

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

Ent 251461 Bk 431 Pg 170  
Date: 12-MAY-2008 11:32AM  
Fee: None  
Filed By: CT  
LES BARKER, Recorder  
GARFIELD COUNTY CORPORATION  
For: GOVERNOR/STATE OF UTAH

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Garfield County as it pertains to the highway located in Garfield County known as HATCH MTN ROAD; County Road Number: 0240; State Geographic Information Database (SGID) Road Identification Number: RD090151. Total road length is 0.43 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 23<sup>rd</sup> day of April, 2008.

By the Governor's Designee

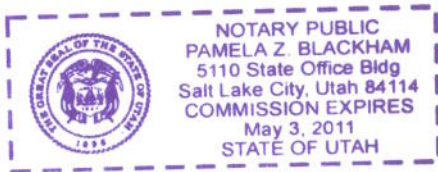
  
\_\_\_\_\_  
John Harja

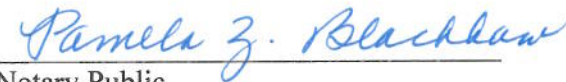
**CERTIFICATION**

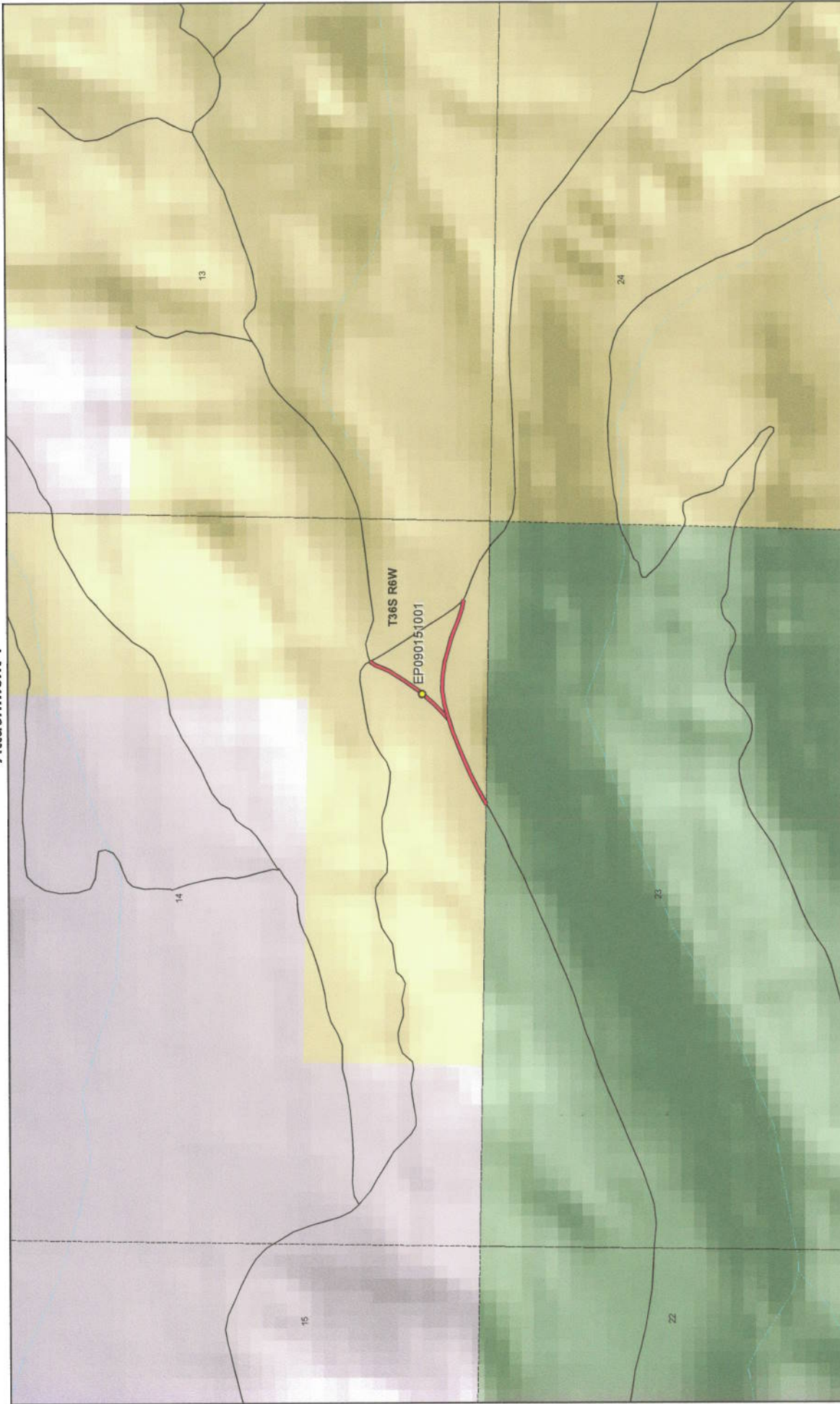
State of Utah                    )  
  : ss  
County of Salt Lake         )

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

Dated this 23<sup>rd</sup> day of April, 2008.



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



Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
Feb 27, 2008

### HATCH MTN ROAD - Garfield County SGID RD\_ID RD090151

**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**

- HATCH MTN ROAD
- Other Roads
- Title V, Issued Or Under Consideration By BLM Or County
- Photo Event Point

Section = 1 Mile

1:11,590  
1 inch equals 0.2 miles

Attachment 2



EP090151001

EP000000000

EP000000000

EP000000000

EP000000000

EP000000000

**HATCH MTN ROAD - Garfield County**  
**SGID RD\_ID RD090151**

Map prepared by the State of Utah  
Automated Geographic Reference Center  
Room 5130 State Office Building  
Salt Lake City, Utah 84114  
February 29, 2008



### Attachment 3

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

**Popular Name: HATCH MTN ROAD**

**County: Garfield**

**County Road Number: 0240**

**State Geographic Information Database (SGID) Road Identification Number: RD090151.**

**Total Road Length: 0.43 miles more or less.**

**Beginning at a point** on the road centerline located at 37 degrees 40 minutes 25.27 seconds North Latitude and -112 degrees 29 minutes 036.6 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,352,881.1 feet and Y = 10,210,701.0 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 37 degrees 40 minutes 33.75 seconds North Latitude and -112 degrees 29 minutes 23.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,353,913.8 feet and Y = 10,211,547.8 feet based on the US Survey Foot conversion.

This road may traverse:

Township 36 South Range 6 West, Section(s) 14,23, 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: HATCH MTN ROAD**

**County: Garfield**

**County Road Number: 0240**

**State Geographic Information Database (SGID) Road Identification Number: RD090151.**

**Total Road Length: 0.43 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>RD090151</b>	<b>001</b>	<b>FS</b>	<b>0 Miles</b>	<b>†(pending)</b>
<b>RD090151</b>	<b>002</b>	<b>BLM</b>	<b>0.13 Miles</b>	<b>A</b>
<b>RD090151</b>	<b>003</b>	<b>BLM</b>	<b>0.17 Miles</b>	<b>B</b>
<b>RD090151</b>	<b>004</b>	<b>BLM</b>	<b>0.14 Miles</b>	<b>C</b>
		<b>Total Road Length</b>	<b>0.43</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 STANLEY HUNTINGTON**

**HATCH MOUNTAIN ROAD**

**COUNTY ROAD NUMBER 0240**

**GARFIELD COUNTY, UTAH**

State of Utah                    )  
  : ss.  
County of Garfield            )

STANLEY HUNTINGTON, 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 Garfield County for 26 years.

2. I have traveled and am familiar with a road in Garfield County known as Hatch Mountain 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 Garfield County map showing Hatch Mountain 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 1955 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars, trucks, maintenance vehicles, jeeps and ATV's. Throughout this time period, the road has been used daily, weather permitting, for more than ten continuous years prior to 1976, and was used daily, weather permitting in 2007.



4. Throughout the time period from 1955 to 2007, I have used the road myself for wood gathering, hunting, ATV riding, trapping and traveling in and through the area.

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 camping, livestock operations, recreation, rock hounding and government access.

6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1945 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

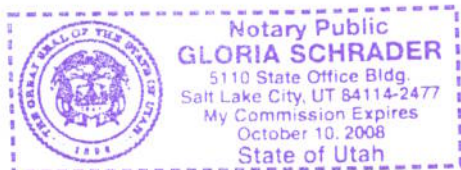
7. Prior to 1976, I observed graders performing maintenance and construction activities on the road.

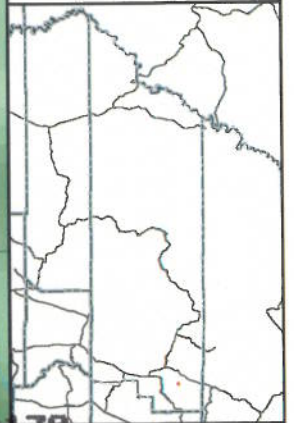
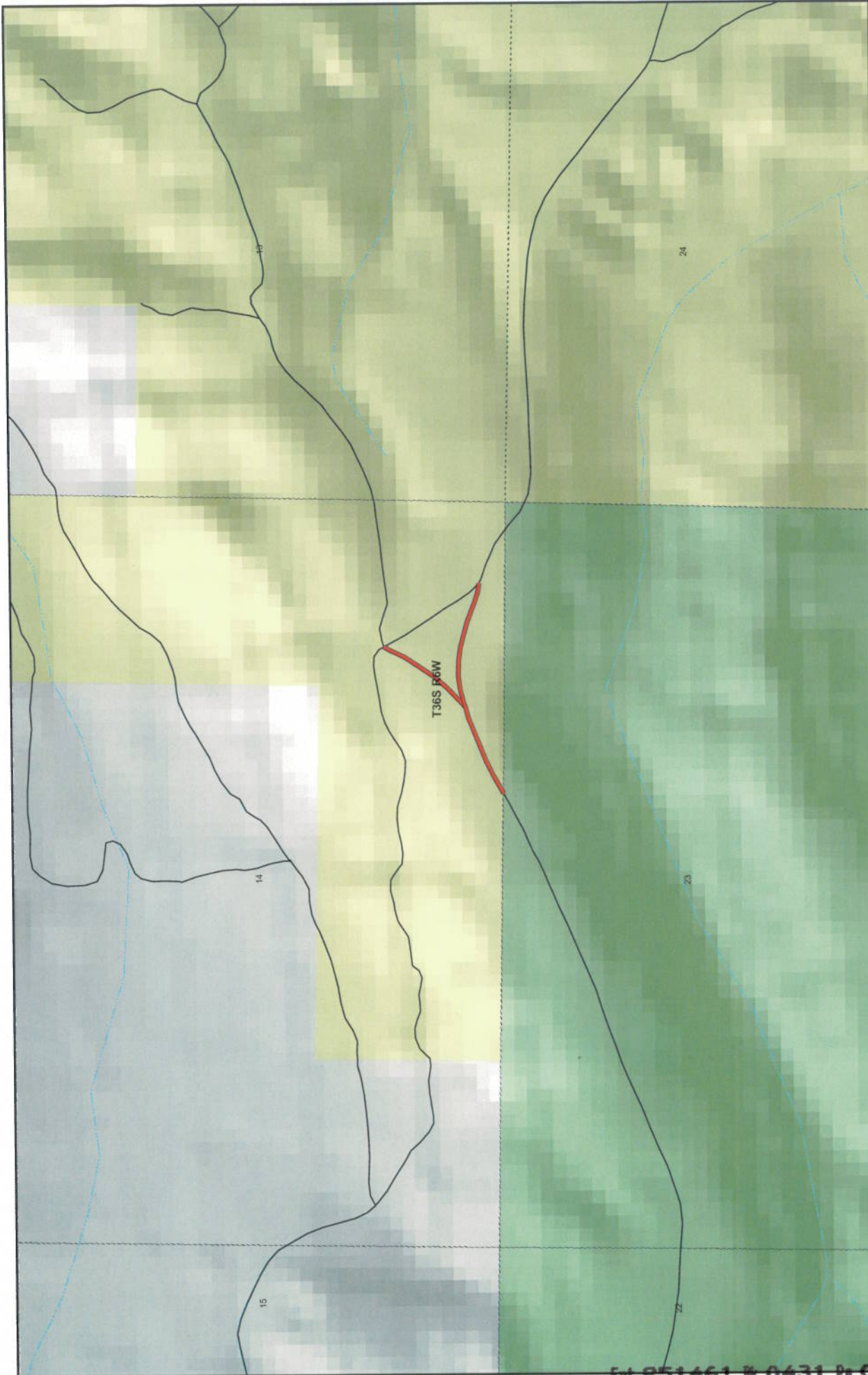
Dated this 12 day of July, 2007.

  
STANLEY HUNTINGTON

SUBSCRIBED AND SWORN to before me this 12<sup>th</sup> day of July, 2007.

  
NOTARY PUBLIC





**HATCH MTN RD**  
**County Unique - 0240**

- Land Ownership Categories**
- BLM
  - Private
  - SITLA, State Trust Land
  - USFS, National Forest
  - National Park/Monument (NPS)
- Misc**
- Wildlife Reserve
  - National Rec. Area
  - Wilderness
  - State Park
  - City / Town
  - Municipalities
  - Section = 1 Mile
  - Monument Boundary
- Transportation Network**
- HATCH MTN RD
  - State / U.S. Highway
  - Local Roads



1:11,060  
 1 inch equals 0.2 miles



Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 AGRC  
 Room 6300 State Office Building  
 Salt Lake City, Utah 84114  
 Jul 06, 2007



**AFFIDAVIT OF LOWELL HUNTINGTON**

**HATCH MOUNTAIN ROAD**

**COUNTY ROAD NUMBER 0240**

**GARFIELD COUNTY, UTAH**

State of Utah                    )  
  : ss.  
County of Garfield            )

LOWELL HUNTINGTON, 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 Garfield County for 62 years.

2. I have traveled and am familiar with a road in Garfield County known as Hatch Mountain Road. I am also familiar with the land the road traverses. When I first used and observed the road in 1952, it followed the same route as in 2007 when I last observed it. Attached is a Garfield County map showing Hatch Mountain 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 1952 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars, trucks, maintenance vehicles, jeeps and ATV's. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and was used daily in 2007.

4. Throughout the time period from 1952 to 2007, I have used the road myself for fishing, wood gathering, logging, hunting, trapping and traveling in and through the area and prospecting for minerals.

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, camping, rock hounding and government access.

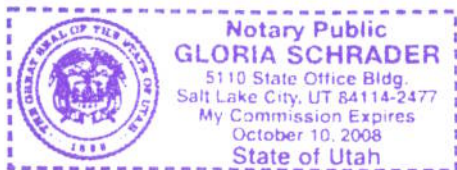
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the 1940s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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

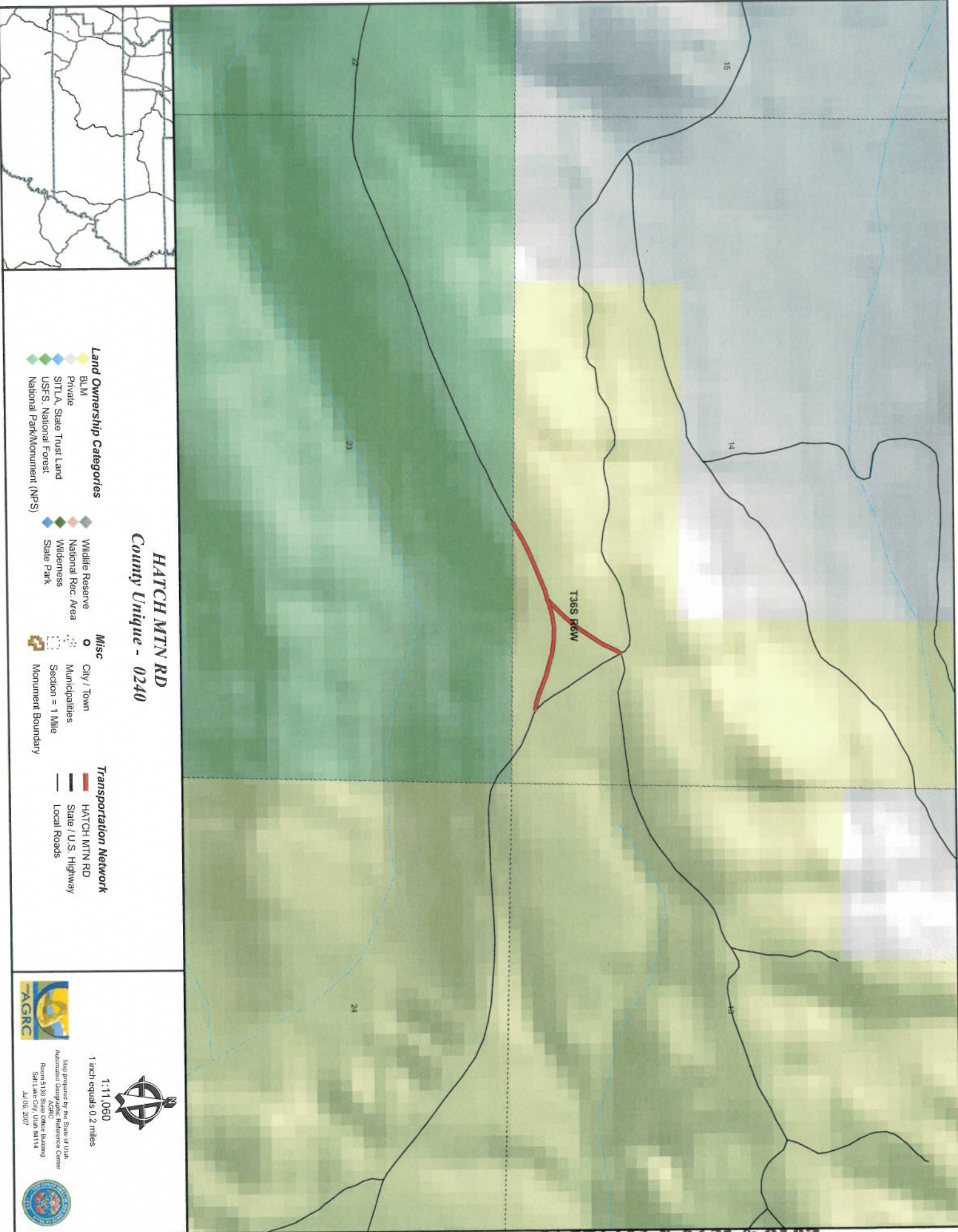
Dated this 9<sup>th</sup> day of July, 2007.

  
\_\_\_\_\_  
LOWELL HUNTINGTON

SUBSCRIBED AND SWORN to before me this 9<sup>th</sup> day of July, 2007.



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



**HATCH MTN RD**  
**County Unique - 0240**

- Land Ownership Categories**
- BLM
  - Private
  - SITLA, State Trust Land
  - USFS, National Forest
  - National Park/Monument (NPS)

- Wildlife Reserve
- National Rec. Area
- Wilderness
- State Park

- Misc**
- City / Town
  - Municipalities
  - Section = 1 Mile
  - Monument Boundary

- Transportation Network**
- HATCH MTN RD
  - State / U.S. Highway
  - Local Roads



Map prepared by the State of Utah  
 Automated Geographic Reference Center  
 AGRC  
 Room 5100 State Office Building  
 Salt Lake City, UT 84114  
 21.02.2007



1:11,060  
 1 inch equals 0.2 miles

## Appendix A to Attachment 4

**Popular Name: HATCH MTN ROAD**

**County: Garfield**

**County Road Number: 0240**

**State Geographic Information Database (SGID) Road Identification Number: RD090151.**

**Road-Segment Number: 002**

**Road-Segment Length: 0.13 miles more or less.**

**Believed owner of the land underlying this road-segment is: Bureau of Land Management.**

*The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).*

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 36 South Range 6 West, Section(s) 14, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (HATCH MTN 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 37 degrees 40 minutes 25.31 seconds North Latitude and -112 degrees 29 minutes 36.52 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,352,887.1 feet and Y = 10,210,704.5 feet; thence the following courses along the said road center line:

thence North 60 Degrees 20 Minutes 19 Seconds East 23.2 feet

thence North 60 Degrees 04 Minutes 29 Seconds East 112.9 feet

thence North 63 Degrees 59 Minutes 51 Seconds East 106.7 feet

thence North 66 Degrees 21 Minutes 30 Seconds East 106.9 feet

thence North 67 Degrees 49 Minutes 56 Seconds East 112.8 feet

thence North 67 Degrees 42 Minutes 48 Seconds East 115.7 feet

thence North 74 Degrees 16 Minutes 52 Seconds East 82.7 feet more or less to **the ending**

**point at:** 37 degrees 40 minutes 28 seconds North Latitude and -112 degrees 29 minutes 29.06 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,353,490.0 feet and Y = 10,210,970.7 feet.

## Appendix B to Attachment 4

**Popular Name: HATCH MTN ROAD**

**County: Garfield**

**County Road Number: 0240**

**State Geographic Information Database (SGID) Road Identification Number: RD090151.**

**Road-Segment Number: 003**

**Road-Segment Length: 0.17 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 36 South Range 6 West, Section(s) 14, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (HATCH MTN ROAD)-- Segment 003 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 37 degrees 40 minutes 28 seconds North Latitude and -112 degrees 29 minutes 29.06 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,353,490.0 feet and Y = 10,210,970.7 feet; thence the following courses along the said road center line:

thence North 68 Degrees 36 Minutes 12 Seconds East	24.6 feet
thence North 73 Degrees 46 Minutes 32 Seconds East	101.7 feet
thence North 81 Degrees 57 Minutes 52 Seconds East	100 feet
thence South 88 Degrees 05 Minutes 40 Seconds East	102.1 feet
thence South 81 Degrees 11 Minutes 02 Seconds East	99.4 feet
thence South 75 Degrees 02 Minutes 56 Seconds East	101 feet
thence South 74 Degrees 44 Minutes 43 Seconds East	86.9 feet
thence South 72 Degrees 14 Minutes 37 Seconds East	47.6 feet
thence South 69 Degrees 58 Minutes 51 Seconds East	28.3 feet
thence South 68 Degrees 15 Minutes 44 Seconds East	72.6 feet
thence South 72 Degrees 26 Minutes 00 Seconds East	73.8 feet

thence South 79 Degrees 59 Minutes 57 Seconds East 62.4 feet more or less to **the ending point at:** 37 degrees 40 minutes 027.1 seconds North Latitude and -112 degrees 29 minutes 018.2 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,354,362.3 feet and Y = 10,210,870.3 feet.



## Appendix C to Attachment 4

**Popular Name: HATCH MTN ROAD**

**County: Garfield**

**County Road Number: 0240**

**State Geographic Information Database (SGID) Road Identification Number: RD090151.**

**Road-Segment Number: 004**

**Road-Segment Length: 0.14 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 36 South Range 6 West, Section(s) 14, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (HATCH MTN ROAD)-- Segment 004 based on mapping grade Global Positioning System (GPS) data as defined above:

**Beginning at a point** on the road center line located at 37 degrees 40 minutes 28 seconds North Latitude and -112 degrees 29 minutes 29.06 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,353,490.0 feet and Y = 10,210,970.7 feet; thence the following courses along the said road center line:

thence North 47 Degrees 17 Minutes 21 Seconds East 66.7 feet

thence North 45 Degrees 09 Minutes 34 Seconds East 114.6 feet

thence North 41 Degrees 35 Minutes 10 Seconds East 115.5 feet

thence North 33 Degrees 58 Minutes 39 Seconds East 141 feet

thence North 32 Degrees 51 Minutes 36 Seconds East 129 feet

thence North 24 Degrees 32 Minutes 38 Seconds East 107.8 feet

thence North 29 Degrees 26 Minutes 26 Seconds East 47.6 feet more or less to **the ending**

**point at:** 37 degrees 40 minutes 33.75 seconds North Latitude and -112 degrees 29 minutes 23.87 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah South Zone NAD 83 feet coordinates of X = 1,353,913.8 feet and Y = 10,211,547.8 feet.