

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Daggett County as it pertains to the highway located in Daggett County known as D23; County Road Number: D23; State Geographic Information Database (SGID) Road Identification Number: RD050055. Total road length is 2.56 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 19<sup>th</sup> day of August, 2009.

By the Governor's Designee

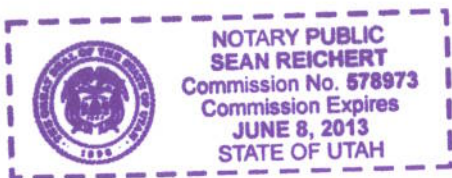
  
\_\_\_\_\_  
John Harja

**CERTIFICATION**

State of Utah                    )  
  : ss  
County of Salt Lake         )

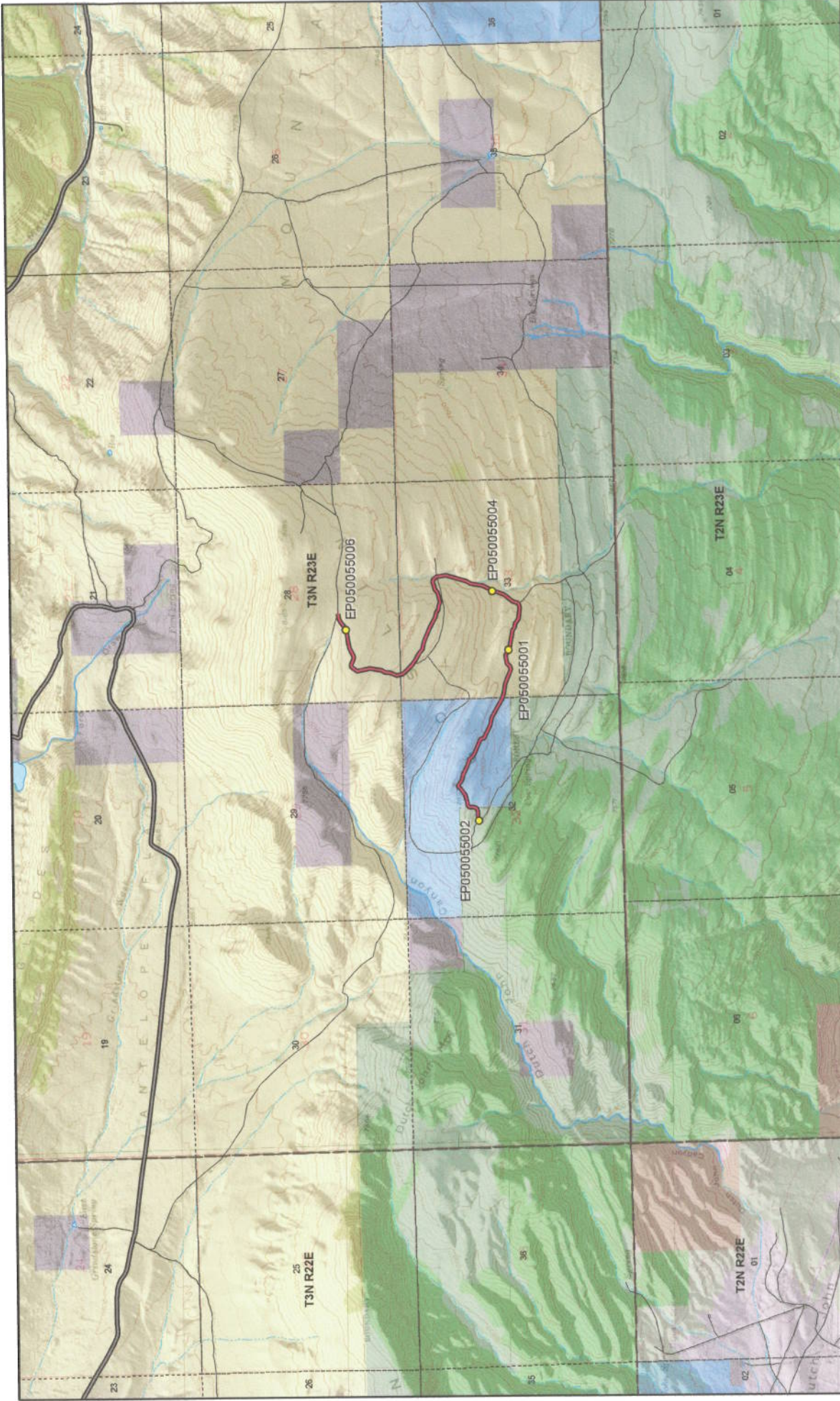
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 19<sup>th</sup> day of August, 2009.



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





**D23 - Daggett County**  
**SGID RD\_ID RD050055 CO\_UNIQUE D23**

**Land Ownership Categories**

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

**Misc**

- Photo Event Point
- Section = 1 Mile

**Transportation Network**

- D23
- Title V Issued Or Under Consideration By BLM Or County
- County B Road
- State / U.S. Highway
- Other Roads

Map prepared by the State of Utah  
 Agriculture Center Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Dec 09, 2008





**Scale**  
 1:38,446  
 1 inch = 0.61 miles



**Attachment 1**

**SGID Road ID Number RD\_ID: RD050055**

**Page 1 of 1**



Attachment 2



EP050055001



EP050055002



EP050055004



EP050055006

EP000000000

EP000000000



**D23 - Daggett County  
SGID RD\_ID RD050055**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
June 08, 2009



### Attachment 3

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

**Popular Name: D23**

**County: Daggett**

**County Road Number: D23**

**State Geographic Information Database (SGID) Road Identification Number: RD050055.**

**Total Road Length: 2.56 miles more or less.**

**Beginning at a point** on the road centerline located at 40 degrees 57 minutes 22.65 seconds North Latitude and -109 degrees 20 minutes 51.42 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 2,234,860.0 feet and Y = 3,515,160.3 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 40 degrees 57 minutes 55.26 seconds North Latitude and -109 degrees 19 minutes 44.97 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 2,239,874.5 feet and Y = 3,518,585.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 3 North Range 23 East, Section(s) 28,32,33, 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: D23**

**County: Daggett**

**County Road Number: D23**

**State Geographic Information Database (SGID) Road Identification Number: RD050055.**

**Total Road Length: 2.56 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>RD050055</b>	<b>001</b>	<b>FS</b>	<b>0.07 Miles</b>	<b>†(pending)</b>
<b>RD050055</b>	<b>002</b>	<b>ST</b>	<b>0.6 Miles</b>	<b>(not shown)</b>
<b>RD050055</b>	<b>003</b>	<b>BLM</b>	<b>1.89 Miles</b>	<b>A</b>
		<b>Total Road Length</b>	<b>2.56</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 GENE BRIGGS**  
**D23 ROAD**  
**DAGGETT COUNTY, UTAH**  
**DAGGETT COUNTY ROAD D23**

State of Utah            )  
                                  : ss.  
County of Daggett     )

I, GENE BRIGGS, testify and declare under oath as follows:

1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on April 4, 1933, in Manila, Daggett County, Utah. I have lived in Daggett County most of my life. I was employed by the Daggett County Road Department from 1963 to 1965. I was also employed by Daggett County as Daggett County Clerk, Auditor and Treasurer from January 1967 to December 31, 1994.

2. I have traveled and am familiar with D23 Road, Daggett County Road D23 and the land it traverses.

3. I took the following steps to verify that the Road I refer to in this affidavit and D23 Road (the “ Road”) are the same road:

a. I examined a large Daggett County map depicting the Road in relation to other roads, intersections and landmarks. I observed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.

b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the Road I refer to herein.

c. I examined ground photos depicting the Road and surrounding area and verified that the Road is accurately depicted on the photos and is the Road I refer to herein.



4. I personally traveled the Road from the early 1950s through 1976 and continuing until 2004, ("the Time Period of My Experience"). It is the reputation in the community that the Road was traveled as early as the early 1900s, prior to my earliest recollection. The road accesses a spring used by sheep herders and cattle ranchers for years.

5. When I last traveled and observed the Road in 2004, it followed the same route as in the early 1950s, when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled daily, weather permitting during hunting seasons and weekly, weather permitting throughout the rest of the year. Based upon my observation during the Time Period of My Experience, the road was continuously used as a public thoroughfare by members of the public for public purposes whenever it was necessary and convenient for them to do so and I have never known the use of the road to have been interrupted by any means.

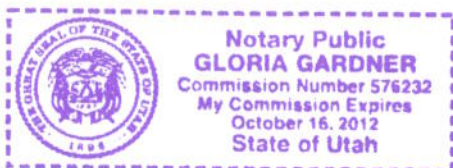
7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck and ATVs, and I have observed others from the general public use the Road by the same means and snowmobiles and motorcycles.

8. During the Time Period of My Experience I have personally used the Road for recreation and hunting and I have observed others from the general public using the Road for the same purposes and livestock operations.

DATED this 17<sup>th</sup> day of December, 2008.

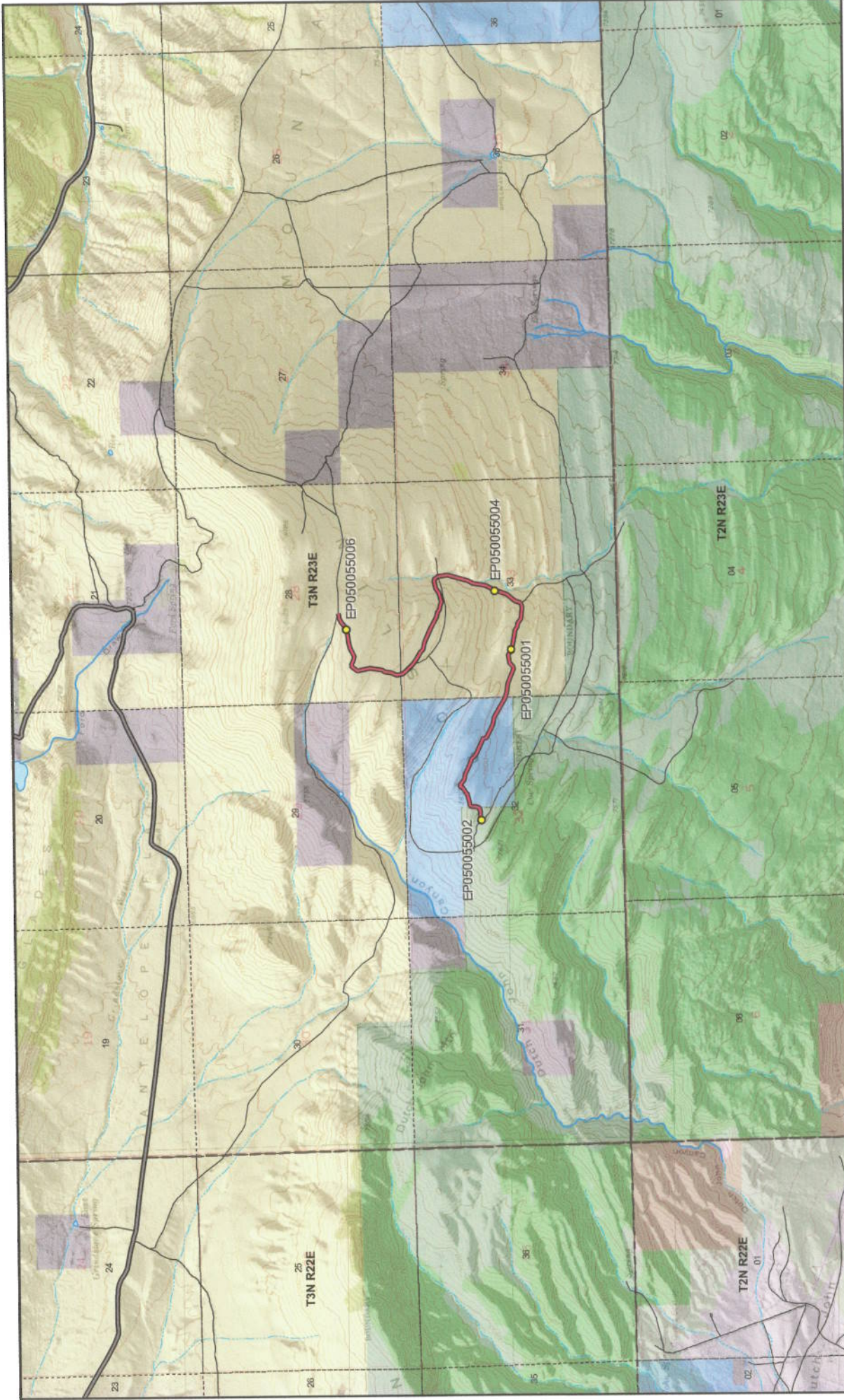
  
\_\_\_\_\_  
GENE BRIGGS

SUBSCRIBED AND SWORN to before me this 17<sup>th</sup> day of December, 2008.



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





Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Dec 05, 2008



**D23 - Daggett County**  
**SGID RD\_ID RD050055 CO\_UNIQUE D23**

**Land Ownership Categories**

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

**Misc**

- Photo Event Point
- Section = 1 Mile

**Transportation Network**

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

**Scale**  
 1:38,446  
 1 inch = 0.61 miles

**Attachment 1**

**SGID Road ID Number RD\_ID: RD050055**

**Page 1 of 1**



**AFFIDAVIT OF FLOYD BRIGGS**  
**D23 ROAD**  
**DAGGETT COUNTY, UTAH**  
**DAGGETT COUNTY ROAD D23**

State of Utah            )  
                                  : ss.  
County of Daggett        )

I, FLOYD BRIGGS, testify and declare under oath as follows:

1. I am an adult competent to testify about the matters set forth in this affidavit. My testimony is based upon my personal knowledge and experience. I was born on April 6, 1956, in Rock Springs, Wyoming. I have lived in Daggett County all of my life. I have been a Daggett County Commissioner since January of 2007. I worked for the Daggett County Road Department from approximately 1976 to 1988.

2. I have traveled and am familiar with D23 Road, Daggett County Road D23, and the land it traverses.

3. I took the following steps to verify that the Road I refer to in this affidavit and D23 Road (the “ Road”) are the same road:

a. I examined a large Daggett County map depicting the Road in relation to other roads, intersections and landmarks. I observed the Road on the large map verifying that it is accurately depicted on the map and it is the road I refer to herein.

b. I examined the map attached to this affidavit depicting the Road and surrounding area and verified that the Road is accurately depicted on the map and is the road I refer to herein.

c. I examined ground photos depicting the road and surrounding area and verified that the Road is accurately depicted in the photos and is the Road I refer to herein.

4. I personally traveled the Road from the early 1970s through 1976 and continuing until 2008, ("the Time Period of My Experience"). It is the reputation in the community that the Road was traveled as early as the early 1900s, prior to my earliest recollection. The road provides access to a spring that has been used for years by sheep herders.

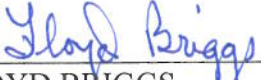
5. When I last traveled and observed the Road in 2008, it followed the same route as in the early 1970s, when I first traveled and observed it.

6. During the Time Period of My Experience the Road has been traveled daily during hunting seasons and weekly, weather permitting during other periods. Based upon my observation during the Time Period of My Experience, the Road was continuously used as a public thoroughfare by members of the public for public purposes whenever it was necessary and convenient for them to do so and I have never known the use of the road to have been interrupted by any means.

7. During the Time Period of My Experience I have personally traveled the Road by various means, including pickup truck, snowmobile and ATV, and I have observed others from the general public use the Road by the same means plus camp trailers.

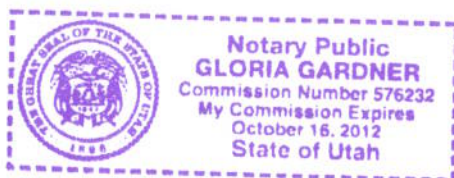
8. During the Time Period of My Experience I have personally used the Road for hunting and I have observed others from the general public using the Road for the same purposes, plus livestock operations.

DATED this 17 day of December, 2008.

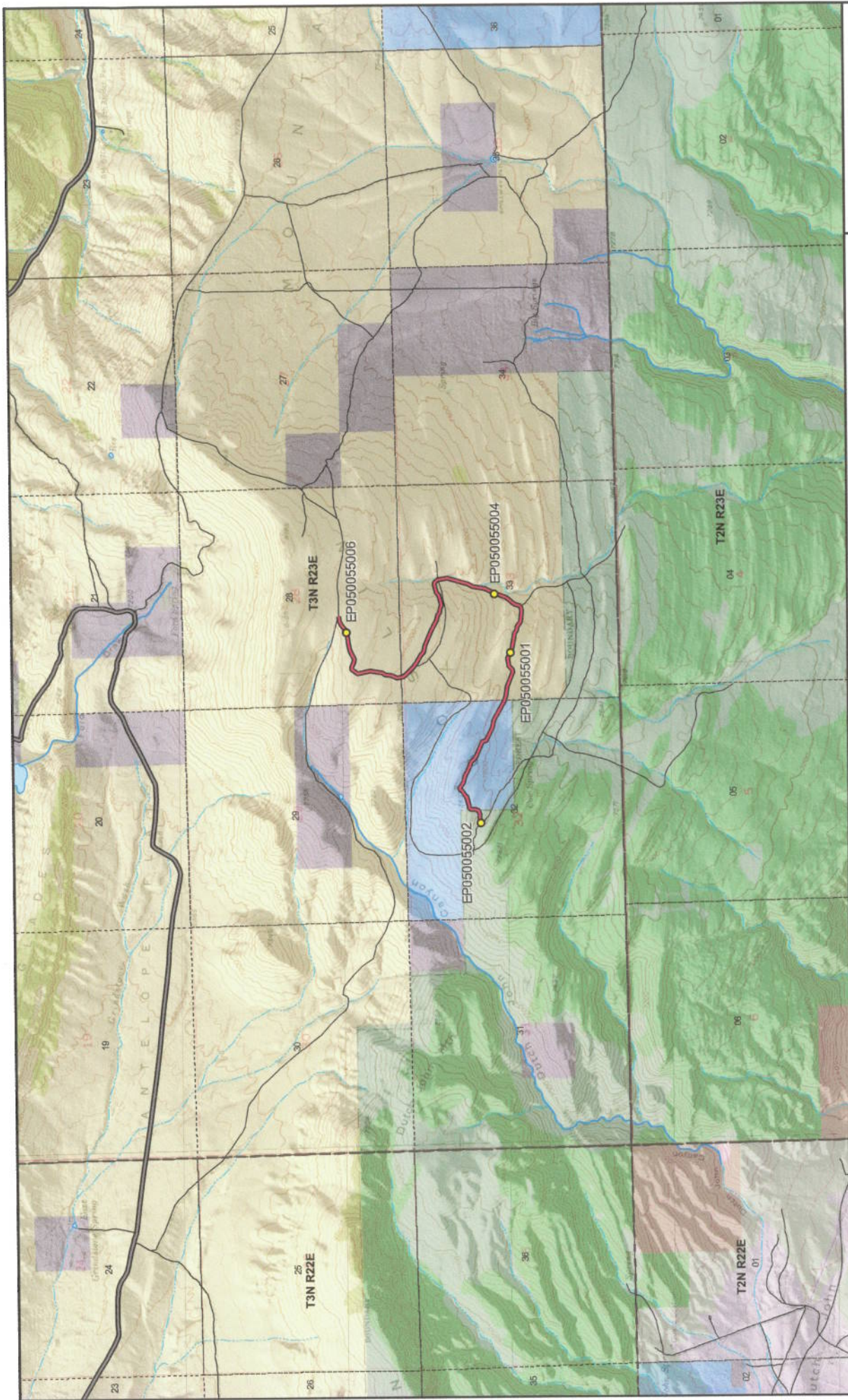
  
\_\_\_\_\_  
FLOYD BRIGGS

SUBSCRIBED AND SWORN to before me this 17<sup>th</sup> day of December, 2008.


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







Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 Room 5130 State Office Building  
 Salt Lake City, Utah 84114  
 Dec 09, 2008



**D23 - Daggett County**  
**SGID RD\_ID RD050055 CO\_UNIQUE D23**

**Land Ownership Categories**

- BLM
- Private
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- USFS, National Forest
- National Recreation Area
- UDWR Wildlife Reserve

**Misc**

- Photo Event Point
- Section = 1 Mile

**Transportation Network**

- D23 Title V: Issued Or Under Consideration By BLM
- Or County
- County B Road
- State / U.S. Highway
- Other Roads



Scale  
 1:38,446  
 1 inch = 0.61 miles





## Appendix A to Attachment 4

**Popular Name: D23**

**County: Daggett**

**County Road Number: D23**

**State Geographic Information Database (SGID) Road Identification Number: RD050055.**

**Road-Segment Number: 003**

**Road-Segment Length: 1.89 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 3 North Range 23 East, Section(s) 28,33, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (D23)--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 40 degrees 57 minutes 016.3 seconds North Latitude and -109 degrees 20 minutes 12.79 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet coordinates of X = 2,237,839.0 feet and Y = 3,514,590.8 feet; thence the following courses along the said road center line:

thence South 70 Degrees 33 Minutes 23 Seconds East	112.8 feet
thence South 80 Degrees 27 Minutes 22 Seconds East	229.5 feet
thence South 68 Degrees 48 Minutes 17 Seconds East	374.6 feet
thence North 80 Degrees 02 Minutes 24 Seconds East	76.5 feet
thence North 39 Degrees 47 Minutes 58 Seconds East	109.4 feet
thence North 81 Degrees 10 Minutes 30 Seconds East	200.1 feet
thence South 62 Degrees 26 Minutes 19 Seconds East	189.3 feet
thence South 79 Degrees 08 Minutes 58 Seconds East	448.2 feet
thence South 58 Degrees 35 Minutes 10 Seconds East	77.9 feet
thence South 75 Degrees 08 Minutes 34 Seconds East	106.4 feet
thence South 53 Degrees 18 Minutes 58 Seconds East	125.3 feet
thence South 82 Degrees 51 Minutes 28 Seconds East	277.3 feet



thence North 69 Degrees 35 Minutes 53 Seconds East 116.7 feet  
 thence North 58 Degrees 42 Minutes 00 Seconds East 1.9 feet  
 thence North 17 Degrees 06 Minutes 40 Seconds East 144.5 feet  
 thence North 40 Degrees 08 Minutes 21 Seconds East 258.8 feet  
 thence North 18 Degrees 36 Minutes 43 Seconds East 324.4 feet  
 thence North 29 Degrees 46 Minutes 15 Seconds East 244.6 feet  
 thence North 06 Degrees 52 Minutes 35 Seconds East 292.7 feet  
 thence North 27 Degrees 01 Minutes 05 Seconds East 138.5 feet  
 thence North 16 Degrees 35 Minutes 35 Seconds East 509.3 feet  
 thence North 06 Degrees 48 Minutes 04 Seconds West 215.6 feet  
 thence North 05 Degrees 56 Minutes 06 Seconds West 16.8 feet  
 thence North 41 Degrees 22 Minutes 16 Seconds West 94 feet  
 thence North 64 Degrees 18 Minutes 00 Seconds West 63.5 feet  
 thence South 71 Degrees 24 Minutes 30 Seconds West 199 feet  
 thence South 52 Degrees 29 Minutes 41 Seconds West 100.5 feet  
 thence South 76 Degrees 55 Minutes 39 Seconds West 245.6 feet  
 thence North 66 Degrees 05 Minutes 48 Seconds West 75.9 feet  
 thence North 83 Degrees 24 Minutes 13 Seconds West 108.7 feet  
 thence North 54 Degrees 32 Minutes 48 Seconds West 87 feet  
 thence North 77 Degrees 14 Minutes 38 Seconds West 115.9 feet  
 thence North 62 Degrees 08 Minutes 47 Seconds West 274.4 feet  
 thence North 67 Degrees 59 Minutes 47 Seconds West 402.3 feet  
 thence North 77 Degrees 48 Minutes 25 Seconds West 172.4 feet  
 thence North 38 Degrees 59 Minutes 44 Seconds West 84 feet  
 thence North 61 Degrees 09 Minutes 47 Seconds West 232.2 feet  
 thence North 49 Degrees 33 Minutes 53 Seconds West 132.1 feet  
 thence North 49 Degrees 32 Minutes 35 Seconds West 202.4 feet  
 thence North 35 Degrees 41 Minutes 12 Seconds West 128.7 feet  
 thence North 17 Degrees 15 Minutes 21 Seconds West 42.4 feet  
 thence North 17 Degrees 16 Minutes 29 Seconds West 96.2 feet  
 thence North 22 Degrees 18 Minutes 04 Seconds East 167.1 feet  
 thence North 08 Degrees 46 Minutes 49 Seconds East 142.9 feet  
 thence North 31 Degrees 02 Minutes 50 Seconds East 76.9 feet  
 thence North 10 Degrees 58 Minutes 26 Seconds East 205.8 feet  
 thence North 05 Degrees 55 Minutes 49 Seconds East 84.2 feet  
 thence North 10 Degrees 59 Minutes 07 Seconds West 307.2 feet  
 thence North 31 Degrees 25 Minutes 44 Seconds East 140.9 feet  
 thence North 51 Degrees 55 Minutes 52 Seconds East 34.9 feet  
 thence North 89 Degrees 39 Minutes 51 Seconds East 59.1 feet  
 thence South 67 Degrees 14 Minutes 20 Seconds East 121.3 feet  
 thence South 85 Degrees 36 Minutes 40 Seconds East 79.7 feet  
 thence North 65 Degrees 15 Minutes 50 Seconds East 213.7 feet  
 thence North 74 Degrees 00 Minutes 21 Seconds East 134.9 feet  
 thence North 82 Degrees 43 Minutes 26 Seconds East 353 feet  
 thence North 48 Degrees 12 Minutes 44 Seconds East 206.2 feet  
 thence North 63 Degrees 28 Minutes 43 Seconds East 110.8 feet  
 thence North 80 Degrees 36 Minutes 59 Seconds East 104.3 feet more or less to **the ending**

**point at:** 40 degrees 57 minutes 55.26 seconds North Latitude and -109 degrees 19 minutes 44.97 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah North Zone NAD 83 feet

coordinates of X = 2,239,874.5 feet and Y = 3,518,585.8 feet.