

**Amended Acknowledgment and  
Amended 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 Amended Acknowledgment and Amended 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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Duchesne County as it pertains to the highway located in Duchesne County known as BLM Fence Road; County Road Number: 31; State Geographic Information Database (SGID) Road Identification Number: RD070008. Total road length is 2.74 miles more or less.

This Amended Acknowledgment and Amended Notice of Acknowledgment supersedes the information contained in the following documents:

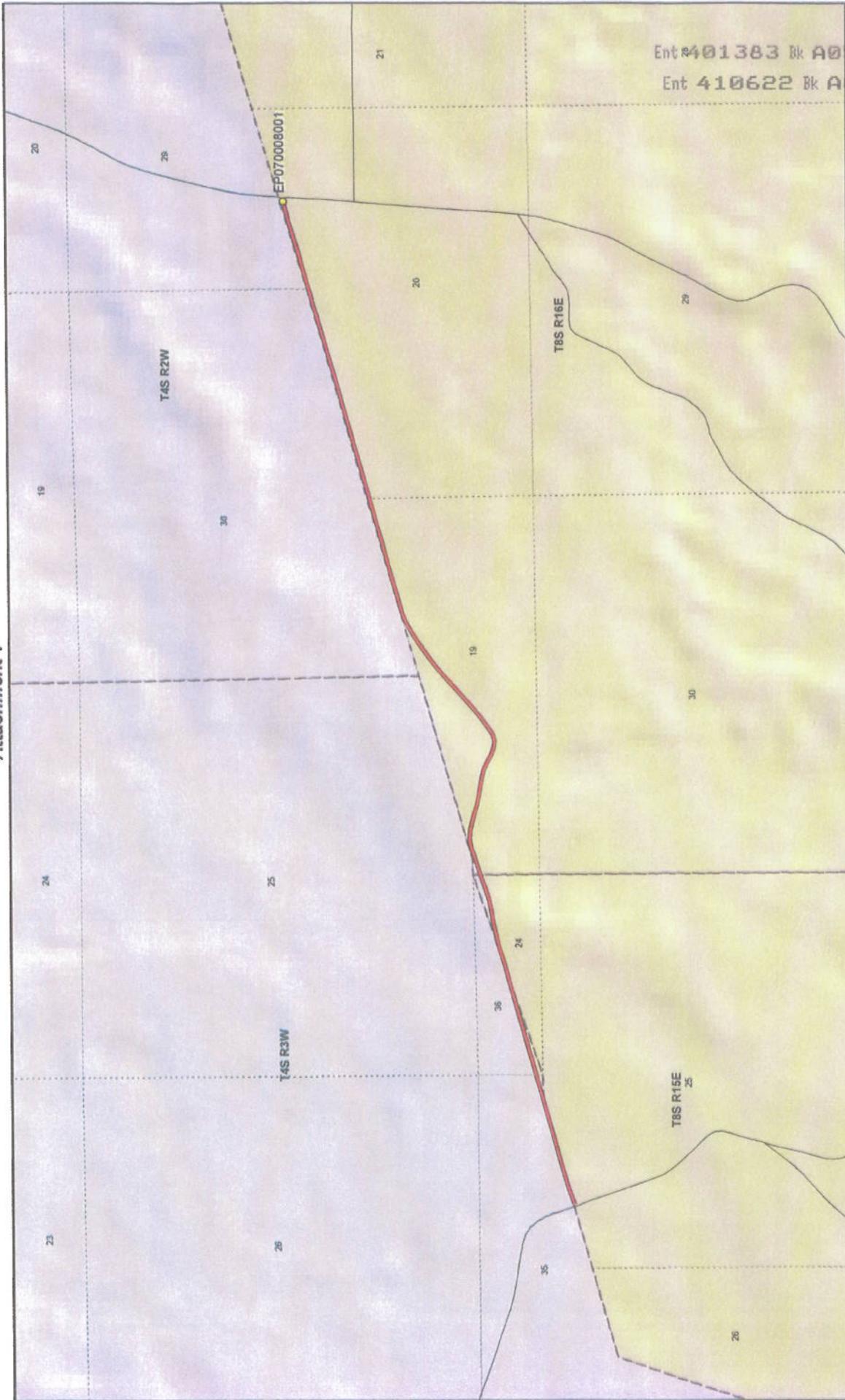
1. Acknowledgment recorded at Ent 393653, Bk A500 Pg 306.
2. Amended Acknowledgment recorded at Ent 401383, Bk A525 Pg 721.
3. Supplement to Amended Acknowledgment recorded at Ent 405997, Bk A541 Pg 315.
4. Affidavit of John Uresk recorded at Ent 405998, Bk A541 Pg 321.

The reason for this Amended Acknowledgment and Amended 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 Amended Acknowledgment and Amended 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





Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Nov 11, 2005

**BLM fence Road - Duchesne County**  
**SGID RD\_ID RD070008**

**Land Ownership Categories**

- BLM
- Private
- SITLA, State Trust Land
- USFS, National Forest
- State Parks and Recreation
- Tribal, Indian Reservation
- NPS, National Park
- Wilderness
- UDWR Wildlife Reserve
- DOD, Military
- State Sovereign Land
- National Recreation Area
- USFWS, Natl. Wildlife Refuge

**Transportation Network**

- BLM fence Road
- Other Roads
- Title V Issued Or Under Consideration By BLM
- County
- Photo Event Point
- Section = 1 Mile

1:21,539  
1 inch equals 0.3 miles

Ent 401383 Bk A0520 Pg 07  
Ent 410622 Bk A000 Pg 0222

**Attachment 1**

**Page 1 of 1**

**SGID Road Identification Number RD\_ID: RD070008**



EP070008001

EP000000000

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**BLM Fence Road - Duchesne County**  
**SGID RD\_ID RD070008**



Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
November 9, 2006



### Attachment 3

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

**Popular Name: BLM Fence Road**

**County: Duchesne**

**County Road Number: 31**

**State Geographic Information Database (SGID) Road Identification Number: RD070008.**

**Total Road Length: 2.74 miles more or less.**

**Beginning at a point** on the road centerline located at 40 degrees 05 minutes 41.99 seconds North Latitude and -110 degrees 11 minutes 12.95 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,007,733.6 feet and Y = 7,206,023.1 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 40 degrees 06 minutes 018.8 seconds North Latitude and -110 degrees 08 minutes 17.45 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 2,021,312.5 feet and Y = 7,209,951.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 4 South Range 3 West, Section(s)35,36, Uintah Basin Base & Meridian

Township 8 South Range 15 East, Section(s) 24,25, Salt Lake Base & Meridian

Township 8 South Range 16 East, Section(s) 19,20, 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: BLM Fence Road**

**County: Duchesne**

**County Road Number: 31**

**State Geographic Information Database (SGID) Road Identification Number: RD070008.**

**Total Road Length: 2.74 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>RD070008</b>	<b>001</b>	<b>BLM</b>	<b>0.02 Miles</b>	<b>A</b>
<b>RD070008</b>	<b>002</b>	<b>PVT</b>	<b>0.7 Miles</b>	<b>(not shown)</b>
<b>RD070008</b>	<b>003</b>	<b>BLM</b>	<b>2.03 Miles</b>	<b>B</b>
		<b>Total Road Length</b>	<b>2.74</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 Amended Acknowledgment and Amended Notice of Acknowledgment.



**AFFIDAVIT OF LEON FILLINGIM**

**BLM FENCE ROAD, DUCHESNE COUNTY, UTAH**

**COUNTY ROAD NUMBER 31**

State of Utah                    )  
  :  
County of Duchesne            )

LEON FILLINGIM, 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 Duchesne County.

2. I have traveled and am familiar with a road in Duchesne County known to me as the BLM Fence Road. I am also familiar with the land the road traverses. Attached is a Duchesne County map showing the BLM Fence 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 Duchesne County also identifies this road according to the road number listed above.

3. I am familiar with the indicated road because I have lived my whole life in Duchesne County. I was born May 21, 1938. I supervised maintenance of the roads as Superintendent of the Duchesne County Road Department from 1988 to 1996. I was also a road grader operator from 1964 to 1988. During that time I used heavy machinery to construct and grade roads in the summer and to open snowbound roads in the winter.

4. It is the reputation in the community that this road was used by the general public since at least 1920, and has been continuously used since that time.

5. 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 1920, by reputation and from 1964 to the present by my personal observation.

6. Since at least as early as 1920, by reputation and from 1964 through the present by my own observation, the road has been used for homesteading, ranching, traveling in and through the area, recreation, hunting and other sportsmen access, state and local government access, oil and mineral exploration and drilling and by various contractors.

7. By reputation in the community, travelers on the road from at least as early as 1920 and continuing thereafter went by foot, horseback, wagon and car, and by my observation travelers on the road from 1964 to the present went by those means as well as by truck and recreational vehicle.

8. As grader operator and road supervisor I maintained or supervised maintenance of this road with road graders from 1964 until I retired in 1996. Maintenance included grading of the surface, cleaning of the barrow and any other necessary maintenance, and was conducted as needed or as requested. Such maintenance was performed numerous times before 1976, and usually once or twice per year from 1976 to 1996.

9. When I first used and observed the road it ran the same route as it does now, and the road was well established as of 1964.

10. At no time during my tenure as Road Supervisor did the County undertake any procedure to abandon or vacate its right-of-way on the road.

11. This road has been included in the state highway system or infrastructure and has been designated as a Class B highway over which the County has been given jurisdiction by the state legislature for construction, operations and maintenance. The road has been on the official county road system since 1964. The road has been maintained since 1964 by the County as a

public highway, freely open for all to come and go as they please.

Dated this 13<sup>th</sup> day of December, 2006

Leon Fillingim

LEON FILLINGIM

SUBSCRIBED AND SWORN TO before me this 13<sup>th</sup> day of December, 2006.



Maxine B Panas

Notary Public

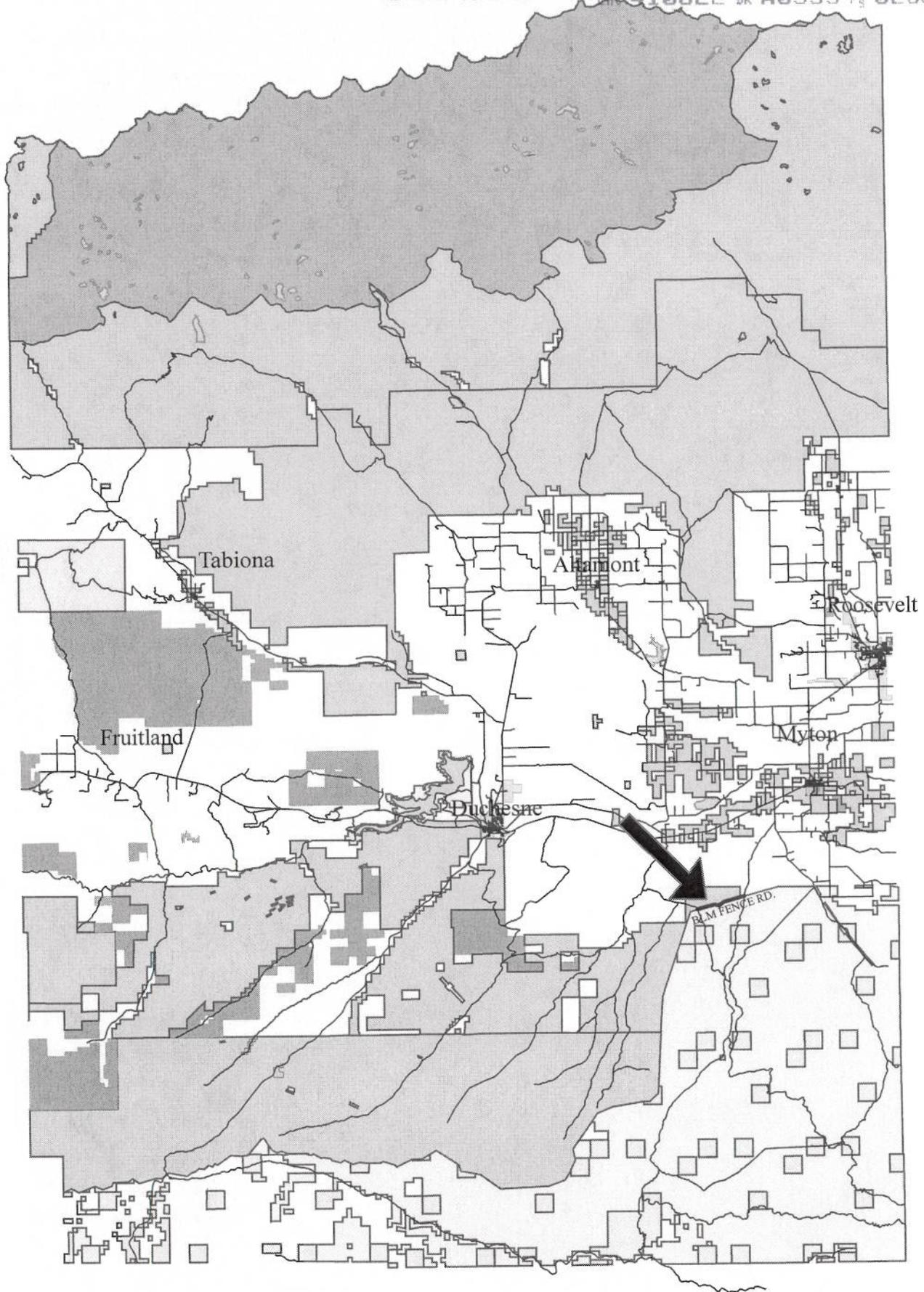
Residing at: Duchesne

# BLM FENCE ROAD

## CR #31

Ent 410622 Bk A0541 Pg 0320

Ent 410622 Bk A0555 Pg 0230



**AFFIDAVIT OF JOHN URESK**

**BLM FENCE ROAD, DUCHESNE COUNTY, UTAH**

**COUNTY ROAD NUMBER 31**

State of Utah                    )  
  :  
County of Duchesne            )

JOHN URESK, 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 Duchesne County.

2. I have traveled and am familiar with a road in Duchesne County known to me as the BLM Fence Road. I am also familiar with the land the road traverses. Attached is a Duchesne County map showing the BLM Fence 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 Duchesne County also identifies this road according to the road number listed above.

3. I am familiar with the indicated road because I have lived my whole life in Duchesne County. I was born Jan 5<sup>th</sup>, 1922. I supervised maintenance of the roads as Superintendent of the Duchesne County Road Department from 1986 to 1987. I was also a Road Grader Operator from 1962 to 1986. Prior to that time I used heavy machinery to construct and grade roads in the summer and to open snowbound roads in the winter.

4. It is the reputation in the community that this road was used by the general public since at least as early as 1920, and has been used as such continuously since that time.

5. 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 1920 by reputation and from 1950 through to the present by my personal observations.

6. Since at least as early as 1920, by reputation, and from 1950 through the present by my own observation, the road has been used for homesteading, ranching, traveling in and through the area, recreation, accessing state lands, hunting and other sportsmen access, state and local government access, oil and mineral exploration and drilling, and by various contractors.

7. By reputation in the community, travelers on the road from at least as early as 1920 and continuing thereafter went by foot, horseback, wagon and car, and by my observation, travelers on the road from 1947 to the present went by those means as well as by truck and recreational vehicle.

8. As grader operator and road supervisor, I maintained or supervised maintenance of this road with road graders from 1962 to 1987. Maintenance included grading of the surface, cleaning of the barrow, and any other necessary maintenance and was conducted as needed or requested. Such maintenance was performed numerous times before 1976 and usually once or twice per year from 1962 to 1987.

9. When I first used and observed the road it ran the same route as it does now, and the road was well established as of 1950.

10. At no time during my tenure as Road Supervisor did the County undertake any procedure to abandon or vacate its right-of-way on the road.

11. This road has been included in the state highway system or infrastructure and has been designated as a Class B highway over which the County has been given jurisdiction by the state legislature for construction, operations and maintenance. The road has been on the official

county road system since 1950. The road has been maintained since 1950 by the County as a public highway, freely open for all to come and go as they please.

12. My own personal knowledge is that this road was worked regularly during the years I worked for Duchesne County, beginning in 1962. We did major construction on the road. This road received a lot of attention from the road crew. The road was worked with a grader and a caterpillar winter and summer.

Dated this 13<sup>th</sup> day of December, 2006.

*John Uresk*

JOHN URESK

SUBSCRIBED AND SWORN TO before me this 13<sup>th</sup> day of December, 2006.



*Maxine B. Panab*

Notary Public

Residing at: Duchesne

# BLM FENCE ROAD

## CR #31

Ent 405998 Bk A0541 Pg 0324

Ent 410622 Bk A0555 Pg 0234

