

00166650

B: 490 P: 320 Fee \$0.00
Connie Hansen, Millard Recorder
07/16/2008 09:31:25 AM By UT STATE GOVERNOR

Page 1 of 14

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Millard County as it pertains to the highway located in Millard County known as Old Highway 6 and 50; County Road Number: MC01; State Geographic Information Database (SGID) Road Identification Number: RD140005. Total road length is 73.5 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

Attachment 1



00166650

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1:414,700
 1 inch equals 6.5 miles



Attachment 1

**Old Highway 6 and 50 - Millard County
 SGID RD_ID RD140005**

- 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**
- Old Highway 6 and 50
 - Other Roads
 - Title V, Issued Or Under Consideration By BLM Or County
 - Photo Event Point
 - Section = 1 Mile

Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Jun 03, 2008



Attachment 2



EP140005011



EP140005021



EP140005024



EP140005013



EP140005016

00166650

B: 490 P: 323 Fee \$0.00 Page 4 of 14
Connie Hansen, Millard Recorder
07/16/2008 09:31:25 AM By UT STATE GOVERNOR



EP000000000

Old Highway 6 and 50 - Millard County
SGID RD_ID RD140005



Map prepared by the State of Utah
Automated Geographic Reference Center
Room 5130 State Office Building
Salt Lake City, Utah 84114
June 3, 2008



Attachment 3

00166650

B: 490 P: 324 Fee \$0.00
Connie Hansen, Millard Recorder Page 5 of 14
07/16/2008 09:31:25 AM By UT STATE GOVERNOR

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

Popular Name: Old Highway 6 and 50
County: Millard
County Road Number: MC01
State Geographic Information Database (SGID) Road Identification Number: RD140005.
Total Road Length: 73.5 miles more or less.

Beginning at a point on the road centerline located at 39 degrees 09 minutes 33.68 seconds North Latitude and -114 degrees 02 minutes 55.06 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 917,827.9 feet and Y = 6,872,831.0 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 39 degrees 18 minutes 25.29 seconds North Latitude and -112 degrees 47 minutes 027.6 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,275,131.2 feet and Y = 6,918,956.2 feet based on the US Survey Foot conversion.

This road may traverse:

- Township 17 South Range 10 West, Section(s) 24,25,26,27,28,29,30,31, Salt Lake Base & Meridian
- Township 17 South Range 11 West, Section(s) 36, Salt Lake Base & Meridian
- Township 17 South Range 15 West, Section(s) 19,28,29,30,33,34, Salt Lake Base & Meridian
- Township 17 South Range 16 West, Section(s) 8,9,10,11,13,14,17,18,24, Salt Lake Base & Meridian
- Township 17 South Range 17 West, Section(s) 13,22,23,24,27,31,32,33,34, Salt Lake Base & Meridian
- Township 17 South Range 8 West, Section(s) 19,30, Salt Lake Base & Meridian
- Township 17 South Range 9 West, Section(s) 19,20,21,24,25,26,27,28, Salt Lake Base & Meridian
- Township 18 South Range 11 West, Section(s) 1,2,3,4,5,6, Salt Lake Base & Meridian
- Township 18 South Range 12 West, Section(s) 1,8,9,10,11,12,17,18, Salt Lake Base & Meridian
- Township 18 South Range 13 West, Section(s) 7,8,9,10,11,13,14, Salt Lake Base & Meridian
- Township 18 South Range 14 West, Section(s) 7,8,9,12,13,14,15,16, Salt Lake Base & Meridian
- Township 18 South Range 15 West, Section(s) 1,2,3,12, Salt Lake Base & Meridian
- Township 18 South Range 17 West, Section(s) 6, Salt Lake Base & Meridian
- Township 18 South Range 18 West, Section(s) 1,2,9,10,11,16,17,18, Salt Lake Base & Meridian
- Township 18 South Range 19 West, Section(s) 13,20,21,22,23,24, Salt Lake Base & Meridian
- Township 19 South Range 19 West, Section(s) 7, Salt Lake Base & Meridian
- Township 19 South Range 20 West, Section(s) 12,13, Salt Lake Base & Meridian

See Attachment 1 above for a cartographic depiction of the course of this road.

00166650

B: 490 P: 325 Fee \$0.00 Page 6 of 14
Connie Hansen, Millard Recorder By UT STATE GOVERNOR
07/16/2008 09:31:25 AM



**Attachment 4
Road Centerline Description Cover Page(s)**

00166650

B: 490 P: 326 Fee \$0.00
 Connie Hansen, Millard Recorder
 07/16/2008 09:31:25 AM By UT STATE GOVERNOR Page 7 of 14

Popular Name: Old Highway 6 and 50

County: Millard

County Road Number: MC01

State Geographic Information Database (SGID) Road Identification Number: RD140005.

Total Road Length: 73.5 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).

Road-Segments Listed by SGID Road Identification Number (RD ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD140005	001	BLM	1.4 Miles	A
RD140005	002	PVT	0.75 Miles	(not shown)
RD140005	003	BLM	5.51 Miles	B
RD140005	004	ST	1.05 Miles	(not shown)
RD140005	005	BLM	1.5 Miles	C
RD140005	006	ST	1 Miles	(not shown)
RD140005	007	BLM	2.43 Miles	D
RD140005	008	ST	1.09 Miles	(not shown)
RD140005	009	BLM	16.73 Miles	E
RD140005	010	ST	1.1 Miles	(not shown)
RD140005	011	BLM	18.19 Miles	F
RD140005	012	BLM	0.15 Miles	G
RD140005	013	BLM	6.62 Miles	H
RD140005	014	ST	1.01 Miles	(not shown)
RD140005	015	BLM	0.4 Miles	I
RD140005	016	ST	0.77 Miles	(not shown)
RD140005	017	BLM	7.74 Miles	J
RD140005	018	PVT	2.52 Miles	(not shown)
RD140005	019	BLM	3.52 Miles	K
		Total Road Length	73.5	

* 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

00166650

B: 490 P: 327 Fee \$0.00 Page 8 of 14
Connie Hansen, Millard Recorder
07/16/2008 09:31:25 AM By UT STATE GOVERNOR



myself for the following uses: hunting, county road work and recreation.

6. Throughout the time period described in the previous paragraph, I observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph, plus the following uses: livestock operations, traveling in and through the area, trapping, government access and sightseeing.

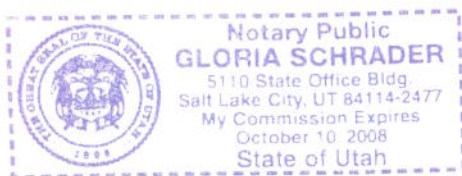
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1930s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I participated in maintenance and construction activities on the road. Construction and maintenance have been performed since the early 1950s by Millard County Road Department.

DATED this 6 day of December, 2006.

Jay Atkinson
JAY ATKINSON

SUBSCRIBED AND SWORN to before me this 6th day of December, 2006.



Gloria Schrader
NOTARY PUBLIC

00166650

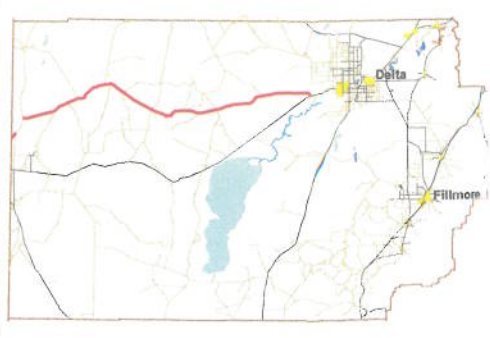
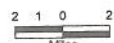
B: 490 P: 329 Fee \$0.00 Page 10 of 14
Connie Hansen, Millard Recorder By UT STATE GOVERNOR
07/16/2008 09:31:25 AM

**ROAD = MC01
OLD HIGHWAY 6 & 50 RD**



MILLARD COUNTY

- B Class Road of Interest
- Interstate
- Highway Major
- Highway Minor
- B Class Road
- Unimproved Road
- County Border
- River
- / / / Cities / Towns
- Lakes
- Lakes - Intermittent
- Township & Range Line
- Forest Service Lands
- BLM Lands
- State Trust Lands
- Private Lands



AFFIDAVIT OF WILLIAM THAYNE HENRIE

OLD HIGHWAY 6 & 50

MILLARD COUNTY, UTAH

ROAD NUMBER MC01

State of Utah)
 : SS.
County of Millard)

00166650

B: 490 P: 331 Fee \$0.00
Connie Hansen, Millard Recorder
07/16/2008 09:31:25 AM By UT STATE GOVERNOR Page 12 of 14



WILLIAM THAYNE HENRIE, 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 Millard County, Utah. I have lived in Millard County for fifty-eight years. I have been an employee of the Millard County Road Department since June of 1990, have been the Road Department Supervisor from January 1993 to the present and have participated in maintenance of the road during that time.

2. I have traveled and am familiar with a road in Millard County known as the Old Highway 6 & 50. I am also familiar with the land the road traverses. When I first used and observed the road in the 1950s, it followed the same route as in 2006 when I last observed it. Attached is a Millard County map showing Old Highway 6 & 50. 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 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 1950s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by means of cars, trucks, recreational vehicles, and pickup trucks. Throughout this time period, the road has been used daily for more than ten continuous years prior to 1976, and is presently used daily.


5. Throughout the time period from the 1950s to the present, I have used the road myself for camping, hunting, rock hounding, participating in search and rescue efforts 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 mining, prospecting for minerals, livestock operations, trapping, tourism, government access, picnicking, hiking and sightseeing.

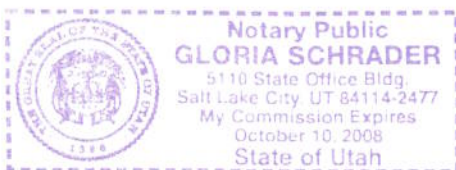
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976 I observed graders and other maintenance equipment performing maintenance and construction activities on the road. Maintenance on the road has been performed since 1955 by the State of Utah Department of Transportation and later by the Millard County Road Department.

DATED this 5 day of December, 2006.


WILLIAM THAYNE HENRIE

SUBSCRIBED AND SWORN to before me this 5th day of December, 2006.




NOTARY PUBLIC

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B: 490 P: 332 Fee \$0.00 Page 13 of 14
Connie Hansen, Millard Recorder
07/16/2008 09:31:25 AM By UT STATE GOVERNOR



**ROAD = MC01
OLD HIGHWAY 6 & 50 RD**



MILLARD COUNTY

- B Class Road of Interest
- Interstate
- Highway Major
- Highway Minor
- B Class Road
- Unimproved Road
- County Border
- River
- / / / Cities / Towns
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- Lakes - Intermittent
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