

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

**00166653**

B: 490 P: 360 Fee \$0.00  
Connie Hansen, Millard Recorder  
07/16/2008 09:31:25 AM By UT STATE GOVERNOR Page 1 of 13

**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over public lands, not reserved for public uses” under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its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 Death Canyon Road; County Road Number: MC02; State Geographic Information Database (SGID) Road Identification Number: RD140008. Total road length is 12.89 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 10<sup>th</sup> day of July, 2008.

By the Governor's Designee

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

**CERTIFICATION**

State of Utah                    )  
  : ss  
County of Salt Lake         )

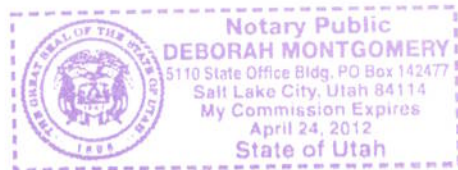
I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to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

Dated this 10 day of July, 2008.

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

**00166653**

B: 490 P: 361      Fee \$0.00      Page 2 of 13  
Connie Hansen, Millard Recorder  
07/16/2008 09:31:25 AM      By UT STATE GOVERNOR







**00166653**

B: 490 P: 362 Fee \$0.00

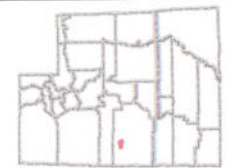
Connie Hansen, Millard Recorder

07/16/2008 09:31:25 AM

By UT STATE GOVERNOR



1:62,566  
1 inch equals 1 miles



**Death Canyon Road - Millard County  
SGID RD\_ID RD140008**

- 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**
- Death Canyon Road
  - 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



EP140008036



EP140008035



EP140008021



EP140008034



EP140008016

00166653

B: 490 P: 363 Fee \$0.00 Page 4 of 13  
Connie Hansen, Millard Recorder  
07/16/2008 09:31:25 AM By UT STATE GOVERNOR



EP000000000

Death Canyon Road - Millard County  
SGID RD\_ID RD140008



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

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

**Popular Name: Death Canyon Road**

**County: Millard**

**County Road Number: MC02**

**State Geographic Information Database (SGID) Road Identification Number: RD140008.**

**Total Road Length: 12.89 miles more or less.**

**Beginning at a point** on the road centerline located at 39 degrees 20 minutes 45.15 seconds North Latitude and -113 degrees 25 minutes 24.36 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,096,512.2 feet and Y = 6,936,318.5 feet based on the US Survey Foot conversion.

**Ending at a point** on the road centerline located at 39 degrees 18 minutes 47.58 seconds North Latitude and -113 degrees 14 minutes 50.42 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,146,069.2 feet and Y = 6,923,404.4 feet based on the US Survey Foot conversion.

This road may traverse:

Township 17 South Range 12 West, Section(s) 19, Salt Lake Base & Meridian

Township 17 South Range 13 West, Section(s) 2,7,8,9,10,11,13,14,18,24, Salt Lake Base & Meridian

Township 17 South Range 14 West, Section(s) 9,10,11,12, Salt Lake Base & Meridian

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

**00166653**

B: 490 P: 364 Fee \$0.00

Connie Hansen, Millard Recorder

Page 5 of 13

07/16/2008 09:31:25 AM

By UT STATE GOVERNOR





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

**Popular Name: Death Canyon Road**  
**County: Millard**  
**County Road Number: MC02**  
**State Geographic Information Database (SGID) Road Identification Number: RD140008.**  
**Total Road Length: 12.89 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
RD140008	001	BLM	8.91 Miles	A
RD140008	002	ST	0.32 Miles	(not shown)
RD140008	003	BLM	3.66 Miles	B
<b>Total Road Length</b>			<b>12.89</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.

**00166653**

B: 490 P: 365 Fee \$0.00  
 Connie Hansen, Millard Recorder  
 07/16/2008 09:31:25 AM By UT STATE GOVERNOR  
 Page 6 of 13



**Attachment 5**

**00166653**

B: 490 P: 366 Fee \$0.00  
Connie Hansen, Millard Recorder Page 7 of 13  
07/16/2008 09:31:25 AM By UT STATE GOVERNOR







5. Throughout the time period from the 1950s to the present, I have used the road myself for camping, gathering fire wood, 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.

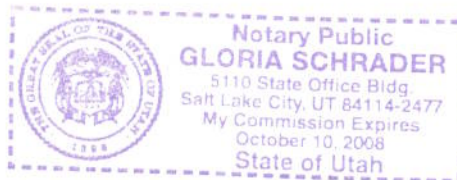
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

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 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.



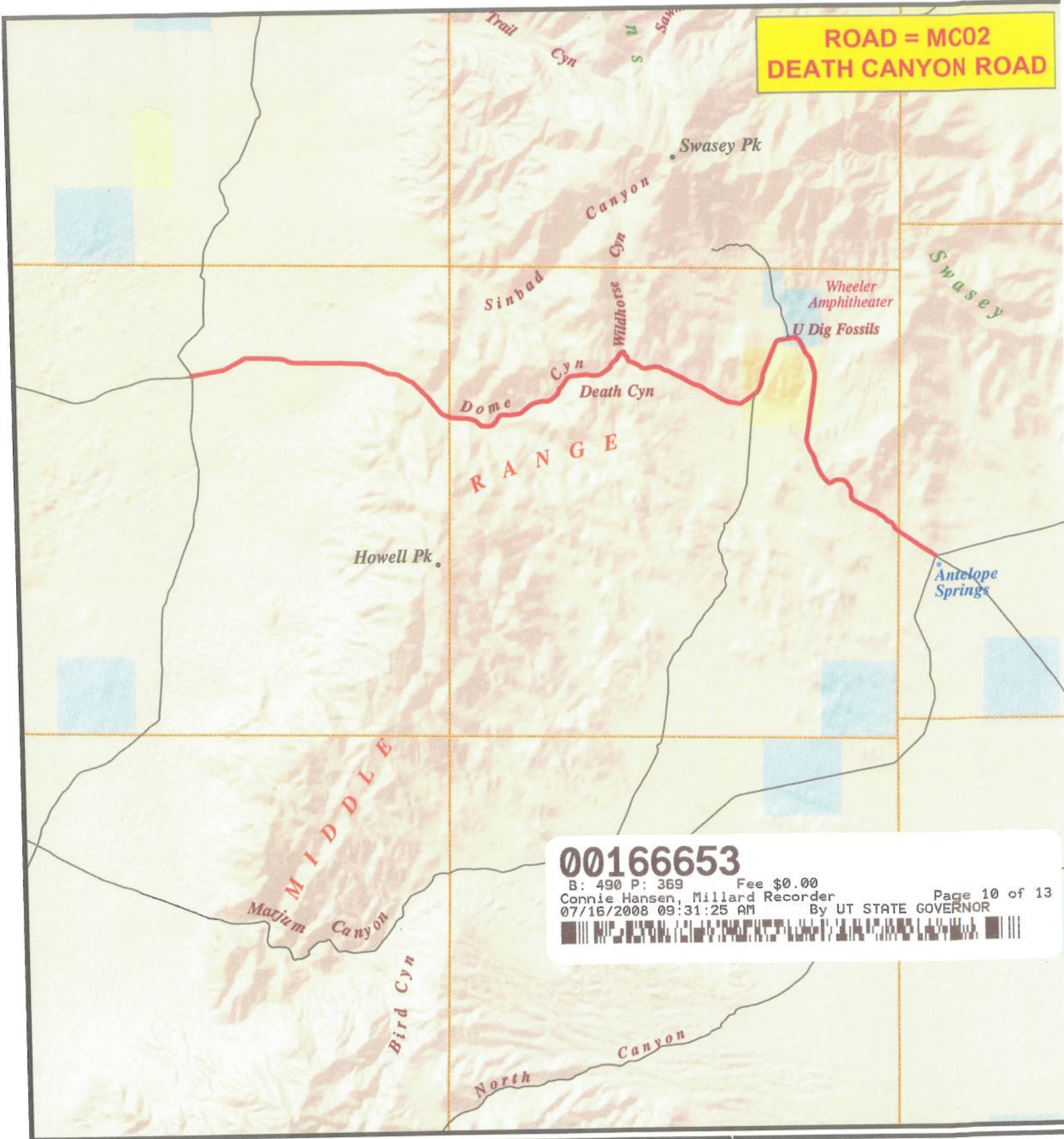
  
NOTARY PUBLIC

00166653

B: 490 P: 368 Fee \$0.00  
Connie Hansen, Millard Recorder  
07/16/2008 09:31:25 AM By UT STATE GOVERNOR Page 9 of 13



**ROAD = MC02  
DEATH CANYON ROAD**



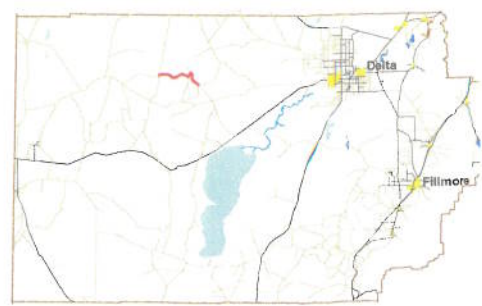
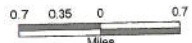
**00166653**

B: 490 P: 369 Fee \$0.00  
 Connie Hansen, Millard Recorder  
 07/16/2008 09:31:25 AM By UT STATE GOVERNOR



**M I L L A R D C O U N T Y**

- 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 DALE BLISS**  
**DEATH CANYON ROAD**  
**MILLARD COUNTY, UTAH**  
**ROAD NUMBER MC02**

State of Utah            )  
                              )ss.  
County of Millard        )

DALE BLISS, 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 Hinckley, Millard County, Utah. I have lived in Millard County for seventy-two years. I was employed by the Millard County Road Department from the mid 1950s to the mid 1960s.
2. I have traveled and am familiar with a road in Millard County known as the Death Canyon 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 2006 when I last observed it. Attached is a Millard County map showing the Death Canyon 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 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 use, to come and go as they pleased, since at least as early as the early 1950s and continuing through 1976 to the present. Throughout this time period I have observed travel on the road by various means,

**00166653**

B: 490 P: 370 Fee \$0.00  
Connie Hansen, Millard Recorder  
07/16/2008 09:31:25 AM By UT STATE GOVERNOR  
Page 11 of 13



including cars, trucks, recreational vehicles. Throughout this time period, the road has been used weekly for more than ten continuous years prior to 1976, and is presently used weekly.

5. Throughout the time period from the early 1950s to the present, I have used the road myself for the following uses: livestock operations, wood gathering, camping 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: mining, prospecting for minerals, logging, government access, picnicking, hiking, and sightseeing, hunting, accessing other roads and areas, and traveling in and through the area.

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 1930 and continuing through 1976 to the present, for the uses described in the previous paragraphs.

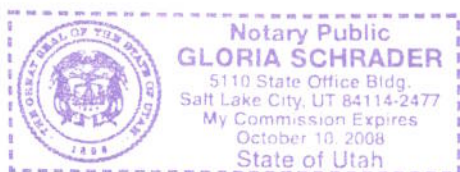
8. I observed the following evidence of maintenance/construction activities on the road prior to 1976: Construction and maintenance activities on the road and the presence of maintenance equipment including road graders and other road equipment. I have personally graded and maintained the road.

DATED this 4 day of December, 2006.

Dale Bliss  
DALE BLISS

SUBSCRIBED AND SWORN to before me this 4<sup>th</sup> day of December, 2006.

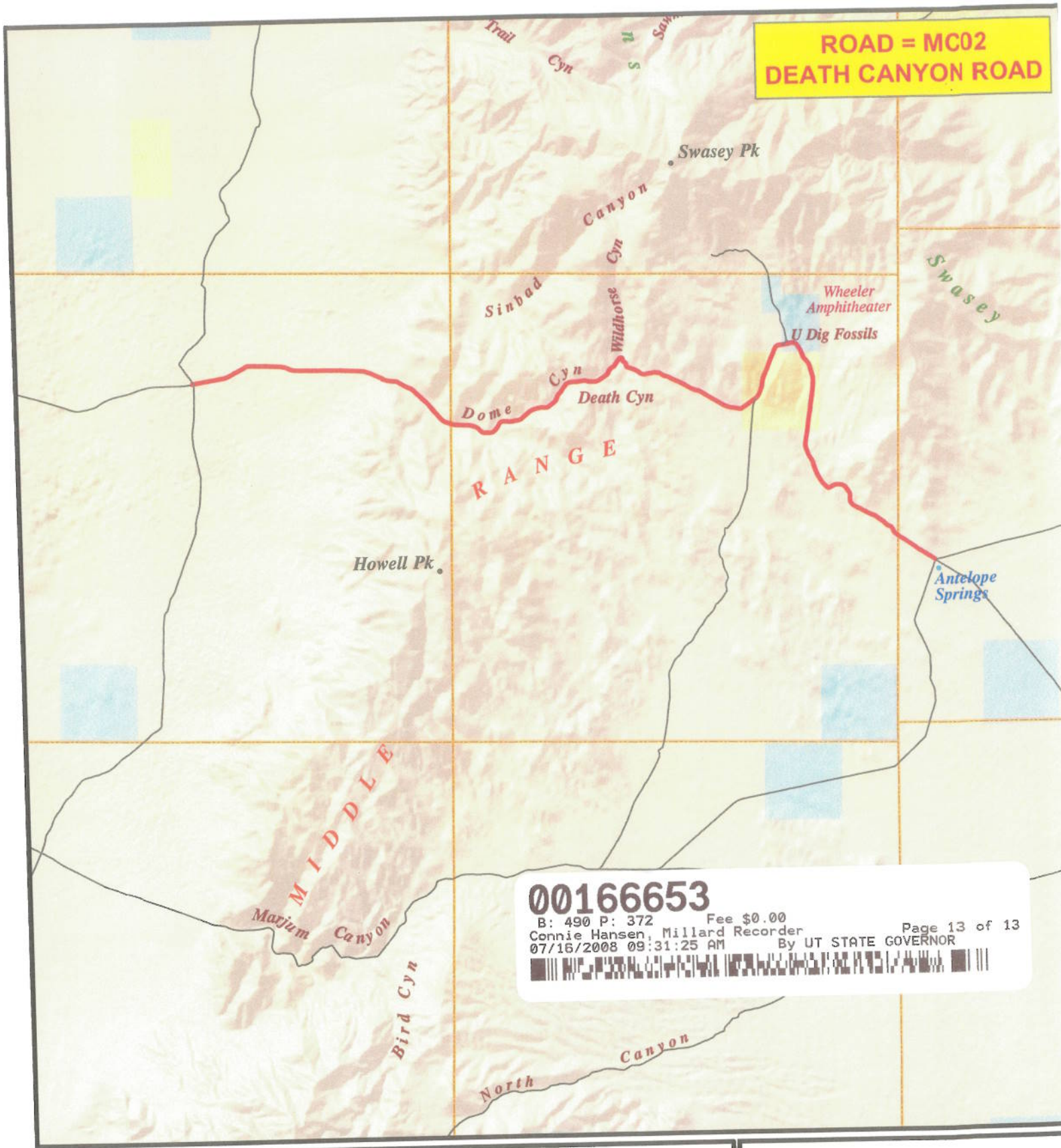
Gloria Schrader  
NOTARY PUBLIC



00166653



**ROAD = MC02  
DEATH CANYON ROAD**



**00166653**

B: 490 P: 372 Fee \$0.00 Page 13 of 13  
 Connie Hansen, Millard Recorder  
 07/16/2008 09:31:25 AM By UT STATE GOVERNOR



**M I L L A R D C O U N T Y**

- 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

