

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

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Tooele County as it pertains to the highway located in Tooele County known as Middle Deep Creek Road; County Road Number: tc00366; State Geographic Information Database (SGID) Road Identification Number: RD230016. Total road length is 0.78 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 20<sup>th</sup> day of JUNE, 2008.

By the Governor's Designee

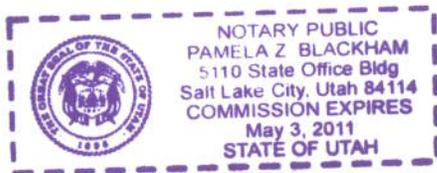
  
\_\_\_\_\_  
John Harja

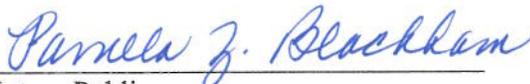
**CERTIFICATION**

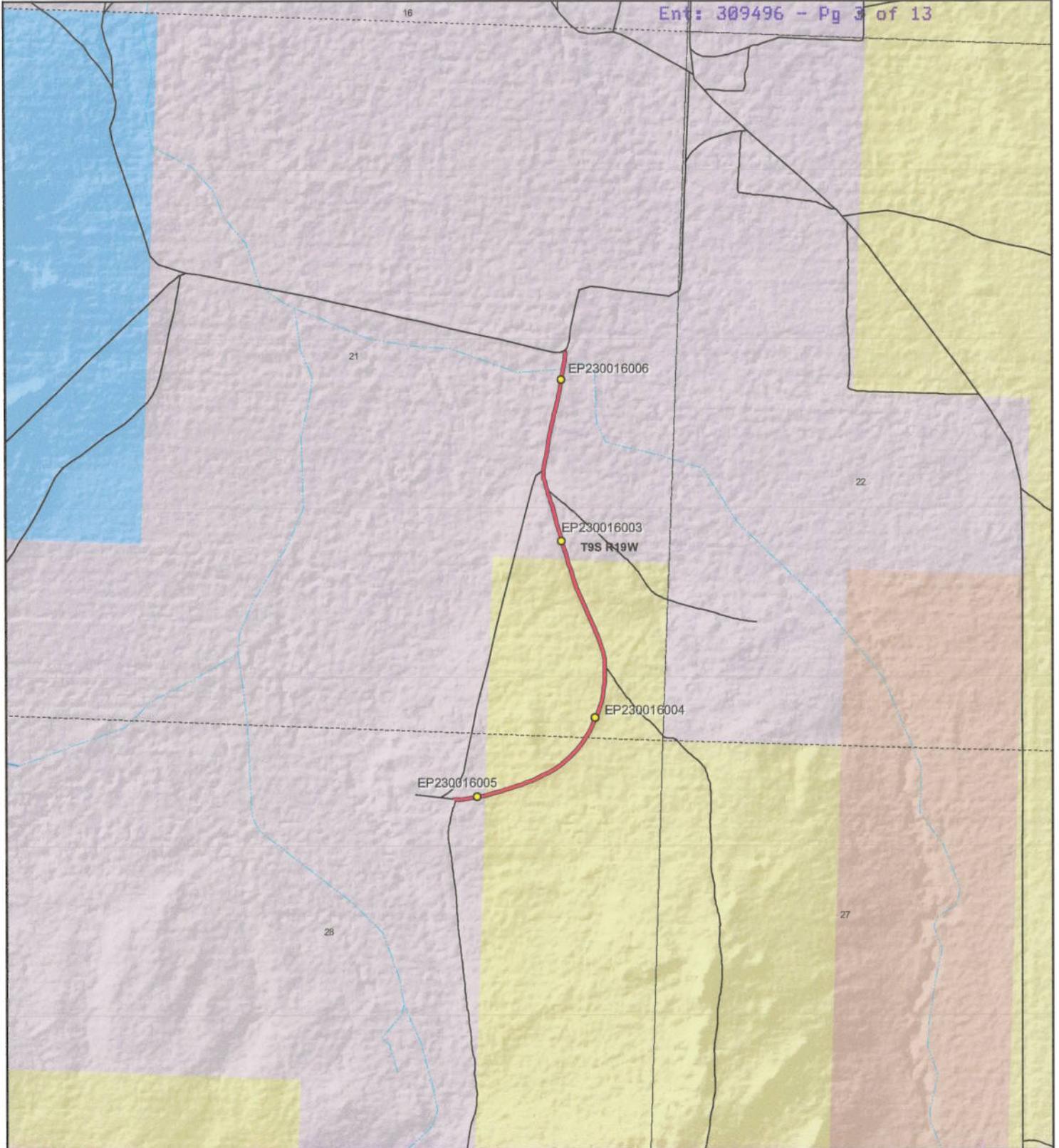
State of Utah                    )  
  : ss  
County of Salt Lake         )

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

Dated this 20<sup>th</sup> day of June, 2008.



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



|   |   |   |                                  |  |                               |       |              |                          |           |                         |   |                           |                 |               |                         |                        |                     |                              |                            |                    |                              |                                |  |                      |  |  |  |
|---|---|---|----------------------------------|--|-------------------------------|-------|--------------|--------------------------|-----------|-------------------------|---|---------------------------|-----------------|---------------|-------------------------|------------------------|---------------------|------------------------------|----------------------------|--------------------|------------------------------|--------------------------------|--|----------------------|--|--|--|
|  <p>1:11,727<br/>1 inch equals 0.2 miles</p> |  | <p style="text-align: center;"><b>Middle Deep Creek Road - Tooele County</b><br/><b>SGID RD_ID RD230016</b></p> <table border="0"> <tr> <td colspan="2"><b>Land Ownership Categories</b></td> <td><b>Transportation Network</b></td> </tr> <tr> <td>● BLM</td> <td>◆ Wilderness</td> <td>— Middle Deep Creek Road</td> </tr> <tr> <td>● Private</td> <td>◆ UDWR Wildlife Reserve</td> <td>— Title V: Issued Or Under Consideration By BLM Or County</td> </tr> <tr> <td>● SITLA, State Trust Land</td> <td>◆ DOD, Military</td> <td>— Other Roads</td> </tr> <tr> <td>● USFS, National Forest</td> <td>◆ State Sovereign Land</td> <td>● Photo Event Point</td> </tr> <tr> <td>● State Parks and Recreation</td> <td>◆ National Recreation Area</td> <td>○ Section = 1 Mile</td> </tr> <tr> <td>● Tribal, Indian Reservation</td> <td>◆ USFWS, Natl. Wildlife Refuge</td> <td></td> </tr> <tr> <td>● NPS, National Park</td> <td></td> <td></td> </tr> </table> | <b>Land Ownership Categories</b> |  | <b>Transportation Network</b> | ● BLM | ◆ Wilderness | — Middle Deep Creek 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 |  |  | <p>Map prepared by the State of Utah<br/>Automated Geographic Reference Center<br/>Room 5130 State Office Building<br/>Salt Lake City, Utah 84114<br/>Jun 17, 2008</p>   |
| <b>Land Ownership Categories</b>  |   | <b>Transportation Network</b>   |                                  |  |                               |       |              |                          |           |                         |   |                           |                 |               |                         |                        |                     |                              |                            |                    |                              |                                |  |                      |  |  |  |
| ● BLM   | ◆ Wilderness  | — Middle Deep Creek 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  |   |   |                                  |  |                               |       |              |                          |           |                         |   |                           |                 |               |                         |                        |                     |                              |                            |                    |                              |                                |  |                      |  |  |  |



EP230016003



EP230016004



EP230016005



EP230016006

EP000000000

EP000000000

**Middle Deep Creek Road - Tooele County**  
**SGID RD\_ID RD230016**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
June 18, 2008



### Attachment 3

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

**Popular Name: Middle Deep Creek Road**

**County: Tooele**

**County Road Number: tc00366**

**State Geographic Information Database (SGID) Road Identification Number: RD230016.**

**Total Road Length: 0.78 miles more or less.**

**Beginning at a point** on the road centerline located at 40 degrees 01 minutes 14.04 seconds North Latitude and -113 degrees 59 minutes 21.13 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 943,400.0 feet and Y = 7,185,915.0 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 40 degrees 01 minutes 47.41 seconds North Latitude and -113 degrees 59 minutes 01.8 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 944,219.9 feet and Y = 7,189,269.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 9 South Range 19 West, Section(s) 21,28, 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:** Middle Deep Creek Road

**County:** Tooele

**County Road Number:** tc00366

**State Geographic Information Database (SGID) Road Identification Number:** RD230016.

**Total Road Length:** 0.78 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<br/>Listed by SGID<br/>Road Identification<br/>Number (RD ID)</b> | <b>Road-Segment<br/>Numbers</b> | <b>Believed Ownership<br/>Of Servient Estate</b> | <b>Approximate<br/>Segment<br/>Length</b> | <b>See Attached<br/>Appendix</b> |
|--|---------------------------------|--|---|----------------------------------|
| <b>RD230016</b>  | <b>001</b>                      | <b>PVT</b>                                       | <b>0.04 Miles</b>                         | <b>(not shown)</b>               |
| <b>RD230016</b>  | <b>002</b>                      | <b>BLM</b>                                       | <b>0.44 Miles</b>                         | <b>A</b>                         |
| <b>RD230016</b>  | <b>003</b>                      | <b>PVT</b>                                       | <b>0.3 Miles</b>                          | <b>(not shown)</b>               |
|  |                                 | <b>Total Road Length</b>                         | <b>0.78</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 GAIL F. PARKER**  
**MIDDLE DEEP CREEK ROAD**  
**TOOELE COUNTY, UTAH**  
**ROAD NUMBER 00366**

State of Utah                    )  
  : ss.  
County of Tooele                )

GAIL F. PARKER, 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 Ibapah, Tooele County, Utah. I have lived in Tooele and Juab Counties in the Callao and Ibapah areas for the past 50 years.

2. I have traveled and am familiar with a road in Tooele County known as Middle Deep 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 2007. Attached is a Tooele County map showing Middle Deep Creek Road. I have a grazing allotment adjacent to the road on both sides. 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. The County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 2007. Throughout this time period I observed travel on the road by means of cars, pickup trucks, and trailers and ATVs. During this time period, the road was used daily, for more than ten continuous years prior to 1976 and was so used in 2007.

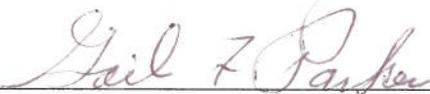
5. Throughout the time period from the early 1950s to 2007, I have used the road myself for livestock operations, hunting and recreation.

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

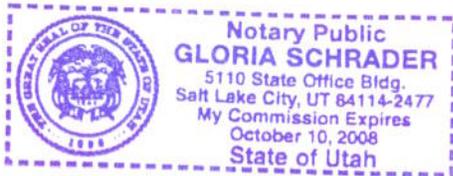
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed graders and other equipment performing maintenance and construction activities on the road.

DATED this 30 day of August, 2007.

  
\_\_\_\_\_  
GAIL F. PARKER

SUBSCRIBED AND SWORN to before me this 30th day of August, 2007.

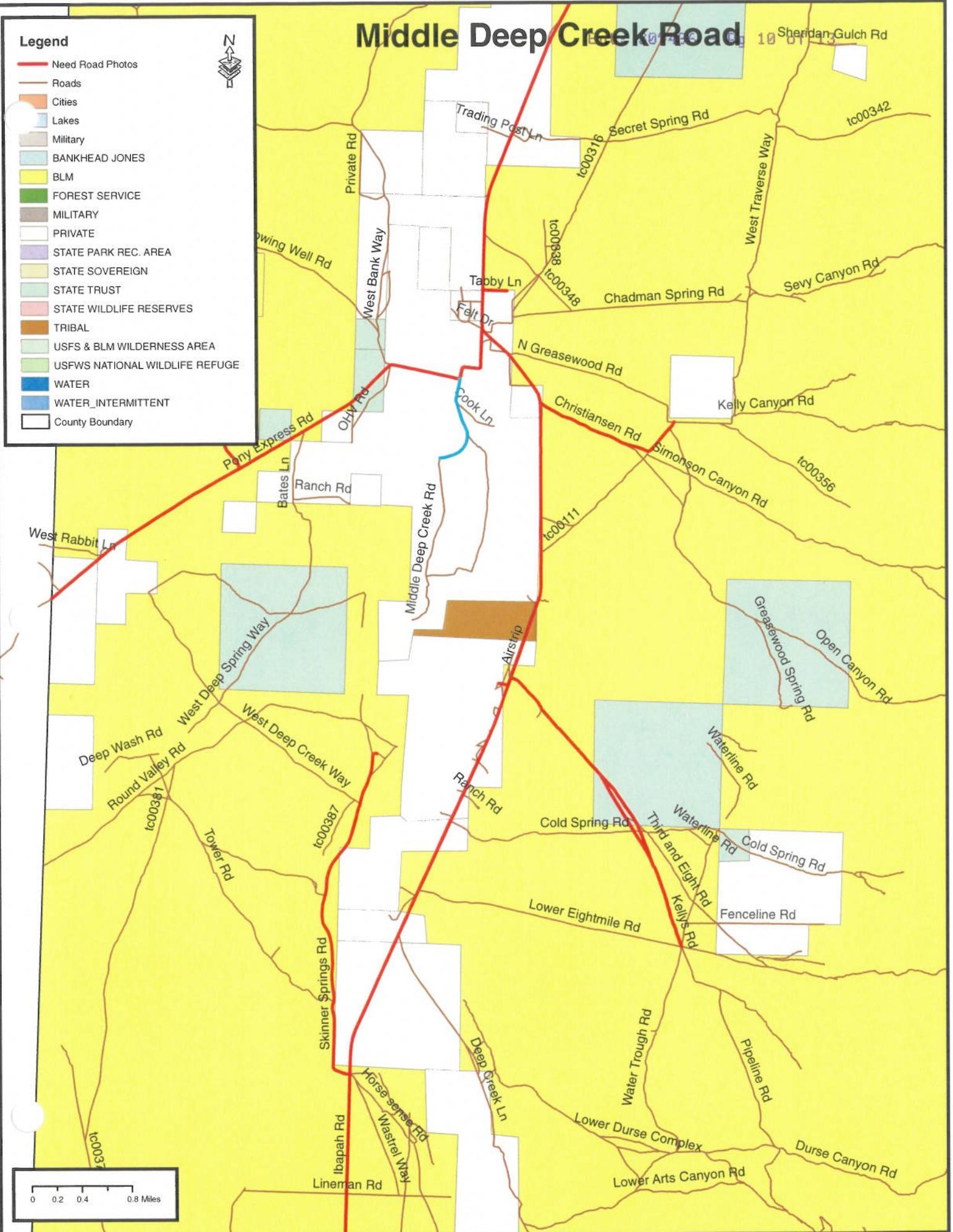


  
\_\_\_\_\_  
NOTARY PUBLIC

# Middle Deep Creek Road

**Legend**

- Need Road Photos
- Roads
- Cities
- Lakes
- Military
- BANKHEAD JONES
- BLM
- FOREST SERVICE
- MILITARY
- PRIVATE
- STATE PARK REC. AREA
- STATE SOVEREIGN
- STATE TRUST
- STATE WILDLIFE RESERVES
- TRIBAL
- USFS & BLM WILDERNESS AREA
- USFWS NATIONAL WILDLIFE REFUGE
- WATER
- WATER\_INTERMITTENT
- County Boundary



**AFFIDAVIT OF NORMA W. KELLEY**

**MIDDLE DEEP CREEK ROAD**

**COUNTY ROAD NUMBER 00366**

**TOOELE COUNTY, UTAH**

State of Utah                    )  
  : ss.  
County of Tooele                )

NORMA W. KELLEY, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Tooele County for 61 years.

2. I have traveled and am familiar with a road in Tooele County known as Middle Deep 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 2007 when I last observed it. Attached is a Tooele County map showing Middle Deep 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. 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 1950s and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including maintenance vehicles, ATVs, trailers, motorcycles, trucks and jeeps. Throughout this time period, the road has been used daily, for more than ten continuous years prior to 1976, and was so used in 2007.

4. Throughout the time period from the early 1950s to 2007, I have used the road myself for recreation, residential access, hunting access, traveling in and through the area and recreation.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus livestock operations, farming and ranching.

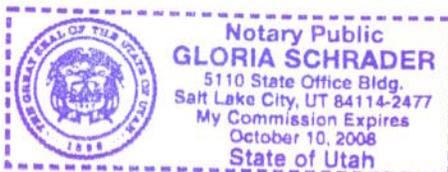
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

7. Prior to 1976, I observed graders performing maintenance and construction activities on the road.

Dated this 30 day of August, 2007.

  
\_\_\_\_\_  
NORMA W. KELLEY

SUBSCRIBED AND SWORN to before me this 30<sup>th</sup> day of August, 2007.



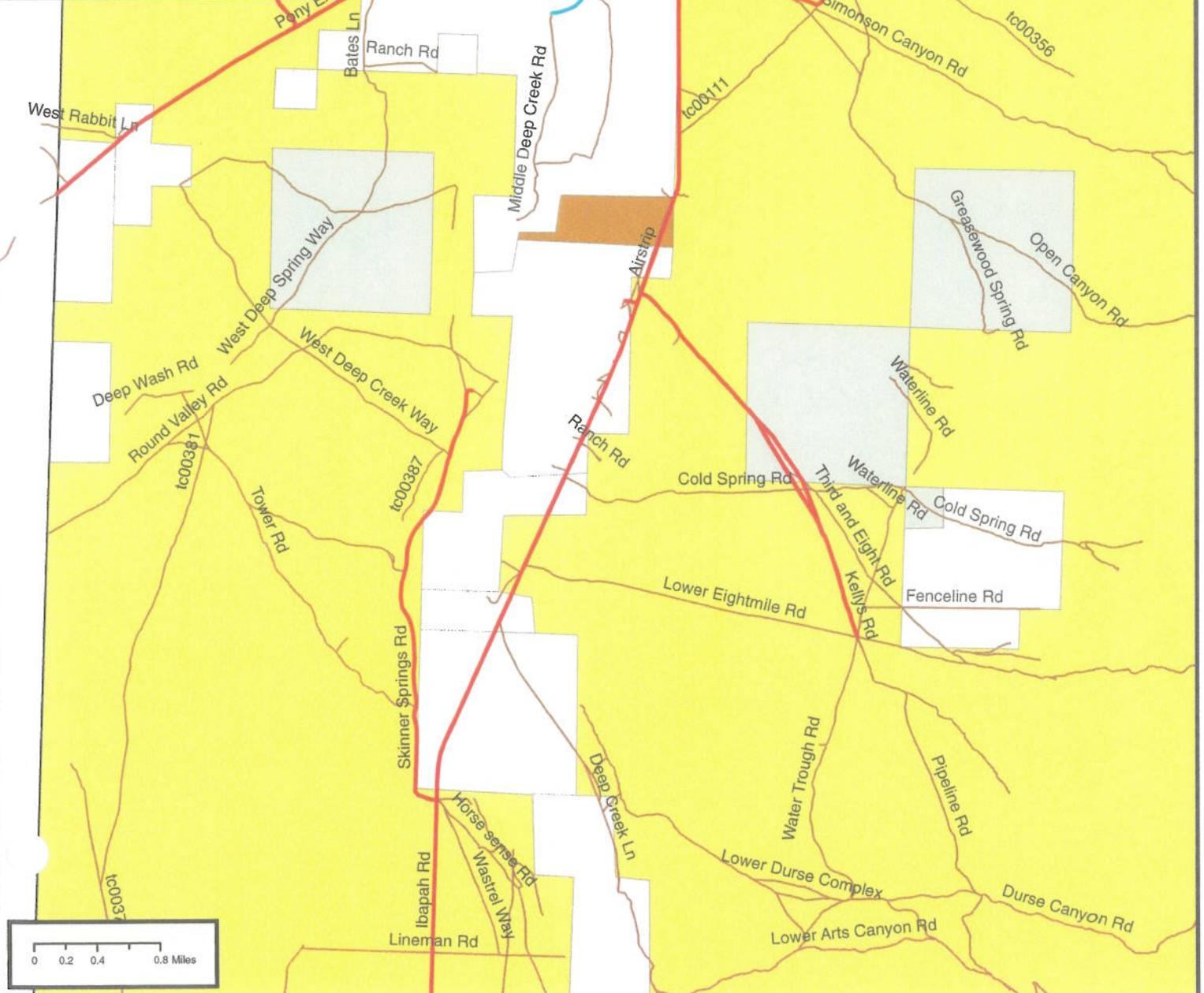
  
\_\_\_\_\_  
NOTARY PUBLIC

# Middle Deep Creek Road

Ent: 309796 - 09 13 of 13

**Legend**

- Need Road Photos
- Roads
- Cities
- Lakes
- Military
- BANKHEAD JONES
- BLM
- FOREST SERVICE
- MILITARY
- PRIVATE
- STATE PARK REC. AREA
- STATE SOVEREIGN
- STATE TRUST
- STATE WILDLIFE RESERVES
- TRIBAL
- USFS & BLM WILDERNESS AREA
- USFWS NATIONAL WILDLIFE REFUGE
- WATER
- WATER\_INTERMITTENT
- County Boundary



## Appendix A to Attachment 4

**Popular Name: Middle Deep Creek Road**

**County: Tooele**

**County Road Number: tc00366**

**State Geographic Information Database (SGID) Road Identification Number: RD230016.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.44 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 9 South Range 19 West, Section(s) 21,28, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Middle Deep Creek Road)-- Segment 002 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 40 degrees 01 minutes 14.42 seconds North Latitude and -113 degrees 59 minutes 18.13 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 943,634.2 feet and Y = 7,185,946.6 feet; thence the following courses along the said road center line:

thence North 76 Degrees 36 Minutes 06 Seconds East 3.8 feet  
thence North 73 Degrees 27 Minutes 44 Seconds East 29.4 feet  
thence North 77 Degrees 24 Minutes 23 Seconds East 30.9 feet  
thence North 73 Degrees 16 Minutes 54 Seconds East 29.1 feet  
thence North 75 Degrees 27 Minutes 52 Seconds East 26.7 feet  
thence North 70 Degrees 46 Minutes 00 Seconds East 25.3 feet  
thence North 68 Degrees 59 Minutes 48 Seconds East 18.6 feet  
thence North 75 Degrees 17 Minutes 23 Seconds East 13.2 feet  
thence North 72 Degrees 48 Minutes 46 Seconds East 79.2 feet  
thence North 70 Degrees 12 Minutes 03 Seconds East 34.4 feet  
thence North 68 Degrees 47 Minutes 47 Seconds East 41.4 feet

thence North 68 Degrees 01 Minutes 36 Seconds East 44.5 feet  
 thence North 67 Degrees 03 Minutes 04 Seconds East 46.9 feet  
 thence North 62 Degrees 22 Minutes 59 Seconds East 46.5 feet  
 thence North 62 Degrees 22 Minutes 59 Seconds East 46.5 feet  
 thence North 60 Degrees 48 Minutes 30 Seconds East 47.6 feet  
 thence North 55 Degrees 58 Minutes 52 Seconds East 47.3 feet  
 thence North 51 Degrees 08 Minutes 07 Seconds East 47.4 feet  
 thence North 46 Degrees 52 Minutes 25 Seconds East 48.3 feet  
 thence North 43 Degrees 33 Minutes 31 Seconds East 47.8 feet  
 thence North 40 Degrees 29 Minutes 10 Seconds East 47.7 feet  
 thence North 36 Degrees 14 Minutes 03 Seconds East 49 feet  
 thence North 33 Degrees 14 Minutes 29 Seconds East 43.5 feet  
 thence North 33 Degrees 21 Minutes 40 Seconds East 5.7 feet  
 thence North 30 Degrees 58 Minutes 14 Seconds East 48 feet  
 thence North 24 Degrees 41 Minutes 17 Seconds East 48.9 feet  
 thence North 24 Degrees 41 Minutes 17 Seconds East 48.9 feet  
 thence North 25 Degrees 31 Minutes 36 Seconds East 47.4 feet  
 thence North 17 Degrees 07 Minutes 06 Seconds East 48.1 feet  
 thence North 16 Degrees 44 Minutes 42 Seconds East 48 feet  
 thence North 12 Degrees 36 Minutes 13 Seconds East 45.4 feet  
 thence North 06 Degrees 44 Minutes 51 Seconds East 47.9 feet  
 thence North 06 Degrees 44 Minutes 51 Seconds East 47.9 feet  
 thence North 01 Degrees 18 Minutes 27 Seconds East 45.9 feet  
 thence North 01 Degrees 47 Minutes 32 Seconds East 44.3 feet  
 thence North 01 Degrees 09 Minutes 11 Seconds West 36.5 feet  
 thence North 01 Degrees 17 Minutes 30 Seconds West 7.8 feet  
 thence North 03 Degrees 43 Minutes 12 Seconds West 44.3 feet  
 thence North 09 Degrees 35 Minutes 04 Seconds West 44.9 feet  
 thence North 15 Degrees 58 Minutes 15 Seconds West 42.6 feet  
 thence North 18 Degrees 29 Minutes 18 Seconds West 43.1 feet  
 thence North 22 Degrees 07 Minutes 49 Seconds West 42.4 feet  
 thence North 22 Degrees 32 Minutes 26 Seconds West 42.5 feet  
 thence North 23 Degrees 41 Minutes 35 Seconds West 44.7 feet  
 thence North 22 Degrees 07 Minutes 49 Seconds West 42.4 feet  
 thence North 24 Degrees 57 Minutes 08 Seconds West 43.3 feet  
 thence North 23 Degrees 41 Minutes 35 Seconds West 44.7 feet  
 thence North 24 Degrees 04 Minutes 42 Seconds West 44.8 feet  
 thence North 22 Degrees 07 Minutes 49 Seconds West 42.4 feet  
 thence North 23 Degrees 41 Minutes 35 Seconds West 44.7 feet  
 thence North 22 Degrees 32 Minutes 26 Seconds West 42.5 feet  
 thence North 19 Degrees 57 Minutes 04 Seconds West 40 feet  
 thence North 20 Degrees 23 Minutes 31 Seconds West 40.1 feet  
 thence North 17 Degrees 58 Minutes 44 Seconds West 37.9 feet  
 thence North 17 Degrees 42 Minutes 40 Seconds West 39.5 feet  
 thence North 18 Degrees 45 Minutes 49 Seconds West 36.3 feet  
 thence North 15 Degrees 46 Minutes 06 Seconds West 35.7 feet  
 thence North 14 Degrees 21 Minutes 54 Seconds West 0.4 feet more or less to **the ending point**

**at:** 40 degrees 01 minutes 32.05 seconds North Latitude and -113 degrees 59 minutes 10.89 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet

coordinates of X = 944,247.1 feet and Y = 7,187,714.0 feet.