

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

Ent 129754 Bk 675 Pg 772  
Date: 23-JUN-2008 1:20PM  
Fee: None  
Filed By: KR  
VIKKI BARNETT, Recorder  
CARBON COUNTY CORPORATION  
For: UTAH STATE

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Carbon County as it pertains to the highway located in Carbon County known as ROCK CREEK ROAD; County Road Number: 648; State Geographic Information Database (SGID) Road Identification Number: RD040035. Total road length is 1.45 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 June, 2008.

By the Governor's Designee

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

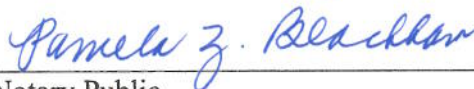
**CERTIFICATION**

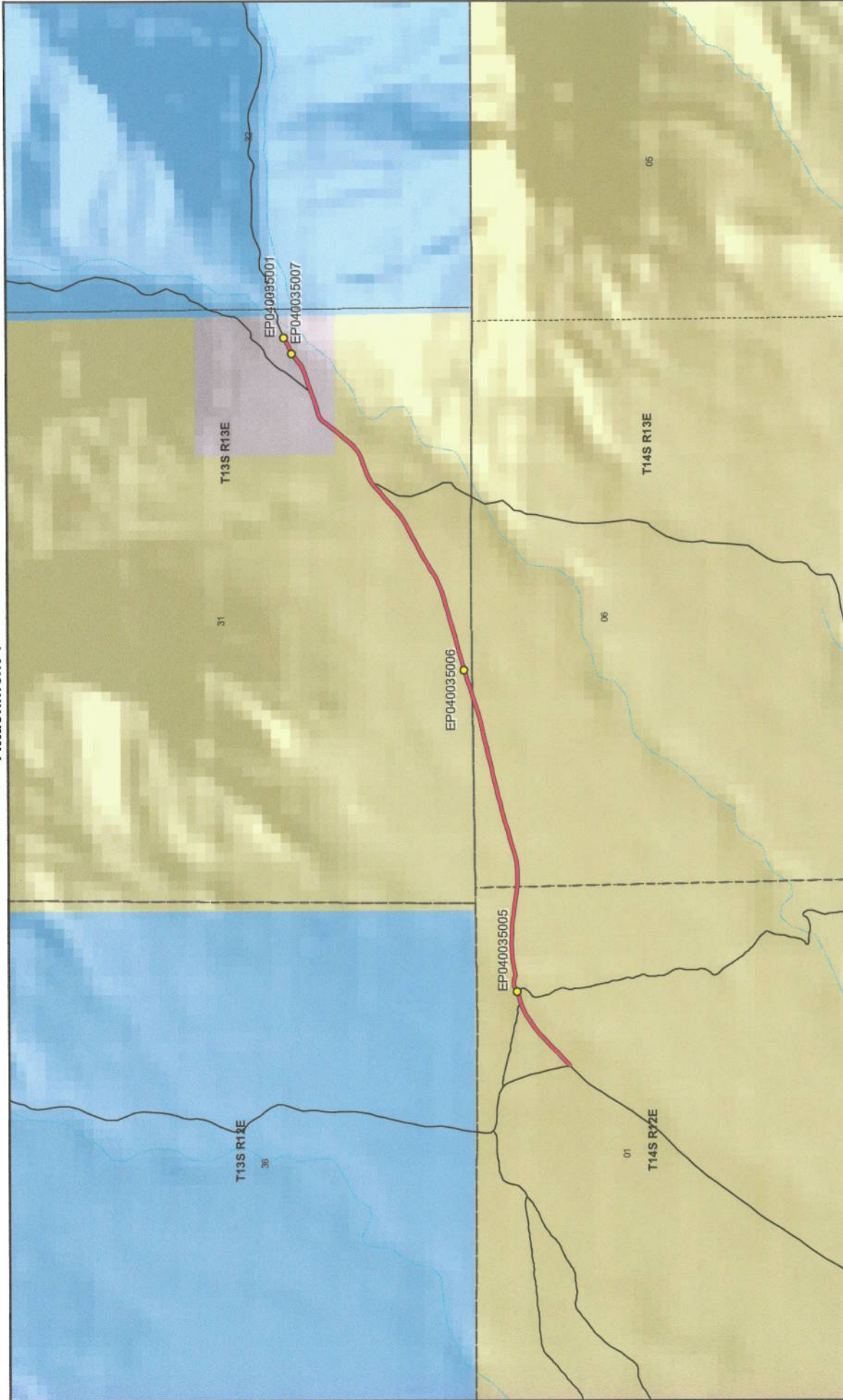
State of Utah                    )  
  : ss  
County of Salt Lake         )

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 17<sup>th</sup> day of June, 2008.



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





1:15,159  
1 inch equals 0.2 miles



### ROCK CREEK ROAD - Carbon County

#### SGID RD\_ID RD040035

Map prepared by the State of Utah  
Automated Geographic Information Center  
Room 5300 State Office Building  
Salt Lake City, Utah 84114  
Jun 12, 2008



<p><b>Land Ownership Categories</b></p> <ul style="list-style-type: none"> <li>BLM</li> <li>Private</li> <li>SITLA, State Trust Land</li> <li>USFS, National Forest</li> <li>State Parks and Recreation</li> <li>Tribal, Indian Reservation</li> <li>NPS, National Park</li> </ul>	<p><b>Transportation Network</b></p> <ul style="list-style-type: none"> <li>ROCK CREEK ROAD</li> <li>Other Roads</li> <li>Title V: Issued Or Under Consideration By BLM Or County</li> <li>Photo Event Point</li> </ul>
--	---

Section = 1 Mile

Attachment 2



EP040035001



EP040035005



EP040035006



EP040035007

EP000000000

EP000000000

**ROCK CREEK ROAD - Carbon County**  
**SGID RD\_ID RD040035**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
June 13, 2008



## Attachment 3

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

**Popular Name: ROCK CREEK ROAD**

**County: Carbon**

**County Road Number: 648**

**State Geographic Information Database (SGID) Road Identification Number: RD040035.**

**Total Road Length: 1.45 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 38 minutes 29.53 seconds North Latitude and -110 degrees 31 minutes 11.63 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,916,403.6 feet and Y = 7,039,669.3 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 38 minutes 55.78 seconds North Latitude and -110 degrees 29 minutes 42.98 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,923,308.2 feet and Y = 7,042,402.0 feet based on the US Survey Foot conversion.

This road may traverse:

Township 13 South Range 13 East, Section(s) 31, Salt Lake Base & Meridian

Township 14 South Range 12 East, Section(s) 1, Salt Lake Base & Meridian

Township 14 South Range 13 East, Section(s) 6, 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: ROCK CREEK ROAD**

**County: Carbon**

**County Road Number: 648**

**State Geographic Information Database (SGID) Road Identification Number: RD040035.**

**Total Road Length: 1.45 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>RD040035</b>	<b>001</b>	<b>BLM</b>	<b>1.26 Miles</b>	<b>A</b>
<b>RD040035</b>	<b>002</b>	<b>PVT</b>	<b>0.2 Miles</b>	<b>(not shown)</b>
		<b>Total Road Length</b>	<b>1.45</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 RAYMOND B. HANSON**

**ROCK CREEK ROAD**

**CARBON COUNTY, UTAH**

**COUNTY ROAD NUMBER 648**

State of Utah                    )  
  : ss  
County of Carbon                )

Raymond B. Hanson, 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 Carbon County, Utah. I have lived in Carbon County for 63 years. I was employed by the Carbon County Road Department from 1971 to 1976 and have been employed by the Carbon County Road Department since 1987 to the present. I have been the Carbon County Road Supervisor since January of 1991.

2. I have traveled and am familiar with a road in Carbon County known as Rock Creek Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1955, it followed the same route as in 2007, when I last observed it. Attached is a Carbon County map showing Rock 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 1955 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including:



ATV, pickup, automobile, gravel truck, loader and road grader. Throughout this time period, the road has been used daily for more than 10 continuous years prior to 1976, and is presently used daily.

5. Throughout the time period from 1955 to 2007, I have used the road myself for the following uses: road maintenance, recreation, traveling in and through the area and hunting.

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, oil and gas exploration, wood gathering, logging and residential access.

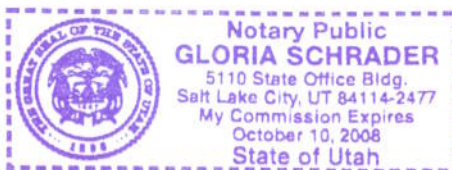
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

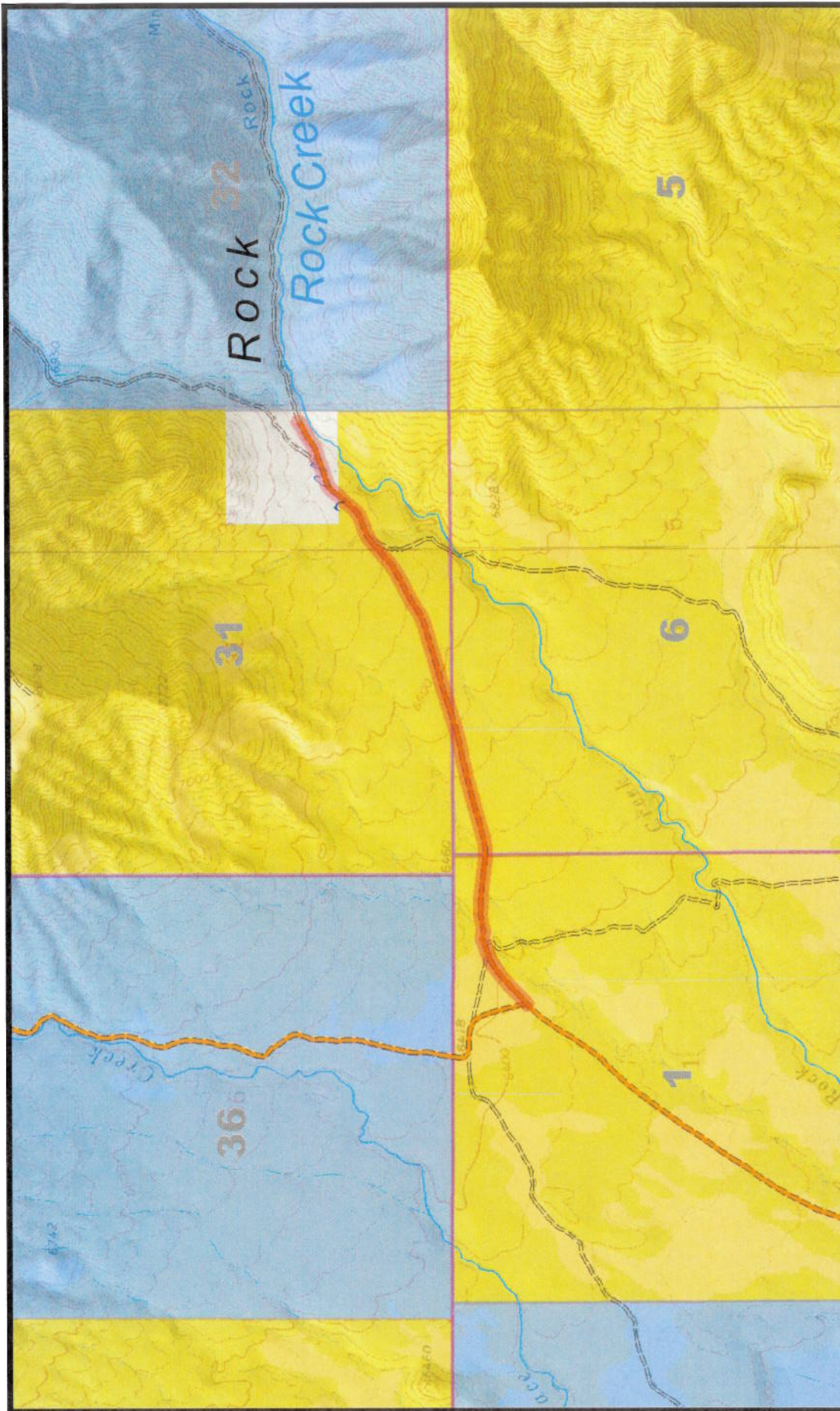
Dated this 6 day of November, 2007.

  
RAYMOND B. HANSON

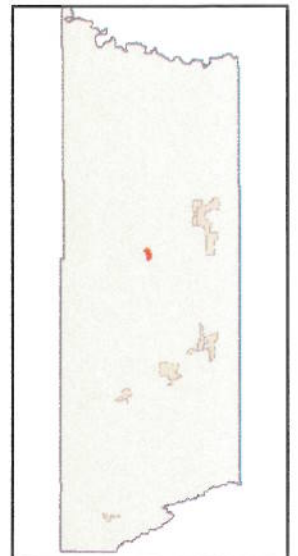
SUBSCRIBED AND SWORN TO before me this 6<sup>th</sup> day of November, 2007.



  
Notary Public



**648  
ROCK CREEK RD**



**AFFIDAVIT OF CLAYTON A. CAMPBELL**

**ROCK CREEK ROAD**

**CARBON COUNTY, UTAH**

**COUNTY ROAD NUMBER 648**

State of Utah                    )  
  : ss  
County of Carbon                )

Clayton A. Campbell, 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 Wellington, Carbon County, Utah. I have lived in Carbon County almost all of my life since 1944.

2. I have traveled and am familiar with a road in Carbon County known as Rock 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 Carbon County map showing Rock 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 2007. Throughout this time period I have observed travel on the road by various means, including pickups, timber trucks, oil field equipment, cars, jeeps and ATVs. Throughout this

time period, the road has been used daily for ten continuous years prior to 1976 and is presently used daily.

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

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 livestock operations, oil and gas exploration and development, logging, mining, government access and access to private property.

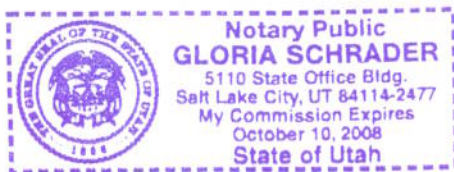
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

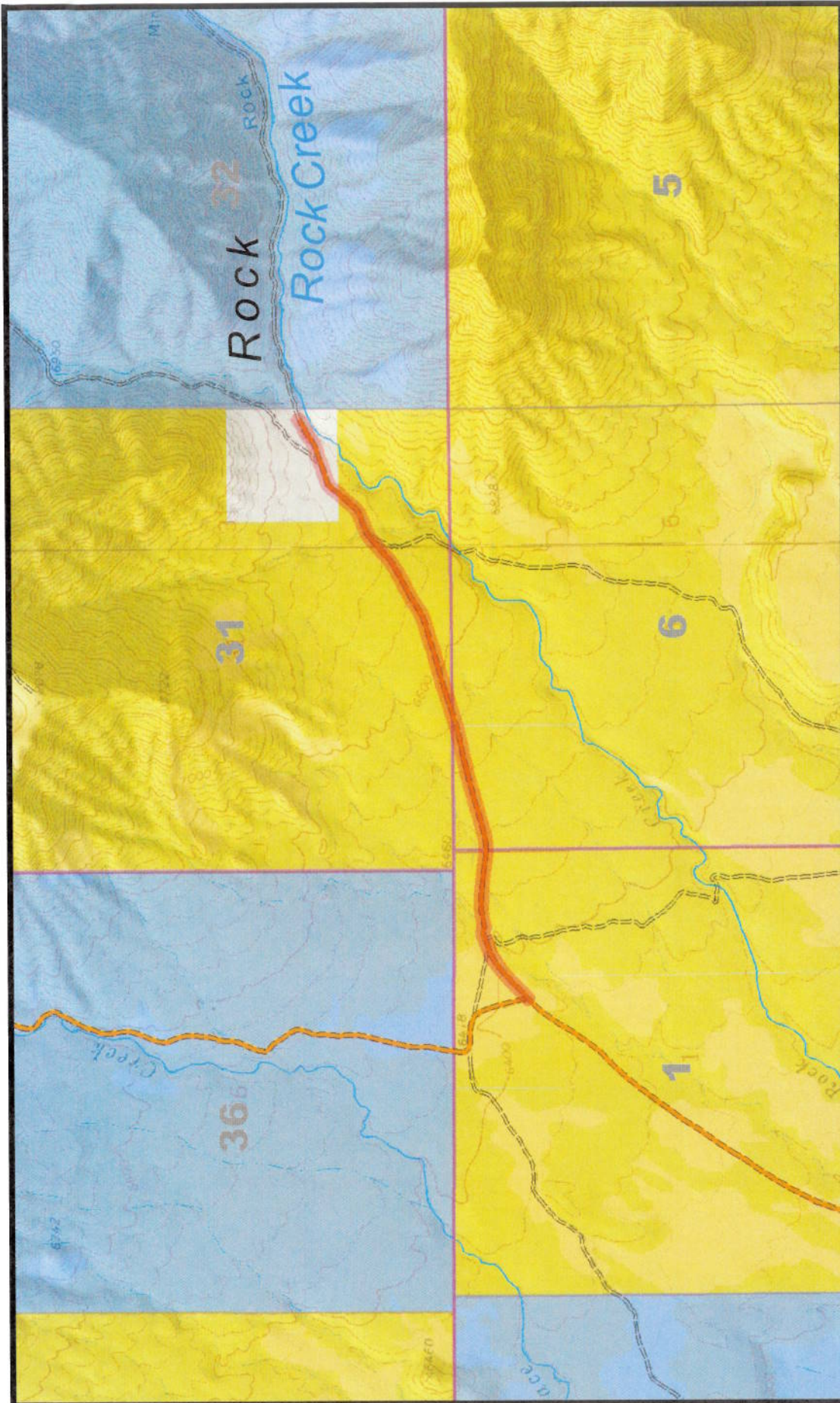
Dated this 6 day of November, 2007.

  
CLAYTON A. CAMPBELL

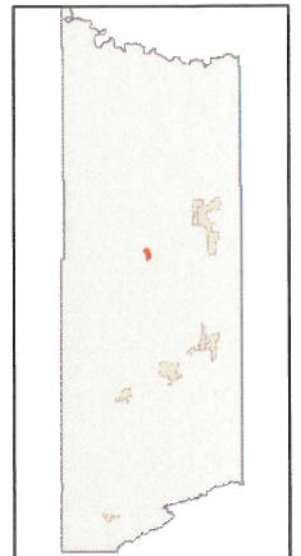
SUBSCRIBED AND SWORN TO before me this 6<sup>th</sup> day of November, 2007.



  
Notary Public



**648  
ROCK CREEK RD**



## Appendix A to Attachment 4

**Popular Name: ROCK CREEK ROAD**

**County: Carbon**

**County Road Number: 648**

**State Geographic Information Database (SGID) Road Identification Number: RD040035.**

**Road-Segment Number: 001**

**Road-Segment Length: 1.26 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 13 South Range 13 East, Section(s) 31, Salt Lake Base & Meridian

Township 14 South Range 12 East, Section(s) 1, Salt Lake Base & Meridian

Township 14 South Range 13 East, Section(s) 6, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (ROCK 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 39 degrees 38 minutes 29.53 seconds North Latitude and -110 degrees 31 minutes 11.63 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,916,403.6 feet and Y = 7,039,669.3 feet; thence the following courses along the said road center line:

thence North 48 Degrees 51 Minutes 29 Seconds East	88.5 feet
thence North 45 Degrees 27 Minutes 17 Seconds East	73.6 feet
thence North 45 Degrees 39 Minutes 36 Seconds East	88 feet
thence North 45 Degrees 11 Minutes 16 Seconds East	86.1 feet
thence North 46 Degrees 24 Minutes 12 Seconds East	83.3 feet
thence North 49 Degrees 56 Minutes 16 Seconds East	77.7 feet
thence North 54 Degrees 32 Minutes 23 Seconds East	77.8 feet
thence North 57 Degrees 13 Minutes 48 Seconds East	69.7 feet
thence North 63 Degrees 41 Minutes 17 Seconds East	62.9 feet

thence North 70 Degrees 09 Minutes 08 Seconds East 43.6 feet  
 thence North 72 Degrees 46 Minutes 45 Seconds East 41.4 feet  
 thence North 73 Degrees 10 Minutes 35 Seconds East 28.3 feet  
 thence North 66 Degrees 45 Minutes 19 Seconds East 58.2 feet  
 thence North 60 Degrees 56 Minutes 57 Seconds East 10.1 feet  
 thence North 59 Degrees 25 Minutes 30 Seconds East 43.6 feet  
 thence North 87 Degrees 42 Minutes 59 Seconds East 20.1 feet  
 thence North 87 Degrees 07 Minutes 02 Seconds East 33 feet  
 thence South 73 Degrees 28 Minutes 21 Seconds East 57.7 feet  
 thence North 80 Degrees 35 Minutes 37 Seconds East 40.1 feet  
 thence North 79 Degrees 56 Minutes 18 Seconds East 42.3 feet  
 thence North 78 Degrees 06 Minutes 10 Seconds East 59.7 feet  
 thence North 83 Degrees 50 Minutes 13 Seconds East 68.7 feet  
 thence North 88 Degrees 13 Minutes 43 Seconds East 80.4 feet  
 thence South 88 Degrees 53 Minutes 19 Seconds East 85.3 feet  
 thence South 88 Degrees 20 Minutes 34 Seconds East 85.5 feet  
 thence South 85 Degrees 07 Minutes 37 Seconds East 86.6 feet  
 thence South 81 Degrees 53 Minutes 00 Seconds East 87.2 feet  
 thence South 81 Degrees 34 Minutes 25 Seconds East 83.9 feet  
 thence South 83 Degrees 11 Minutes 47 Seconds East 76.2 feet  
 thence South 87 Degrees 15 Minutes 46 Seconds East 43.1 feet  
 thence South 87 Degrees 16 Minutes 28 Seconds East 25.9 feet  
 thence South 89 Degrees 16 Minutes 13 Seconds East 64.4 feet  
 thence North 89 Degrees 59 Minutes 44 Seconds East 71.1 feet  
 thence North 83 Degrees 45 Minutes 52 Seconds East 75.5 feet  
 thence North 76 Degrees 00 Minutes 03 Seconds East 71.2 feet  
 thence North 74 Degrees 43 Minutes 19 Seconds East 77.8 feet  
 thence North 73 Degrees 55 Minutes 19 Seconds East 71.1 feet  
 thence North 74 Degrees 55 Minutes 11 Seconds East 69.4 feet  
 thence North 71 Degrees 19 Minutes 15 Seconds East 61.5 feet  
 thence North 72 Degrees 38 Minutes 24 Seconds East 49.4 feet  
 thence North 72 Degrees 32 Minutes 51 Seconds East 49.2 feet  
 thence North 74 Degrees 45 Minutes 55 Seconds East 59.3 feet  
 thence North 76 Degrees 39 Minutes 37 Seconds East 60.5 feet  
 thence North 75 Degrees 16 Minutes 57 Seconds East 71 feet  
 thence North 75 Degrees 36 Minutes 06 Seconds East 79.2 feet  
 thence North 75 Degrees 33 Minutes 22 Seconds East 69 feet  
 thence North 76 Degrees 55 Minutes 40 Seconds East 65.3 feet  
 thence North 75 Degrees 57 Minutes 08 Seconds East 67.6 feet  
 thence North 76 Degrees 02 Minutes 40 Seconds East 71.4 feet  
 thence North 78 Degrees 35 Minutes 38 Seconds East 62.1 feet  
 thence North 74 Degrees 48 Minutes 45 Seconds East 62.7 feet  
 thence North 77 Degrees 20 Minutes 51 Seconds East 82.4 feet  
 thence North 77 Degrees 09 Minutes 59 Seconds East 85 feet  
 thence North 77 Degrees 23 Minutes 25 Seconds East 78.8 feet  
 thence North 73 Degrees 04 Minutes 48 Seconds East 87.4 feet  
 thence North 70 Degrees 42 Minutes 10 Seconds East 86.9 feet  
 thence North 71 Degrees 07 Minutes 20 Seconds East 83.5 feet  
 thence North 70 Degrees 46 Minutes 25 Seconds East 2.5 feet

thence North 73 Degrees 24 Minutes 39 Seconds East 83.4 feet  
 thence North 71 Degrees 55 Minutes 07 Seconds East 76.6 feet  
 thence North 72 Degrees 13 Minutes 37 Seconds East 72.6 feet  
 thence North 72 Degrees 16 Minutes 52 Seconds East 72.8 feet  
 thence North 73 Degrees 43 Minutes 11 Seconds East 79 feet  
 thence North 74 Degrees 55 Minutes 06 Seconds East 75.6 feet  
 thence North 73 Degrees 34 Minutes 13 Seconds East 66.7 feet  
 thence North 75 Degrees 50 Minutes 34 Seconds East 70.4 feet  
 thence North 72 Degrees 43 Minutes 14 Seconds East 80.1 feet  
 thence North 73 Degrees 30 Minutes 33 Seconds East 75.1 feet  
 thence North 72 Degrees 31 Minutes 53 Seconds East 65.6 feet  
 thence North 73 Degrees 39 Minutes 05 Seconds East 72.9 feet  
 thence North 73 Degrees 19 Minutes 55 Seconds East 71.5 feet  
 thence North 74 Degrees 05 Minutes 58 Seconds East 71.9 feet  
 thence North 69 Degrees 31 Minutes 57 Seconds East 75.1 feet  
 thence North 61 Degrees 44 Minutes 49 Seconds East 65.9 feet  
 thence North 59 Degrees 42 Minutes 43 Seconds East 53.7 feet  
 thence North 56 Degrees 35 Minutes 09 Seconds East 50.6 feet  
 thence North 56 Degrees 43 Minutes 07 Seconds East 47.8 feet  
 thence North 58 Degrees 54 Minutes 06 Seconds East 60.4 feet  
 thence North 60 Degrees 39 Minutes 32 Seconds East 56.9 feet  
 thence North 61 Degrees 22 Minutes 25 Seconds East 63.3 feet  
 thence North 63 Degrees 59 Minutes 46 Seconds East 54.3 feet  
 thence North 60 Degrees 27 Minutes 01 Seconds East 63.2 feet  
 thence North 63 Degrees 51 Minutes 40 Seconds East 59.6 feet  
 thence North 61 Degrees 19 Minutes 36 Seconds East 65 feet  
 thence North 59 Degrees 15 Minutes 03 Seconds East 62.5 feet  
 thence North 55 Degrees 15 Minutes 49 Seconds East 69.1 feet  
 thence North 46 Degrees 41 Minutes 00 Seconds East 78.9 feet  
 thence North 46 Degrees 29 Minutes 26 Seconds East 72.6 feet  
 thence North 50 Degrees 45 Minutes 19 Seconds East 63.6 feet  
 thence North 50 Degrees 23 Minutes 12 Seconds East 60.4 feet  
 thence North 46 Degrees 40 Minutes 30 Seconds East 58.6 feet  
 thence North 50 Degrees 54 Minutes 54 Seconds East 31.2 feet  
 thence North 50 Degrees 23 Minutes 20 Seconds East 32.2 feet  
 thence North 61 Degrees 38 Minutes 25 Seconds East 67.4 feet  
 thence North 68 Degrees 56 Minutes 53 Seconds East 70.7 feet  
 thence North 70 Degrees 04 Minutes 30 Seconds East 62.6 feet  
 thence North 70 Degrees 57 Minutes 35 Seconds East 50.3 feet  
 thence North 62 Degrees 54 Minutes 47 Seconds East 50.4 feet  
 thence North 53 Degrees 55 Minutes 58 Seconds East 43.1 feet  
 thence North 49 Degrees 57 Minutes 42 Seconds East 21.7 feet  
 thence North 43 Degrees 31 Minutes 35 Seconds East 56.6 feet  
 thence North 41 Degrees 04 Minutes 49 Seconds East 76.2 feet  
 thence North 40 Degrees 48 Minutes 59 Seconds East 73.7 feet  
 thence North 38 Degrees 30 Minutes 41 Seconds East 44.1 feet

more or less to **the ending point at:** 39 degrees 38 minutes 51.16 seconds North Latitude and -110 degrees 29 minutes 54.43 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,922,417.8 feet and Y = 7,041,924.9 feet.