconds East 135 feet  
thence North 31 Degrees 01 Minutes 10 Seconds East 130.6 feet  
thence North 31 Degrees 50 Minutes 16 Seconds East 135.7 feet  
thence North 31 Degrees 12 Minutes 02 Seconds East 146.3 feet  
thence North 31 Degrees 19 Minutes 07 Seconds East 144.5 feet  
thence North 31 Degrees 16 Minutes 27 Seconds East 129.1 feet  
thence North 30 Degrees 36 Minutes 55 Seconds East 94.4 feet more or less to **the ending**

**point at:** 39 degrees 20 minutes 01.49 seconds North Latitude and -111 degrees 53 minutes 48.79 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,528,157.9 feet and Y = 6,926,302.1 feet.

## Appendix C to Attachment 4

**Popular Name: FLAT CANYON ROAD**

**County: Sanpete**

**County Road Number: Sanp17**

**State Geographic Information Database (SGID) Road Identification Number: RD200078.**

**Road-Segment Number: 005**

**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 17 South Range 1 West, Section(s) 11, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (FLAT CANYON 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 20 minutes 17.46 seconds North Latitude and -111 degrees 53 minutes 40.02 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,528,854.6 feet and Y = 6,927,915.4 feet; thence the following courses along the said road center line:

thence North 02 Degrees 42 Minutes 06 Seconds East	6.2 feet
thence North 00 Degrees 20 Minutes 59 Seconds East	113.2 feet
thence North 00 Degrees 30 Minutes 14 Seconds East	114.9 feet
thence North 00 Degrees 57 Minutes 04 Seconds West	118.1 feet
thence North 00 Degrees 39 Minutes 14 Seconds East	116.5 feet
thence North 02 Degrees 12 Minutes 42 Seconds East	111.7 feet
thence North 07 Degrees 13 Minutes 10 Seconds East	102.6 feet
thence North 16 Degrees 23 Minutes 06 Seconds East	99.4 feet
thence North 22 Degrees 06 Minutes 06 Seconds East	113.6 feet
thence North 23 Degrees 43 Minutes 47 Seconds East	116.8 feet
thence North 23 Degrees 13 Minutes 04 Seconds East	111 feet

thence North 22 Degrees 30 Minutes 40 Seconds East 112.5 feet  
thence North 24 Degrees 40 Minutes 24 Seconds East 117.3 feet  
thence North 25 Degrees 44 Minutes 21 Seconds East 82.2 feet  
thence North 22 Degrees 42 Minutes 38 Seconds East 14.3 feet  
thence North 24 Degrees 42 Minutes 07 Seconds East 54.3 feet  
thence North 21 Degrees 29 Minutes 13 Seconds East 7.1 feet  
thence North 22 Degrees 59 Minutes 26 Seconds East 69.7 feet  
thence North 22 Degrees 20 Minutes 01 Seconds East 103.1 feet  
thence North 20 Degrees 32 Minutes 24 Seconds East 110.6 feet  
thence North 10 Degrees 40 Minutes 32 Seconds East 115.3 feet  
thence North 07 Degrees 54 Minutes 17 Seconds East 119.4 feet  
thence North 07 Degrees 44 Minutes 55 Seconds East 119.3 feet  
thence North 08 Degrees 25 Minutes 12 Seconds East 123.2 feet  
thence North 09 Degrees 52 Minutes 20 Seconds East 128 feet  
thence North 09 Degrees 36 Minutes 42 Seconds East 133.3 feet  
thence North 09 Degrees 24 Minutes 47 Seconds East 139.8 feet  
thence North 08 Degrees 51 Minutes 26 Seconds East 63.8 feet  
thence North 09 Degrees 00 Minutes 16 Seconds East 0.9 feet

more or less to **the ending point**  
**at:** 39 degrees 20 minutes 43.58 seconds North Latitude and -111 degrees 53 minutes 32.62 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,529,447.4 feet and Y = 6,930,555.0 feet.